Malta-EU Steering & Action Committee

280 Republic Street
Valletta VLT 1112
Malta

Svetlana R. Curmi
Media Officer
T: 2590 9318
E: svetlana-rose.curmi@gov.mt

PRESS RELEASE

MEUSAC CORE GROUP DISCUSSES EUROPEAN COMMISSION PROPOSALS ON WORK-LIFE BALANCE AND ANTI-DISCRIMINATION

A meeting of the Core Group of the Malta-EU Steering and Action Committee (MEUSAC) was on the 31st October 2008, was chaired by Dr. Chris Said, Parliamentary Secretary for Public Dialogue and Information.

The two main topics on the Agenda were:

1. A Communication from the European Commission on *A better work-life balance: stronger support for reconciling professional private and family* life; and

2. A Proposal by the European Commission that seeks to implement the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation outside the labour market.

The Communication on a better work-life balance incorporates two draft legislative proposals:

(i) A Proposal for a Directive of the European Parliament and of the Council amending Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding [COM(2008)637];

(ii) A Proposal for a Directive of the European Parliament and of the Council on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Directive 86/613/EEC [COM(2008)636 final];

Malta-EU Steering & Action Committee

280 Republic Street
Valletta VLT 1112
Malta

Svetlana R. Curmi
Media Officer
T: 2590 9318
E: svetlana-rose.curmi@gov.mt

The Proposal on equal treatment consists of a Proposal for a Council Directive on implementing the principle of equal treatment between persons *irrespective of religion or belief, disability, age or sexual orientation* [COM(2008)426 final]

Presentations on the three draft directives were delivered to the Core Group by senior officials of the Ministry for Social Policy, the Ministry responsible for preparing Malta's position on the draft directives.

In relation to the work-life balance, much of the discussion centred on the question of the extension of the period of maternity leave from fourteen to eighteen weeks as well as on the Commission's proposals that also include:

- The right of the women falling within the scope of the Directive to choose freely when to take the non-compulsory portion of the leave (before or after childbirth);
- When birth occurs after due date, pre-natal leave is extended to the actual date without a reduction in post-natal leave;
- Prohibition of all preparations for possible dismissal not related to exceptional circumstances during maternity leave;
- Mothers should be paid the full salary (corresponding to the last month) whilst on maternity leave although Member States may establish a ceiling provided that this is not below sick pay rates;
- Mothers having the right to ask employers for flexible work patterns; the employer is obliged to consider such a request, but would be under no obligation to accept.

Among the issues raised by members were the repercussions on employers of the extension of the period of maternity leave, the need to encourage women to carry on working even after bearing children, the transitional period required for the measures to come into effect in Malta, birth occurring after due date and how pre-natal leave should be extended to the actual date without a reduction in post-natal leave, and the rights of mothers whose newborns suffer from a disability.

The other draft proposal essentially seeks to ensure that assisting spouses and life partners benefit from at least the same treatment as self-employed workers and that self-employed women and assisting spouses/life partners are entitled to the same rights as employed

280 Republic Street
Valletta VLT 1112
Malta

Svetlana R. Curmi
Media Officer
T: 2590 9318
E: svetlana-rose.curmi@gov.mt

---

mothers, in line with the proposals contained in COM (2008) 600. A point that was raised in this regard related to the introduction of the concept of "life partners" in the directive and its possible consequences within the Member States. The proposal makes it clear that, however, that it will not impinge on the competence of the Member States which have the right to regulate matters relating to marital status and family law.

The issue was also brought up in the third proposal discussed, that relating to equal treatment. The Maltese Government has already made it clear that although it agrees with the principle of equal treatment between persons irrespective of religion, belief, disability, age or sexual orientation, the text as proposed by the Commission does raise certain difficulties, in particular in relation to the competence of the Member States. Although there are attempts to introduce safeguards, the text does not seem to go far enough.

During the discussion that ensued, the point emerged that although "family-matters" are regulated by national law, Maltese society has to take into consideration new concepts that are developing within our society. A discussion must be instigated within our own society in order to attempt to come to some sort of an agreement on how the family can be defined in the context of present-day social realities.

Other matters

MEUSAC Head, Dr. Vanni Xuereb informed Core Group members that the process to recruit a Head for the Consultation Unit as well as the Sectoral Committees' secretaries is currently under way.

Present for the meeting of the Core Group were the following members: Parliamentary Secretary Dr. Chris Said (Chairperson), Dr. Vanni Xuereb (Head), Dr. Godwin Grima (Principal Permanent Secretary), Mr. Richard Cachia Caruana (Permanent Representative to the EU), Mr. Peter Portelli (Permanent Secretary in the Office of the Prime Minister), Ms. Cecilia Attard-Pirotta (Permanent Secretary in the Ministry of Foreign Affairs), Ms. Graziella Pullicino (Acting Head of the EU Secretariat at the OPM), Dr. Gabriella Pace (Head of Information, MEUSAC), Ms. Helen D'Amato, Dr. Josette Grech, Dr. Josie Muscat (Azzjoni Nazzjonali), Mr. Arthur Rossi (CMTU), Mr. Ray Muscat (FOI), Mr. Joe Grech (Gozo

…/…3

Malta-EU Steering & Action Committee

280 Republic Street
Valletta VLT 1112
Malta

Svetlana R. Curmi
Media Officer
T: 2590 9318
E: svetlana-rose.curmi@gov.mt

Business Chamber), Mr. Tony Zarb (GWU), Dr. Paul De Battista (Malta Employers' Association), Mr. Alexander Bonello (MHRA), Dr. George Abela (MLP), Dr. Paul Borg Olivier (PN) and Dr. Romina Bartolo (UHM) as well as a number of substitute members who attended as observers. Members of MEUSAC staff were also in attendance.

Also present for the discussion on the European Commission's Communications were senior officials from the Ministry for Social Policy:
Dr. Natasha Azzopardi Muscat (Director General *Strategy and Sustanability*), Dr. Noel Vella (Director Industrial Relations Department), Mark Musu (Director EU Affairs).

A meeting of the Core Group of the Malta-EU Steering and Action Committee with the Minister for Justice and Home Affairs, Dr. Carmelo Mifsud Bonnici will be held on the 7th November to discuss further the Commission's Communication on a Common Immigration Policy. This meeting is a follow up to the discussion held in the Core Group on the 26th September. Another consultation meeting was held on Friday 24th October between the European Parliament's Rapporteur on the Commission's Proposal on a Common Immigration Policy, Maltese MEP Dr. Simon Busuttil and members of the Core Group as well as with representatives of NGOs operating in the sector.

MEUSAC – 31.10.2008

Malta-EU Steering & Action Committee

280 Republic Street
Valletta VLT 1112
Malta

Svetlana R. Curmi
Media Officer
T: 2590 9318
E: svetlana-rose.curmi@gov.mt

STQARRIJA GĦALL-ISTAMPA

IL-CORE GROUP TAL-MEUSAC JIDDISKUTI L-PROPOSTI TAL-KUMMISSJONI EWROPEA DWAR BILANĊ AĦJAR BEJN XOGĦOL U ĦAJJA U DWAR L-IMPLIMENTAZZJONI TAL-PRINĊIPJU TA' TRATTAMENT UGWALI

Illum, f'Dar il-Mediterran għall-Konferenzi, iltaqa' l-*Core Group* tal-*Malta-EU Steering and Action Committee* (MEUSAC) taħt il-presidenza tas-Segretarju Parlamentari għall-Konsultazzjoni Pubblika u Informazzjoni, Dott. Chris Said.

Fuq l-aġenda kien hemm għad-diskussjoni:
1. Komunikazzjoni mill-Kummissjoni Ewropea fuq bilanċ aħjar bejn xogħol u ħajja: appoġġ akbar għar-rikonċiljazzjoni bejn il-ħajja professjonali, privata u tal-familja; u

2. Proposta mill-Kummissjoni Ewropea dwar l-implimentazzjoni tal-prinċipju ta' trattament ugwali bejn il-persuni irrispettivament mir-reliġjon jew it-twemmin, id-diżabilità, l-età jew l-orjentazzjoni sesswali.

Il-Komunikazzjoni fuq bilanċ aħjar bejn xogħol u ħajja tinkorpora fiha żewġ abbozzi għall-proposti leġislattivi:

(i) Proposta għal Direttiva tal-Parlament Ewropew u tal-Kunsill li temenda d-Direttiva tal-Kunsill 92/85/KEE dwar l-introduzzjoni ta' mizuri biex jinkoraġġixxu t-titjib fis-saħħa u s-sigurtà fuq il-post tax-xogħol għall-ħaddiema nisa tqal u ħaddiema li welldu reċentement, jew li qed ireddgħu [COM 2008 637];

(ii) Proposta għal Direttiva tal-Parlament Ewropew u tal-Kunsill dwar l-applikazzjoni tal-prinċipju ta' trattament ugwali bejn l-irġiel u n-nisa involuti f'attività b'kapaċità li fiha jaħdmu għal rashom u li tirrevoka d-Direttiva 86/613/KEE [COM (2008) 636 final].

Il-proposta għall-trattament ugwali tħaddan Proposta għal Direttiva tal-Kunsill dwar l-implimentazzjoni tal-prinċipju ta' trattament ugwali bejn il-persuni irrispettivament mir-

280 Republic Street
Valletta VLT 1112
Malta

Svetlana R. Curmi
Media Officer
T: 2590 9318
E: svetlana-rose.curmi@gov.mt

---

reliġjon jew it-twemmin, id-diżabilità, l-età jew l-orjentazzjoni sesswali [COM(2008)426 final]

Uffiċjali għolja mill-Ministeru għall-Politika Soċjali taw preżentazzjoni lill-Membri tal-*Core Group* dwar dak li qed tipproponi l-Kummissjoni Ewropea. Il-Ministeru għall-Politika Soċjali huwa responsabbli mit-tfassil tal-pożizzjoni li se jaddotta pajjiżna fuq it-tliet abbozzi tad-Direttivi.

Fir-rigward tal-bilanċ bejn ix-xogħol u l-familja, ħafna mid-diskussjoni ffukat fuq il-kwistjoni dwar iż-żieda fil-perjodu tal-*leave* tal-maternita` minn erbatax-il ġimgħa għal tmintax, kif ukoll fuq il-proposta tal-Kummissjoni li wkoll tinkludi:

- Id-dritt tan-nisa li jaqgħu taħt l-għanijiet tad-Direttiva li liberament jagħżlu meta għandhom jieħdu l-parti tal-*leave* li mhix obbligatorja (qabel jew wara l-ħlas);

- Meta jsir il-ħlas qabel id-data prevista, il-*leave* ta' qabel it-twelid jiġi estiż sad-data attwali mingħajr ma jkun hemm tnaqqis fil-*leave* ta' wara l-ħlas;

- Il-projbizzjoni ta' kull preparament għat-tkeċċija mix-xogħol, waqt il-*leave* tal-maternita`, sakemm dan ma jkunx relatat ma' ċirkustanzi eċċezzjonali;

- L-ommijiet għandhom jitħallsu s-salarju sħiħ (li jikkorispondi ma' dak tal-aħħar xahar) waqt li jkunu fuq *leave* tal-maternita`, għalkemm Stati Membri jistgħu jistabilixxu limiti sakemm dawn ma jkunux inqas mir-rati mħallsa f'każ ta' mard;

- L-ommijiet għandhom id-dritt isaqsu lil min jimpjegahom għal metodi flessibli ta' kif isir ix-xogħol: min jimpjega għandu l-obbligu li jikkunsidra talba bħal din, imma ma jkollox obbligazzjoni li jaċċetta.

Tqajjmu diversi punti waqt il-laqgħa fosthom x'effett jista' jkun hemm fuq min iħaddem jekk il-perjodu ta' *maternity leave* ikun estiż, il-bżonn li l-mara tibqa' taħdem anke wara li jkollha t-tfal, il-perjodu ta' transizzjoni biex dawn il-miżuri jidħlu fis-seħħ f'Malta, kif jista' jsir arranġament biex il-*leave* ta' qabel il-ħlas ikun estiż mingħajr tnaqqis tal-*leave* ta' wara l-ħlas f'każ li jkun hemm tibdil fil-ġurnata tal-ħlas, u d-drittijet tal-ommijiet ta' trabi li jitwieldu b' xi diżabilità.

Malta-EU Steering & Action Committee

280 Republic Street
Valletta VLT 1112
Malta

Svetlana R. Curmi
Media Officer
T: 2590 9318
E: svetlana-rose.curmi@gov.mt

L-abbozz tal-proposta l-oħra essenzjalment ifittex li jassigura l-istess trattament lill-konjuġi ta' assistenza/imsieħba għall-ħajja daqs persuni li jaħdmu għal rashom. Ommijiet li jaħdmu għal rashom kif ukoll konjuġi ta' assistenza/imsieħba għall-ħajja huma intitolati għall-istess drittijiet daqs ommijiet impjegati skon il-proposti fil-Komunikazzjoni KUMM (2008) 600. Punt ieħor imressaq mill-Membri tal-*Core Group* kien x' konsegwenzi jista' jkollu l-introduzzjoni tal-kunċett ta' imsieħba għall-ħajja, bl-Ingliż "life partners", fuq l-iStati Membri. Il-proposta tagħmilha ċara illi mhux ħa tnaqqas mill-kompetenzi tal-iStati Membri. Dan għaliex huma l-iStati Membri li għandhom id-dritt li jirregolaw dak li għandu x' jaqsam maż-żwieġ u l-liġi tal-familja.

Punt ieħor imressaq waqt il-laqgħa dwar it-tielet proposta, kien dak relatat mat-trattament ekwu. Il-Gvern Malti diġà għamilha ċara li għalkemm jaqbel mal-prinċipju ta' trattament ugwali bejn il-persuni irrispettivament mir-reliġjon, twemmin, diżabilita`, eta` jew orjentazzjoni sesswali, it-test propost mill-Kummissjoni jqajjem ċertu diffikultajiet, b'mod partikolari fir-rigward tal-kompetenzi tal-iStati Membri. Għalkemm kien hemm proposti li jintroduċu salvagwardji, it-test ma jidhirx li jilħaq dan biżżejjed.

Waqt id-diskussjoni ssemma' wkoll li għalkemm affarijiet tal-familja huma regolati bil-liġi nazzjonali, is-soċjeta` Maltija trid tikkunsidra kunċetti ġodda li qed jiżviluppaw fi ħdan is-soċjeta` tagħna. Trid tiġi instigata diskussjoni fi ħdan is-soċjeta` tagħna sabiex jintlaħaq qbil dwar kif il-familja għandha tiġi definita fil-kuntest tar-realtajiet soċjali tal-lum.

Affarijiet oħra

Il-Kap tal-MEUSAC, Dr Vanni Xuereb informal lill-Membri tal-*Core Group* li l-proċess għar-reklutaġġ tal-Kap tal-Unit tal-Konsultazzjon kif ukoll is-segretarji tal-Kumitati Settorjali għaddej.

Preżenti għall-laqgħa tal-*Core Group* kien hemm: is-Segretarju Parlamentari Chris Said (*Chairperson*), Vanni Xuereb (Kap, MEUSAC), Godwin Grima (Segretarju Permanenti Ewlieni), Richard Cachia Caruana (Rappreżentant Permanenti għall-UE), Peter Portelli (Segretarju Permanenti, Uffiċċju tal-Prim Ministru), Cecilia Attard Pirotta (Segretarju Permanenti, Minsteru tal-Affarijiet Barranin), Graziella Pullicino (A/Kap, Segretarjat UE), Gabriella Pace (Kap tal-Informazzjoni, MEUSAC), Josie Muscat (Azzjoni Nazzjonali), Arthur Rossi (CMTU), Ray Muscat (FOI), Joe Grech (Gozo Business Chamber), Tony Zarb (GWU), Paul De Battista (Malta Employers' Association), Alexander Bonello (MHRA),

Malta-EU Steering & Action Committee

280 Republic Street
Valletta VLT 1112
Malta

Svetlana R. Curmi
Media Officer
T: 2590 9318
E: svetlana-rose.curmi@gov.mt

George Abela (MLP), Paul Borg Olivier (PN) u Romina Bartolo (UHM) kif ukoll membri sostituti u osservaturi

Preżenti għad-diskussjoni dwar il-Komunikazzjonijiet mill-Kummissjoni Ewropea kien hemm Uffiċjali Għolja mill-Ministeru għall-Politika Soċjali:
Dr. Natasha Azzopardi Muscat (Direttur Ġenerali *Strategy and Sustanability*), Dr. Noel Vella (Direttur, *Industrial & Employment Relations Department*), Mark Musu (Direttur *EU Affairs*).

Il-laqgħa tal-*Core Group* tal-*Malta-EU Steering and Action Committee* mal-Ministru tal-Ġustizzja u l-Affarijiet Interni, Dott. Carmerlo Mifsud Bonnici, se ssir fis-7 ta' Novembru biex titkompla d-diskussjoni fuq il-Komunikazzjoni tal-Kummissjoni dwar Politika Komuni dwar l-Immigrazzjoni. Il-laqgħa se tkompli fuq dak li kien beda jiġi diskuss mill-*Core Group* fis-26 ta' Settembru. Laqgħa oħra ta' konsultazzjoni saret il-Ġimgħa 24 ta' Ottubru bejn ir-*Rapporteur* tal-Parlament Ewropew fuq il-Proposta tal-

Kummissjoni dwar Politika Komuni tal-Immigrazzjoni, il-MPE Malti Dr. Simon Busuttil u membri tal-*Core Group* kif ukoll rappreżentanti tal-għaqdiet mhux governattivi li jaħdmu fis-settur.

MEUSAC – 31.10.2008