



TRANSPOSITION OF THE WORK-LIFE BALANCE DIRECTIVE: STATE OF PLAY

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TABLE OF CONTENTS

- 1) **EU Law before vs after the WLB Directive**
- 2) Transposition of the WLB Directive: state of play
- 3) Conclusions

1) EU LAW BEFORE vs AFTER THE WLB DIRECTIVE

MAIN MEASURES	BEFORE	AFTER	CHANGES
Maternity leave	14 paid weeks	14 paid weeks	-----
Parental leave	4 unpaid months (1 non-transferable)	4 months (2 paid and non-transferable)	Right strengthened
Flexible working arrangements	Right to request after parental leave	Right to request for parents with children until 8 and carers	Right strengthened
Paternity leave	-----	10 working days at sick pay level	New right
Carers' leave	-----	5 unpaid working days per year per worker	New right



TABLE OF CONTENTS

- 1) EU Law before vs after the WLB Directive
- 2) **Transposition of the WLB Directive: state of play**
- 3) Conclusions



2) TRANSPOSITION OF THE WLB DIRECTIVE: STATE OF PLAY

- The WLB Directive entered into force on 2 August 2019
- Implementation period
 - Ordinary: by 2 August 2022
 - Extraordinary: by 2 August 2024 for the compensation of the last 2 weeks of parental leave
- 3 years is a relatively long implementation period



2) TRANSPOSITION OF THE WLB DIRECTIVE: STATE OF PLAY

- State of play on 30 June 2023
 - All MS needed new legislation to comply with the WLB Directive
 - 2 MS have not adopted new legislation yet: Ireland and Luxembourg
 - There are transposition issues in 25 MS: all MS but Denmark and the Netherlands



2) TRANSPOSITION OF THE WLB DIRECTIVE: STATE OF PLAY

- Measures with more gaps
 - Parental leave or compensation: 16 MS
 - Lack of 2 non-transferable and paid months per parent
 - No “adequate” compensation
 - Flexible working arrangements: 15 MS
 - Part-time, flexitime or telework not covered
 - Parents with children under 8 or carers not covered
 - Legal protection: 15 MS
 - Lack of the specific protection provided for in the WLB Directive



TABLE OF CONTENTS

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- 3) **Conclusions**



3) CONCLUSIONS

- Late implementation of the WLB Directive in 2 MS and gaps in 25 MS
- The measures with more gaps are parental leave or compensation, FWAs and legal protection
- There is still considerable work to be done to fully implement the WLB Directive
- Almost 1 year after the expiration of the transposition period (2 August 2022), a late or incorrect transposition is no longer acceptable



FOR MORE INFORMATION

- Thematic reports on the transposition of the WLB Directive:
 - First report (state of play on 31 August 2022):
<https://www.equalitylaw.eu/downloads/5779-the-transposition-of-the-work-life-balance-directive-in-eu-member-states-a-long-way-ahead>
 - Second report (state of play on 30 June 2023):
upcoming in 2023
- Leave Network:
<https://www.leavenetwork.org/annual-review-reports/>