

FLASH
AUGUST
2021**Union
Syndicale
Fédérale
Consilium**

Brussels, 6 August 2021

Summer: the holiday and promotions season



After a difficult year, we find ourselves once again in the traditional promotions season.

We warmly congratulate our promoted colleagues. We can all be proud of the effort we have made for Europe. Promotion is the fitting recognition of those efforts. Well done!

We thank the members of the promotion boards for their hard work right in July.

However, the good news for some conceals distress for others.

The appraisal and promotion system has become obsolete. We can see a kind of lottery in which the statistics are not very clear and people do not know if the positive words in the appraisal report will ultimately lead to a promotion. The result is that many deserving staff are overlooked. A few years ago, the three trade unions made a [joint proposal](#) for a new, transparent, predictable, fair and simpler system. The Appointing Authority has never reacted.

Every year since 2014, numerous promotion possibilities in grades AST 7, AD 12 and AD 13 have not been used by the Appointing Authority. What is going on in those grades? The Staff Regulations provide for a specific promotion rate within

each grade, in other words a percentage of the number of officials in each grade on 1 January of the previous year. This calculation determines the number of promotion possibilities for the current year.

Only some of the officials with the required seniority in these three grades are, in practice, eligible for promotion. AD 12 and AD 13 staff who are not yet 'confirmed' senior administrators (as if, after a 25-year career as an administrator, this should still be a requirement – one of the many absurdities of the 2014 Staff Regulations), or heads of unit or 'equivalent', are therefore not considered eligible for promotion. The situation is the same for 'non-attested' AST 7 staff. The Appointing Authority is therefore artificially reducing the number of promotions. It argues that the Staff Regulations specify average 'promotion speeds' rather than percentages based on the total number of colleagues in each grade. It is therefore upending the logic in the Staff Regulations and applying the percentage only to those eligible for promotion and not even for the right year. As a result, many promotions (in some cases up to 80% of possible promotions) are lost.

Union Syndicale and the Staff Committee object once again to this illegal measure.

To remedy this situation, at least for the AD function group, an accurate calculation is needed of the number of staff recognised as senior administrators. All unused promotion possibilities should be incorporated into the annual exercise recognising colleagues as senior administrators. However, we are still a long way off from that (around 20% in the past). In 2020, the Appointing Authority even completely skipped the exercise. This was probably due to the virus ...

This year, Union Syndicale asks that all promotion possibilities in this exercise be used.

Tax allowances



You receive allowances if you have dependent children. Regulation (EEC, Euratom, ECSC) No 260/68 also provides for a tax allowance.

For decades now, the Heads of Administration have decided (Conclusions 198/91, 222/04) to apply this allowance in cases in which a child is no longer dependent within the meaning of the Staff Regulations (due to the child being above the age limit), but is still a student, and therefore effectively dependent on his or her parents.

Following a judgment of the General Court in Case [T-484/18](#) concerning the European Central Bank (which has a completely different legal basis to our Staff Regulations), ORG.1 informed staff that the allowance for children above the age of 26 would no longer be granted.

According to **Union Syndicale**'s legal analysis, this decision is illegal and could be challenged in the General Court.

We ask staff affected by this, namely:

- those who already receive the allowance and who, since June, have had an increase in their tax payments, and
- those with children who have reached 26 years of age and are still studying, and for whom an application for the allowance would therefore be rejected

to make themselves known to Union Syndicale in order to explore possible means of redress.

Reimbursements – public transport costs



At the request of the **FFPE** and **Union Syndicale**, negotiations with the Appointing Authority began in 2020 on a reform of the system for the reimbursement of public transport costs. Our goals are to:

- de-bureaucratise an overly complicated procedure,
- allow the reimbursement of costs for flexible options that are better adapted to the new realities in which teleworking is commonplace,
- encourage more staff to make more environmentally- friendly and healthy choices.

The first phase of the consultation ended in an **acknowledgement of disagreement**. The reasons for this are that the three trade unions did not want to accept a very significant financial loss for staff living outside Brussels, and that the Appointing Authority refused to free up the budget necessary to achieve the objectives of the negotiation, i.e. an extra EUR 100 000-200 000 per year. This small budgetary outlay would enable the Council to move closer to its climate goal (a 33% reduction of greenhouse gases by 2030) and to satisfy the Brussels-Capital Region, which is applying pressure for the Council to reduce its amount of parking space. This is in a context in which teleworking and virtual meetings have allowed the Council to make huge savings, something which will continue to be the case.

At the beginning of July, the second phase of the negotiations began at the level of the Secretary-General. We hope to have found a solution by after the summer break. However, **Union Syndicale will not accept any solution that penalises hundreds of our colleagues. We will put any compromise resulting from the negotiations to a vote by our members.**

Internal competitions



Union Syndicale is delighted that internal competitions have finally given the opportunity to staff in insecure jobs – i.e. those on temporary contracts – to be made officials.

The list of successful candidates in the internal competition for Irish language translators has already been published. Congratulations to our colleagues! The internal competition for security officers, which **Union Syndicale** has been requesting for years, will take place in the autumn.

We now need a series of other internal competitions which would, for example, enable some staff to move to a higher function group (e.g. SCs becoming ASTs). Above all, we need a programme of regular and continuous internal competitions. Internal competitions are only a part of the solution to the poor external recruitment policy. In the last two years, the Council has recruited two times more temporary and contract staff than officials, thereby creating widespread job insecurity. This also results in a continuous loss of expertise and a waste of resources. Internal competitions resolve this problem only for a limited number of staff.

Union Syndicale calls for two things, in addition to internal competitions:

- ending the preference for recruiting temporary and contract staff in certain services (LING, Safety and Security, etc.). Those services have permanent, needs. **Permanent tasks = permanent posts**
- allowing EPSO, or failing that, Council internal services, to hold the competitions necessary to satisfy needs in terms of the recruitment of officials.

European Parliament open competition for linguists



The Staff Committee sent a letter to the Secretary-General and the head of Human Resources on 7 June 2021 on the above matter, given its concerns about the Administration's policy on continued recruitment of temporary staff in LING, the Administration's reluctance to ensure the replacement of permanent staff and the retention and consolidation of expertise. The Staff Committee received a reply from Nathalie Pensaert, HR Director, on 15 June 2021.

It appears that the Council had not been informed about this competition, which concerned a specific profile of "intercultural and language professionals" for a particular Luxembourg-based service.

Given the dearth in the recruitment of permanent translation staff in LING, we remain convinced that the lack of EPSO competitions is a problem that is adversely affecting business continuity in the Council, too.

We learnt, however, from Nathalie Pensaert that there are ongoing discussions in the ***Interinstitutional Committee for Translation and Interpretation*** about new competitions for linguists planned for 2022. We also gathered there was a linked discussion in ICTI on a "new profile for translators". **Union Syndicale** will, of course, be seeking clarification and be asking a series of questions about both of these planned developments.

The Executive Committee



If you think that we do a useful job, [join us](#), we are stronger together !