



C/2024/4079

8.7.2024

**Request for a preliminary ruling from the Cour de cassation (France) lodged on 4 April 2024 – RT, ED
v Ineo Infracom**

(Case C-249/24, Ineo Infracom)

(C/2024/4079)

Language of the case: French

Referring court

Cour de cassation

Parties to the main proceedings

Appellants: RT, ED

Respondent: Ineo Infracom

Questions referred

1. Is the second subparagraph of Article 1(1) of Council Directive 98/59/EC on the approximation of the laws of the Member States relating to collective redundancies ⁽¹⁾ to be interpreted as meaning that dismissals for economic reasons based on the refusal by employees to consent to the terms of a collective mobility agreement being applied to their employment contract must be regarded as constituting a termination of the employment contract which occurs on the employer's initiative for one or more reasons not related to the individual workers concerned, with the result that they must be taken into account for the purpose of calculating the total number of redundancies?
2. If the first question is answered in the affirmative, where the number of redundancies contemplated exceeds the number of redundancies specified in Article 1(a) of the aforementioned directive, is Article 2(2) to 2(4) of Directive 98/59/EC to be interpreted as meaning that the informing and consultation of the works council before the conclusion of an internal mobility agreement with representative trade union organisations, pursuant to Article L. 2242-21 et seq. of the code du travail (French Labour Code), relieve the employer of its obligation to inform and consult the staff representatives?

⁽¹⁾ OJ 1998 L 225, p. 16.