

SUMMARY

Case C-494/16. Fixed-term employment

Is the granting of compensation in the amount of between 2.5 and 12 monthly payments of the last overall salary payment (Article 32(5) of Law No 183/2010) to a public employee, who is a victim of the unlawful successive renewal of fixed-term contracts, who may obtain full compensation only by proving the loss of other work opportunities or by proving that, if he had participated in an open competition, he would have been successful, an equivalent and effective measure within the meaning of the judgments of the Court of Justice in *Mascolo [and Others]* (C-22/13, C-61/13 to C-63/13 and C-418/13) and *Marrosu [and Sardino]* (C-53/04)?

Must the principle of equivalence referred to by the Court of Justice (inter alia) in those judgments, be interpreted as meaning that, when the Member State decides not to apply the conversion of the employment relationship (as awarded in the private sector) to the public sector, it must nevertheless provide the worker with the same benefit, if necessary through compensation which must relate to the value of the employment contract of indefinite duration?

Creator: European Court of Justice (ECJ)

Verdict at: 2016-09-15

Case number: C-494/16