every day until the child reaches nine months of age) to the effect that, regardless of the sex of either parent, such leave is not be granted to the person applying for it if the other parent is unemployed?

Does Article 3 of Directive 2006/54/EC, 2 which seeks to guarantee full equality between men and women in their working lives, preclude an interpretation of the said Article 37.4 ET to the effect that, if the male parent is working, he has no entitlement to such leave if his wife and fellow parent is unemployed?

Case C-258/17. Discrimination and pension

E.B. – v – Versicherungsanstalt öffentlich Bediensteter BVA, reference lodged by the German Verwaltungsgerichtshof on 15 May 2017

Does Article 2 of Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation 1 ('the Directive') preclude the maintenance in being of the new legal position created by an administrative decision that has become final under national law, in the area of law governing disciplinary action in the civil service (disciplinary decision), compulsorily retiring and reducing the pension benefits of a civil servant, where that administrative decision was not yet subject to provisions of EU law, in particular the Directive, at the time when it was adopted, but a (notional) decision to the same effect would infringe the Directive if it were adopted within the temporal scope of the Directive?

If the first question is answered in the affirmative, is it, for the purposes of creating a non-discriminatory situation,

a. necessary under EU law, for the purposes of determining the civil servant's pension, to treat him as if, in the period between the entry into force of the administrative decision and his reaching statutory pensionable age, he had not been retired but working, or is it
b. sufficient for these purposes to recognise as due the unreduced pension accruing in consequence of compulsory retirement at the time specified in the administrative decision?

Does the answer to Question 2 depend on whether the civil servant did in fact proactively seek active employment in the federal civil service before reaching retirement age?

If it is considered sufficient to annul the percentage reduction of pension entitlement (and depending also, if necessary, on the circumstances referred to in Question 3):

Can the principle of non-discrimination contained in the Directive support a primacy of application over conflicting national law which a national court must observe, when calculating pension entitlement, even in respect of periods before the Directive became directly applicable in national law?

If Question 4 is answered in the affirmative, to which point in time does such 'retroactive effect' extend?

Case C-315/17. Fixed term work

Pilar Centeno Meléndez – v – Universidad de Zaragoza, reference lodged by the Spanish Juzgado de lo Contencioso-Administrativo de Zaragoza on 29 May 2017

Is Clause 4(1) of the Framework Agreement annexed to Council Directive 1999/70/EC of 28 June 1 applicable to the horizontal career increment claimed by the applicant, on the basis that it is an employment condition, or, rather, does the increment constitute an element of remuneration with the characteristics described in the present order that depends on the subjective qualities of the recipient which have been gained by working for a number of years under a system based on increasing levels of difficulty and responsibility and on continuity, specialisation and professionalism?

If the previous question is answered in the affirmative and the Court of Justice considers [the increment] to be an employment condition for the purposes of Clause 4(1) of the Framework Agreement, is the difference in remuneration justified on objective grounds?

Case C-370/17. Social security

Caisse de retraite du personnel navigant professionnel de l'aéronautique civile (CRPNPAC) – v – Vueling Airlines SA, reference lodged by the French Tribunal de grande instance de Bobigny on 19 June 2017

Is the effect of an E 101 certificate issued, in accordance with Article 11(1) and Article 12a(1a) of Regulation (EEC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the

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