

Request for a preliminary ruling from the Tribunal Superior de Justicia del País Vasco (Spain) lodged on 14 October 2022 — XXX v Randstad Empleo, S. A., Ferroviario Servicios, S. A., Axa Seguros Generales S. A. de Seguros y Reaseguros

(Case C-649/22)

(2023/C 112/18)

Language of the case: Spanish

Referring court

Tribunal Superior de Justicia del País Vasco

Parties to the main proceedings

Appellant: XXX

Respondents: Randstad Empleo, S. A., Ferroviario Servicios, S. A., Axa Seguros Generales S. A. de Seguros y Reaseguros

Question referred

Must Articles 20 and 21 of the Charter of Fundamental Rights of the European Union, Article 2 of the Treaty on European Union and Article 3[1](f) and Article 5 of Directive 2008/104⁽¹⁾ of the European Parliament and of the Council be interpreted as precluding a case-law interpretation of Spanish legislation according to which compensation for a temporary agency worker whose employment contract has been terminated following a declaration of total permanent incapacity resulting from an accident at work sustained at the user undertaking is excluded from the concept of 'basic working and employment conditions'?

⁽¹⁾ Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ 2008 L 327, p. 9).

Request for a preliminary ruling from the Juzgado de lo Social n.º 1 de Sevilla (Spain) lodged on 27 October 2022 — C.C.C. v Tesorería General de la Seguridad Social (TGSS), Instituto Nacional de la Seguridad Social (INSS)

(Case C-673/22)

(2023/C 112/19)

Language of the case: Spanish

Referring court

Juzgado de lo Social n.º 1 de Sevilla

Parties to the main proceedings

Applicant: C.C.C.

Defendants: Tesorería General de la Seguridad Social (TGSS), Instituto Nacional de la Seguridad Social (INSS)

Questions referred

The Juzgado de lo Social n.º 1 de Sevilla decides to:

Refer to the Court of Justice of the European Union, under Article 267 TFEU, the following questions for a preliminary ruling, concerning the interpretation of Article 5 and recital 37 of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU: ⁽¹⁾