



COMMISSION EUROPÉENNE
DIRECTION GÉNÉRALE
RESSOURCES HUMAINES ET SÉCURITÉ
Direction HR.D - Affaires juridiques et partenariats
Droit de la fonction publique et dialogue social
Le Chef d'unité

Bruxelles, le **02 JUIN 2017**
HR.DDG.E.1/LD D(2017)
Suivi par L. Duluc, tél. 87374

NOTE A L'ATTENTION DES OSP REPRESENTATIVES

Objet: conclusions conciliation – DGE agents contractuels

Je vous prie de trouver, ci-joint, les conclusions de la réunion de conciliation qui s'est tenue le 6 avril 2017 portant sur le projet de décision de la Commission relative aux dispositions générales d'exécution de l'article 79, paragraphe 2, du régime applicable aux autres agents de l'Union européenne, régissant les conditions d'emploi des agents contractuels engagés par la Commission en vertu des articles 3 bis et 3 ter dudit régime.

Christian ROQUES

Annexe(s): Conclusions de la réunion de conciliation 06 04 2017
Déclaration politique du Commissaire Oettinger

Copies : Mme Souka, M. Moricca, M. Levasseur, M. Carlini, M. Saint Aubin,
M. Baltazar, M. Roques, M. Truquet et M. Duluc (DG HR)



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Le Directeur Général

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**Conclusions of the conciliation meeting
concerning the draft decision on the general provisions for implementing (GIPs) Article
79 (2) of the Conditions of Employment of Other Servants of the European Union,
governing the conditions of employment of contract staff employed by the Commission
under the terms of Articles 3a and 3b of the said Conditions.**

6 April 2017

In conformity with the mandate given to the Commissioner by the College and having taken into account the content of the notes sent by trade unions and staff associations asking for the conciliation meeting, three main topics were discussed by the Commissioner and trade unions and staff associations.

First of all, the Commissioner made an introduction to the meeting, insisting that Contractual Agents (CA) have an important role in the Commission and that the institution is committed to keep them engaged and motivated and to offer them attractive working conditions. The new General Implementing Provisions (GIPs) had already been discussed more than 20 times at the level of DG HR and already once at political level. This had already led to a series of modifications and adjustment. The conciliation, based on a mandate of the College, should conclude this process now. He then offered to address the remaining three requests made by the trade unions.

The trade unions and staff associations asked for an improvement of the grading scale on the entry into service proposed by the new GIPs or a return to an improved version of grading scale foreseen in the current GIPs.

With regard to this request, the Commissioner showed understanding and proposed to improve the provisions with the following additional amendments:

- the reduction of the number of years of previous professional experience required to reach a grade. The second grade of each function group could be reached with only five years of previous professional experience instead of six years under the current proposal that resulted from the political concertation.
- the reduction from 21 years to 17 years the prior professional experience required for the last possible grade of function group IV.

Secondly, the trade unions and staff associations proposed that the job market of internal publication of CA 3a vacancies shall systematically be open to all contract agents (CA 3a and CA 3b).

The Commissioner agreed on the importance of a job market for contractual agents and recalled that the new provisions will facilitate this. He also considered that the opening of CA 3b applications to CA 3a should be made possible, when the service deems it useful. But a systematic opening was not retained with regard to the high administrative burden and the limited positive impact on these colleagues that could be expected from such a measure. In addition, he proposed the implementation of several actions to ease the transition for CA3b at the end of their contract:

- DG HR will remind regularly the recruiting services of the list of the CA 3b ending the statutory maximum period of 6 years of engagement in the Commission.
- DG HR will also explore to what extent a certificate can be issued acknowledging what have been the duties of the CA concerned and the key skills acquired.

In addition the Commissioner proposed also a report on the implementation of these measures to be produced within one year (and regularly afterwards) to evaluate their effectiveness.

Finally, the trade unions and staff associations asked for a modification of the draft political memorandum of former Vice-president Georgieva on HR policy for contract agents which had been disseminated informally to the trade unions and staff associations. They requested to add elements concerning the impact and the time schedule of the implementation of the various measures foreseen in the new GIPs, as well as the guarantee of a transparent and balanced implementation of the new GIPs in all DGs.

The Commissioner agreed to issue a new political declaration (see annex) on the HR policy for CA emphasizing that all CAs are highly valued by the institutions and are fully part of the Commission's Talent Management Strategy and containing some major additional key elements in comparison with the draft political declaration proposed by former Vice-President Georgieva:

- technical meetings on the new GIPs will take place between the trade unions and DG HR not only after the adoption of the GIPs but also one year after ;
- DG HR will remind regularly the recruiting services of the list of the CA 3b ending the statutory maximum period of 6 years of engagement in the Commission in order to foster the recognition of the experience gained as CA 3b ;
- a first pilot exercise for changing Function Group will be launched before the end of the mandate of the current Commission. The first exercise shall be organised Luxembourg where DG HR has already analysed in depth the tasks of CAs who would deserve an upgrade ;
- a second internal competition open also to CAs (3a and 3b) shall be organised before the end of the mandate of the current Commission. It will be based notably on the absorption rate of the list of laureates of the first internal competition ;
- the harmonisation of practices and consistent application of the new GIPs will be ensured via the new AMC Directorate in DG HR.

Annex: Political Declaration

Declaration of Commissioner Oettinger

Commission Decision on the general provisions for implementing Article 79(2) of the Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed by the Commission under the terms of Articles 3a and 3b of the said Conditions

The new general implementing provisions (GIPs) represent a major step forward in the conditions of employment of the Contract Agents (CAs) in the Commission, notably by:

1. Modernising and simplifying the procedures for selecting and recruiting CAs and
2. Providing new opportunities for the professional development of the most deserving CAs, via new structured mechanisms for mobility and change of Function Group for CAs3a, new Internal Competitions, and the possibility of accessing operational functions with added responsibility for CAs in delegations.

The Commission recognises the important work done by Contract Agents and is committed to offering them attractive working conditions. On behalf of the College, I have agreed to accompany the new GIPs with the following declaration:

1. Contract Agents are fully part of the new Talent Management Strategy and their conditions of employment will be closely followed in the coming years. In this context, a first technical meeting on the new GIPs will take place between the trade unions and DG HR after the adoption of the GIPs. A second technical meeting will be organised one year after.
2. Contract Agents will be recruited and their contracts will be renewed on the basis of the available budget. The highest standards in implementing the new selection procedures shall be guaranteed.
3. The annual reclassification procedures for Contract Agents 3a shall be adapted dynamically. Where budgetary possible, faster promotion rates will be applied for lower grades and a stronger link with merits will be applied for reclassifications at higher grades.
4. Mobility of Contract Agents will be facilitated by a new “job vacancy” portal open to Commission services and Executive Agencies. This tool will be open to Contract Agents 3b, when requested by the recruiting service. Moreover, and in order to foster the recognition of the experience gained as Contract Agents 3b, DG HR will regularly remind the recruiting services of the list of the Contract Agents 3b reaching the end of the statutory maximum period of 6 years of engagement in the Commission. A report on the implementation of these measures will be

produced within one year (and regularly afterwards) to evaluate their effectiveness.

5. The new general selection mechanism for changing Function Group for Contract Agents 3a will be based notably on the function actually performed by the Contract Agents in the Commission's Administrative Offices. A first pilot exercise will be launched before the end of the mandate of the current Commission.
6. In parallel to the forthcoming organisation of external competitions, a second internal competition open also to Contract Agents (3a and 3b) shall be organised before the end of the mandate of the current Commission.
7. I will propose to the College that the Commission decision on the 7-year rule is amended, notably with respect to the calculation within the 7-year rule of the period spent as Seconded National Expert.
8. The new Account Management Centre Directorate in DG HR will contribute actively to the harmonisation of practices and to the consistent application of the new GIPs across all DGs of the Commission.