



**Council of the European Union  
General Secretariat**

Directorate-General Organisational Development and Services - ORG  
*The Director-General*

ORG.1.C-3031/2019 UR/mt

**CONSTAT D'ACCORD**  
**à l'issue de la concertation intervenue entre**  
**l'Administration du Secrétariat général du Conseil**  
**et**  
**les Organisations syndicales ou professionnelles du personnel**  
**du Secrétariat général du Conseil (OSP)**

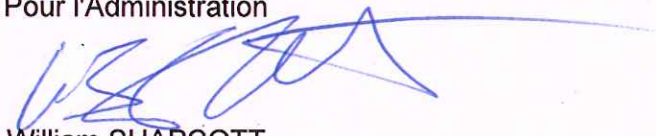
*(art. 9 par. 2 et par. 3 de l'Accord entre le Conseil et les OSP du 28 mars 2006)*

**Objet : "Télétravail" - modification de la Décision n° 59/2016 du Secrétaire général du Conseil relative au télétravail**

1. La concertation entre
  - l'Administration du Secrétariat général du Conseil, représentée par Mme S. FUMAGALLI,d'une part, et
  - la Fédération de la Fonction publique européenne - Conseil (F.F.P.E), représentée par Mme J. POHJANMÄKI,
  - Renouveau & Démocratie - Conseil (R&D), représenté par Mme M.-B. POSTIGLIONE,
  - l'Union syndicale (U.S.), représentée par M. B. LOESCHER,d'autre part,  
portant sur les points visés en objet a été conclue avec un accord.
2. Les parties à la concertation ont marqué leur accord sur les points repris en annexe A.
3. Le projet de la nouvelle décision est ajouté à ce constat d'accord en annexe B. Le texte doit encore passer la révision linguistique avant d'être adopté par le Secrétaire général.
4. L'AIPN prend note de la déclaration conjointe de l'Union Syndicale et de la F.F.P.E. jointe en annexe C.
5. La présente procédure de concertation est ainsi clôturée. La décision modifiée relative au télétravail sera adoptée par le Secrétaire général et portée à la connaissance du personnel.

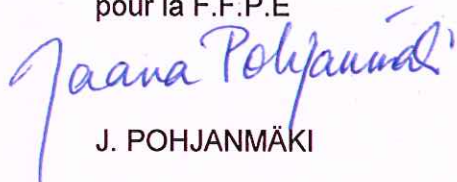
Fait à Bruxelles, le 12 décembre 2019

Pour l'Administration



William SHAPCOTT

pour la F.F.P.E



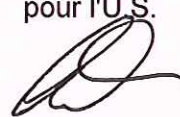
J. POHJANMÄKI

pour R&D



M. B. POSTIGLIONE

pour l'U.S.



B. LOESCHER

## Points agreed

**1. Prevention of psychosocial risks:**

An additional whereas clause is added to the introductory part of the decision to set out the general principle that telework should be used in an appropriate manner in order to avoid potential psychosocial risks due to excessive use of telework or isolation of teleworkers.

**2. Scope of the Decision:**

The scope of the decision is specified to distinguish telework from other types of work, such as participating in a meeting outside GSC premises or the work on missions.

**3. Definitions:**

The Definitions of standard and occasional telework are specified and a definition of the 'usual place of work' is introduced.

**4. The eligibility criteria:**

The eligibility criteria are simplified. Only three general criteria for the assessment of the eligibility to telework are maintained under the understanding that the other criteria apply also to work in the office. The remaining criteria are the ability to work independently and autonomously, the adequate understanding of the necessary information technology and sufficient experience in the tasks to be performed. Thus, the criterion of a minimum of nine months' service for occasional telework and 24 months' service (18 months in the department) for standard teleworkers is replaced by the principle of having sufficient experience in the tasks to be performed.

**5. A call-back clause:**

A call-back clause has been introduced in the decision which will allow services to set a time limit within which teleworkers must return to the office in cases of urgency or other particular situations. It helps managers to ensure the proper functioning of their service in specific circumstances.

**6. The place of teleworking:**

The flexibility of teleworkers in terms of the place of teleworking is increased.

The general rule that the place of telework is the place of residence of the teleworkers has been made more flexible so as to allow also any other place at no greater distance from the usual place of work than is compatible with the proper performance of one's duties.

Exceptions to the general rule are possible for occasional and standard teleworkers:



a) occasionally and for one-time-events, provided that the line manager agrees, taking into account the interest of the service, and that no additional equipment needs to be installed by the GSC.

b) In duly justified cases, an exception is also possible for a longer, but still limited time period if this is in the interest of the service. In these cases, an agreement between the teleworker, the line manager, and, if required by service specific implementation instructions, the senior manager, is necessary; moreover, the service responsible for working time needs to be consulted and no additional equipment must need to be installed by the GSC.

When an exception to the general rule is granted, the time limit within which the teleworker has to return to the office (call-back clause) is adapted according to the specific situation.

**7. Derogations:**

Derogations from the Decision on teleworking remain possible in exceptional cases, for example for medical reasons or under reasonable accommodation arrangements. In these cases, the authorisation is granted by the Appointing Authority in agreement with the service responsible for working time and the line manager. The article on derogations is moved to Chapter D, Final Provisions, so as to refer to the decision as a whole.

**8. Time registration rules:**

The provisions for the recording of the working time of teleworkers are streamlined with the rules for working in the office. Thus, teleworkers have to clock in and out only if their worked time deviates from the work time scheduled in the Individual Timetable.

**9. The yearly limit for occasional telework days is dropped.**

**10. Information to the Staff Committee:**

Once a year, the administration will provide the Staff Committee with statistical information on exceptions granted to the general rule concerning the place of telework where teleworking is authorised under paragraph 3 of article 6 of the decision.

Moreover, where the service responsible for working time is consulted on service internal implementation instructions, the setting of a time limit for the call-back clause or a general prohibition of telework in a service, the Staff Committee will be informed as soon as possible and in any case before their publication.

**DECISION No xx/2019  
OF THE SECRETARY-GENERAL OF THE COUNCIL**

**on teleworking**

**- linguistic revision ongoing**

**Déclaration conjointe de l'Union syndicale et de la FFPE**

L'Union Syndicale et la FFPE regrettent que l'Administration n'ait pas voulu accepter la consultation du Comité du Personnel, notamment lorsqu'un service émet des règles spécifiques. À partir du moment où les régimes peuvent varier d'un service à l'autre, et qu'une bonne partie du pouvoir décisionnel est délégué aux services, il nous semble important et normal de prévoir la consultation de la représentation du personnel, parce que (les règles sur) le télétravail est un compromis entre les intérêts de service et les intérêts personnels. De ce fait, l'Administration a refusé une amélioration importante du dialogue social au SGC.