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P-003879/2025

Answer given by Executive Vice-President Mînzatu
on behalf of the European Commission
(5.11.2025)

1. The Commission does not envisage a revision setting aside the interpretation by the Court of Justice of the European Union (CJEU) of Directive 2003/88/EC¹, which establishes minimum standards aimed at improving the protection of the safety and health of workers.

In order to assist national authorities, citizens and businesses in the application of Directive 2003/88/EC, in 2017 the Commission adopted an Interpretative Communication on the Directive, based on the case-law of the CJEU and aimed at enhancing legal certainty and clarity on the obligations and flexibilities of the Directive. The Interpretative Communication was updated in 2023². It contains a section on paid annual leave and its interaction with other types of leave, including sick leave, and takes into account the judgments of the CJEU to which the Honourable Member refers³.

2. The Commission has a very ambitious simplification agenda. The adoption of six Omnibus proposals and the strong simplification dimension of the 2026 Commission work programme prove that this is a key element of the competitiveness agenda. The report on simplification, implementation and enforcement published on 21 October 2025⁴ provides a thorough overview of the work done. Moreover, each Commissioner finalised an annual progress report on the work carried out in these areas. The Commission reiterates that the simplification agenda is a common one and that Omnibus and simplification proposals should be treated swiftly, focusing on their simplification dimension.

¹ <https://eur-lex.europa.eu/eli/dir/2003/88/oj>.

² [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52023XC0324\(01\)R\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52023XC0324(01)R(01)).

³ Judgment of 20 January 2009, *Gerhard Schultz-Hoff v Deutsche Rentenversicherung Bund and Stringer and Others v Her Majesty's Revenue and Customs*, joined cases C-350/06 and C-520/06, ECLI:EU:C:2009:18; judgment of 21 June 2012, *Asociación Nacional de Grandes Empresas de Distribución (ANGED) v Federación de Asociaciones Sindicales (FASGA) and Others*, C-78/11, ECLI:EU:C:2012:372; judgment of 13 January 2022, *DS v Koch Personaldienstleistungen GmbH*, C-514/20, ECLI:EU:C:2022:19.

⁴ https://commission.europa.eu/publications/2025-overview-report-simplification-implementation-and-enforcement_en.