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E-001987/2025

Answer given by Executive Vice-President Minzatu
on behalf of the European Commission
(1.7.2025)

Regarding the first question, the Commission recalls that Directive 1999/70¹ requires Member States to adopt effective measures to prevent abuse of successive fixed-term employment contracts but leaves Member States a certain margin of discretion as to how they achieve this objective. The Treaties do not confer to the EU competence to adopt binding guidelines on how to prevent abuse of such contracts in the Italian school system.

Concerning Decree-Law 131/2024, the Commission notes that the provisions on compensation were amended to address the lack of effective measures to penalise abusive use of successive fixed-term contracts. As explained in the Commission's reply to petition 1264/2024, whether national legislation contains sufficient safeguards to prevent such misuse warrants further assessment². The Commission is notably monitoring, in the context of infringement procedure INFR(2014)4231, the practical effects of recent legislative amendments and recruitment measures aiming to comply with the relevant reforms and targets set out in the National Resilience and Recovery Programme.³

Regarding the third question, the Commission refers to its explanations in reply to petition 1264/2024, noting that EU law does not regulate the recruitment systems that Member States may choose to apply to permanent or support positions. The system of teachers' recruitment remains a responsibility of the Member State in line with the subsidiarity principle.

¹ Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC (European Trade Union Confederation), UNICE (Union of Industrial and Employers' Confederations of Europe) and CEEP (European Centre of Enterprises with Public Participation) (OJ L 175, 10.7.1999, p. 43) - <https://eur-lex.europa.eu/eli/dir/1999/70/oj/eng>.

² This assessment refers, in particular, to the criteria set out in the *Mascolo* judgment referenced by the honourable member (Judgment of 26 November 2014 in joined cases C-22/13, C-61/13 to C-63/13 and C-418/13, *Mascolo and Others*, ECLI:EU:C:2014:2401).

³ Reform of the system for recruiting teachers (M4C1R.21) and target M4C114 to recruit 70 000 teachers by 2026.