

## **Information about the follow up to the complaint registered under reference CHAP(2015)1071**

The European Commission has received a substantial number of complaints about the possible incompatibility of the working conditions of honorary judges, including honorary deputy prosecutors, in Italy with various provisions of EU labour law.

The Commission has registered these complaints under the reference CHAP(2015)1071.

Given the very large number of complaints received on this subject, the Commission is publishing the present notice on the webpage *Europa*, with a view to informing all those concerned while making the most economical use of its administrative resources.

On the basis of these complaints, the Commission has opened an investigation as to the conformity of Italian law with the provision of the Working Time Directive and of the Fixed Term Work Directive.

In the meantime, on 7 August 2017, a reference for a preliminary ruling (Case C-472/17 *Di Girolamo*, OJ C 347, 16.10.2017, p. 15-16) was lodged by the Giudice di Pace di L'Aquila (Italy) to the Court of Justice of the European Union (CJEU).

The CJEU declared the case inadmissible on 6 September 2018 (OJ C 399 from 05.11.2018, p. 13).

A new reference for a preliminary ruling in case C-618/18 *Di Girolamo* was lodged by the Giudice di Pace di L'Aquila on 1 October 2018 (OJ C 25 from 21.01.2019, p.16). And on 22 October 2018, the Giudice di pace di Bologna (Italy) also referred a similar question to the CJEU in case C-658/18 UX (OJ C 25 from 21.01.2019, p.19).

These procedures for a preliminary ruling are at present pending before the CJEU. As the aspects raised in the references for a preliminary ruling are at the centre of the investigation carried out by the Commission, the Commission is awaiting the outcome of this case before deciding on the appropriate way forward.

The Commission will keep the complainants informed through this website of the follow-up given to their complaints.