

SUMMARY

Case C-569/15. Free Movement – Social Insurance

Must Title II of Regulation (EEC) No 1408/71 be interpreted as meaning that a worker residing in the Netherlands who normally works in the Netherlands and who takes unpaid leave for three months is deemed to continue to be (also) employed in the Netherlands during that period if (i) the employment relationship continues during that period and (ii) for purposes of the application of the Dutch Werkloosheidswet (Law on unemployment) that period is considered to be a period of employment?

- What legislation does Regulation (EEC) No 1408/71 designate as applicable if during the unpaid leave that worker is employed in another Member State?

- Is it still important in that regard that the person concerned was employed in the same other Member State twice in the following year and for periods of approximately one to two weeks during the subsequent three years, without any mention in the Netherlands of unpaid leave?

Creator: European Court of Justice (ECJ)

Verdict at: 2015-11-05

Case number: C-569/15