

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

2011/0455(COD) - 22/10/2013 - Final act

**PURPOSE** : amend the Staff Regulations and the employment conditions of other servants of the European Union.

**LEGISLATIVE ACT** : Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council amending the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union

**CONTENT** : Parliament and Council amended the EU's Staff Regulations. The revision of the statute ensures considerable saving in the context of the multiannual financial framework for 2014-2020.

The revision contains the following key elements:

**Salaries frozen:** salaries and pensions of EU officials are to be frozen in 2013 and 2014. A new clause provides that salaries will not be increased if gross domestic product in the EU shrinks by more than 3%.

**Calculation of salaries:** in order to respond to budgetary constraints and the severe measures taken by Member States as a result of the unprecedented financial crisis and the particularly difficult social and economic context in the Member States and the Union as a whole, it is necessary to provide for suspension of the method for two years for all remuneration, pensions and allowances of officials. **From 2015 onwards** salaries and pensions will be adjusted according to a **new method** aimed at ensuring that the purchasing power of EU officials develops in parallel with that of national civil servants in central governments of eleven Member States (Belgium, Germany, Spain, France, Italy, Luxembourg, Netherlands, Austria, Poland, Sweden and United Kingdom.)

The principle of a multi-annual mechanism for pay update, known as 'the method', will apply **until the end of 2023** with a review at the beginning of 2022, and include a mechanism for the provisional prolongation of the method.

**Solidarity levy:** a new solidarity levy of 6% will be imposed as from 1 January 2014; for top ranking officials the levy will be 7%.

**Reduction in staff numbers by 5%:** in addition to the reform of the staff regulations, the number of staff in all EU institutions will be reduced by 5% over the 2013-2017 period.

**Raising the retirement age:** in view of demographic changes and the changing age structure of the population, it is necessary for the pension age be increased, subject however to transitional measures for officials and other servants of the European Union already in service. The normal retirement age will be increased from 63 to **65**, and for new staff it will be 66. EU officials may continue to work **until the age of 67** in the interest of the service, and until 70 on an exceptional basis.

**Grade and responsibility:** the link between grade and responsibility is strengthened, in particular by establishing a **new career structure limiting access to the four top grades** to officials working in management or other equivalent posts entailing a higher level of responsibility. From now on,

administrators can only progress as far as grade AD 12 unless they are appointed to a specific post above that grade, and grades AD 13 and 14 should be reserved for those staff whose roles entail significant responsibilities.

The **minimum of two years in the grade before promotion** of an official to the next higher grade is maintained in order to allow for faster promotions for high performers. Each institution should ensure that its internal human resources policies use the possibilities provided in the Staff Regulations to allow for appropriate careers for high-potential and high-performing officials.

**New function group 'AST/SC'** : with a view to adjusting career structures in the current domains of AST staff even further to different levels of responsibility and as an indispensable contribution to limiting administrative expenses, a new function group 'AST/SC' for secretarial and clerical staff is introduced.

**Working hours and working-time arrangements:** working hours applied in the institutions should be aligned with those in force in certain of the Member States of the European Union to compensate for the reduction of staff in the institutions. The minimum working time per week will be extended from 37.5 hours to 40 hours, without compensatory wage adjustments.

**Conditions of work:** working conditions for staff employed in third countries are modernised to render them more cost-effective whilst generating cost savings.

**Probationary period:** officials should serve a **nine-month probationary period**. When deciding on the establishment of an official, the appointing authority should take into account the report on the probationary period made at the end of that period and the probationer's conduct with respect to his obligations under the Staff Regulations.

**Recruitment on a geographical basis:** recruitment and appointments should ensure that staff are employed on the broadest possible geographical basis from among the nationals of all Member States without, however, posts being reserved for nationals of any specific Member State. To that end and in order to address possible significant imbalances between nationalities among officials, which are not justified by objective criteria, each institution should be given the possibility to adopt justified and appropriate measures. Such measures should never result in recruitment criteria **other than those based on merit**. The Commission should report to the European Parliament and to the Council on the implementation of the appropriate measures by the institutions.

**Highest standards of ethics:** the European civil service is expected to live up to the highest standards of professional ethics and to remain independent at all times. To that end, Title II of the Staff Regulations, which provides a framework for rights and obligations, is further clarified. Any failure by officials or former officials to comply with these obligations will render them liable to disciplinary action.

**Contract staff:** the Regulation ensures a more flexible framework for the employment of contract staff. The latter will be engaged for a **maximum period of six years** in order to perform tasks under the supervision of officials or temporary staff. In addition, while the vast majority of officials will continue to be recruited on the basis of open competitions, the institutions are authorised to organise internal competitions which may exceptionally and subject to specific conditions be open to contract staff.

**Staff of agencies:** in common with other staff to whom the Staff Regulations apply, the staff of agencies are covered by the EU pension scheme. Agencies which are fully self-financed currently pay the employers' contribution to the scheme. In order to ensure budgetary transparency and more balanced burden-sharing, agencies which are partly financed from the general budget of the European Union will pay that part of the employers' contributions which corresponds to the proportion between the agency's revenues without the subsidy from the general budget of the EU and its total revenues. As this new provision may require the adjustment of the relevant rules on the fees collected by the agencies, it will

apply only with effect from 1 January 2016. Where appropriate, the Commission should submit proposals for the adaptation of those rules.

**Financing the European Schools:** the institutions should strive to support multilingual and multicultural education for the children of their staff. It is provided that a contribution by the Union to the financing of the European Schools, determined by the budgetary authority in accordance with the relevant rules, will be charged to the budget of the Union. The Commission should be able to ask the competent authorities to reconsider the location of a new European School.

**Other provisions:** the Regulation makes amendments to the following:

- the rules on travelling time and annual payment of travel expenses between the place of employment and the place of origin;
- the rules on the reimbursement of removal costs;
- rules on reimbursement of expenses regarding missions to the other principal places of work of an institution'
- the conditions for granting the accommodation allowance to take better account of local conditions;
- rules on maternity leave and parental leave etc;
- methods of evaluating staff;
- the rules on advancement to a higher step or promotion in grade;
- rules on retirement, invalidity allowance and retirement pension, working arrangements for staff enabling them to work part-time to care for children up to the age of 14.

ENTRY INTO FORCE : 02.11.2013. The main provisions of the Regulation are applicable from 1 January 2014.