



Brussels, 29 October 2009

## **ALTERNANCE 2009-2012 trade unions keep you informed...**

### **RELEX Concertation of the 20th of October 2009**

The Alternance 2009-2012 trade unions – **R&D**-Alliance-CONF-SFE and FFPE – were present this 20<sup>th</sup> of October 2009 at a concertation with RELEX to deal with the following subjects:

1. new accommodation policy (civil servants and contractual agents),
2. local agents: salary method and contingency reserve,
3. rotation for contractual agents,
4. social dialogue in the delegations,
5. public holidays in the delegations and miscellaneous points

The subjects 'social dialogue' and 'public holidays' could not be discussed but will be at the next meeting on the 17<sup>th</sup> of November 2009.

#### **1. The New accommodation policy**

RELEX has presented a document that aims to rationalize the accommodation policy for the civil servants and the contractual agents working in delegations.

Currently, RELEX works to two legal bases – Article 5 of annex X of Staff Regulations for the civil servants and Article 23 of the same Annex for Contractual Agents – which result in a duplication of administrative effort for the management of accommodation and a difference in treatment between Civil Servants and Contractual Agents.

RELEX wishes to apply a more 'rigorous' reading of the Staff Regulations. After asking the opinion of the legal service, it presents trade unions with a proposal aimed at simplifying the current situation.

That document outlines the following subjects:

- the Commission provides accommodation both to civil servants and to contractual agents;
- accommodation will be provided for Civil Servants and Contractual Agents even if the accommodation is bigger than accommodation which corresponds to the composition of the family where such accommodation is part of a 'stock', i.e. has already been used for EC staff before;
- leasing agreements for accommodation can only be terminated with the prior authorization of Headquarters;

as a general rule, the Commission will only provide kitchen equipment and other technical installations (according to the country) for the accommodation. Civil Servants and Contractual Agents will henceforth be authorized to move their own furniture to the location of their posting.

In reply to questions from the staff representatives, it was stipulated that there would be a transitional period of eight years for Civil Servants and that safety constitutes the central element of the new dispositions.

We drew attention to the need for transport insurance (by surface means) to adequately cover damage to the furniture. Staff who had bought their housing could keep their furniture.

For health and safety matters, the Commission is only responsible for the work-place. However, the Commission seeks the highest possible standards in the country concerned and might itself substitute the landlord if he does not undertake any works required. (expenses related to essential repairs or maintenance).

Following the answers given, ALTERNANCE 2009-2012 trade unions were generally in favour of this proposal.

**Next step:** the RELEX text will be the subject of an inter-service consultation and deliberation by the CCP before final adoption.

## **2. Local agents: salary method:**

RELEX informed us that the technical discussions are on-going with the DG BUDGET and the LEGAL SERVICE. RELEX awaits the written comments of those two services and will finalize a document that will be transmitted to the Staff Representation.

The final text is expected for the 17<sup>th</sup> of November, 2009.

RELEX clarified some points during the debate, amongst which we can refer as editorial changes and requests for explanations which could easily be dealt with. Thus remarks and questions were put forward for example on complementary retirement contributions or the system of alternating annual salary adjustments of the pay system (articles 9 and 11 of the method, periodicity of the procedures A and B) and finally a clear definition of gross salary.

ALTERNANCE 2009-2012 trade unions recalled the importance of concluding this negotiation which had already been discussed at a political concertation last year. The subject has been extensively discussed and ended with agreement between both sides. The New Common External Service that will be set up in 2010 makes it urgent to get a result.

**Next step:** the definitive RELEX text will be discussed on the 17<sup>th</sup> of November 2009. This last proposal from RELEX should normally put an end to the negative opinions of DG BUDGET and the SJ and be directly adopted by the Commission.

## **3. Contingency Fund – Local agents**

As agreed, Alternance 2009-2012 unions transmitted their remarks on the draft Commission decision.

Whilst waiting to finalize discussions on the text, Alternance 2009-2012 unions insisted that the revisions to Staff Regulations needed to set up the new external service provide a legal basis for a genuine retirement fund for agents, disability insurance and salary adjustment method.

**Next step:** a technical meeting will be held on the 26<sup>th</sup> of October 2009 to discuss comments from the different unions of RELEX to be deliberated on the 17<sup>th</sup> of November. The latest proposal from RELEX should normally allow the negative opinions to be lifted.

## **4. Contractual Agents rotation: no rotation before 2010**

DG RELEX informed us that it had presented its proposal to the CDSE which has also asked for the creation of a working group on the above subject. RELEX has also considered the file and concluded that whilst going ahead with a decision on the rotation of Contractual Agents, the situation for Contractual Agents with fixed-term contracts should not be forgotten especially as questions of rights and allowances are raised such as installation allowances.

The situation of these colleagues has to be examined very attentively alongside the rotation of the Contractual Agents contracts of indeterminate duration.

The timetable will certainly be put back but in the meantime solutions will be applied on a case by case basis. However, DG RELEX wants a more structured approach to the current transfer practices.

**Next step:** CA rotations will not take place in 2009 unless it is for a few cases of transfer but discussions on the procedure are on-going. Alternance 2009-2012 unions await a proposal from RELEX that meets their concerns.

## **5. Social dialogue**

The document is not yet finalized. The matter will be discussed in November.

## **7. Miscellaneous**

A brief exchange of information took place on the salary situation of some delegations (especially Sarajevo) as well as on questions of tax in Africa and South America.

DG RELEX is checking the situation for each delegation with regard to local laws and the need or otherwise for deductions at source.

As for annual travel expenses, RELEX repeated that it is currently proceeding to checks on 2008 more especially for far away destinations but also when specifically requested.

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