

SUMMARY

ECJ 30 October 2025, case C-373/24 (Ramavić), working time

NI - v - Republika Hrvatska, Croatian case

Summary

Time on stand-by carried out outside of normal working time by public prosecutors must be classified as 'working time'.

Questions

1. Must Article 1(3) of Directive 2003/88/EC, read in conjunction with Article 31 of the Charter of Fundamental Rights of the European Union, be interpreted as meaning that public prosecutors fall within the scope of that directive?
2. Must Article 2 of Directive 89/391/EEC, to which Article 1(3) of Directive 2003/88 refers, be interpreted as meaning that it precludes national legislation which excludes the activity of public prosecutors from the scope of Directive 2003/88?
3. Must Article 2 of Directive 2003/88 be interpreted as meaning that a period of time on stand-by carried out outside of normal working time by public prosecutors, which requires the mandatory presence of those prosecutors at the workplace, or a period of time on stand-by according to a stand-by system, which requires their mandatory presence at home, must be classified as 'working time', within the meaning of Article 2?

Ruling

1. Article 1(3) of Directive 2003/88/EC, read in conjunction with Article 31 of the Charter of Fundamental Rights of the European Union, must be interpreted as meaning that public prosecutors fall within the scope of that directive.
2. Article 2 of Directive 89/391/EEC, to which Article 1(3) of Directive 2003/88 refers, must be

interpreted as meaning that it precludes national legislation which excludes the activity of public prosecutors from the scope of Directive 2003/88, in so far as that activity, where it is carried out in normal circumstances, may be subject to the planning of working time in a way that respects the requirements imposed by Directive 2003/88.

3. Article 2 of Directive 2003/88 must be interpreted as meaning that a period of time on stand-by carried out outside of normal working time by public prosecutors, which requires the mandatory presence of those prosecutors at the workplace, or a period of time on stand-by according to a stand-by system, which requires the public prosecutor to be present at his or her home, must be classified as 'working time', within the meaning of Article 2, in so far as, during those periods of time on stand-by, the constraints imposed on those public prosecutors are such that they objectively and very significantly affect the ability, for those public prosecutors, freely to manage, during those periods, the time during which their professional services are not required and to use that time to pursue their own interests.

Creator: European Court of Justice (ECJ)

Verdict at: 2025-10-30

Case number: C-373/24