

SUMMARY

ECJ 27 June 2024, case C-284/23 (Haus Jacobus), dismissal

TC – v – Firma Haus Jacobus Alten – und Altenpflegeheim gGmbH, German case.

Summary

A pregnant worker must be afforded a reasonable time limit in order to be able to bring an action against her dismissal. The ECJ's summary of the case can be found [here](#).

Question

Must Articles 10 and 12 of Directive 92/85 be interpreted as precluding national legislation under which a pregnant worker who became aware of her pregnancy only after the expiry of the time limit prescribed for bringing an action challenging her dismissal is required, in order to be able to bring such an action, to submit a request for leave to bring an action out of time within a period of two weeks?

Ruling

Articles 10 and 12 of Directive 92/85 must be interpreted as precluding national legislation under which a pregnant worker who did not become aware of her pregnancy until after the expiry of the time limit prescribed for bringing an action against her dismissal is required, in order to be able to bring such an action, to submit a request for leave to bring an action out of time within a period of two weeks, where the procedural rules surrounding that request, in so far as they give rise to problems liable to render excessively difficult the implementation of the rights which pregnant workers derive from Article 10 of that directive, do not comply with the requirements of the principle of effectiveness.

Creator: European Court of Justice (ECJ)

Verdict at: 2024-06-27

Case number: C-284/23