

**Question for written answer E-004654/2021
to the Commission**
Rule 138
Giorgos Georgiou (The Left)

Subject: Workers with open-ended contracts

The Cypriot Court of Appeal has ruled that discrimination between permanent employees and those in a special category with 'open-ended' contracts is justified on 'objective' grounds under clause 4(1) of the Framework Agreement, implemented by Directive 1999/70/EC, arising specifically from the method of recruitment.

However, the Cypriot national courts have failed to examine the actual nature of their employment and accepted the discrimination against them solely on the basis of differences in the methods of recruitment of permanent staff members on the one hand and those with 'open-ended- contracts on the other.

The less favourable treatment suffered by the latter is neither justified nor in the public or social interest, aside from limiting public expenditure.

On the contrary, this ruling by the Cypriot Court of Appeal is completely at odds with Directive 1999/70/EC, as well as with the judgments of the EU Court of Justice prohibiting discrimination between fixed-term and comparable permanent employees, stressing that any discrimination based differences in the recruitment procedure is directly contrary to clause 4 of the framework agreement.

In view of this:

What action will the Commission take to end non-compliance by Cyprus with EU rules on the rights of this special category of workers with 'open-ended' contracts?