

Court of Justice and Fundamental Rights I

**EGO402 EU Law and
European System of HR Protection**

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Article 119 TEEC

Each Member State shall in the course of the first stage ensure and subsequently maintain the application of the principle of equal remuneration for equal work as between men and women workers.

For the purposes of this Article, remuneration shall mean the ordinary basic or minimum wage or salary and any additional emoluments whatsoever payable directly or indirectly, whether in cash or in kind, by the employer to the worker and arising out of the workers' employment.

Equal remuneration without discrimination based on sex means:

- (a) that remuneration for the same work at piece-rates shall be calculated on the basis of the same unit of measurement; and
- (b) that remuneration for work at time-rates shall be the same for the same job.

Article 2

The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

Article 3

(ex Article 2 TEU)

1. The Union's aim is to promote peace, its values and the well-being of its peoples.
2. The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime.

HR based challenges

- **To EU action**

- Challenges to EU legislation (*Kadi*)
- Challenges to administrative action (staff cases, competition)

- **To MS action**

- MS applying EU norms (agents, or some latitude)
- MS derogating from EU rules (*Schmidberger*)
- MS and situations outside the scope of EU law