

SUMMARY

# ECJ 19 December 2024, C-531/23 (Loredas), Working Time, Gender Discrimination

## *HJ - v - US, MU, Fondo de Garantía Salarial (FOGASA), Spanish Case*

### Summary

Domestic employers must be able to measure working time of domestic workers. The ECJ's summary of the case is available [here](#).

### Questions

Must Articles 3, 5 and 6 of Directive 2003/88, read in conjunction with Directives 2000/78, 2006/54 and 2010/41, and with Articles 20 and 21 and Article 31(2) of the Charter, be interpreted as precluding national legislation under which domestic employers are exempt from the obligation to establish a system for measuring the length of time worked by domestic employees?

### Ruling

Articles 3, 5 and 6 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, read in the light of Article 31(2) of the Charter of Fundamental Rights of the European Union, must be interpreted as precluding national legislation, and its interpretation by the national courts or an administrative practice based on such legislation, under which domestic employers are exempt from the obligation to establish a system enabling the duration of time worked by domestic workers to be measured, thereby depriving those workers of the possibility of determining objectively and reliably the number of hours worked and their distribution over time.

**Creator:** European Court of Justice (ECJ)

**Verdict at:** 2024-12-19

**Case number:** C-531/23