

## SUMMARY

# ECJ 5 March 2026, Case C-757/24 (SG- v – Gemeinde Wien)

## ***SG - v – Gemeinde Wien, Austrian case***

### **Summary**

Articles 1, 2 and 6 of Directive 2000/78/EC, read with Article 21 of the Charter, do not preclude national legislation under which periods prior to the age of eighteen count at half value for an employee's seniority in the pay scale, provided that the ceiling applies irrespective of the age at which the experience was acquired.

### **Questions**

Is European Union law, in particular Articles 1, 2 and 6 of Directive 2000/78 (establishing a general framework for equal treatment in employment and occupation) in conjunction with Article 21 of the Charter of Fundamental Rights of the European Union, to be interpreted as precluding a national provision which, for the purpose of eliminating existing discrimination on grounds of age, introduces a system in which periods of previous service completed before the age of 18 are taken into account but only at half their value when accrediting previous periods of service and compensating for age discrimination, even though the complete neutralisation of periods of service before the age of 18 has been removed by means of a flat-rate deduction?

### **Ruling**

Articles 1, 2 and 6 Directive 2000/78/EC read in conjunction with article 21 of the Charter must be interpreted as not precluding national legislation pursuant to which a employee's pay step is fixed on the basis of his or her seniority in the remuneration scale, where that seniority is determined, in order to put an end to existing discrimination on grounds of age, by taking into account at half their value certain periods prior to the recruitment of that employee completed before his or her 18th birthday, subject to a ceiling of three years, provided that that ceiling

applies irrespective of the age at which the experience was acquired.

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

**Verdict at:** 2026-02-17

**Case number:** C-757/24