

Case C-155/10

Williams and Others

v

British Airways plc

(Reference for a preliminary
ruling from the Supreme Court of the United Kingdom,
formerly the House of Lords)

(Working conditions — Directive 2003/88/EC — Organisation of working time —
Right to annual leave — Airline pilots)

Opinion of Advocate General Trstenjak delivered on 16 June 2011 I - 8411

Judgment of the Court (First Chamber), 15 September 2011 I - 8446

Summary of the Judgment

*Social policy — Protection of the safety and health of workers — Organisation of working time —
Right to paid annual leave — Airline pilots*

*(European Parliament and Council Directive 2003/88, Art. 7; Council Directive 2000/79,
annexed agreement, Clause 3)*

Article 7 of Directive 2003/88 concerning certain aspects of the organisation of working time and Clause 3 of the Agreement annexed to Directive 2000/79 concerning the European Agreement on the Organisation of Working Time of Mobile Workers in Civil Aviation must be interpreted as meaning that an airline pilot is entitled, during his annual leave, not only to the maintenance of his basic salary, but also, first, to all the components intrinsically linked to the performance of the tasks he is required to carry out under his contract of employment and in respect of which a monetary amount, included in the calculation of his total remuneration, is provided and, second, to all the elements

relating to his personal and professional status as an airline pilot.

It is for the national court to assess whether the various components comprising that worker's total remuneration meet those criteria.

(see para. 31, operative part)