

XXIst Meeting of European Labour Court Judges
30 September – 1 October 2013
Vienna, Austria

Topic 2

Case law

General reporters:

Dr. Mario Eylert, Federal Labour Court of Germany

Dr. h.c. Reinhard Schinz, Landesarbeitsgericht Berlin-Brandenburg

The organising committee asked us to prepare and moderate the second subject („Leading Cases“) of our meeting in Vienna in the autumn of this year.

We do not believe that preparing a „questionnaire“ for this subject will be helpful. We suggest that we proceed in a different manner. The following considerations are aimed at structuring this subject and its preparation and presentation and thus reducing both your and our workload to an acceptable amount.

Obviously there is any amount of highly important or interesting court cases and decisions in each of our countries – as we all know all court decisions are important and all problems fundamental. However, most court decisions will deal foremost or exclusively with legal questions which are particular to the country of origin – which means that due to lack of knowledge of these legal „peculiarities“ outside the country of origin presenting and discussing such cases will be less opportune for our meeting. Therefore we suggest that the national reporters choose and submit only such important and fundamental recent (2012 or 2013) decisions which have a cross border or European legal background.

In agreement with the organising committee we do not set the subject(s) of the court decisions to be submitted.

The national reporters are basically free in their choice of court decisions and their subjects. In order to make the most of our limited time and to facilitate both preparation and presentation we ask that each country will only present two court decisions.

To help us to do our job as moderators we would kindly ask you the following:

- 1. that the court decisions be translated into English (by the national reporter if needs be)**
- 2. that a summary be supplied by the reporter; in which the facts and legal aspects of the case including the international/ European implications are presented.**

Furthermore, we would appreciate an explanation as to why the reporter holds this decision to be of particular importance for the jurisdiction of her/his country and/or for other participating countries.

After having received this information we will try to structure, summarise and introduce the decisions; time permitting this will be followed by a more detailed presentation by the respective national reporter and a hopefully lively and – if needs be - controversial debate.

We would like to point out that both the translated court decisions and the corresponding summaries should be communicated either to Angelika Müller or to Mario Eylert by July 31st (2013!) in order to enable us to prepare our part of the meeting.

Kindest regards.

Pls send replies to:

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