

Request for a preliminary ruling from the Órgano Administrativo de Recursos Contractuales de la Comunidad Autónoma de Euskadi (Spain) lodged on 26 August 2019 — Confederación Sindical Comisiones Obreras de Euskadi v Ayuntamiento de Arrigorriaga

(Case C-635/19)

(2019/C 406/15)

Language of the case: Spanish

Referring court

Órgano Administrativo de Recursos Contractuales de la Comunidad Autónoma de Euskadi

Parties to the main proceedings

Applicant: Confederación Sindical Comisiones Obreras de Euskadi

Defendant: Ayuntamiento de Arrigorriaga

Question referred

Does Directive 2014/24/EU⁽¹⁾ preclude national legislation, such as Article 122(2) of the LCSP,⁽²⁾ which compels contracting authorities to include in the procurement documents governing a public contract a special condition of performance imposing on the successful tenderer an obligation to guarantee that the pay conditions applicable to workers under the relevant sectoral collective agreement will at least be honoured, even if that sectoral collective agreement is not binding on the undertaking to which the contract is awarded under the rules governing collective bargaining and collective agreements, which establish the primacy of the company agreement on pay and provide for the possibility of not applying a collective agreement in force for economic, technical, organisational or production reasons?

⁽¹⁾ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ 2014 L 94, p. 65).

⁽²⁾ Law 9/2017 of 8 November 2017 on Public Sector Contracts.

Request for a preliminary ruling from the Curtea de Apel Alba Iulia (Romania) lodged on 28 August 2019 — FT v Universitatea 'Lucian Blaga' Sibiu, GS and Others, and Ministerul Educației Naționale

(Case C-644/19)

(2019/C 406/16)

Language of the case: Romanian

Referring court

Curtea de Apel Alba Iulia

Parties to the main proceedings

Appellant: FT

Respondents: Universitatea 'Lucian Blaga' Sibiu, GS and Others, and Ministerul Educației Naționale