

Request for an Advisory Opinion from the EFTA Court by Eidsivating lagmannsrett dated 11 February 2015 in the case of Matja Kumba T. M'bye and Others v Stiftelsen Fossumkollektivet

(Case E-5/15)

(2015/C 217/08)

A request has been made to the EFTA Court by a letter dated 11 February 2015 from Eidsivating lagmannsrett (Eidsivating Court of Appeal, Norway), which was received at the Court Registry on 13 February 2015, for an Advisory Opinion in the case of Matja Kumba T. M'bye and Others v Stiftelsen Fossumkollektivet on the following questions:

1. Is an average weekly working time of 84 hours ('7-7 rotation') in a cohabitant care arrangement in breach of Article 6, see also Article 22(1)(a), of the Working Time Directive (Directive 2003/88/EC)?
 2. Is a national provision, under which an employee's consent to working more than 60 hours per week in a cohabitant care arrangement cannot be revoked, compatible with the rights that employees have under Article 6, see also Article 22, of the Working Time Directive?
 3. Is dismissal following a failure to consent to a working time arrangement of more than 48 hours over a seven-day period a sanction or 'detriment' within the meaning of Article 22(1)(a), see also (b), of the Working Time Directive?
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