ees, but 8 years for part-time employees, and moreover, if there is objective justification, in particular for the continuation or completion of research projects or publications, a further one-off extension up to a total of 10 years for full-time employees and of 12 years for part-time employees is permissible?
2. Does legislation such as that described in Question 1 constitute indirect discrimination based on sex within the meaning of Article 2(1)(b) of Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) in the case where, within the group of workers subject to that legislation, a significantly higher percentage of women is affected as compared with the percentage of men so affected?
3. Is Article 19(1) of Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) to be interpreted as meaning that a woman who, in the area of application of legislation such as that set out in Question 1, claims to have suffered indirect discrimination based on sex on the ground that significantly more women than men are employed on a part-time basis, must assert this fact, in particular that women are statistically much more significantly affected, by submitting specific statistics or specific facts and must substantiate this by means of appropriate evidence?

Case C-293/18, Fixed-term work

Sindicato Nacional de CCOO de Galicia – v – Unión General de Trabajadores de Galicia (UGT), Universidad de Santiago de Compostela, Confederación Intersindical Gallega, reference lodged by the Tribunal Superior de Justicia de Galicia (Spain) on 26 April 2018

1. Must workers engaged pursuant to Article 20 of Ley 14/2011, de 1 de junio, de la Ciencia, Tecnología y la Innovación (Law 14/2011 of 1 June 2011 on Science, Technology and Innovation) be regarded as falling within the scope of the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP, which led to Council Directive 1999/70/EC of 28 June 1999?
2. Must the compensation payable on the termination of contracts of employment be regarded as an employment condition as referred to in clause 4 of the framework agreement?
3. If the previous questions are answered in the affirmative, must the termination of the contracts of employment of workers engaged pursuant to Law 14/2011 of 1 June 2011 on Science, Technology and Innovation and the termination of permanent contracts on objective grounds in accordance with Article 52 of the Estatuto de los Trabajadores (Workers' Statute) be regarded as comparable?
4. If the answer to Question 3 is in the affirmative, is there any ground under legislation for the differences?

Case C-317/18, Transfer, Miscellaneous

Cátia Correia Moreira – v – Município de Portimão, reference lodged by the Tribunal Judicial da Comarca de Faro (Portugal) on 14 May 2018

1. On the premise that 'worker' must be taken to mean any person who, in the Member State in question, is protected as such by the national employment legislation, can a person who has a contract for a position of trust with the transferor be regarded as a 'worker' for the purposes of Article 2(1)(d) of Council Directive 2001/23/EC of 12 March 2001 and can that person, accordingly, enjoy the protection which that legislation confers?
2. Does EU legislation, in particular Directive 2001/23/EC, in conjunction with Article 4(2) of the Treaty on European Union, preclude a national rule which, even in the case of a transfer falling within the scope of that directive, requires that workers in all cases undergo a public selection procedure and become bound by a new relationship with the transferee where that transferee is a municipality?

Case C-372/18, Social insurance

Ministre de l'Action et des Comptes publics – v – Mr and Mrs Raymond Dreyer, reference lodged by the Cour administrative d'appel de Nancy (France) on 7 June 2018

1. Do the contributions allocated to the Caisse nationale de solidarité pour l'autonomie (National Solidarity Fund for Independent Living), which contribute to the funding of the benefits in question, have a direct and sufficiently relevant link with certain branches of social security listed in Article 3 of Regulation (EC) No 883/2004 and do they therefore come within the scope of that regulation solely on the ground that those benefits relate to one of the risks set out in that Article 3 and are granted with-

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out any discretionary assessment on the basis of a legally defined position?

Case C-404/18, Gender discrimination

Jamina Hakelbracht, Tine Vandenbon, Instituut voor de Gelijkheid van Vrouwen en Mannen – v – WTG Retail BVBA, reference lodged by the Arbeidsrechtbank Antwerpen (Belgium) on 19 June 2018

1. Should European Union law and, more specifically, Article 24 of Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, be interpreted as precluding national legislation which affords protection against retaliation to persons who act as witnesses only to persons who, in the context of the investigation of a complaint, bring to the notice of the person with whom the complaint is lodged, in a signed and dated document, the facts which they have personally seen or heard and which relate to the situation which is the subject of the complaint filed or who appear as witnesses in legal proceedings?

Case C-428/18, Pension

Jörg Paul Konrad Fritz Bode – v – Instituto Nacional de la Seguridad Social and Tesorería General de la Seguridad Social, reference lodged by the Tribunal Superior de Justicia de Galicia (Spain) on 28 June 2018

1. 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-429/18, Fixed-term work

Berta Fernández Álvarez, BMM, TGV, Natalia Fernández Olmos, María Claudia Téllez Barragán – v – Consejería de Sanidad de la Comunidad de Madrid, reference lodged by the Juzgado de lo Contencioso-Administrativo de Madrid (Spain) on 28 June 2018

1. Is this court's interpretation of the Framework Agreement annexed to Directive 1999/70/EC correct and is it correct to take the view that the employment of the applicants on temporary appointments constitutes abuse in so far as the public employer uses different contractual models, all of which are temporary, to ensure, on a permanent and stable basis, performance of the ordinary duties of permanent regulated staff and to cover structural defects and needs which are, in fact, not temporary but fixed and permanent? Is the type of temporary appointment described therefore not justified as an objective reason for the purposes of clause 5(1)(a) of the Framework Agreement, in that such use of fixed-term contracts conflicts directly with the second paragraph of the preamble of the Framework Agreement and with general considerations 6 and 8 of that agreement, since there are no circumstances which would justify the use of such fixed-term employment contracts?
2. Is this court's interpretation of the Framework Agreement annexed to Directive 1999/70/EC correct and is it correct to take the view that, in line with that interpretation, the holding of a conventional selection process, with the features described, is not an equivalent measure and cannot be regarded as a penalty, since it is not proportional to the abuse committed, the consequence of which is the termination of the temporary worker's appointment, in breach of the objectives of the directive, and the continued unfavourable situation of temporary regulated employees, nor can it be regarded as an effective measure in so far as it does not create any detriment to the employer, and nor does it fulfil any deterrent function, and therefore it is not compatible with the first paragraph of Article 2 of Directive 1999/70 in that it does not ensure that the Spanish State achieves the results imposed by the directive?
3. Is this court's interpretation of the first paragraph of Article 2 of Directive 1999/70 and of the judgment of the Court of Justice of the European Union of 14 September 2016 in Case C-16/15 correct and is it correct to take the view that, in line with that interpretation, the holding of a selection process that is open to external candidates is not an appropriate measure to penalise abuse arising from the use of successive temporary appointments, since Spanish legislation does not provide for an effective, dissua-

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