

SUMMARY

ECJ 14 December 2023, case C-206/22 (Sparkasse Südpfalz), Paid Leave

TF – v – Sparkasse Südpfalz, German case

Summary

An employee who ‘enjoys’ his annual leave while he is quarantined, is not entitled to take that leave at a later moment. The ECJ’s summary of the case is available [here](#).

Question

Must Article 7(1) of Directive 2003/88 and Article 31(2) of the Charter be interpreted as precluding national legislation or practice that does not permit the carry-over of days of paid annual leave which were granted to a worker who is not sick in respect of a period coinciding with a period of quarantine ordered by a public authority on account of that worker having been in contact with a person infected with a virus?

Ruling

Article 7(1) of Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time and Article 31(2) of the Charter of Fundamental Rights of the European Union must be interpreted as not precluding national legislation or practice that does not permit the carry-over of days of paid annual leave which were granted to a worker who is not sick in respect of a period coinciding with a period of quarantine ordered by a public authority on account of that worker having been in contact with a person infected with a virus.

Creator: European Court of Justice (ECJ)

Verdict at: 2023-12-14

Case number: C-206/22