

SUMMARY

ECJ 13 November 2025, Case C-272/24 (Tribunalul Galați), working time

HZ - v - Tribunalul Galați, Romanian case

Summary

Overtime worked by judges, for which compensatory rest time is granted instead of financial remuneration, must meet a number of requirements to comply with the principle of judicial independence.

Question

Must the second subparagraph of Article 19(1) TEU, read in the light of Article 2 TEU and point 5 of the Community Charter of the Fundamental Social Rights of Workers, be interpreted as precluding national legislation which, by providing solely for the grant of a compensatory rest period in respect of working time which a judge performs in order to carry out tasks which fall to a vacant post at his or her court, in addition to those required of him or her in respect of the post which he or she occupies, excludes any financial compensation for work performed with a view to carrying out those additional tasks?

Ruling

The second subparagraph of Article 19(1) TEU, read in the light of Article 2 TEU and point 5 of the Community Charter of the Fundamental Social Rights of Workers, must be interpreted as meaning that the principle of judicial independence does not preclude national legislation which, by providing solely for the grant of a compensatory rest period in respect of the working time which a judge performs in order to carry out tasks which fall to a vacant post at his or her court, in addition to those required of him or her in respect of the post which he or she occupies, excludes any financial compensation for work performed with a view to carrying out those additional tasks, provided that that judge can actually use the compensatory rest period which he or she has been granted and that that legislation does not have the effect of

undermining the commensurate relationship between his or her remuneration and the importance of his or her functions.

Creator: European Court of Justice (ECJ)

Verdict at: 2025-11-13

Case number: C-272/24