

**PROPOSAL FOR A DIRECTIVE AMENDING COUNCIL DIRECTIVE 92/85/EEC
ON THE SAFETY AND HEALTH AT WORK OF PREGNANT WORKERS
CEEMET POSITION**

In October 2008, the European Commission presented a proposal for a DIRECTIVE amending Council Directive 92/85/EEC on the safety and health at work of pregnant workers. This is intended to improve the health and safety and the employment rights of pregnant workers and workers who have recently given birth or are breastfeeding as well as contribute to the better reconciliation of professional, private and family life.

CEEMET members are committed to the general goals of the European Commission's proposal. Further, the MET industries consider that women's employment is vital for our sector not least because it could contribute to reducing the shortage of skilled labour that many of our members are facing.

However, we consider that the changes set out in the Commission's proposal would have an adverse impact on many European companies, without necessarily improving the reconciliation of professional, private and family life for pregnant and breastfeeding women. This is because the Commission's proposed changes to the duration of maternity leave, when this leave can be taken and the level of maternity pay as well as changes to associated employment rights will result in increased costs and administrative burdens for many European employers.

The impact of each of these proposed changes will vary from one country to another depending on their current national legislation on maternity pay/leave and associated arrangements (e.g. other forms of family leave). Nevertheless, we feel that, taking into account the combination of all these proposed changes, they could have an indirect negative impact on the employment of young women across Europe. Furthermore, the extension of the legal basis of the Directive and the multiplicity of goals targeted by the Commission's proposal will result in confusion and some contradictory effects (e.g. the possibility to choose freely when the non-compulsory part of statutory maternity leave can be taken is at variance with the objective of improved health and safety protection).

It is important to stress that legislative measures are only part of the range of factors (including culture, institutions, industrial relations systems etc.) that can affect the reconciliation of professional, private and family life at national level. In our view, extending the length of maternity leave will not contribute to reconciling work and family life unless appropriate services are also made available to support families when women return to work. Moreover, any revised Directive must be made sufficiently flexible to recognise and take fully into account the different national arrangements that Member States have introduced to address the reconciliation of professional, private and family life.

Because of the different ways in which Member States have sought to address the reconciliation of professional, private and family life, we consider that any changes proposed to this Directive should deal exclusively with the protection of the health and safety of pregnant workers. Furthermore, we consider that the additional costs and administrative burdens that would be imposed on many European companies by these proposed changes and their possible unintended adverse impact on women's employment levels should be carefully analysed before any changes to this Directive are finalised.

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CEEMET represents the interests of employers' organisations in the metal, engineering and technology-based industries from 22 countries with a particular focus on social policy issues. Our member organisations currently represent around 200,000 companies, including a majority of small and medium sized enterprises (SMEs) and employing some 12,5 million people.