

Case C-254/18, Working time

Syndicat des cadres de la sécurité intérieure – v – Premier ministre, Ministre d'État, Ministre de l'Intérieur, Ministre de l'Action et des Comptes public, reference lodged by the Conseil d'État (France) on 12 April 2018

1. Must Articles 6 and 16 of Directive 2003/88/EC of 4 November 2003 concerning certain aspects of the organisation of working time be interpreted as imposing a reference period determined on a rolling basis or as allowing Member States to choose whether to employ a rolling or fixed reference period?
2. If those provisions are to be interpreted as requiring a rolling reference period, may the possibility afforded by Article 17 to derogate from Article 16(b) relate not only to the duration of the reference period but also to the requirement for a rolling period?

Case C-257/18, Social insurance

M. Güler – v – Raad van bestuur van het Uitvoeringsinstituut werknemersverzekeringen, reference lodged by the Centrale Raad van Beroep (Netherlands) on 13 April 2018

1. Can a Turkish national who is duly registered as belonging to the labour force of a Member State, has obtained the nationality of that Member State without renouncing his Turkish nationality and subsequently voluntarily renounced the nationality of that Member State and thus Union citizenship rely on Article 6 of Decision 3/80 to avoid the residence requirement under the TW?
2. If so, at what point must that Turkish national satisfy the requirement that he is not a Union citizen in order to derive rights from Article 6 of Decision 3/80: right from the time he leaves the host Member State or only later, when the benefit to be exported is payable in the foreign country?
3. Is Article 6(1) of Decision 3/80 to be construed as meaning that a Turkish national who still held the nationality of a Member State at the time of emigration to Turkey but later voluntarily renounced that nationality, from that latter point onwards may not be denied the right to a special benefit not based on non-contributory payments designed to guarantee an income to the amount of the guaranteed minimum income in the Member State concerned, solely because he is resident in Turkey, even if, until the time of departure from the Member State con-

cerned, he was not eligible for that special benefit since the award conditions had not then be satisfied?

Case C-258/18, Social insurance

H. Solak – v – Raad van bestuur van het Uitvoeringsinstituut werknemersverzekeringen, reference lodged by the Centrale Raad van Beroep (Netherlands) on 13 April 2018

1. Can a Turkish national who is duly registered as belonging to the labour force of a Member State, has obtained the nationality of that Member State without renouncing his Turkish nationality and subsequently voluntarily renounced the nationality of that Member State and thus Union citizenship rely on Article 6 of Decision 3/80 to avoid a residence requirement in national social security legislation which can, however, be imposed on Union citizens?
2. Is Article 6(1) of Decision 3/80, with due regard to Article 59 of the Additional Protocol, to be construed as meaning that it precludes a statutory regulation of a Member State such as Article 4a of the TW, on the basis of which an awarded supplementary benefit is withdrawn if the recipient moves to Turkey, even if that recipient has left the territory of the Member State on his own initiative after voluntarily renouncing the nationality of a Member State and whilst it has not been found that he is no longer duly registered as belonging to the labour force of that Member State?

Case C-274/18, Gender discrimination, Fixed-term work

Minoo Schuch-Ghannadan – v – Medizinische Universität Wien, reference lodged by the Arbeits- und Sozialgericht Wien (Austria) on 23 April 2018

1. Is the principle of *pro rata temporis* under point 2 of clause 4 of the Framework Agreement annexed to Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work, in conjunction with the principle of non-discrimination under point 1 of clause 4, to be applied to legislation under which the total duration of immediately consecutive employment contracts of an employee of an Austrian university working within the framework of externally funded projects or research projects is 6 years for full-time employ-