

**Question for written answer E-002369/2023
to the Commission**

Rule 138

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Subject: Italy's failure to implement Directives 89/391/EEC and 2003/88/EC and CJEU Judgment C-55/18

Regarding the national collective labour agreement for the cinema and audiovisual sector specifically, it appears that Italy has not fully implemented Directive 89/391/EEC on the health and safety of workers or Directive 2003/88/EC on the organisation of working time.

The absence of any rules regarding the obligation for employers to establish the duration of each worker's daily working time in an objective and watertight manner must be addressed as soon as possible.

In view also of the judgment of 14 May 2019 issued by the Court of Justice of the European Union in case C-55/18, as well as the opinion of the Advocate General Giovanni Pitruzzella, which states that 'the aim of Directive 2003/88 is to lay down minimum requirements intended to improve the protection of health and safety in the workplace, an aim which is to be attained, inter alia, by the approximation of national legislation on working time' and establishes 'minimum periods of daily rest [...] and of weekly rest [...] as well as an upper limit of 48 hours for the average working time for each 7-day period, including overtime':

1. Is the Commission aware of Italy's failure to implement the above-mentioned directives and judgment, at least in relation to the cinema and audiovisual sector?
2. What steps does it intend to take to address this legal lacuna?

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