

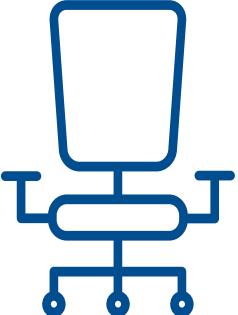


Employment Alert

CMS Albiñana & Suárez de Lezo

October 2025

1.1. Supreme Court and relevant

Court Decision	Case description
<p>Supreme Court Ruling No. 760/2025, of 10 September 2025. PDF</p> 	<p>The Labour Chamber of the Supreme Court has dismissed the appeal and upheld the ruling of the National Court rejecting the collective dispute claim in which the UGT trade union requested that ergonomic chairs be provided to all teleworkers.</p> <p>Although these chairs are provided to workers who are physically present at the workplace, the High Court states that this is not a working condition equivalent to salary or working hours, and therefore does not violate the principle of equality between teleworkers and on-site workers.</p> <p>Furthermore, neither the collective agreement nor the individual agreements on remote working impose an obligation to provide this type of chair. The company, for its part, already provides the essential equipment and offers monthly compensation to cover the costs of teleworking.</p> <p>The ruling clarifies that generic ergonomic risk does not require the adoption of specific preventive measures without an individual assessment of the job. Additional ergonomic equipment can be requested on an individual basis, and items such as chairs should only be provided if there is a medical prescription and approval from the occupational risk prevention service.</p>

Court Decision	Case description
<p>Supreme Court Ruling No. 753/2025, of 9 September 2025. PDF</p> 	<p>The Social Chamber of the Supreme Court has recognised that the time spent on compulsory training to adapt to changes in the workplace is effective working time, in accordance with the provisions of Article 23.1d) of the Workers' Statute.</p> <p>The CGT, UGT and FSC-CCOO trade unions filed a collective dispute claim against the Maritime Safety and Rescue Society, demanding recognition as effective working time of the time spent by workers on courses to renew the basic training certificates required by Spanish and international regulations.</p> <p>The company opposed this, arguing that the updating of professional qualifications was the individual responsibility of the worker and did not give rise to any right to compensation. However, the High Court considers that the renewal of these certifications responds to new legal and safety requirements that affect the job rather than the worker as an individual, and therefore must be considered effective working time in all cases.</p>

Court Decision	Case description
<p>Judgment of the Plenary Session of the Constitutional Court, No. 148/2025, of 9 September 2025. PDF</p> 	<p>The Plenary Session of the Constitutional Court has upheld the appeal for protection filed by a worker whose employment relationship was terminated by the company after he had lodged a complaint with the Chairman of the Works Council.</p> <p>The worker complained of a breach of his working conditions due to a unilateral change to his shift schedule, which he considered unfair. He requested the mediation of the Committee, in its role of monitoring compliance with the labour regulations of Article 64.7.a) 1 of the Workers' Statute.</p> <p>The Constitutional Court considers that complaints addressed to the legal representatives of workers, such as works councils or staff delegates, so that they may exercise their role of mediation in compliance with labour regulations, may be covered by the constitutional guarantee of indemnity when such actions are linked to the purpose of the right to effective judicial protection.</p> <p>The basis for this extension lies in the fact that workers' representatives are legally recognised as having the function of supervising compliance with labour regulations, which also constitutes a useful intermediate mechanism for avoiding the judicialisation of conflicts.</p> <p>In conclusion, the appellant's fundamental right to effective judicial protection in terms of the guarantee of indemnity was found to have been violated.</p>

1.2. High Courts of Justice

Court Decision	Case Description
<p>Judgment of the High Court of Justice of Galicia, No. 3944/2025, of 5 September 2025.</p> <p>PDF</p> 	<p>The Labour Chamber of the High Court of Justice of Galicia upheld the appeal filed by a telemarketer who requested to continue working from home to care for her 82-year-old mother with Parkinson's disease.</p> <p>The company had rejected the request on the grounds of generic operational reasons, without providing a specific justification or offering alternatives, despite the fact that the employee had been working remotely for four years without any problems.</p> <p>The court insists that work-life balance rights must prevail over business interests, and that compliance with the principle of good faith requires the company to provide specific reasons for its refusal. Furthermore, both parties are obliged to engage in a genuine negotiation process based on the exchange of reciprocal proposals.</p> <p>The court recognised the right to telework in this case and ordered the company to pay £3,750.</p>

Publication of the Strategic Plan for Labour and Social Security Inspection

It was approved by the Council of Ministers on 26 August 2025 and published by the Secretary of State for Labour in a resolution dated 8 September 2025.

This Plan includes seventeen objectives grouped into two areas:

- The first area focuses on defending workers' rights, strengthening the work of the labour inspectorate. It centres on individual and collective labour relations, health and safety at work, equality and non-discrimination, the promotion and protection of employment, and the fight against undeclared work.
- The second area is aimed at transforming the organisation through structural, organisational and operational measures that ensure an innovative, efficient and high-quality public service.

To achieve these objectives, there are plans to increase the number of labour inspectors and deputy inspectors by more than 500 professionals, as well as technical and administrative staff, promoting their qualifications and ongoing training.

The new strategy also plans a significant investment to introduce technological improvements, including the implementation of a comprehensive electronic file system, a telematic authorisation system and a revamped electronic headquarters, together with the creation of a computer forensics laboratory to analyse large volumes of data and detect patterns of fraud.



Urgent procedure for the modification of the working hours register.



Following the rejection by Parliament of the reduction of the working week to 37.5 hours on 10 September 2025, the Council of Ministers approved the urgent processing of the reform of the working hours register on 30 September 2025.

Although a final text has not yet been published, the reform is expected to include the implementation of a digital working hours register that can be accessed at any time by workers, trade unions and the Labour Inspectorate.

This new system will be verifiable in real time and seeks to guarantee compliance with the working conditions agreed in the contract, facilitate work-life balance and ensure the right to digital disconnection.

The urgent processing will allow the usual deadlines to be halved, as, among other simplifications, it will not be necessary to submit the bill to prior public consultation.

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