

Operative part of the order

1. *The appeal is dismissed.*
2. *Mr Darko Graf is ordered to pay the costs.*

⁽¹⁾ OJ C 251, 11.7.2016.

Order of the Court (Tenth Chamber) of 9 February 2017 (request for a preliminary ruling from the Juzgado de lo Contencioso-Administrativo No 8 de Madrid — Spain) — Francisco Rodrigo Sanz v Universidad Politécnica de Madrid

(Case C-443/16) ⁽¹⁾

(Reference for a preliminary ruling — Article 99 of the Rules of Procedure of the Court of Justice — Directive 1999/70/EC — Framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP — Clause 4 — Successive fixed-term contracts in the public sector — Restructuring the organisation of universities — National rules — Integration of college lecturers into the body of university lecturers — Condition — Attainment of a doctorate degree — Changing full-time posts into part-time posts — Applied only to teachers employed as interim civil servants — Principle of non-discrimination)

(2017/C 129/05)

Language of the case: Spanish

Referring court

Juzgado de lo Contencioso-Administrativo No 8 de Madrid

Parties to the main proceedings

Applicant: Francisco Rodrigo Sanz

Defendant: Universidad Politécnica de Madrid

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Clause 4(1) of the framework agreement on fixed-term work concluded on 18 March 1999, which is set out in the annex to Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP, must be interpreted as precluding national legislation, such as that at issue in the main proceedings, which, in the context of measures restructuring the organisation of universities, authorises the competent authorities of the Member State concerned to reduce by half the working hours of college lecturers employed as interim civil servants on account of them not having a doctorate degree, whereas university lecturers employed as permanent civil servants who also do not have a doctorate degree are not subject to the same measure.

⁽¹⁾ OJ C 410, 7.11.2016.