

Judgment of the Civil Service Tribunal (Second Chamber) of 19 July 2016 — Opreana v Commission(Case F-67/15) ⁽¹⁾

(Civil service — Temporary member of staff — Temporary member of staff occupying a permanent position — Non-renewal of a fixed-term contract — Pregnancy — Act adversely affecting a member of staff — Lack of competence of the author of an act adversely affecting a member of staff — Right to be heard — Duty to have regard to the welfare of staff)

(2016/C 364/35)

Language of the case: French

Parties

Applicant: Luisa Opreana (Arlon, Belgium) (represented by: initially by A. Salerno, lawyer, and subsequently by A. Salerno and P. Singer, lawyers)

Defendant: European Commission (represented by: G. Berscheid and F. Simonetti, acting as Agents)

Re:

Application for annulment of the decision not to extend the applicant's contract beyond its termination date, although she was coming to the end of her pregnancy.

Operative part of the judgment

The Tribunal:

1. Annuls the European Commission's decision not to renew Ms Luisa Opreana's temporary staff contract, which came to an end on 31 August 2014;
2. Orders the European Commission to bear its own costs and to pay the costs incurred by Ms Opreana.

⁽¹⁾ OJ C 213, 29/6/2015, p. 50.

Judgment of the Civil Service Tribunal (Second Chamber) of 21 July 2016 — De Nicola v EIB(Case F-82/15) ⁽¹⁾

(Civil Service — EIB staff — Sickness insurance — Refusal of reimbursement of medical expenses — Laser therapy — No scientific validity of the treatment — Rules governing designation of an independent doctor — Competent medical association — Opinion of the independent doctor — Scope of the judicial review — Grounds of refusal of reimbursement — Internal provisions on sickness insurance — Objective of the laser therapy — Palliative effects on pain — Prior authorisation of the medical officer — Material harm — Premature conclusions — Non-pecuniary harm — Amount not stated — Inadmissibility)

(2016/C 364/36)

Language of the case: Italian

Parties

Applicant: Carlo De Nicola (Strassen, Luxembourg) (represented initially by: L. Isola and G. Isola, lawyers, and subsequently by: G. Ferabecoli, lawyer)

Defendant: European Investment Bank (represented initially by: G. Nuvoli and J.-P. Minnaert, acting as Agents, and A. Dal Ferro, lawyer, and subsequently by: G. Faedo and G. Nuvoli, acting as Agents, and A. Dal Ferro, lawyer)