

ECJ 20 May 2021, Case C-63/20 P (Dickmanns/EUIPO), Miscellaneous

Sigrid Dickmanns – v – EUIPO, EU Case

Summary

Appeal against termination of agency contract was dismissed. Unfortunately, no English translation of the case is available. Other language versions are available on: https://curia.europa.eu/jcms/jcms/j_6/en/.

ECJ 20 May 2021, Case C-879/19 (Format), Social Insurance

FORMAT Urządzenia i Montaż Przemysłowe – v – Zakład Ubezpieczeń Społecznych I Oddział w Warszawie, Polish case

Summary

Article 14(2) Regulation 1408/71 does not apply to a person who, under a single employment contract concluded with a single employer providing for the pursuit of professional activity in several Member States, works, for several successive months, solely in the territory of each of those Member States, where the duration of the uninterrupted periods of work completed by that person in each of those Member States exceeds 12 months.

Question

Must Article 14(2) of Regulation No 1408/71 be interpreted as applying to a person who, under a single employment contract concluded with a single employer providing for the pursuit of professional activity in several Member States, works, for several successive months, solely in the territory of each of those Member States?

Ruling

Article 14(2) of Council Regulation (EEC) 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 Community, as amended and updated by Council Regulation (EC) No 118/97 of 2 December 1996, as amended by Council Regulation (EC) No 1606/98 of 29 June 1998, must be interpreted as not applying to a person who, under a single employment contract concluded with a single employer providing for the pursuit of professional activity in several Member States, works, for several successive months, solely in the territory of each of those Member States, where the duration of the uninterrupted periods of work completed by that person in each of those Member States exceeds 12 months, which it is for the referring court to verify.

ECJ 3 June 2021, case C-326/19 (Ministero dell'Istruzione, dell'Università e della Ricerca – MIUR e.a. (Chercheurs universitaires)), Fixed-Term Work

EB – v – Presidenza dei Consiglio dei Ministri, Ministero dell'Istruzione, dell'Università e della Ricerca – MIUR and Università degli Studi 'Roma Tre', Italian case

Summary

It is allowed to limit both the duration and number of fixed-term contracts without an objective justification being necessary, provided that there is no abuse of the rules.

Questions

Must Clause 5 of the framework agreement be interpreted as precluding national legislation under which, as regards the recruitment of university researchers, provides for the conclusion of fixed-term contracts for a period of three years, with the only possibility of extension, for a maximum period of two years, making the conclusion of such contracts subject to the condition that resources are available 'for planning for the purposes of carrying out research, teaching, non-curricular activities and student service activities', and making the extension of those contracts conditional on the 'positive