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# The decision on the merits in Syndicat CFDT de la métallurgie de la Meuse v. France, Complaint No. 175/2019, is now public



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STRASBOURG | 30/11/2022



The [decision of the European Committee of Social Rights \(ECSR\) on the merits](#) in *Syndicat CFDT de la métallurgie de la Meuse v. France*, Complaint No. 175/2019, became public on 30 November 2022.

In its complaint, the complainant organisation, CFDT Meuse Metallurgy, asked the ECSR to find that the provisions of Order No. 2017-1387 of 22 September 2017 incorporated into paragraphs 1 and 2 of Article L.1235-3 of the Labour Code, which amended the provisions relating to the financial compensation for dismissals without a valid reason, by setting mandatory compensation ranges, according to the worker's length of service and the size of the undertaking are in breach of Article 24 (the right to protection in cases of termination of employment) of the Charter, with regard both to appropriate compensation in the event of unfair dismissal and to the right to reinstatement.

The European Committee of Social Rights (ECSR) adopted its decision on the merits on 5 July 2022.

## In its decision on the merits, the ECSR concluded:

- unanimously that there is a violation of Article 24.b of the Charter in respect of adequate compensation.

## EVENTS

03/11/2022 STRASBOURG, FRANCE  
[Exchange of views between Karin Lukas, President of the European Committee of Social Rights, and the Committee of Ministers Delegates](#)

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