

Case C-795/19, Disability discrimination

XX – v – Tartu Vangla, reference lodged by the Riigikohus (Estonia) on 29 October 2019

Should Article 2(2), read in combination with Article 4(1), of Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, be interpreted as precluding provisions of national law which provide that impaired hearing below the prescribed standard constitutes an absolute impediment to work as a prison officer and that the use of corrective aids to assess compliance with the requirements is not permitted?

Case C-799/19, Insolvency

NI, OJ, PK – v – Sociálna poisťovňa, reference lodged by the Okresný súd Košice I (Slovakia) on 30 October 2019

1. Must Article 3 of Directive 2008/94/EC of the European Parliament and of the Council of 22 October 2008 on the protection of employees in the event of the insolvency of their employer be interpreted as meaning that the concept of “employees’ outstanding claims resulting from contracts of employment” also covers non-material damage suffered as a result of the death of an employee caused by an accident at work?
2. Must Article 2 of Directive 2008/94/EC of the European Parliament and of the Council of 22 October 2008 on the protection of employees in the event of the insolvency of their employer be interpreted as meaning that where an action for enforcement has been brought against an employer in connection with a judicially recognised claim for compensation for non-material damage suffered as a result of the death of an employee caused by an accident at work, but the claim is deemed irrecoverable in the enforcement proceedings on the ground that the employer has no funds at its disposal, the employer in question is also deemed insolvent?

Case C-824/19, Disability discrimination

TC, UB – v – Komisia za zashtita ot diskriminatsia, VA, reference lodged by the Varhoven administrativen sad (Bulgaria) on 12 November 2019

Does the interpretation of Article 5(2) of the United Nations Convention on the Rights of Persons with Disabilities and of Article [2](1), (2) and (3) and Article 4(1) of Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation lead to the conclusion that it is permissible for a person without the ability to see to be able to work as a court assessor and participate in criminal proceedings, or:

Is the specific disability of a permanently blind person a characteristic which constitutes a genuine and determining requirement of the activity of a court assessor, the existence of which justifies a difference of treatment and does not constitute discrimination based on the characteristic of ‘disability’?

Case C-834/19, Part time work, fixed-term work

AV – v – Minister for Justice and the Italian Republic, reference lodged by the Tribunale di Vicenza (Italy) on 15 November 2019

Does the national practice whereby honorary district court judges who work as described [in the order for reference] (as in AV’s case) are excluded from the concept of ‘part-time worker’, as referred to in Clause 2 of the Framework Agreement annexed to Directive 1997/81/EC, and from the concept of ‘fixed-term worker’, as referred to in Clause 2 of the Framework Agreement annexed to Directive 1999/70/EC, constitute an obstacle to the effectiveness of Directives 1997/81/EC and 1999/70/EC?

Case C-841/19, Gender discrimination

JL – v – Fondo de Garantía Salarial (Fogasa), reference lodged by the Juzgado de lo Social n.º 41 de Madrid (Spain) on 20 November 2019

The question referred is whether Article 4(1) of Directive 79/7/EEC and Article 2(1) of Directive 2006/54/EC of the European Parliament and of the

Council of 5 July 2006 should be interpreted as precluding a legislative provision of a Member State (such as that at issue in the main proceedings, under which, as regards the amount which FOGASA is liable to pay a part-time worker, the worker's base wages, which are reduced due to the part-time nature of the employment, are reduced again when calculating FOGASA's liability under Article 33 of the Workers' Statute, because the part-time factor is applied for a second time, as compared with a comparable full-time worker, in so far as that provision disadvantages female workers as compared with male workers.

Case C-843/19, Social insurance, pension, gender discrimination

Instituto Nacional de la Seguridad Social (INSS) – v – BT, reference lodged by the Tribunal Superior de Justicia de Cataluña (Spain) on 20 November 2019

Does EU law preclude a provision of national law such as Article 208(1)(c) of the 2015 Ley General de la Seguridad Social (General Law on Social Security), which stipulates that, in order for anyone enrolled in the General Scheme to be able to take voluntary early retirement, the pension payable, calculated in the standard way without any minimum pension supplement, must be at least as much as the minimum pension, inasmuch as it indirectly discriminates against women enrolled in the General Scheme, since it affects a far greater number of women than men?

Case C-866/19, Social insurance

SC – v – Zakład Ubezpieczeń Społecznych I Oddział w Warszawie Wydział Realizacji Umów Międzynarodowych, reference lodged by the Sąd Najwyższy (Poland) on 27 November 2019

Does EU law preclude a provision of national law such as Article 208(1)(c) of the 2015 Ley General de la Seguridad Social (General Law on Social Security), which stipulates that, in order for anyone enrolled in the General Scheme to be able to take voluntary early retirement, the pension payable, calculated in the standard way without any minimum pension supplement, must be at least as much as the minimum pension, inasmuch as it indirectly discriminates against women enrolled in the General Scheme, since it affects a far greater number of women than men?

Case C-875/19 P, Miscellaneous

FV – v – Council, appeal against judgment of the General Court (Eighth Chamber) of 19 September 2019 in Case T-27/18 RENV

The appellant claims that the Court should:

- set aside the judgment of 19 September 2019 (T-27/18 RENV) and, consequently, grant the appellant the order sought at first instance and therefore annul the appellant's 2013 staff report;
- order the Council to pay the costs of the proceedings at first instance and in the appeal.

Case C-877/19 P, Miscellaneous

FV – v – Council, appeal brought on 28 November 2019 against judgment of the General Court (Eighth Chamber) of 19 September 2019 in Case T-153/17

The appellant claims that the Court should:

- set aside the judgment of 19 September 2019 (T-153/17);
- consequently, grant the order sought at first instance and therefore annul the 2014 and 2015 staff reports adopted definitively on 5 December 2016;
- order the respondent to pay the entire costs of the proceedings at first instance and in the appeal.

Case C-879/19, Social insurance

FORMAT Urządzenia i Montaż Przemysłowe – v – Zakład Ubezpieczeń Społecznych I Oddział w Warszawie, reference lodged by the Sąd Najwyższy (Poland) on 2 December 2019

Is the expression 'a person normally employed in the territory of two or more Member States' used in the first sentence of Article 14(2) of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community, in the version resulting from Council Regulation (EC) No 118/97 of 2 December 1996, as amended by Regulation (EC) No 1992/2006 of the European Parliament and of the Council of 18 December 2006, to be interpreted as also applying to a person who, during the period covered by and within the framework of one and the same contract