

Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC (Text with EEA relevance)

- Article 1 This Directive puts into effect the revised Framework Agreement on...
- Article 2 Member States shall determine what penalties are applicable when national...
- Article 3 (1) Member States shall bring into force the laws, regulations...
- Article 4 Directive 96/34/EC shall be repealed with effect from 8 March...
- Article 5 This Directive shall enter into force on the 20th day...
- Article 6 This Directive is addressed to the Member States.

ANNEX

FRAMEWORK AGREEMENT ON PARENTAL LEAVE (REVISED)

Preamble

I. General considerations

1. Having regard to the EC Treaty and in particular Articles...
2. Having regard to Articles 137(1)(c) and 141 of the EC...
3. Having regard to the Charter of Fundamental Rights of the...
4. Having regard to the 2003 Report from the Commission on...
5. Having regard to the objective of the Lisbon strategy on...
6. Having regard to the European social partners' Framework of Actions...
7. Whereas measures to improve reconciliation are part of a broader...
8. Whereas family policies should contribute to the achievement of gender...
9. Whereas the Commission has consulted the European social partners in...
10. Whereas the Framework agreement of the European social partners of...
11. Whereas certain aspects need to be adapted, taking into account...
12. Whereas in many Member States encouraging men to assume an...
13. Whereas many Member States already have a wide variety of...
14. Whereas this framework agreement provides one element of European social...
15. Whereas this agreement is a framework agreement setting out minimum...
16. Whereas the right of parental leave in this agreement is...
17. Whereas it is important to take into account the special...
18. Whereas Member States should provide for the maintenance of entitlements...
19. Whereas Member States should also, where appropriate under national conditions...
20. Whereas experiences in Member States have shown that the level...

21. Whereas the access to flexible working arrangements makes it easier...
22. Whereas parental leave arrangements are meant to support working parents...
23. Whereas this agreement takes into consideration the need to improve...
24. Whereas the social partners are best placed to find solutions...

II. Content

Clause 1 Purpose and scope

1. This agreement lays down minimum requirements designed to facilitate the...
2. This agreement applies to all workers, men and women, who...
3. Member States and/or social partners shall not exclude from the...

Clause 2 Parental leave

1. This agreement entitles men and women workers to an individual...
2. The leave shall be granted for at least a period...

Clause 3 Modalities of application

1. The conditions of access and detailed rules for applying parental...
2. Member States and/or social partners shall establish notice periods to...
3. Member States and/or social partners should assess the need to...

Clause 4 Adoption

1. Member States and/or social partners shall assess the need for...

Clause 5 Employment rights and non-discrimination

1. At the end of parental leave, workers shall have the...
2. Rights acquired or in the process of being acquired by...
3. Member States and/or social partners shall define the status of...
4. In order to ensure that workers can exercise their right...
5. All matters regarding social security in relation to this agreement...

Clause 6 Return to work

1. In order to promote better reconciliation, Member States and/or social...
2. In order to facilitate the return to work following parental...

Clause 7 Time off from work on grounds of force majeure

1. Member States and/or social partners shall take the necessary measures...
2. Member States and/or social partners may specify the conditions of...

Clause 8 Final provisions

1. Member States may apply or introduce more favourable provisions than...
2. Implementation of the provisions of this agreement shall not constitute...
3. This agreement shall not prejudice the right of social partners...
4. Member States shall adopt the laws, regulations and administrative provisions...
5. The prevention and settlement of disputes and grievances arising from...
6. Without prejudice to the respective role of the Commission, national...
7. The signatory parties shall review the application of this agreement...

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

- (1) [OJ L 145, 19.6.1996, p. 4.](#)
- (2) [OJ L 10, 16.1.1998, p. 24](#)
- (3) Renumbered: Article 154(2) and (3) of the TFEU.
- (4) Renumbered: Articles 154(4) and 155 of the TFEU.
- (5) [OJ C 321, 31.12.2003, p. 1.](#)