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CURRENT TRENDS IN EUROPEAN POLICIES ON THE RECONCILIATION OF WORK AND FAMILY LIFE

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Abstract

During the last decade, the legislative changes made by the EU in the field of social policies have been, to a great extent, the result of the need to prevalently abide by two fundamental principles: equal opportunities for women and men (at all levels of social life, but especially in what labour market is concerned) and gender equality, in the context of an escalating necessity of solving social, economic and political issues caused by gender inequality in European societies. An issue with multiple effects in present-day social life is the imbalance between professional life and private/ family life, which negatively affects the quality of life of both men and women. This study aims at surveying the most recent legislative and social policies documents (henceforth, informative documents and legislative documents) of the European Union, with regard to the reconciliation of work and private and family life, an acknowledged right of European citizens which calls for a legal framework for the implementation and application of the associated measures and solutions. The synthetic analysis of the official documents undertaken in this paper is the result of a thorough investigation carried out on the European Union website. The study raises several significant question for the proposed framework, but it comes down to outlining a number of essential elements present in the documents selected, without advancing answers. The field of work-life balance policy is currently undergoing a transformation process and formulating definitive answers is still untimely.

Keywords: Work-Life Balance; reconciliation of work; family life; gender equality, equal opportunities;

1. INTRODUCTION

Licia Ronzulli, member of the European Parliament in office from 2009 to 2014, became famous for the unusual manner in which she decided to militate for women's rights to reconciliation of private and professional life, by bringing her six-week old daughter with her at work in the European Parliament in 2010.¹ Is her act an example of good practice for our topic of interest? Or is it the mere manifestation

¹ <https://www.theguardian.com/commentisfree/2012/oct/24/high-five-licia-ronzulli-children-workplace>, accessed on June, 6 2019



of a state of affairs? Fact is that this example reflects a reality and a profound social issue that needs to be addressed.

The changes undergone during the last three decades at the global level, at all stages of social reality, are, to a great extent, the result of a paradigm change in what concerns the special interest in the gender dimension of social policies. The process was set in motion at the *World Conferences on Women de la Beijing* in 1995. Following the implementation of the *Beijing Declaration and Platform for Action*, actual steps have been taken, which are monitored and evaluated every five years (Beijing +5, +10, +15, +20, and next year, +25).² The action routes established by each of these documents have been afterwards taken up and implemented, from UN recommendations and directives or through other international governmental institutions³, to significant legislative changes in the UN member states.

Within the framework of the European Union, the *Beijing Platform* (or the *UN Platform for Action for Gender Equality*) has been enacted by February 25, 2010 European Parliament Resolution on *Beijing +15*.⁴ It is a landmark in the European Union gender policy. However, prior to this moment, the direction of action of the EU institutions for enacting measures for observing the rights of people regardless of their gender had been reified by official documents.⁵ Starting with 2006⁶, European agencies⁷ and governmental and non-governmental organizations have been established, acting either independently or under the aegis of the EU, and focusing on the gender issue. One can list here *European Institute for Gender Equality* (EIGE), and the national agencies in the EU member states (in Romania, *The National Agency for Equal Opportunities – ANES*). The European construction in the social area and for observing the rights of all citizens, regardless of their gender, is grounded in the consolidation of a legislative and institutional apparatus meant to contribute in the implementation of the measures of ensuring gender equality and equal opportunities, and at the same time, in the periodic monitoring and evaluation of the results, proposed changes and solutions for the problems identified.

In 2017, the *European Pillar of Social Rights*⁸ was established, as part of the set of priority policies of the European Commission. On the official website of the *European Pillar of Social Rights* one finds the following structure, with three main directions (chapters): Chapter I: Equal opportunities and access to the labour market; Chapter II: Fair working conditions; Chapter III: Social protection and inclusion. Among the five rights listed in the second chapter, one finds the right to work-life balance. “Parents and people with caring responsibilities have the right to suitable leave, flexible working arrangements and access to care services. Women and men shall have equal access to special leaves of absence in order to fulfil their caring responsibilities and be encouraged to use them in a balanced way.”⁹

2. THEORETICAL ASPECTS OF THE CONCEPT OF WORK-LIFE BALANCE

In theory, the concepts of *work-life balance* or *reconciliation of work and private life* are integrated within a conceptual sets that defines actual and complex models, processes or directions, meant to provide solutions to social issues emerging from the conflict or imbalance between professional and private life. Therefore, the principle of *reconciliation* or *balance* between the two essential dimension of life of contemporary person – the professional and private dimension – represents a *solution* for an actual social problem. Before embarking on the analysis of the most recent documents that provide, for the European Union area, the framework for the implementation of the solutions provided by this principle, it

² <https://www.unwomen.org/en/how-we-work/intergovernmental-support/world-conferences-on-women>, accessed on June, 6 2019

³ <https://www.unwomen.org/en/news/in-focus/csw59/feature-stories>, accessed on June, 6 2019

⁴ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2010-0037+0+DOC+XML+V0//RO>, accessed on June, 6 2019

⁵ <https://eurlex.europa.eu/search.html?qid=1567973984237&text=egalitate%20de%20gen&scope=EURLEX&type=quick&lang=ro>, accessed on June, 7 2019

⁶ <https://eur-lex.europa.eu/legal-content/RO/TXT/?qid=1567973151835&uri=CELEX:32010L0041>, accessed on June, 7 2019

⁷ <https://eur-lex.europa.eu/legal-content/RO/TXT/?qid=1567973151835&uri=CELEX:32006R1922>, accessed on June, 8 2019

⁸ https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_ro, accessed on June, 9 2019

⁹ ibidem

is necessary that we formulate the problem that has led to the emergence of this principle: *the clash between priority aims for professional life and private life*, equally important, whose achievement requires the same efforts and limited resources (Zedeck & Moiser, 1990).

The *time* resource is the most important among them, as it is necessary, to the same extent, both to building a career (or to having a full-time job for making a living) and to private life. The effect of this state of affairs is a major imbalance in the life of contemporary person, a state of conflict between social roles (Rantanen, 2008) and a social and economic pressure which produce, in their turn, stress, work ineffectiveness, professional and/or personal failure (Clark, 1965).

The concept of *work-life balance* was firstly used in United Kingdom during the 70s (Prasad, 2012). During the 1980s-1990s, the phrase becomes relevant for the policy of US companies. Another phrasing of the same concept is *work-family balance*, which expands the coverage area of the meanings of this principle, being related both to aspects of private life, such as “managing studies, travel, sports, volunteering, personal development and leisure” (Benito-Osori et al, 2014, p.3), and to ways of family organization of families with children or other members of the extended family who need care.

One solution is choosing and investing in only one of the two dimensions. (Macmillan, 2005); another solution, as a variant of the former, entails attaining the professional and personal aims in different phases, at different stages of alternating the professional and the private aims (George, 1993; Levy & Bühlmann, 2016). The topic has been approached in the literature from the perspective of human resources management and from sociological and psychological perspectives.

Under managerial aspect, “Work-Life Balance practices are concerned with providing scope for employees to balance what they do at work with the responsibilities and interests they have outside work and so reconcile the competing claims of work and home by meeting their own needs as well as those of their employer” (Armstrong, M., 2006, p. 447). The last perspective above describes the phenomenon of adaptation to present-day socio-economic realities of all couples in which both partners have a job. More types are being identified, reflecting the general picture of possible solutions for the reconciliation of professional and private life: dual-career, dual-income, status-reversal and neo-traditional couples (Duxbury, Lyons, Higgins, 2007, 478-481).

Also from a psychological perspective, in the case of families with children, time pressure difficulties are solved by the two parents in the family group assuming specific tasks: “For mothers, the following factors were associated with increased time pressure: occupancy of an unpaid caregiving role, parenting a child with at least one health/behavioural problem, and the perception of parenting as draining or anxiety provoking.

Regarding the paid work environment, women who were categorized as high strain (i.e., high demands/low control) or active (high demands/high control) also reported higher levels of time pressure. For fathers, greater perceived time pressure was associated with: occupancy of the partner role, the perception of parenting as draining, being a multiple job holder and having a high strain (i.e., high demands/low control) or active (high demands/high control) psychosocial work environment.” (Fitzpatrick et al, 2012)

From a sociological perspective, the topic has been tackled in the literature within the frameworks of social roles theory. Social theories such as the ones formulated by Merton and later Goode emphasised this aspect as early as in the 1960s. Working and family supporting parents are automatically actively employed in two fundamental social spheres: *family*, as a primary social environment for assuming a role, and their *job*, by which one acquires various levels of status, self-esteem and economic resources (Goode, 1960).

3.DOCUMENTARY ANALYSIS OF THE INFORMATIVE AND LEGISLATIVE DOCUMENTS ON WORK-LIFE BALANCE POLICIES

The method employed for this research has been the documentary analysis of official documents published on the European Union website related to the issue of reconciliation of professional and private life. The agreed phrasing used in official documents is *work-life balance*. Some documents are of a general nature and describe complex solutions and measures related to various categories of problems in which the imbalance between professional and family life generates negative effects at social level; other documents are more specific, singularizing either a certain category of population active on the labour

market or a specific issue. At the same time, we have identified documents which complement institutional procedures of the European Union and which consolidate and validate a document in force. Without making reference to juridical aspects and European laws, which fall outside the scope of this research, one may note a fairly dense procedural mechanism, justifiable by the exactness demands that any decision of a European institution must meet.

In order to understand the evolution of the work-life balance principle in the European Union, we have resorted to the *Charter of Fundamental Rights of the European Union Equality*, enacted on December 7, 2000, following the Treaty of Nice. The constitutional relevance of this document has been consolidated starting with the year 2009, with the Treaty of Lisbon, In *Chapter III Equality*, Article 23 - *Equality between men and women* must be “ensured in all areas, including employment, work and pay. The principle of equality shall not prevent the maintenance or adoption of measures providing for specific advantages in favour of the under-represented sex.” (*Official Journal of the European Communities*, 2000: 13), and *Chapter IV Solidarity, Article 33 Family and professional life*: “1. The family shall enjoy legal, economic and social protection. 2. To reconcile family and professional life, everyone shall have the right to protection from dismissal for a reason connected with maternity and the right to paid maternity leave and to parental leave following the birth or adoption of a child.” (*Official Journal of the European Communities*, 2000: 23)

Before the enactment of the *Charter*, the *work-life balance* principle was scarcely outlined in the European Union policies. In addition, the notion of refining or improving working conditions prevailed in the 1960s-1970s, in close connection with the demands of the labour market at that time, and the attention paid to the principle under focus here was only secondary. “By the turn of the century, an increasing number of women participated in paid employment – notably in the growing service industry, working on fixed term and part-time contracts. There was a growth in marginal workers and welfare provisions had become more stringent and were linked to attempts to secure employment.” (Bursty, N. and James, G., 2015, p. 296)

After the 2004, 2007 and 2011 enlargements of the European Union, the sedimentation of the mechanisms of the European single market brought to light new social problems that needed to be addressed. In this new series of challenges of social reality, aspects related to ensuring equal opportunity were highlighted, thus clearly outlining the principle of work and family life reconciliation. (Bursty, N. and James, G., 2015, p. 296-297).

In the following subsections, we will analyse some of the most recent legislative and informative documents issued by the institutions of the European Union, highlighting the current trends of the social policies on work and family life balance and the direction of action for the next period.

A. *Informative documents*

Work-life balance has found its place among the policies of the European Council. On the website of this European institution, under *Policies*, among the 88 policies listed in alphabetic order, one finds described, on a separate webpage, the policy of *work-life balance for parents and carers*. Its necessity and importance is argued by the contents of the *Directive (EU) 2019/1158 of the European Parliament and of the Council on work-life balance for parents and carers and repealing Council Directive 2010/18/EU*, which is analysed below. At the same time, the arguments refer to socio-professional realities that hinder the career advancement process for a significant number of people: “In particular, this new initiative seeks to **encourage a better sharing of caring responsibilities between women and men**. The **economic loss is €370 billion per year**, due to the gender employment gap in the EU. The work-life balance package should help working parents and carers by not obliging them to choose between their family lives and their working careers” (European Council). On the same webpage is presented the timeline of enacting the directive cited above and the deadline for introducing the Directive in the legislation of the EU member states, which have to transpose the provisions into national law by 2 August 2022).

The Annual Report 2018 Review of the Social Protection Performance Monitor and Developments in Social Protection Policies of European Commission for Employment, Social Affairs and Inclusion refers to *work-life balance policies* in the context of the main messages formulated: “In particular, access to affordable quality early childhood education and care, along with 7 well-designed work-life balance policies, is key to improve children’s life prospects, while at the same time supporting

the labour market participation of their parents, notably mothers” (European Commission, 2018a: 6) “Social inclusion of mothers beyond monetary support is essential, including employment and social connections. However, employment does not protect single mothers from poverty, as there are a number of risk factors related to precarious employment, low wages and less favourable employment conditions that may affect them. Thus, employment policies and policies that ensure work-life balance, are an inherent part of a desirable policy mix” (European Commission, 2018a: 38); “Well-designed work-life balance policies, such as family-related leaves and flexible working arrangements, can also support parent’s participation in the labour market. Several countries have reformed their schemes to support a more gender-balanced take-up, highlighting the importance of fathers’ involvement for children’s well-being, health and development” (European Commission, 2018a: 41-42).

Second-stage consultation of the social partners at European level under Article 154 TFEU on possible action addressing the challenges of work-life balance faced by working parents and caregivers is a document which analyses consultations and establishes the EU competencies in the field. The document discusses the objectives of work and family life balance, systematising the priorities in more categories of measures. For example, one topic tackled in the problem definition chapter is the lack of adequate work-life balance and low take-up by men. (European Commission, 2016: 11). The description of current legislative and policy instruments in the member states includes several of the following categories: family-related leave (maternity, paternity, parental, carers leave), flexible working arrangements, childcare and care services to care for elderly, ill and dependent relatives, tax and benefit systems and financial incentives to work. (European Commission, 2016: 23-39).

Legislative aspects	Economic aspects
paid individual leaves around the time of the birth of a child for both mothers and fathers (maternity and paternity leave); • periods of parental leave which fathers are encouraged to share through a combination of both the non-transferability of certain periods and the payment of some form of adequate allowance; • design of policies to ensure no gap between the end of parental leave and available childcare; • a high degree of autonomy for workers to manage their professional and family responsibilities in order to enable both parents to remain in the labour market after the birth of a child, for example through voluntary flexible working arrangements (such as flexible working patterns or schedules) or reduced working hours.	lack of paid leave exclusively for fathers around the time of the birth; • too much reliance on leaves aimed at women relative to men, without incentives for fathers to take leave, (e.g. leaves are not remunerated; fathers can transfer a significant share of the leave to the mother; leaves can only be taken on a fulltime basis); and 272 European Network of Legal Experts (2015) Measures to address the challenges of work-life balance 73 • potential of flexible working arrangements is not properly exploited in such a way as to enable workers to have a reasonable measure of autonomy with regard to the management of their professional and family responsibilities throughout the lifecycle; • gaps between parental leave and available and affordable childcare and/or a risk of reduced employment of those providing informal care to dependent relatives; • tax/benefit systems that discourage the parent earning less (often the mother) from working.

Source: [file:///C:/Users/mushr/Downloads/1_EN_autre_document_travail_service_part1%20\(2\).pdf](file:///C:/Users/mushr/Downloads/1_EN_autre_document_travail_service_part1%20(2).pdf): 72-73

European Foundation for the Improvement of Living and Working Conditions (Eurofound), an [agency of the European Union](#), established by the European Council in 1975, publishes in 2015 an informative material entitled *Promoting uptake of parental and paternity leave among fathers in the European Union*. Another organism under the direct supervision of the European Union is European Institute for Gender Equality (EIGE), which publishes, also in 2015, *Reconciliation of work, family and private life in the European Union Policy review*. Mention should also be made of the study published by the European Statistical Office (EUROSTAT), the EU statistics institute, in 2009, entitled *Reconciliation between work, private and family life in the European Union*.

Last but not least, one should mention the research *Maternity leave policies Trade-offs between labour market demands and health benefits for children* undertaken in 2017 by RAND Europe, a non-profit research organisation that helps to improve policy and decision making through research and analysis, working with European governments and institutions, charities, foundations, universities and private sector firms that seek impartial, quality-assured research.

The analysis of these documents is relevant for the understanding of the evolution of work-life balance policies outside the EU institutional mechanisms. The socio-economic and statistical data is doubled with an analysis of the legislation in force at the time of undertaking the research. Such an approach allows a bird-eye view from a chronological perspective, and also the comparison between the EU Member States.

B. Legislative documents

The most recent document issued by the European Council on June 13 and enacted by the European Parliament on June 20, 2019, is *Directive (EU) 2019/1158 of the European Parliament and of the Council on work-life balance for parents and carers and repealing Council Directive 2010/18/EU*. The proposal has been submitted to European Commission by Communication from the Commission: An Initiative to Support Work-Life Balance for Working Parents and Carers, Brussels, on 26.4.2017, COM (2017). The Directive consists of 22 articles. *Legal measures* include: introduction of paternity leave: fathers/equivalent second parents will be able to take at least 10 working days of paternity leave around the time of birth of the child, compensated at least at the level of sick pay; strengthening of the existing right to 4 months of parental leave, by making 2 out of the 4 months non-transferable from a parent to another, and compensated at a level to be set by Member States.

Parents will also have the right to request to take the leave in a flexible way (e.g. part-time or in a piecemeal way); introduction of carers' leave for workers providing personal care or support to a relative or person living in the same household. Working carers will be able to take 5 days per year; extension of the existing right to request flexible working arrangements (reduced working hours, flexible working hours and flexibility in place of work) to all working parents of children up to at least 8 years old, and all carers. *Policy measures* include: ensuring **protection against discrimination and dismissal** for parents (including pregnant women and workers coming back from a leave) and carers; encouraging a **gender-balanced use** of family-related leaves and flexible working arrangements; making better use of **European funds** to improve provision of formal care services (childcare, out-of-school care and long-term care); removing **economic disincentives** for second earners which prevent women from accessing the labour market or working full-time.

Parents and carers will profit from a better work-life balance. Moreover, the foreseen increase in women's employment, their higher earnings and career progression will positively impact their and their families' economic prosperity, social inclusion and health. **Companies** will benefit from a wider talent pool and a more motivated and productive labour force, as well as from less absenteeism. The rise in women's employment will also contribute to **addressing the challenge of demographic ageing and** ensuring Member States' **financial stability**.

Article 1 lists the objectives and the aim of adopting this Directive:

“This Directive lays down minimum requirements designed to achieve equality between men and women with regard to labour market opportunities and treatment at work, by facilitating the reconciliation of work and family life for workers who are parents, or carers. To that end, this Directive provides for individual rights related to the following: (a) paternity leave, parental leave and carers' leave; (b) flexible working arrangements for workers who are parents, or carers.”

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: 85

Topics and chapters	Current EU legislative framework	Proposed Directive
Paternity leave	No paternity leave at EU level	10 working days of paternity leave when the child is born
Parental leave	4 months of parental leave Non-paid Guideline on uptake until the child reaches the age of 8 1 month cannot be transferred between the parents Possibility of flexible uptake to be decided by the Member States	4 months of parental leave: Paid at sick pay level To be taken up at least until the child reaches the age of 12 4 months cannot be transferred between the parents Possibility of flexible uptake
Carers' leave	No carers' leave at EU-level beyond time-off on grounds of force majeure	Right to 5 days of carers' leave per year per worker, paid at sick pay level, to take care of seriously ill or dependent relatives
Flexible working arrangements for parents and carers	Currently at EU level the right to request this exists only for parents coming back from parental leave	Right to request flexible working arrangements for parents of children up to 12 years old and workers with caring responsibilities
Protection against dismissal and unfavourable treatment	Currently at EU level protection against dismissal and/or unfavourable treatment exists for maternity, parental, paternity and adoption leave (in those Member States which have paternity or adoption leave). There is no EU-level protection against dismissal and/or unfavourable treatment for carers' leave and for workers requesting flexible working arrangements (except for part-time work).	Protection against discrimination and/or dismissal in cases where workers choose to take or apply to take leave or request flexible working arrangements.

Source: [https://europa.eu/rapid/press-release MEMO-17-1005_en.htm](https://europa.eu/rapid/press-release_MEMO-17-1005_en.htm)

European Parliament *Resolution of 15 November 2018 on care services in the EU for improved gender equality* (2018/2077(INI)) develops upon the work-life balance context in 15 points. With reference to the framework of the social reality that requires the enactment of this resolution, the document, among other things: “recalls that policies on work-life balance should encourage men to take up care responsibilities on an equal basis with women; recognises that low socioeconomic status and low education levels are, for many people, barriers to care services, which only compound the challenges they face in achieving a work-life balance; considers that this requires explicit programming and policy;” (European Parliament, 2018: 7-17)

Report PE580.714v02-00 of 2.8.2016, on creating labour market conditions favourable for work-life balance to the Committee on Employment and Social Affairs Committee on Women's Rights and Gender Equality, related to *Motion for a European Parliament resolution on creating labour market conditions favourable for work-life balance* (2016/2017(INI)) comprises the following titles related to the matter under focus here: Family- and care-related types of leave, Care for dependants, Quality employment, Quality of life. (European Parliament, 2016: 16-23). The explanatory statement outlines the actions needed at EU level to improve work-life balance. “This report calls on the Commission to: present a proposal for a revised Pregnant Workers (Maternity Leave) Directive 92/85/ECC, which currently dates back to 1992 and which was adopted under the EU competence in workplace health and safety. Currently existing directive provides for 14 weeks of paid maternity leave and the protection against dismissal. Revision should aim at prolonging paid maternity leave with a diverse formula of payment to allow for accommodation of specific needs and traditions in different Member States; present a Paternity Leave Directive to ensure that men take up their share of caring responsibilities, foreseeing a minimum mandatory and non-transferable paid leave for fathers; present an implementation report of the Parental Leave Directive 2010/18/EU, put forward a Carers' leave directive, as a supplement to the provision of affordable professional care and to enable workers to care for dependents.” (European Parliament, 2016:

26-27). European Parliament Resolution of 4 July 2013, Impact of the crisis on access to care for vulnerable groups (2013/2044(INI)). The document advances the idea that ensuring a satisfactory work-life balance is difficult for women. The numbers for 2013 prove that women are remunerated for their professional activity with wages 18% less than men's, with consideration to the fact that 78% of women carry out care activities. At the same time, "the negative impact of reductions in service provision or the rising costs thereof on employment levels amongst women, work-life balance, gender equality and healthy ageing." (European Parliament, 2013: 11).

4. CONCLUSIONS

The new social realities have triggered profound changes in the life philosophy of contemporary man. The aspirations towards self-accomplishment, high hopes and the constant increase of life standards have altered the scale of needs and the hierarchy of values valid 20-30 years ago. Consequently, new approaches to work optimization are necessary, in the sense of integrating this activity in the context of individual hopes and aspirations to self-accomplishment.

The present paper is a 2019 update on the issues circumscribed to work-life balance and reconciliation of career and family life policies of the European Union. The legislative framework that the European Union has created starting with 2015 has triggered a process of applying concrete solutions. One will be able to respond to the questions formulated along this research study only when this legal framework starts producing visible and quantifiable effects.

The social issue of the conflict between professional life, on the one hand, and the private/ family life, on the other hand, has wider and more profound implications than what was initially estimated at the level of European Union social policies. Although the reconciliation of work and life principle formulates concrete solutions, their application and the improving effects at the social reality level are long-term processes. The more acute are the effects of the conflict between professional and private priorities, the more the implementation of measures related to work and life balance has become a priority within the framework of EU social policies. The documentary analysis of the documents above has generated questions such as: what are the current trends of European Union social policies on the reconciliation of work and family life? How is this field reified by legislation? What are the actual measures taken by the European Union for the implementation of the principles of reconciliation of work and private life and for achieving the work and family life balance? What is the fundamental orientation formulated by good practice principles in this field?

To sum up, the current trends of the European Union social policies in the issue related to the reconciliation of professional and family life are increasingly materialized at legislative level; the actual measures taken by the European Union for the implementation of the principle of the reconciliation of work and private life and of achieving work and family life balance are currently being implemented and represent a priority of the European Union institutions. The solutions for achieving balance/ reconciliation of professional and private/ family life are closely related to solving other social issues specific to gender equality and equal opportunity. The improvement or solving the issue generated by the work-life conflict has great positive implication at the level of social realities on the labour market.

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