



Generation 2004

Newsletter no.16

April - May 2016

TOP STORY (ies)

*Referendums that passed...
Referendums to come...*

What the Dutch referendum and staff policies have in common

While the outcome of the Dutch referendum on the Ukraine - European Union Association Agreement may not have been predictable with certainty, some of the responses by policy makers and media surely were. There were of course those who did not like the idea of asking the people in the first place. As if the principle of democracy was conditional upon ticking the right box. And then there were those who argued that voters were not well informed about the issues at stake, fell prey to Russian propaganda or simply took the referendum as a pretext to express their grudges against the European Union. Implicit in these views are at least two claims. First, voters do not know what they are doing and if they do then they exercise their rights irresponsibly. Second, explaining better what is at stake will convince voters that European integration and everything that comes with it is indeed a good thing which nobody has to be afraid of and which, therefore, a broad majority should embrace. Just keep preaching the gospel to the unfaithful, or so we are told, and one not so distant day they will repent.

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Underlying these claims is a dangerous attitude, an attitude, which at the end of the day may be responsible for the outcome in the Netherlands and even a possible Brexit. Europe, this attitude tells us, is an issue that is way too complicated for ordinary people to understand. And that is why We (i.e. the self-proclaimed elites) do know better and have to tell the people what is good for them. To begin with, the factual content of such assertions is hard to prove or disprove, which is surely one reason why they seem to be so popular. What people do (or do not) know about Europe is difficult to verify. And to know how such knowledge is likely to influence a vote is even harder to tell. What makes us believe after all that allegedly better informed voters would vote differently? Maybe they wouldn't. In addition, there are issues (such as the famous TTIP) on which citizens are intentionally left in the dark. So arguably, much of Euroscepticism is not so much (or not only) about the content but about the way this content is handed down to citizens. They simply resent the paternalistic attitude with which they are treated and the refusal of policy makers to enter into a real discussion whose outcome is, by definition, open.

If such an attitude was only evident in the way the Institutions deal with citizens, and in the present case with the future of Ukraine, it would already be bad enough. However, it is also evident internally in the way staff is involved (or not) in the development of staff policies. The latest example of this kind is the Talent Management Strategy and the draft Middle Management and Adviser decisions presented by Vice-President Georgieva. Although staff representatives raised a host of issues in discussions with HR while in particular Generation 2004 also made concrete proposals on how to make sure that the search for talent is not artificially restricted by grade or function group, only cosmetic changes were granted if any. What is more, the VP's services severely opposed the request from staff organisations to discuss the very principles of the proposals with Vice-President Georgieva. In other words, staff representatives may haggle with HR about minor details but the broad lines and principles of the reform and thus its essence are deemed untouchable for discussion at political level. Again, we see the same dismal attitude that has proven so detrimental in Europe's dealings with its subjects. The Great Ideas developed by HR are beyond reproach and discussion. The poorly informed and obviously mentally severely challenged OSPs have just to be properly convinced of the proposals. If they still fail to grasp the wisdom and the ingenuity of what is on the table, well that is then their problem.

At this point, it is perhaps appropriate to recall that the track-record of HR in terms of well thought-through and hence lasting reforms in almost every area of staff policy is, to put it mildly, debatable. Remember incidentally who concocted the 2004 and 2014 "reforms". Or who designed an appraisal and promotion system that is prone to so little transparency and so much arbitrariness? So it would perhaps be not such a bad idea after all to make use of the collective wisdom of staff right from the start in the development of staff policies. Surely, to do so would require turning the social dialogue upside down: first a debate on the underlying problems and possible solutions and only then, once the right solution for the right problem has been found and thoroughly vetted, a discussion on the technical details. Of course, this would be contrary to the way things have been done up until now. But then, was this Commission not called the last chance Commission?

Brexit or Bremain – what does it mean for our pensions?

The Brexit has been in the center of polemics for many months now. Without making speculations about the possible far-reaching consequences of a yes vote, let's try to see what it could mean for us as Commission officials. First, let's not forget the elephant in the room. A Brexit might be followed by other exits (<http://www.politico.eu/article/far-right-chance-europe-stumbles-crisis-euroskeptics-le-pen-enf-wilders/>). The Brexit question has implications on what would happen to anyone of us in case our country of origin starts withdrawing from the EU. Thus, we are all genuinely sorry about the current uncertainty that affects British colleagues; we are all directly concerned too. Even if the outcome of the referendum is a Bremain, which we all hope, the Pandora box will have been opened. We now know that one or several MS may make the decision to leave the EU based on purely domestic considerations. It is therefore vital to address the unresolved issues and uncertain future of our pension scheme.

A Brexit is a situation that thanks to the now crumbling vision of "ever-closer-union" has not been foreseen in our Staff Regulations and in our Protocol on Privileges and Immunities. In the event of a Brexit, many issues will need to be clarified during the negotiations that will inevitably follow, which will create a precedent. Would British officials lose their freedom of movement guaranteed by the EU treaties? Who would pay for the salaries/pensions of British officials assuming they are allowed to remain in the EU civil service? If the UK picks up the bill, what would be the taxation regime for their pensions and salaries? UK taxation or would our Protocol remain applicable?

Besides the legal uncertainties, a key question is a budgetary one. If the UK leaves, heading 5 of the EU budget, which pays for the salaries of most of us and for the pensions of all pensioners, would shrink by more than 13% (13% is the British contribution to the EU budget). Thus, assuming that pensions of British former officials would still be paid out of the EU budget, other MS would have to increase their contributions. Because of the rising cost of pensions (<http://generation2004.eu/wp-content/uploads/2015/01/G2004-Newsletter-no-11-2015.pdf>), this could become a very toxic issue for the remaining EU members, with an additional €300 million to be found each year.

Let's not forget that our pension scheme is a virtual one. We contribute 1/3 of the cost via a tax on our salaries, no money is saved; as a counterpart, the MS jointly guarantee the payment of our pensions upon retirement, thereby paying the remaining 2/3 with a delay. In other words, we pay real money today to the virtual EU pension scheme in exchange for a promise that MS will pay our pensions tomorrow. What will be the value of the promise made by the British Government if the UK leaves the EU?

One disturbing issue is the lack of transparency on the part of the Commission. Asked by the chair of the CONT Committee what the pension liability accumulated by British officials was (<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-%2f%2fEP%2f%2fTEXT%2bWQ%2bE-2014-004197%2b0%2bDOC%2bXML%2bV0%2f%2fEN&language=EN>),

the Commission answered that it did not "speculate about hypothetical events". A Brexit is no longer a hypothetical event. It could happen that the UK wakes up on 24 June as a non-EU MS. Shouldn't the Commission prepare for this eventuality, however painful that might be, and provides information to British officials in all transparency so that they can make informed decisions (e.g. apply for Belgian citizenship, even if this costs them their expat allowance)? The Commission has an army of lawyers who could advise EU staff instead of being employed, in order to save a few thousand €, to fend-off legitimate complaints by EU officials before the Court of Justice. The skills of these lawyers is undisputable, several of them in the AD13 grade have recently managed to convince the Court that they should keep their rights to be promoted to the AD14 grade, despite the 2014 reform of the Staff Regulations (Arrêt du Tribunal de la Fonction Publique dans l'affaire F-112/14

<http://curia.europa.eu/juris/document/document.jsf?jsessionid=9ea7d2dc30d500e2f8d0f4b143989e07c107515a3184.e34KaxilC3qMb40Rch0SaxuSbhz0?text=&docid=165865&pageIndex=0&doclang=fr&mode=lst&dir=&occ=first&part=1&cid=659713>)

... No doubt that they could also convince the Court to preserve our rights in the event of a Brexit. The Commission has a duty of care towards its employees. It is time that it starts showing that it cares about our future, rather than wait for a hopeful and potentially narrow Breain win.

Black Humour Corner: Commissions Safety Procedures

This one-year old story takes on new meaning with the recent terrorist attacks and the safety measures that followed.

Last year, the police requested to evacuate a Commission building due to a potential terror threat. The evacuation of the 8 storey building could hardly be called a success because the crowd was stuck for approx.10 minutes in the staircase. There was no panic because the staff knew that was just a drill...

Feeling that things should be somehow improved in case a real fire or explosion takes place, one of our members sent constructive remarks to the building manager. The reply which he received 2 months later from the OIB can be summarized as follows:

- The evacuation was called by the Police so Commission Safety staff was not informed;
- The extremely slow movement of people in the staircase was certainly due to panic;
- Unfortunately the Fire wardens were away for lunch at the time of the evacuation and could not help;
- There is possibly a shortage of Fire wardens but we cannot do anything about it if people do not volunteer to become one.

Reassured? If not, request to have the office next to the "working" emergency exit...

Lyubomira (Mira) Nesheva appointed new Chair of Generation 2004

The newly elected Management Board of G2004 has appointed Mira Nesheva to act as Chair of the organization for the current term of office of the Board.

Born in Sofia, where she spent her childhood and received a Master degree in Law, Mira continued her postgraduate education in the UK, Poland and Hungary. After taking part in the EU accession negotiations she served a mandate at the Permanent Representation of Bulgaria to the EU as Trade and Competitiveness Attaché. She joined the Commission and DG Trade in 2009. Since 2014 she is the in-house legal adviser of Generation 2004.



Message from the new Chair

Dear Members of Generation 2004,

After several months of transition, we have a new Board, which has entrusted me with the challenging task of representing Generation 2004 as a Chair for the next three years.

The results of the syndical elections in Brussels last summer, which raised G2004 to the position of biggest individual staff representation organization (in terms of staff representativity), brought us more visibility, more resources but also more responsibility.

The main objectives of our organisation, so thoroughly expressed in the [electoral manifesto 2015](#) remain the same. I believe there is currently a momentum for change that we should exploit by sending out our message to the highest possible levels in the Commission to voice again and again the need for corrective measures that allow breaking the glass ceilings between categories and allowing true use and reward of talent in the Commission. There are means available, what we need is that those are properly used; no matter if it is internal competitions we are talking about or a promotion system truly rewarding performance.

At the same time, I intend to initiate a wider discussion with you, our members and supporters, on your ideas for further development of G2004. Our “collective intelligence” and deep motivation has been one of our biggest strengths until now, I rely on your active engagement for the future as well.

Best Regards,

Mira

Storytelling Corner



We are introducing a new section to our newsletter: YOUR section! We give the floor to YOU - our members and supporters - to tell your story. Our aim is two-fold; first of all, to remind you not to lose hope - you are not alone; there are many like you suffering from different improper HR practices and G2004 will keep exposing and condemning those. And second, to demonstrate once again to our counterparts in DG HR as well as our colleagues from trade unions that our political demands are based on **real problems of real people that cry for solutions!**

Story I: "The world according to a Contract Agent"

"In 2011 I was hired by DG CNECT to replace a maternity leave and I remained part of the replacement pool until December 2012. One year after I stopped replacing leaves of officials and was transferred to a "CA post" of the establishment plan. I did not know what it meant exactly but I was very happy to know that in 2014 they would probably renew my contract for further 3 years. Unfortunately I was never told that I had neither career perspectives nor any evaluation of my work at the end of the year. When it came to my knowledge that DG CNECT's budget plans imposed a reduction of CAs, I found a job in DG RTD and changed 2 more jobs since 2014, all posts were permanent and permanently occupied by a sequence of CAs; the only limitation being the duration of CAs contract, no deadline on the post... the job itself was not different from the job of some colleagues who were officials."

Why start with a story of Contract agent 3b?

In the past, G2004 has been attacked by trade unions and blamed to be representing exclusively the interests of officials. Well, it's not the first attack against us and surely not the last... But guess what? Our primary concern is not your function group or type of contract ... we are simply trying to bring some justice to this house! And the best way to do this is to start to apply the existing legal framework rigorously, in a uniform manner and using an interpretation in line with the values of and not short term financial considerations!

Some people say that an internal competition for 70 or 80 laureates (of which about 25 will be recruited) represents a solution for the Contract agents' problem. Sorry, we do not agree. Instead, we prefer to bring to you the inconvenient truth how CAs are being used in this house and let you make your own conclusions. "You knew what you were signing for" is a well-known argument of DG HR. Well, let us put aside the contradiction between this statement and the innovative way some of your rights are being read by PMO, for example, with the argument that they "are fixing mistakes of the past"... But the question to ask here is: Is this really what we signed for? There are enough examples to show and witness that **thousands of contract agents** have been recruited not to meet temporary needs of the Institution but as low-cost workforce for permanent tasks.

Share with us your own story! We will publish it without exposing your personal details.

CALL OF INTEREST opened to G2004 members and supporters

Participation in Joint Staff Committees and working groups

Did you know that there are more than **40 Statutory Committees/working groups** attached to the Central Staff Committee? Do you know what their role is? Are you aware of the impact they have on your life in the institution? Has it come to your mind that as a general rule half of the people who sit in these committees are there to represent YOU?

Every three years, YOU – the staff in the various sites of the Commission elect representatives to their respective Local Staff Committees (LSCs). In fact, the LSCs have limited 'power' since their mandate is restricted to dealing with local issues (e.g. mobility, canteens, local schools, etc.). What makes the LSCs so important is that elected members in turn designate representatives to constitute the **Central Staff Committee (CSC)** - a process similar to the electoral process in the USA where the people elect representatives who in turn elect the president (which explains why sometimes a president can be elected even though he has not secured the majority of votes). **The CSC plays an important role because it deals with the statutory issues that concern all of us: promotions, recruitment policy, certification, etc.** Moreover, the designations to the CSC are in turn followed by designations to all the important statutory committees (on proposals by OSPs):

- Joint Promotion Committee (AD and AST),
- Promotions Working group (AD and AST),
- Committees related to recruitment and training,
- Staff Regulation Committee,
- Health Insurance Committee,
- Certification Committee, etc.

It is in the CSC and its various associated statutory committees that many important decisions that affect our daily lives and careers are made.

As proclaimed by our [electoral manifesto 2015](#), G2004 is committed to end up the “*career syndicalism*” and to push for a modernisation in Staff representation to ensure that staff representatives DO represent STAFF. To achieve this aim, we insist that participation in these committees should be as broad as possible. We believe it also means letting new people in. In our understanding committee participation is equivalent to a “sensitive post” in the services and rotation of the participants is essential.

For this reason we invite all interested colleagues to contact us regarding their availability in participation in the committee(s) of interest. Please send us a short email to REP-PERS-OSP-GENERATION-2004@ec.europa.eu and clearly indicate what Committees or working you would be interested in participating.

MESSAGE TO AST COLLEAGUES

Many of you have approached us in the past weeks to express their deepest disappointment of now AST officials have effectively been prevented to take part in the internal competitions COM/03/AD/16 (AD6) published on 12 February 2016.

We do share your concerns and we react to your demands. We are convinced that the solution for AST and AST/SC categories should be sought at political level; we are also convinced that you have the right to have your voice heard.

At your explicit demand, [HERE](#) you will find a link to an Art. 90 template reviewed by our lawyers which you are free to use no matter if you are a members Of G2004 or not.

..... *and finally*

Instead of spending some lighter moments with a song, this month we publish a call to support a colleague who was injured during the Brussels attacks.

Support Marek Rembiasz

Marek Rembiasz is a Polish Customs official victim of the tragic events in Brussels on March 22, 2016. Marek had attended a meeting at the European Commission in the previous day and at the moment of the bomb explosion, he was waiting for his plane at the airport to return to Poland.

Marek suffered multiple serious injuries and multiple organ injuries. The diagnosis indicates that he will have to spend a long period of recovery in hospital. You can help in many different way, for example by providing logistic help (like offering a place to stay to his visitors for a few days, transportation, phone cards, bus cards, meals etc).

Kindly contact: claire.lipchitz@ec.europa.eu

If you identify with what you have read, and share our objectives, **please give us your support TANGIBLY by becoming a member.** [Click here](#)

Whilst **Generation 2004** is the home of **EVERYONE** who believes in equality, justice and solidarity, it is

✓ *the natural home of ALL staff recruited after 01 May 2004*

and de facto,

✓ *the natural home of ALL staff recruited from the "new" (2004+) Member States*

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