



CONFEDERAL ALLIANCE OF FREE TRADE UNIONS

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STAFF REGULATIONS

Parliamentary assistants: a small reform but major dangers.

In its rush to accept the Kinnock reforms of 2004, and in order to establish as quickly as possible the temporary staff of the political groups, the European Parliament forgot to make specific proposals to end the scandal of the careers of parliamentary assistants. Just before the European elections of 2009, the EP and the Commission propose a reform of the Staff Regulations in order to try and tidy things up. The ALLIANCE explains its position.

EP'S staff policy: do what I say, not what I do...

In view of its numerous statements on social Europe... etc, everyone expects the EP to behave in an exemplary manner as regards the management of public resources and of its own employment contracts. The parliamentary assistants and the tabloid press have noted that that is far from being the case. There are many parliamentary assistants who do not have genuine social welfare or pension schemes. Few of them operate in full compliance with the tax administrations of their country or of that of their host country. Before calling on the European citizen's confidence in 2009 and in view of the gravity of the situation, a solution must absolutely be found. The ALLIANCE can only support this moves to regularize the current arrangements in order to operate in compliance with the rules.

The miracle solution: change the Staff Regulations to introduce a new category of personnel

The proposal from the EP is to introduce a new category of personnel into the Staff Regulations in order that the parliamentary assistants benefit **from the sickness insurance** and from the **pension system**. By doing this, the EP aims to achieve major economies since MEPs will no longer have to pay employers' charges levied in Belgium, France or Luxembourg - *in as far as the parliamentary assistants were ever declared* – according to certain sources. Although such economies could be substantial, the Commission proposal includes the EP's proposals to remove all kinds of allowances, and to introduce a salary scale beginning at € 1,200 i.e. less than the basic rate for contract agents and less than the minimum wage in certain member states. Moreover, the reform does not appear to take account of the assistants who will continue working physically in other Member States. One could not understand the reason for such discrimination. The ALLIANCE is

firmly opposed to the Commission's proposal and calls on the Commission to make the necessary amendments.

The risk of politicizing the European Public Service...

Recruitment without tests, reclassification without criteria, salary inequalities, absence of disciplinary proceedings, reductions in allowances, non-transparent basis for passing from category to category, salary scales without steps, irregular nominations... form a pattern within which MEPs will continue to manage their assistants in the same way as in the past.

It is essential that the Commission, as guardian of the treaties, and the EP, as the assistants' employer, fully assume their roles by defending the fundamental principles of our Staff Regulations by imposing transparency and equal treatment among personnel, and by avoiding the recruitment of hundreds of servants without any criterion who could then go on to become officials - or not - simply on the basis of the say-so of one MEP. Together, with all the other OSPs, the ALLIANCE is radically opposed to this scenario.

The lessons of the past have not been learnt...

On the basis of the catastrophic management of the 2004 reform and on the basis of the damage generated since, the Commission has to learn from the lessons of the past:

1. The Commission does not have to sell off its sole right of initiative

In 2004, the Commission accepted a proposal from the Council for the reform of our pensions, without it ever being discussed with social partners. The 2004 reform enabled the Council to hit out at the European Public Service and to reduce the cost of it by lowering recruitment levels and by reforming the pension system regardless of it being in balance. The lessons of the past must be drawn. Today, the Commission has to assert its role and to refuse with firmness any proposal which would be in contradiction with the first principles of our Staff Regulations. The Alliance considers that it is not for the Council to give lessons to the Commission about Social Europe, and the need to raise basic wages above the minimum national levels.

2. The Commission has to fulfill its role of guardian of our Staff Regulations.

Whereas one of the promises of the Kinnock reform had been the coherent application of the Staff Regulations throughout the institutions, experience in recent years has shown that the EP is still "more creative" than the Commission in the application of the Staff Regulations. Immediate attestation of AST/C's without conditions, application of the promotion rates, reclassification of temporary agents, irregular establishment of temporary personnel, reclassification rates of contract staff at similar levels to those of the officials...

The response of the Commission is always the same: either "the approach is illegal" or "the EP is the budgetary authority". But as the guardian of our Staff Regulations the Commission cannot accept rules which would leave the EP, or worse still individual MEPs, in full control over parliamentary assistants to the extent that overnight they could change the conditions of employment in order to profit from the "bridges" of establishment.

The discriminatory approach adopted by the EP and validated by the Commission in this proposal lays the foundations for the application of Staff Regulations "at a discount" for the remainder of the personnel and in particular for colleagues recruited under the Regime Applicable to Other Servants. The risk is all the more real as numerous exemptions proposed

for the assistants have strictly no link with the political nature of these jobs and that they are neither justified nor justifiable.

The ALLIANCE by reiterating its opposition to this proposal confirms with conviction its attachment to the founding principles of the Staff Regulations and to ALL the rights AND obligations which appear therein and which guarantee the competence and independence of all personnel employed by the Institutions. This position was communicated to all the 27 Member States on 17 December 2008 at the time of the Conciliation Committee.