

# Staff Regulations of European Union officials: amendment of the Regulations

2011/0455(COD) - 20/06/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Legal Affairs adopted the report by Dagmar ROTH-BEHRENDT (S&D, DE) on the proposal for a regulation of the European Parliament and of the Council amending the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union.

The committee recommends that the position of the European Parliament adopted in first reading, following the ordinary legislative procedure, should amend the Commission proposal as follows:

**5% staff reduction:** whilst encompassing the approach proposed by the Commission in the context of the present crisis, Members consider that given the very limited size of the European civil service when measured against the objectives of the Union and its population, a decrease in the number of staff of the institutions and agencies of the Union should not lead to any impairment of the performance of their tasks, duties and functions. They consider that it is necessary to ensure a framework for **attracting, recruiting and maintaining highly qualified and multilingual staff, drawn on the widest possible geographical basis from among citizens of the Member States**, and with due regard to gender balance, who are independent and adhere to the highest professional standards.

In budgetary terms, Members state that while the amendments to the Staff Regulations introduced by this Regulation will result in some savings for the Union budget, they should in no way pre-empt upcoming decisions on changes in the staffing of Union institutions and agencies, which fall within the sole remit of the budgetary authority and should **not pre-empt the decisions of the budgetary authority in this context, nor the outcome of upcoming negotiations on 2014-2020 MFF**. Institutions should be left a **choice as to the methods of making savings and the resources in respect of which savings can be achieved**.

**Adjusting salaries (the ‘method’):** contrary to the Commission proposal which proposes to preserve, **until 2022**, the principle of a multi-annual mechanism for pay, known as ‘the method’ in order to guarantee that the purchasing power of European Union officials and other servants develop in parallel with that of national civil servants in central governments of the Member States, with a review at the end of the fifth year, Members suggest deleting the proposed date.

## **Specific officials (AST/SC):**

- **SC:** for this category of officials which includes Senior Secretary/Clerk carrying out clerical and secretarial tasks, office management and other equivalent tasks requiring a high degree of autonomy, a new AST/SC category with the objective of having a lower career for people charged with simpler tasks and duties has been proposed. It is indispensable to guarantee that the Institutions are able to recruit secretaries (in most cases women) representing a wide range of nationalities and linguistic skills to keep up with the requirements of the multinational and multilingual service. It is necessary that entry grades in all categories guarantee the institutions the recruitment of appropriate staff.

- **AST:** for parliamentary assistants, the proposal sets the limit of the AST career for assistants in transition recruited after 1 May 2004 at grade AST 7. However, in order to participate in the AST competitions they had to demonstrate a much higher level of education than was required previously for the former categories B, C and D. It is for this reason that the Members seek to set the limit of their career prospects at grade AST 9.

Other technical amendments have been introduced to take account of the creation of the new group of officials in the establishment plans and adjustments have been made to the indicative table of salaries.

**Geographical imbalances of officials recruited:** recruitment should ensure that staff are employed according to the broadest geographical basis from among the nationals of all Member States. To that end, the Commission should regularly report to the European Parliament and to the Council on possible imbalances between nationalities. After a five-year period of assessment, the institutions should be given the possibility to take corrective measures in the case of a long lasting and significant imbalance between nationalities among their officials which is not justified by objective criteria.

During a five-year period starting on 1 January 2013, the Commission shall assess the implementation of this provision and report to the European Parliament and to the Council on possible imbalances between nationalities among officials. **Corrective measures should be defined by delegated acts adopted by the Commission and implemented by the institution concerned** on the basis of general implementing provisions which it adopted previously. Those measures should never result in recruitment criteria other than those based on **merit**. The Commission shall report to the European Parliament and to the Council every three years on this issue.

**Disabled staff:** measures have been introduced to take account the principle of equal treatment which shall not prevent the appointing authorities of the institutions from maintaining or adopting measures providing for specific advantages in order to make it easier for persons with disabilities to pursue a vocational activity or in order to prevent or compensate for disadvantages in their professional careers.

**Conflicts of interest:** an amendment stipulates that an official shall not without the permission of the appointing authority accept from any government or from any other source outside the institution to which he belongs any honour, decoration, favour, gift or payment of any kind whatever, except for services rendered either before his appointment or during special leave for military or their national service and in respect of such service. Before recruiting an official, the appointing authority shall examine whether the candidate has any personal interest such as to impair his independence or any other conflict of interest. To that end, the candidate shall inform the appointing authority using a specific form of any actual or potential conflict of interest. Leave on personal grounds shall not be granted to an official for the purpose of his engaging in an occupational activity, whether gainful or not, which will involve lobbying or providing advice on lobbying a Union institution or which could lead to the existence or possibility of a conflict with the legitimate interests of the service.

**European schools:** Members consider that in order to ensure recruitment on the broadest geographical basis, the institutions shall strive to offer multilingual and multicultural education for the children of their staff. The budget of the Union shall contribute to the financing of the European schools.

**Other technical provisions:** other provisions have been revised such as:

- the training periods of officials and certain technical details relating thereto;
- raising the retirement age (in order to make it more flexible by making it easier for staff to continue to work voluntarily until the age of 67 and by making it possible, in exceptional circumstances, to work until the age of 70);
- the period of employment of contract staff (5 instead of 6 years);
- the system of financing the pensions of officials of **agencies of the Union** which do not depend entirely on the EU budget, so that in 2016 they provide part of the financing of pensions without involving the EU budget;
- opening some internal competitions to contract staff;
- the procedure for granting leave for personal reasons, parental leave or other special leave;
- procedures for evaluating staff;

- procedures for promotion of employees;
- improvement of working conditions of officials to enable them to go part-time in order to care for a child until the age of 14;
- the retirement of parliamentary assistants until the age of 67, if they wish.

Lastly, it should be noted that in its draft legislative resolution, Members consider that no political agreement on staff reductions in Union institutions and bodies should impair its budgetary prerogatives in the context of other procedures, such as the annual budgetary procedure and upcoming negotiations on the 2014-2020 multiannual financial framework. They will strongly oppose any attempt to pre-empt the outcome of such negotiations. Generally speaking, they consider that **the Commission's proposal**, which mainly tries to make savings to the detriment of staff in low grades, is **problematic in terms of social justice**.