

Question 2:

Is a system of pay that does not provide for full recognition of previous professionally-relevant periods of service, but at the same time links a higher rate of pay to the duration of employment with the same employer, at variance with the freedom of movement for workers in accordance with Article 45(2) TFEU and Article 7(1) of Regulation (EU) No 492/2011 of the European Parliament and of the Council of 5 April 2011 on freedom of movement for workers within the Union?

⁽¹⁾ OJ 2011 L 141, p. 1.

Request for a preliminary ruling from the Landesverwaltungsgericht Oberösterreich (Austria) lodged on 21 December 2017 — Ahmad Shah Ayubi

(Case C-713/17)

(2018/C 123/11)

Language of the case: German

Referring court

Landesverwaltungsgericht Oberösterreich

Parties to the main proceedings

Applicant: Ahmad Shah Ayubi

Defendant authority: Bezirkshauptmannschaft Linz-Land

Questions referred

1. Is Article 29 of Directive 2011/95/EU, ⁽¹⁾ under which a Member State has the obligation to provide to beneficiaries of international protection (in the Member State that granted such protection) the necessary social assistance as provided to nationals of that Member State, to be interpreted as satisfying the criteria for direct applicability as developed in the case-law of the Court of Justice of the European Union?
2. Is Article 29 of Directive 2011/95/EU to be interpreted as precluding national legislation which provides that only persons granted asylum with permanent residence be given social assistance in the form of needs-based minimum benefits in full and to the same extent as nationals of the Member State, but provides for the reduction of social assistance from needs-based minimum benefits for those persons granted asylum with only temporary residence, and consequently, in the same amount of social assistance as is awarded to persons eligible for subsidiary protection?

⁽¹⁾ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ 2011 L 337, p. 9).

Request for a preliminary ruling from the Amtsgericht Hannover (Germany) lodged on 27 December 2017 — Sebastian Vollmer, Vera Sagalov v Swiss Global Air Lines AG

(Case C-721/17)

(2018/C 123/12)

Language of the case: German

Referring court

Amtsgericht Hannover