

# **UNION SYNDICALE - SERVICE PUBLIC EUROPEEN - BRUXELLES**

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## **MINUTES OF THE ORDINARY GENERAL MEETING OF MEMBERS OF UNION SYNDICALE BRUXELLES held in Brussels (CCAB) on June 3<sup>rd</sup> 2014.**

### **1. Opening of the assembly**

Gunther LORENZ, President of the USB opens the session at 18h30.

- Appointment of the Chairman of the Meeting by acclamation: Gunther Lorenz
- Appointment of the Secretary of the Meeting by acclamation: Felix Geradon
- Adoption of the agenda:

The agenda is adopted with the addition, under AOB of the following sub-points:

- Situation with respect to appeals (against salary adaptations for 2011-2012 and against various elements of the reform)
- Proposal to launch an call for the respect of democracy in the appointment of the next President of the Commission
- Information session on the rights of parliamentary assistants
- Situation of staff in CFSP/ESDP missions and operations and, in particular, in EULEX Kosovo.

### **2. Financial report: presentation, discussion and adoption**

The President informs the assembly that the report on the accounts from 1/4/2013 to 31/3/2014 by the Audit Board is not available. The reason being that, lacking sufficient candidates for election, the election of the members of the Board was seriously delayed and the Board now elected has not yet met for its first meeting. The outgoing Board, whose remit had expired, was no longer in a position to carry out article XII-2 of the rules. Furthermore, the treasurer was in hospital and thus not able to present the accounts and respond to questions. However, the accounts of this year will be presented again to the next General Meeting with reports by the Audit Board relating to sets of accounts for the two years for approval by the General Meeting.

The President briefly presented the accounts which are in deficit. The deficit is explained however by action taken by the Union to compensate income lost through strikes. Outside of those exceptional interventions, the balance would have shown a clear surplus.

A debate took place and a number of members asked questions on the accounts.

One member, in particular, wished to know more about the reserve expressed by a previous General Meeting on unjustified sums in the former EESC-COR section. (The answer being that those non-justified sums were recalled and refunded).

A member noted that the application of VAT to lawyers' fees should not lead to an increase of 21% since lawyers can now deduct VAT from their purchases.

A number of members felt that the accounts as presented do not provide sufficient detail. The point will be examined by the executive committee.

### **3. Dues**

Felix GERADON presented the changes that it is proposed to make to the 2009 decision on dues. Essentially, this is to specify that the adjustment of dues following salary adjustments is not retroactive, that the dues paid by members on part time before retirement is calculated on the basis of their salary and not their work regime and that any retroactivity of corrections to dues (when a work regime changes, for example) is limited to one year.

A member gave the opinion that the proposals made are designed to bring greater fairness between members and are thus in the right direction but notes that the decision still includes an exemption system for local agents outside the European Union which had been decided by a previous executive committee contrary to article VII-2 of the rules that state that the level of dues is a decision to be taken by the General Meeting. Furthermore, it is not honourable for the US to align itself on another organisation which emerged out of a split within US rather than fixing its own rules. The President noted that the regime in question has been submitted to a General Meeting in the meantime which adopted it formally. One may or not approve of it but that is not the object of the current decision to be taken by the Meeting. Nonetheless, he will inform the executive committee of the suggestion by the member to eliminate all exemption based regimes and all references to another organisation. A member requested communication of the minutes of the General Meeting which approved the exemption.

The proposal of the executive committee to modify the 2009 decision on dues was voted and adopted by a large majority with 4 against and one abstention.

### **4. Sickness insurance**

Hugh ANNAND, vice president of Union Syndicale Brussels and member of the management committee of the sickness insurance scheme presented the situation with respect to our sickness insurance scheme and the draft resolution submitted by the executive committee.

A lively debate ensued on the financial situation of the scheme and probable developments, on the reasons of the deficit and the way to solve it.

Following the debate, it would seem that the explanations given in the draft resolution and the ideas for solutions which it includes are very largely supported. It is proposed to modify the text in the following way:

- underline that the financial problems of the scheme are not on the expenditure side which is increasing modestly
- emphasise paramedical rather than alternative medicine
- Encourage the PMO to fight against overbilling by negotiating with health care service providers.

The resolution is adopted unanimously in the version annexed to these minutes.

## 5. AOB

### a) **Appeals**

Felix GERADON pointed out that appeals will be entered against the 2011 and 2012 salary adjustments. Standard model complaints will be made available to staff mid-June.

On appeals linked to the reform, the initial decisions rejecting requests or complaints arrived at the beginning of May and lawyers are preparing the next stages.

### b) **Information session on the rights of parliamentary assistants.**

A parliamentary assistant proposes that US organise an information session for new parliamentary assistants in order to explain that US was the only union to defend, successfully, parliamentary assistants who were being harassed. The proposal is accepted warmly and will be implemented by the USB delegation in the EP with the help of members of the executive committee.

### c) **Situation of staff in CFSP/ESDP missions and operations and in particular EULEX Kosovo**

Felix GERADON explains the situation whereby these people are in a legal vacuum because it is very difficult for them to exercise their rights since they have quite specific contracts. Many joined US which has already started action within the Civil Service Tribunal on the ground of a succession of fixed term contracts. During the discussion, a member points out that the situation is the same in other CFSP/ESDP missions and for EU special representatives. There is a legal vacuum in the recruitment procedures for these agents which flies in the face of transparency and good staff management. If EU money is used to recruit and pay these people then we should require greater transparency. The problem of the special representatives of the EU who are also heads of delegation of the EU is raised in particular with respect to the separation of resources management between the two functions; this situation had already been flagged up more than ten years ago but nothing has changed. Also noted is the fact that missions and operations are always temporary in nature and their staff has no prospect of stability. Nonetheless, it is essential that they enjoy adequate social protection like all workers. US at the federal level is involved in European Union initiatives to enhance the legal protection of local staff in embassies.

### d) **Call for the respect of democracy**

A member proposes that US launch an appeal for the respect of democracy with a view to the appointment of the next president of the Commission who should be the candidate of the party which won the European elections.

A lively debate ensues. Most members present are in favour of the Spitzenkandidaten system established by the EP, many believe though that after the elections, such a call becomes a political position which would be contrary to the rules of USB.

After the debate, the President calls a vote and the proposal does not receive a majority and is defeated.

**The president declares the ordinary General Assembly closed at 21h35**

Signed :

Félix Gérardon  
Secretary of the Meeting

Günther Lorenz  
Chairman of the Meeting