



6.5.2019

## NOTICE TO MEMBERS

**Subject: Petition No 0829/2018 by Julio Bienvenido Cárdenas Císcar (Spanish) on the alleged illegal recruitment of temporary civil servants by the Spanish public authorities**

**Petition No 0897/2018 by R. S. G. (Spanish) on the supposed fraudulent hiring of workers by Spanish public administrations in breach of Directive 1999/70/EC**

### 1. Summary of petition 0829/2018

The petitioner complains that, together with many other temporary civil servants of various Spanish public administrations, he is subject to labour discrimination prohibited by Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP. The petitioner denounces the stability pact signed with the trade unions by the previous Spanish Government as the biggest labour force adjustment plan in Europe.

### Summary of petition 0897/2018

The petitioner claims that Spanish public administrations are infringing Directive 1999/70/EC of the Council, of 28 June 1999, regarding the Framework Agreement, concluded by ETUC, UNICE and CEEP regarding fixed-term work, by hiring interim staff in an unequal situation with regard to the rest of public employees.

### 2. Admissibility

Petition 0829/2018 declared admissible on 12 December 2018.  
Petition 0897/2018 declared admissible on 18 December 2018.  
Information requested from Commission under Rule 216(6).

### 3. Commission reply, received on 6 May 2019

## Petitions 0829/2018 and 0897/2018

The petitioners complain about a possible abuse of successive fixed-term contracts in the Spanish public sector which would be precluded by Clause 5 of the framework agreement on fixed-term work concluded by the European Trade Union Confederation (ETUC), the Union of Industrial and Employers' Confederations of Europe (UNICE) and the European Centre of Employers and Enterprises (CEEP), included in Council Directive 1999/70/EC of 28 June 1999<sup>1</sup>.

The issue has already been addressed in petitions 0226/2018, 0330/2018 and 0365/2018; the Commission refers to the joint answer previously given to those petitions:

The Commission has received several complaints on this subject, which have been grouped into a multiple complaint registered under reference CHAP(2013)01917.

In line with its procedures for handling multiple complaints, the Commission has published an answer to the complaint on the Europa website. The text is available via the following link:

[https://ec.europa.eu/info/about-european-commission/contact/problems-and-complaints/how-make-complaint-eu-level/joining-similar-complaints/decisions-multiple-complaints\\_es](https://ec.europa.eu/info/about-european-commission/contact/problems-and-complaints/how-make-complaint-eu-level/joining-similar-complaints/decisions-multiple-complaints_es)

## Conclusion

The Commission will keep the complainants and petitioners informed via regular updates of the above-mentioned website.

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<sup>1</sup> Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP, OJ L 175, 10.7.1999, p. 43–48.