

(English version)

**Question for written answer E-002192/26
to the Commission
Emmanouil Fragkos (ECR)
(29 May 2026)**

Subject: Recognition of work beyond the five-day period in the Armed Forces

The non-recognition of work beyond the five-day period for military personnel of the Armed Forces, in contrast to what applies to personnel of the Law Enforcement Agencies under Article 127 of Law 4472/2017, raises issues of equal treatment, protection of health and safety at work and compliance with the fundamental principles of the European *acquis*. There is no regulatory framework regulating working time, minimum rest periods and compensation for exceeding the prescribed weekly working time for personnel of the Armed Forces, despite the fact that a 40-hour work week has been established by decision no. Φ.400/163881/Σ.4187/8-9-2011 of the Ministry of National Defence.

Taking into account Directive 2003/88/EC concerning certain aspects of the organisation of working time, as well as Article 31 of the EU Charter of Fundamental Rights on fair and secure working conditions:

1. Does the Commission consider that the complete exclusion of military personnel from any form of special compensation for work exceeding five days is consistent with the principles of equal treatment and the protection of the health and safety of workers?
2. How does the Commission assess the absence of a specific regulatory framework for working time and minimum rest periods for Armed Forces personnel in Greece, in light of European case law and Directive 2003/88/EC?
3. Does the Commission intend to examine the issue in the context of social dialogue and the implementation of European rules on health and safety at work?

Submitted: 29.5.2026

**Answer given by Executive Vice-President Mînzatu on behalf of the European Commission
(20 July 2026)**

The Working Time Directive ⁽¹⁾, which lays down minimum safety and health requirements for working time, applies to all sectors of activity, public and private.

It sets out minimum requirements on minimum uninterrupted weekly rest ⁽²⁾ and other rest periods. The Court of Justice of the EU has held that in principle the directive applies to military personnel; however, it may not apply in relation to its specific activities such as active deployment or initial or operational training ⁽³⁾, and it may be temporarily disapplied for certain activities in circumstances whose gravity and scale are exceptional.

When the directive applies, it offers significant flexibilities to establish derogations under certain conditions, notably in the case of activities requiring continuity of service.

The directive does not deal with the issue of remuneration ⁽⁴⁾ and the matter of access to special compensation does not fall within the scope of EU law. EU law does not guarantee that all public sector workers receive identical benefits or compensations.

In the area of working conditions, EU law protects against discrimination of part-time or fixed-term workers in comparison to full-time or permanent workers, and against discrimination on grounds of age, sex, disability, ethnic or racial origin, religion or belief, or sexual orientation.

In its role of guardian of the Treaties, the Commission monitors compliance with the directive by all Member States, including Greece. Greece explicitly applies the directive to its armed forces ⁽⁵⁾.

⁽¹⁾ Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time, <https://eur-lex.europa.eu/eli/dir/2003/88/oj/eng>.

⁽²⁾ Article 5 of Directive 2003/88/EC entitles every worker, per each seven-day period, to a minimum uninterrupted rest period of 24 hours plus 11 hours of daily rest. Article 16(a) of Directive 2003/88/EC allows Member States to lay down a reference period up to 14 days.

⁽³⁾ <https://curia.europa.eu/juris/liste.jsf?num=C-742/19>.

⁽⁴⁾ In compliance with Article 153(5) of the Treaty on the Functioning of the European Union which excludes regulation on pay.

⁽⁵⁾ COM(2023)0072 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2023%3A72%3AFIN&qid=1678893509163>.