

**Request for a preliminary ruling from the Tribunal Supremo (Spain) lodged on 3 November 2017 —
Ministerio de Defensa v Ana de Diego Porras**

(Case C-619/17)

(2018/C 022/38)

Language of the case: Spanish

Referring court

Tribunal Supremo

Parties to the main proceedings

Appellant: Ministerio de Defensa

Other party: Ana de Diego Porras

Questions referred

1. Must Clause 4 of the Framework Agreement on fixed-term work, contained in the Annex to Directive 1999/70, ⁽¹⁾ be interpreted as precluding national legislation that does not provide for any compensation for termination of a temporary replacement contract, to replace another worker who has a reserved right to his post, when such termination is due to the reinstatement of the replaced worker, but does provide for compensation when the contract of employment is terminated on other legal grounds?
2. If the answer to Question 1 is in the negative, does Clause 5 of the Framework Agreement cover a measure such as that introduced by the Spanish legislature, consisting of fixing compensation of 12 days' salary for every year of service, to be received by the worker at the end of a temporary contract even if the temporary employment has been limited to a single contract?
3. If the answer to question 2 is in the affirmative, is a legal provision granting fixed-term workers compensation of 12 days' salary for every year of service at the end of the contract, but excluding fixed-term workers from that measure when the contract is a temporary replacement contract to replace a worker who has a reserved right to his post, contrary to Clause 5 of the Framework Agreement?

⁽¹⁾ Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP (OJ 1999 L 175, p. 43).

**Request for a preliminary ruling from the Székesfehérvári Törvényszék (Hungary) lodged on
2 November 2017 — Hochtief Solutions AG Magyarországi Fióktelepe v Fővárosi Törvényszék**

(Case C-620/17)

(2018/C 022/39)

Language of the case: Hungarian

Referring court

Székesfehérvári Törvényszék

Parties to the main proceedings

Applicant: Hochtief Solutions AG Magyarországi Fióktelepe

Defendant: Fővárosi Törvényszék