

**Question for written answer E-003708/2021**  
**to the Commission**  
Rule 138  
**Jordi Cañas** (Renew)

**Subject:** Reaction by the Commission to the Royal Decree-Law on urgent measures to reduce temporary employment contracts in the public sector

The improper use of temporary employment contracts in the recruitment of staff by public administrations in Spain has been found to be contrary to European law<sup>1</sup>, owing to the excessive duration of the contractual relationship or to the use of successive contracts.

However, Spanish public administrations as a whole seem to continue to promote abusive practices by adopting erratic rules that are difficult to understand and interpret.

As a result, civil servants on temporary contracts are having to go to court in order to try to enforce Directive 1999/70/EC in accordance with the case-law of the CJEU, and are having to bear the cost of legal action which should by rights be borne by public administrations.

1. What action does the Commission intend to take to ensure that the reduction in the rate of temporary employment provided for in Royal Decree-Law 14/2021 is made in accordance with the case-law of the Court of Justice and EU law<sup>2</sup>?
2. What is the state of play of the infringement procedure against the Spanish State for abuse of temporary employment contracts?
3. Can the Commission confirm that receipt of part of the European funds is subject to the reduction of the temporary employment rate to below 8% and, if so, say what percentage of the funds depends on reforms to put an end to the abuse of temporary employment?

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<sup>1</sup> Judgment of the Court of 19 March 2020 in joined cases C-103/18 and C-429/18.

<sup>2</sup> [https://www.congreso.es/constitucion/ficheros/leyes\\_espa/rdl\\_014\\_2021.pdf](https://www.congreso.es/constitucion/ficheros/leyes_espa/rdl_014_2021.pdf)