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P-000123/2021
Answer given by Mr Schmit
on behalf of the European Commission
(17.2.2021)

The Commission wishes to draw the Honourable Member’s attention to the fact that the interpretation of Article 2 of the Working Time Directive¹ is currently being considered by the Court of Justice of the European Union in the pending case C-214/20 Dublin City Council². The question put to the Court is whether a stand-by arrangement, whereby a worker when ‘on call’ at a location of his/her choosing is subject to the requirement to respond to a ‘call in’ within a maximum of ten minutes, constitutes working time within the meaning of the Working Time Directive.

When the Court of Justice delivers its preliminary ruling, the Commission will examine the judgment closely, assess its consequences and take any action that it might consider appropriate as a result.

² Case C-214/20, Dublin City Council. The reference for a preliminary ruling from the Labour Court, Ireland, was received by the Court of Justice on 17 July 2020.