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Case C-252/17, Gender discrimination

Moisés Vadillo González – v – Alestis Aerospace, S.L., reference lodged by the Juzgado de lo Social No 2, Cádiz (Spain) on 12 May 2017

1. Does Directive 2010/18/EU preclude an interpretation of Article 37.4 ET (leave of absence of an hour 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?
2. Does Article 3 of Directive 2006/54/EC, 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-7/18, Pension

Modesto Jardón Lama – v – Instituto Nacional de la Seguridad Social, Tesorería General de la Seguridad Social, reference lodged by the Tribunal Superior de Justicia de Galicia (Spain) on 3 January 2018

Must Article 48 TFEU be interpreted as meaning that it precludes national legislation which requires as a condition for access to an early retirement pension that the amount of the pension to be received must be higher than the minimum pension which would be due to the person concerned under that same national legislation, the term 'pension to be received' being interpreted as the actual pension from the competent Member State (in this case, Spain) alone, without also taking into account the actual pension which that person may receive through another benefit of the same kind from one or more other Member States?

Case C-57/18, Collective redundancies

AX – v – BV, reference lodged by the Bundesarbeitsgericht (Germany) on 30 January 2018

1. Must point (a) of the first subparagraph of Article 1(1) of Directive 98/59/EC of the Council of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies ('Directive 98/59/EC') be interpreted as meaning that, for the purposes of determining the number of workers normally employed in an establishment, regard is to be had to the number of workers employed in the usual course of business at the time of the redundancy?
2. Must point (a) of the first subparagraph of Article 1(1) of Directive 98/59/EC be interpreted as meaning that, for the purposes of determining the number of workers normally employed in a user undertaking's business, account may be taken of temporary agency workers employed there?
3. If the answer to the second question is in the affirmative: Which conditions apply to the taking into account of temporary agency workers for the purposes of determining the number of workers normally employed in a user undertaking's business?

Case C-392/17, Pension, health and safety

Sindicatul Energia Oradea – v – SC Termoelectrica SA, reference lodged by the Curtea de Apel Oradea (Romania) on 29 June 2017

Are the provisions of Order No 50/1990, as interpreted by judgment No 9/2016 given by the Înalta Curte de Casație și Justiție (High Court of Cassation and Justice, Romania) on a matter of public policy — a judgment binding on courts of law, according to which occupations classified in groups I and II are strictly and rigorously limited to those set out in Annex 1 and 2 of that order, and the courts may not extend the provisions of that order to include other similar cases, with the consequence that those former workers cannot receive the pension benefits owed as a result of the hard working conditions in which they have carried out their work — compatible with Articles 114(3), 151 and 153 TFEU, and with the provisions of framework Directive 89/391/EEC and successive specific directives?

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