



C/2026/3814

27.7.2026

**Judgment of the Court (Tenth Chamber) of 4 June 2026 (request for a preliminary ruling from the Corte di appello di Napoli – Italy) – Egenergy Srl, formerly Orefice Generators Srl, in liquidation v MZ, AV, VR, AL, RI, VO, PA, MG**

**(Case C-907/24, <sup>(1)</sup> Orefice Generators)**

**(Reference for a preliminary ruling – Social policy – Collective redundancies – Directive 98/59/EC – Concept of ‘redundancies’ – Article 1(1) – Transfer of place of work – Termination of employment contract due to worker’s refusal to comply with decision to transfer place of work – Procedure of information and consultation of workers’ representatives)**

(C/2026/3814)

Language of the case: Italian

### Referring court

Corte di appello di Napoli

### Parties to the main proceedings

*Appellant:* Egenergy Srl, formerly Orefice Generators Srl, in liquidation

*Respondents:* MZ, AV, VR, AL, RI, VO, PA, MG

### Operative part of the judgment

1. Article 1(1) of Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies  
must be interpreted as meaning that the termination of an employment contract for one or more reasons not related to the individual worker concerned, effected by the employer following the worker's refusal to comply with the employer's unilateral decision to transfer the place of work to a site away from the original site, comes under the concept of 'redundancies' within the meaning of point (a) of the first subparagraph of that provision.
2. Point (a) of the first subparagraph of Article 1(1) of Directive 98/59  
must be interpreted as precluding the termination of an employment contract for one or more reasons not related to the individual worker concerned, effected by the employer following the worker's refusal to comply with the employer's unilateral decision to transfer the place of work to a site away from the original site, from not being taken into account for the purpose of calculating the number of redundancies with regard to the thresholds laid down by that directive.

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<sup>(1)</sup> OJ C, C/2025/1633.