



C/2024/5309

9.9.2024

**Request for a preliminary ruling from the Cour de cassation (France) lodged on 13 June 2024 –  
Société Nouvelle de l'Hôtel Plaza SAS v YG, Pôle emploi**

**(Case C-419/24, Hôtel Plaza)**

(C/2024/5309)

*Language of the case: French*

**Referring court**

Cour de cassation

**Parties to the main proceedings**

*Applicant:* Société Nouvelle de l'Hôtel Plaza SAS

*Defendants:* YG, Pôle emploi

**Questions referred**

Must Article 1(1)(a) of Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies, <sup>(1)</sup> according to which:

- (a) 'collective redundancies' means dismissals effected by an employer for one or more reasons not related to the individual workers concerned where, according to the choice of the Member States, the number of redundancies is:
- (i) either, over a period of 30 days:
    - at least 10 in establishments normally employing more than 20 and less than 100 workers,
    - at least 10 % of the number of workers in establishments normally employing at least 100 but less than 300 workers,
    - at least 30 in establishments normally employing 300 workers or more;
  - (ii) or, over a period of 90 days, at least 20, whatever the number of workers normally employed in the establishments in question,

be interpreted as meaning that staff supplied to the undertaking by an outside undertaking who are present on the premises and who normally work for the user undertaking when the redundancy procedure is implemented must be considered as workers when calculating the staff numbers provided for by that provision?

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<sup>(1)</sup> OJ 1998 L 225, p. 16.