

SUMMARY

ECJ 30 June 2022, case C-192/21 (Comunidad de Castilla y León), Fixed- Term Work

Mr Clemente - v - Comunidad de Castilla y León (Dirección General de la Función Pública), Spanish case

Summary

It is not allowed to not take account of services provided as an interim civil servant (hence on a fixed-term basis) when consolidating the status of a career civil servant.

Question

Does Clause 4(1) of the Framework Agreement preclude national legislation under which, for the purposes of consolidating a personal grade, account is not taken of services which a career civil servant provided as an interim civil servant before he or she acquired the status of career civil servant?

Ruling

Clause 4(1) the framework agreement on fixed-term work, concluded on 18 March 1999, which is annexed to Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP, precludes national legislation under which, for the purposes of consolidating a personal grade, account is not taken of services which a career civil servant provided as an interim civil servant before he or she acquired the status of career civil servant.

Creator: European Court of Justice (ECJ)

Verdict at: 2022-06-30

Case number: C-192/21