

**Request for a preliminary ruling from the Tribunale ordinario di Brescia (Italy) lodged on 31 October 2018 — JH v KG**

**(Case C-681/18)**

*Language of the case: Italian*

**Referring court**

Tribunale ordinario di Brescia

**Parties to the main proceedings**

*Applicant: JH*

*Defendant: KG*

**Question referred**

Must Article 5(5) of Directive 2008/104/EC [1](#) of 19 November 2008 be interpreted as precluding the application of Legislative Decree No 276/2003, as amended by Decree Law 34/2014, which: (a) does not place limits on successive assignments of the same worker to the same user undertaking; (b) does not require that, in order for the use of fixed-term supply work to be lawful, there must be technical, production, organisational or replacement reasons for having recourse to such supply work; (c) does not provide that, in order for the use of such a form of employment contract to be lawful, the production requirement of the user undertaking must be temporary in nature?

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1 Directive 2008/104/EC of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ 2008 L 327, p. 9).