



EUROPEAN COMMISSION

PRESS RELEASE

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Free movement of workers: EU requests Greece to end discrimination against teachers who have worked in other Member States

The European Commission has asked Greece to comply with its obligations under EU law by taking into account professional experience and seniority acquired by teachers in other Member States without any time limit.

When determining working conditions (in particular the salary) for auxiliary and supply teachers working in Greek state schools, the Greek authorities do not take into account migrant workers' previous periods of comparable employment which were acquired in other Member States before their accession to the EU.

This practice infringes the fundamental principles of EU law on free movement for workers.

As a result of this discriminatory treatment, teachers from other Member States may be denied their right to work in Greece on the same terms and conditions as Greek teachers.

The Commission's request takes the form of a 'reasoned opinion' under EU infringement procedures. Greece now has two months to inform the Commission of measures taken to bring its legislation into line with EU law. Otherwise the Commission may decide to refer Greece to the EU's Court of Justice.

Background

EU law on free movement of workers applies fully to public sector workers. The only exception to this principle is that Member States can reserve for their own nationals certain public service posts which involve the exercise of public authority and the responsibility for safeguarding the general interest of the State, e.g. policemen, judges. As teachers do not fall within the scope of this exception, teachers from other Member States have to be treated in the same way as teachers of the host country as regards access to posts and working conditions.

EU nationals have access to teaching posts in Greek state schools, but their previous teaching experience in other Member States is only taken into account when it has been acquired after those States' accession to the EU.

Following the jurisprudence of the Court of Justice, the Commission considers that comparable working periods acquired in other Member States must be taken into account in full, irrespective of whether the teaching experience in question was before those Member States' accession to the EU.

For more information

Free movement of workers

<http://ec.europa.eu/social/main.jsp?langId=en&catId=457>

Employment in the public sector

<http://ec.europa.eu/social/main.jsp?catId=465&langId=en>

For more information on infringement procedures:

http://ec.europa.eu/eu_law/infringements/infringements_en.htm + [MEMO/12/464](#)

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