



EUROPEAN COMMISSION

MEMO

Brussels, 24 January 2013

January infringements package: main decisions

	COMPETITION	DIGITAL AGENDA	EMPLOYMENT	ENERGY	INDUSTRY & ENTREPRENEURSHIP	ENVIRONMENT	JUSTICE	INTERNAL MARKET & SERVICES	TRANSPORT	HEALTH & CONSUMER POLICY	TAXATION & CUSTOMS UNION
AT								1	2		
BG	1			2		2					
DK											1
EE				1							
EL				1							
ES						1					
FI						1		1			
FR					1						
HU						1					
IT			1	1							
LV				1		1					
NL				1		1	1				
PL						1				1	1
PT		1		1		1			1		
SI						1					
SK						1					
UK				1					1		

In its monthly package of infringement decisions, the European Commission is pursuing legal action against Member States for failing to comply properly with their obligations under EU law. These decisions covering many sectors aim at ensuring proper application of EU law for the benefit of citizens and businesses. The Commission has taken today **171 decisions**, including **24 reasoned opinions** and **10 referrals** to the European Union's Court of Justice, out of which **7 include financial penalties**. Below is a summary of the main decisions.

For more information on infringements procedure, see [MEMO/12/12](#).

Reasoned opinions

[....]

- **Labour Law: Commission requests ITALY to fully apply the Fixed-Term Work Directive**

The European Commission has requested **Italy** to fully apply the Council [Directive on fixed-term work](#) (1999/70/EC) that requires Member States to put into effect a framework agreement, reached by EU-level organisations representing trade unions and employers, setting out the general principles and minimum requirements relating to workers on fixed-term contracts. The Directive contains an absolute requirement to take fixed-term workers into consideration when calculating the threshold above which workers' representative bodies have to be established under national law. The relevant Italian rules are contrary to the Directive's requirements because they only take fixed-term employment of more than nine months into account for the purpose of this calculation. This means that employees on fixed-term contracts with a duration of less than nine months are not taken into account when assessing whether a company is large enough to be required to set-up workers' representative bodies. . The request takes the form of a 'reasoned opinion' under EU infringement procedures. Italy now has two months to notify the Commission of the measures taken to fully implement the Directive. Otherwise, the Commission may decide to refer Italy to the European Court of Justice.

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