

(English version)

Question for written answer E-001020/25
to the Commission
Elena Kountoura (The Left)
(10 March 2025)

Subject: Violation of European legislation due to discrimination in maternity leave for substitute teachers in Greece

In Greece, there is a serious issue of discrimination regarding maternity leave for substitute teachers, who are only entitled to 119 days of parental leave ⁽¹⁾. Because of this, many women are forced to return to work early or even resign ⁽²⁾, with multiple negative consequences for their family as well as for their financial and professional situation. The Greek Government's refusal to equalise maternity leave for this category of workers raises a serious problem, both for the protection of women's rights and for the country's compliance with European law.

Taking into account: a) the Commission's letter of formal notice to Greece for the incorrect transposition of Directive 1999/70/EC ⁽³⁾ into national law, setting a two-month deadline for Greece to eliminate discrimination between workers, b) Article 5(1) of Directive (EU) 2019/1158 on work-life balance, which stipulates that every worker is individually entitled to four months of parental leave ⁽⁴⁾, c) the deadline for equalising leave for substitute and permanent staff by the end of September 2024 ⁽⁵⁾, d) the fact that substitute teachers are not entitled to leave in the event of threatened miscarriage, and e) the fact that the Greek Government has ignored all of the above:

1. What actions does the Commission intend to take to ensure the protection of female workers and the country's full compliance with European law?
2. How does the Commission intend to support Member States in protecting gender equality in the workplace?

Submitted: 10.3.2025

Answer given by Ms Lahbib on behalf of the European Commission
(16 June 2025)

EU equality legislation sets minimum standards for the protection of pregnant workers and workers who have recently given birth or are breastfeeding, including fixed term workers ⁽¹⁾. This includes a period of maternity leave of at least 14 weeks ⁽²⁾.

An assessment of the implementation of this directive has not shown problems or gaps in the implementation of the directive in Greece. The Commission does not have sufficient information to provide a detailed answer and will conduct research on the matter.

The Work-Life Balance Directive ⁽³⁾ provides for minimum standards regarding the duration and remuneration of parental leave in all Member States.

The Commission is currently assessing the conformity of the implementation of the directive. If it considers that the transposing legislation in a Member State does not comply with the requirements of the directive, the Commission will take the necessary action.

In relation to the potential breach of the framework Agreement on fixed-term work annexed to Council Directive 1999/70/EC ⁽⁴⁾, the Commission is aware that Greek law contains less favourable employment conditions for fixed-term teachers working in public schools compared to permanent teachers, including differences in relation to access to maternity leave and on 25 July 2024, it decided to open an infringement procedure by sending a letter of formal notice to Greece (INFR(2024)4013) ⁽⁵⁾.

¹ In contrast to the nine months provided for permanent teachers, see Article 142 of Law 3655/2008, as amended by Article 43 of Law 4997/2022 (<https://www.kepea.gr/uplds/file/2022/n4997%202022.pdf>) and Article 33 of Law 4808/2021 (https://www.minedu.gov.gr/publications/docs2021/adeies_anaplirotwn_ekpaideutikwn.pdf).

² It is noted that resignation is accompanied by a two-year exclusion from recruitment competitions, <https://www.minedu.gov.gr/publications/docs2018/N4589FEK13.pdf>.

³ The directive prohibits discrimination against workers with fixed-term contracts.

⁴ Member States shall put in place the necessary measures to ensure that each worker is individually entitled to four months of parental leave to be taken before the child reaches a certain age, up to the age of eight, to be determined by the Member State or by collective agreements, <https://eur-lex.europa.eu/legal-content/EL/TXT/?uri=CELEX:02019L1158-20190712>.

⁵ https://ec.europa.eu/commission/presscorner/detail/el/inf_24_3228.

⁽¹⁾ Council Directive 92/85 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, OJ L348, 28.11.92, p. 1 e.s.

⁽²⁾ 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 (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC).

⁽³⁾ Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU, OJ L 188, 12.7.2019, p. 79-93.

⁽⁴⁾ Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP, OJ L 175, 10.7.1999, p. 43-4.

⁽⁵⁾ <https://ec.europa.eu/implementing-eu-law/search-infringement-decisions/>

The explanations received from the Greek authorities were considered unsatisfactory and, on 7 May 2025, the Commission issued a reasoned opinion to Greece ⁽⁶⁾, which now has two months to respond and take the necessary measures.

The Commission is open for dialogue and ready to provide guidance to Member States concerning correct implementation of the EU legislation.

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⁽⁶⁾ More information is available in the following link: https://ec.europa.eu/commission/presscorner/detail/en/inf_25_982.