



Reports of Cases

Case C-137/15

María Pilar Plaza Bravo

v

Servicio Público de Empleo Estatal Dirección Provincial de Álava

(Request for a preliminary ruling from the Tribunal Superior de Justicia de la Comunidad Autónoma del País Vasco)

(Reference for a preliminary ruling — Article 99 of the Rules of Procedure of the Court — Directive 79/7/EEC — Article 4(1) — Equal treatment of male and female workers — Part-time workers, primarily female — National legislation providing for a maximum amount of unemployment benefit — Legislation referring, for the purposes of the calculation of that amount, to the relationship between the working hours of the part-time employees concerned and the working hours of full-time employees)

Summary — Order of the Court (Seventh Chamber), 17 November 2015

Social policy — Equal treatment for men and women in matters of social security — Directive 79/7 — National legislation providing for a maximum amount of unemployment benefit — Legislation applying, to that amount, a reduction coefficient for part time work corresponding to the relationship between the working hours of part-time employees and the working hours of a comparable full-time employee — No discrimination — Whether such legislation is permissible

(Council Directive 79/7, Art. 4(1))

Article 4(1) of Directive 79/7 on the progressive implementation of the principle of equal treatment for men and women in matters of social security does not preclude a provision of national law under which, in order for the amount of the benefit for total unemployment to be received by an employee following the loss of her only part-time employment to be calculated, a reduction coefficient for part-time work that corresponds to the percentage represented by the part-time working hours in relation to the hours completed by a comparable worker employed full-time is applied to the maximum amount of unemployment benefit laid down by law.

Such a provision cannot be regarded as predominantly placing at a disadvantage a particular category of employees, in this case those working part-time and, in particular, women. It cannot therefore be regarded as being an indirectly discriminatory measure within the meaning of Article 4(1) of Directive 79/7.

(see paras 29, 30, operative part)