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EUROPÄISCHE UNION DES HANDWERKS UND DER KLEIN- UND MITTELBETRIEBE
EUROPEAN ASSOCIATION OF CRAFT, SMALL AND MEDIUM-SIZED ENTERPRISES
UNIONE EUROPEA DELL' ARTIGIANATO E DELLE PICCOLE E MEDIE IMPRESE

**UEAPME's response to the first stage consultation of
the European Social Partners on
“the reconciliation of professional, private and family life”.**

General Comments

UEAPME has carefully read the new Article 138 consultation on “the reconciliation of professional, private and family life”.

The representative of European crafts, small and medium sized enterprises along with the other European Social Partners has always considered the issue of “reconciliation of professional, private and family life” as highly important in the same way as the Council and the European Commission and is on their the agenda for years.

In the past, the inter-professional European Social Partners have been particularly active in this domain. On the basis of a consultation of the European Commission on reconciling working and family life, which is a key element of equal opportunities policy but also for employment and a more effective functioning labour market, the European Social Partners have negotiated and concluded their first European framework agreement ever on parental leave. Afterwards, in the same spirit, they have also negotiated two framework agreements on flexible forms of working time, namely part time work and fixed term contracts. In the last years they have concluded and implemented the first autonomous European framework agreement on telework. More recently they have also agreed on a significant framework of actions (FoA) on gender equality which highlights in particular the topic of work life balance as a priority and in which they call on the national social partners to work on this specific issue. The first follow-up report of the framework of actions is currently being prepared and should be adopted by the end of the year by the Social Dialogue Committee.

Work-life balance measures are important in order to achieve the Lisbon targets to increase employment levels, in particular of women. Moreover the challenge of demographic change gives a new degree of urgency to the reconciliation of professional, private and family life. It is a very serious concern for businesses, in particular for SMEs, because of the lack of skilled workers, which will even increase as a result of the reduction of the birth rates.

The aim of finding measures to reconcile professional, private and family life, is one of the reasons why the European Social Partners agreed in 2005 on a Framework of Action on Gender Equality, which includes the priority “to support work-life-balance”.¹ As a follow up, the European Social Partners agreed to have an annual report on the implementation of this FoA. The 1st follow up report currently drawn up

¹ http://www.ueapme.com/docs/joint_position/Joint%20PP%202005/GenderEquality_Joint_En.doc

by the European Social partners, which is based on joint country reports from the national social partners indicates a trend that “supporting work-life-balance” is the priority most concentrated on at national level.²

UEAPME reemphasises the need for work-life balance measures to be tailor made solutions, which adapt the working condition to the needs of the company and the individual. These measures can be agreed on relatively easily in SMEs, as the management or business owner works on a daily basis with the employees. This leads to solutions which are non bureaucratic, informal, and which are rapidly implemented and easily modified. This is especially important as the needs of both the company and the individual change over time.

Specific responses to the questions

(i) Do you consider that there is a need for further action on reconciliation between professional, private and family life in the European Union? If you consider action to be necessary, should such action be undertaken at Community level, national level, enterprise or sectoral level?

UEAPME considers the issue of reconciliation between professional, private and family life as very important and becomes even more important because of the demographic change. Nevertheless we do not see the necessity for any further European legislation nor any change in the currently existing legislation concerning this, as the real balance between work and private/family life needs to be found at company level, as these arrangements need to correspond to the requirements of the individual and the company.

However, there is a role to play for the European level, namely providing a forum for the exchange of good practises between the Member States and the various stakeholders. Different countries in the EU vary on the success level of applying work-life balance measures, including flexible forms of work, in particular part-time work or telework. The exchange of good practises could help the countries which are less successful with their policy measures to improve by applying some of the successful measures to the national, regional and local circumstances.

(ii) What are the main areas in which improvements could be needed, taking into consideration in particular:

- 1) working time and flexible working arrangements;*
- 2) new possibilities offered by information technologies;*
- 3) availability and quality of childcare and care services for the elderly and other dependants;*
- 4) leave, including paternity leave and leave to care for an elderly parent or a child or other family member with a disability?*

On point 1:

Working time and flexible work arrangements are key components of SMEs' internal flexibility. Without these flexible tools, SMEs and in particular micro-businesses would not be able to survive in a very competitive environment.

² This report will be published shortly on the UEAPME website <http://www.ueapme.com>

Therefore it is imperative that an agreement is finally found at the Council level on the revision of the working time directive, which gives the necessary flexibility in the working time that is needed by enterprises, particularly by SMEs to remain competitive.

On point 2:

UEAPME believes that the new possibilities offered by information technologies can contribute to the reconciliation of professional, private and family life and help achieving the necessary balance between flexibility and security.

The use of new technologies could easily facilitate the forms of work organised or performed at a distance from the company.

This was also highlighted in the Framework agreement of the European Social Partners on Telework.³ However, such forms of work as telework are not suitable in all work situations and depend very much on the specific sector and the company.

On point 3:

First and foremost it is the responsibility of public authorities to provide not only sufficient and affordable care facilities for children and ill/dependent family members, but which also have adequate opening hours that are not conflicting with the working hours of the individual.

Those companies which additionally offer childcare facilities or organise and pay for adequate child care facilities for their employees, need to be supported by the public authorities for doing this eg. through financial incentives or tax relief.

On point 4:

While leave arrangements are one among several measures for achieving a work-life balance, these leave arrangements should not prevent the individual from reintegrating into the labour market. This often happens when the length of the leave is too excessive and when there was no regular contact between the company and the worker on leave. Therefore the contact between the company and the employee should be kept up during the leave period. Many examples from the first results of the follow up to the FoA stress the importance of this activity and show intensive attention is being paid to this point. A progressive increase of the work hours after the leave period is useful

(iii) By which means do you consider that better reconciliation between professional life and private and family life could be achieved?

There is no general solution or magic bullet. The solutions rely on a mix of policy measures and need to be tailored made to the specific needs of the concerned individual men and women and the company. Furthermore, not all actions are suitable for SMEs, in particular micro enterprises.

Some examples of practical work-life balance measures in the company include:

- Flexible working hours: e.g. Adapt working hours to the public transport schedules and the opening hours of crèches
- Telework: Being able to work from home and distribute work along the day
- Contact between work and family: e.g. Family day at work, company Christmas party with family, or company excursion with family

³ http://www.ueapme.com/docs/joint_position/Telework%20agreement.pdf

- Assistance: On site facilities such as banks, post office or grocery stores. This is only feasible for large companies and not realistic for SMEs, However, a practical measure for SMEs is a telephone order for groceries, being delivered to the work place at company discount price
- Family friendly atmosphere and improved “work climate” in the company: This can be achieved through for example a weekly joint staff breakfast
- Awareness raising: Some member states have positive experiences as regards the awarding of enterprises which pursue an active reconciliation policy. The creation of a European Award could help to raise awareness and to collect examples of best practice

(iv) Do you consider the existing Community legislation (notably on parental leave and protection of maternity) adequate to help meet the needs for reconciliation between professional and private and family obligations and to create the conditions for more equal sharing of professional, private and family responsibilities between women and men?

UEAPME considers the current European legislation on Parental leave and maternity protection, as a legal instrument adequate to help meet the needs for reconciliation between professional and private and family obligations and do not need to be revised. However, while the principle of the parental leave directive is of good intentions, the national implementation very often does not take the special situation of SMEs enough into account.

Equal sharing between the partners of professional, private and family responsibilities is a private decision of the individuals and European legislation has no role to play in deciding the private life choices of European citizens. However, the same framework conditions should exist to give them a true choice of how to share the professional, private and family responsibilities. However, this will only be useful if there is a more equal sharing of responsibility between women and men, which depends to a great extent on traditions and mentalities in the different member states. Therefore there is additionally the need for a mentality change, which can be achieved through information and awareness raising campaigns at the European as well as the national level.

(v) How can the best balance be struck between the costs and benefits – for both individuals and companies – of measures permitting reconciliation of professional, private and family life?

This question should include public authorities, which have a crucial role in providing the framework conditions for companies and individuals to achieve a reconciliation of professional, private and family life. This should include sufficient and affordable care facilities for children and ill/dependent family members with adequate opening hours which are not conflicting with the working hours of the individual. Furthermore, incentives should be offered to companies for applying work-life balance measures, as these often have high initial start up costs, especially for SMEs.

In the context of corporate social responsibility, more and more companies are carrying out measures for enabling a reconciliation of professional, private and family life, which go beyond legal obligations. Even if these measures include certain costs, they clearly recognise the benefits as they are investing into their human resources in order to retain their qualified work force, as new recruitment would be even more costly.⁴

An additional point is that while work life balance is often seen from the perspective of the individual as an employee the individual entrepreneur is most of the time forgotten. This category of persons also needs support to reconcile his or her professional, private and family life, particularly in the case of female entrepreneurs. Therefore it is imperative that an adequate social safety net exists also for these people.

Conclusion

- European Social Partners have been very active in this field in the last ten years with four framework agreements and one framework of actions
- Work life balance is an important issue as it helps to attract and retain people in the labour market
- Work life balance measures must respect the needs of companies and of the individuals
- Solutions need to be tailor made taking into account the work place circumstances especially for SMEs
- Public authorities have the responsibility to provide the right framework conditions in particular by providing sufficient, affordable and adequate care facilities for children and dependent family members
- Current European legislation is sufficient and no new legislation is necessary. Better implementation at national level, which takes the situation of all workers and of companies into account, principally micro enterprises, is required.
- Individual entrepreneurs also need to be supported in their efforts to reconcile professional, private and family life
- The added value of the European level would be to raise awareness of the issue and to promote the exchange of good practises,
- Social Partners at European and national level have been very active in promoting and applying measures to find a balance between professional, private and family life.

Brussels, 20 November 2006

⁴ For an overview for Germany see <http://www.erfolgsfaktor-familie.de/data/downloads/studien/Familienfreundliche%20Ma%C3%9Fnahmen%20im%20Handwerk.pdf>