

The right to work, reconciliation of work and family life, and *flexicurity*

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15 December 2016



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Bij ons leer je de wereld kennen

Right to work, reconciliation and *flexicurity*

1. Right to work
2. Reconciliation of work and family life
3. European Employment Strategy – *Flexicurity*
4. EU Regulation a-typical workers

1. Right to work

Definition

ESC = duty on the state to act for full employment

EU CFR = right to freely choose employment

Doctrine = right to be enforced against employer, trade union ...

1. Right to work

Contexts

ESC = on the right itself

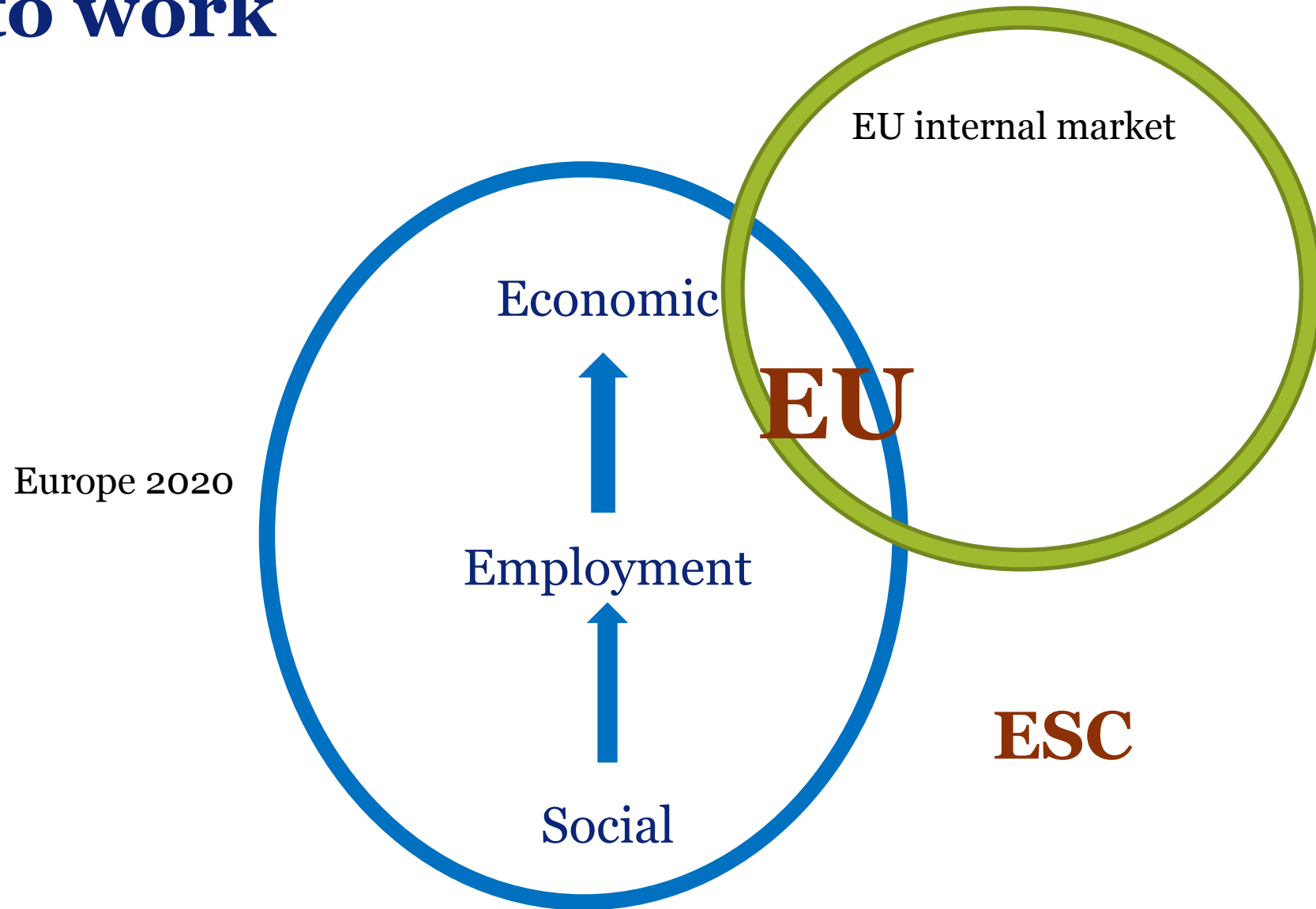
→ issue of full employment  s right of individual / collective against the State

EU = the internal market, including non-competition

→ matter of economic, employment, and social  policies

1. Right to work

EU context



2. Reconciliation of work and family life

Art. 33 EU CFR

The family shall enjoy legal, social and economic protection

Par. 2

Reconciliation of family life with professional life

By

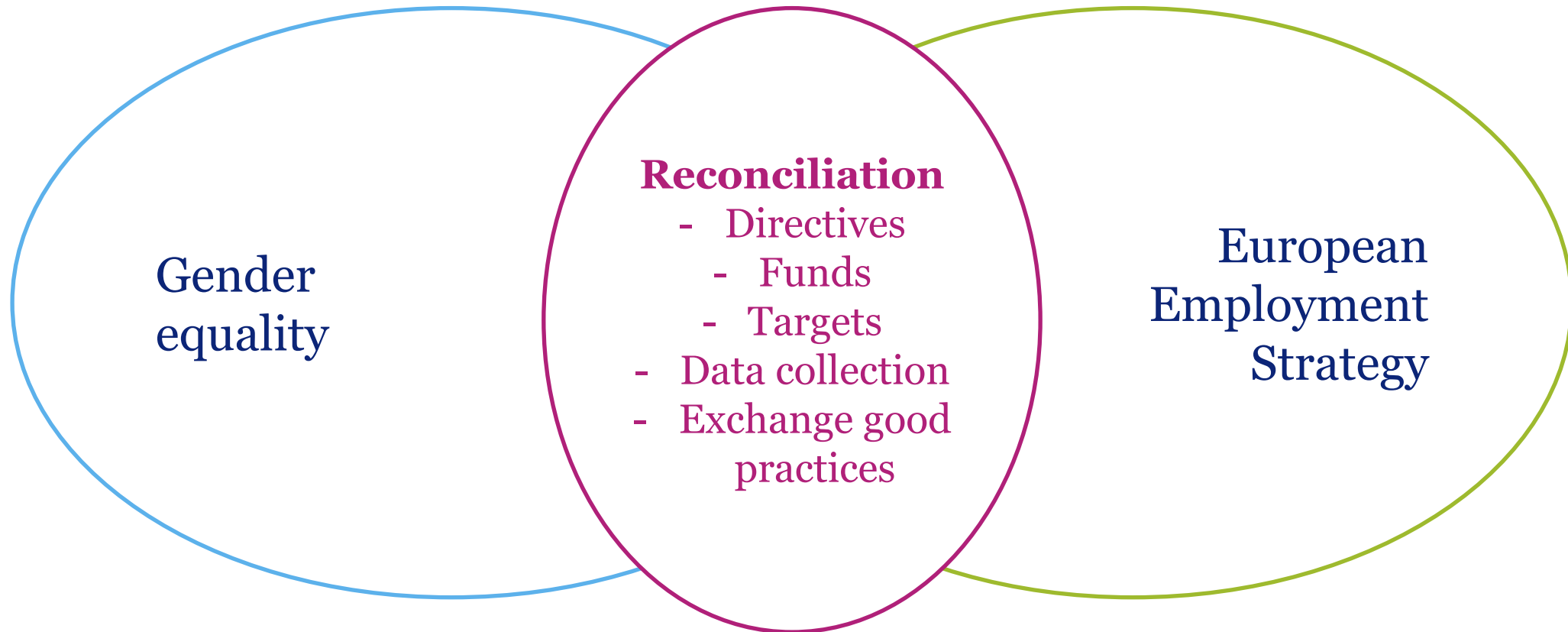
Dismissal protection of grounds related to family

2. Reconciliation of work and family life

Issues

- What is family?
- Equality approach, but structural gender inequalities ...
(absolute equality <-> positive action recognising gender inequalities)
- Diverse views on family life and welfare within the EU (at least 4 models)
- Right or policy? → EES

2. Reconciliation work and family life (governance regime)



3. Flexicurity

Two parts:

Flexibility

- Side employer
 - Less rigid job protection
 - Flexible contracts
- Side employee
 - Reconcile with family life

Security

- Side employer
 - Well educated and trained workers
 - Wage development
- Side employee
 - Of work
- Social protection systems

3. Flexicurity

Change of role of labour law

- A. Protection and passive labour market policies to
- B. Market making and active labour market policies

e.g. Unemployed

- A. Issue is to get benefit as long as needed
- B. Issue is to get back into employment asap

Consequence --> change of content labour law

- A. Protective measures, e.g. for dismissal
- B. Supportive measures, e.g. employment services; life long learning; etc.

3. Flexicurity and right to work

Positive contribution → goal is full employment (80% working age)

Tensions → ALMP

- More stringent eligibility requirements
- Workfare idea
- Life long learning

3. Flexicurity and reconciliation family life

Directives on a-typical work

- Part-time
- Fixed term
- Temporary Agency Work

Reconciliation → equal treatment typical worker

Flexicurity approach → flexible contracts

Other flexible forms of work:

Teleworking

Homework

