



GENERATION 2004



**RECTIFYING INJUSTICE
STANDING FOR OUR RIGHTS
RESTORING UNITY**

Generation 2004

Newsletter no.24



September 2017

TOP STORY

Wind in our sails, but in what condition is our ship?

A wind of optimism is blowing in the EU institutions. Some are beginning to argue that the [added-value of the EU](#) has become clearer following the events of the past 18 months. Indeed, recent electoral rounds in France and in the Netherlands have been less negative than expected with respect to the future of the EU. The outcome of the elections in Germany is perceived by some observers as less encouraging. However, it is clear that the eurosceptics will not prevail there any time soon. Unfortunately, the main issues that affect the staff are still very unclear and may be affected by a number of events.



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Obviously colleagues who happen to be British citizen are worried by the lack of clarity on their future. The only consolation at the moment is that the Belgian authorities are beginning to realise that EU officials of UK citizenship need assistance. The Brussels Commissioner (not one of our Commissioners but an official appointed by the Brussels region to provide administrative assistance to the expat community in Brussels) organised an info session last June and provides some advice on its [website](#). It is useful to go through this advice if you are a UK citizen working in Brussels.

A more general area of concern is the pensions of EU officials: those who are British citizens do not know who will pick up the bill, in particular those who already are retired and cannot easily switch to a new EU citizenship if they have moved back to the UK. Those who are not British should not forget that the UK participates in the collective guarantee by all MS to pay our pensions. The EU officials' pension liability has grown to several ten billion euros (over €60billion according to recent estimates). The UK might try to offload its share of the liability onto the remaining 27 MS (12% of €60 billion, which one could argue is the UK's share of the liability, amounts to €5billion, which is not a negligible amount!). Other Brexit- related problems could become unmanageable in the coming years; in particular the English sections of the EU schools. We need clarity, all of us, not just those of us who happen to be British citizens.

Event	Date	Comments
Commission presents draft 2019 budget proposal	March 2018	UK seems to be willing to maintain its current level of financial contribution until end of 2020 (end of MFF). Probably no staff cuts until end of 2020.
Commission presents draft MFF for 2021 onward	May-June 2018	MFF most probably without UK contribution (currently 12-15% of the budget) except for a few selected areas (e.g. possibly research). Impact on heading V of the budget which pays for most of our salaries and our pensions unclear.
Theoretical end of Brexit negotiations	Fall 2018	Brexit agreement between UK and EU needs to be approved by MS. This will take 6 months.
Official date for Brexit	29 March 2019	Negotiations can be extended if unanimity within the 27 MS.
EP elections	Spring 2019	
New Commission	Fall 2019	Lame-duck Commission throughout the summer.
German Presidency starts	1 July 2020	
UK stops contributing to the EU budget	31 December 2020	EU budget possibly shrinks on 1 January 2021, staff cuts likely in this case.
Commission submits report to EP and Council assessing functioning of Staff Regulations	31 December 2020	Read "the lips" of art 113 of the current Staff Regulations: another reform of the Statute is needed. Brexit provides an obvious excuse.
"Method" for annual salary adjustment ends	31 December 2023	



Another issue for which there is a lack of clarity is the next reform of the Staff Regulations. Some MS have called for reform, in particular to ensure the sustainability of our pension scheme, and Commissioner Oettinger seems to have heard the message, at least as far as the [pensions](#) are concerned. However, there is no indication that the Commissioner is preparing a new reform before the end of his mandate (2019); all that seems to be taking place is some brainstorming in the management of DG HR, behind closed doors.

A third area of uncertainty, which affects in a structural manner close to 7000 employees of the Commission and even more employees in the EU agencies (both decentralised and executive agencies) is the negotiations of the General Implementing Rules for CAs. For once the staff representation has mobilised to protest against the treatment of CAs in the Commission (and as a consequence in the agencies). The Central Staff Committee and the "Comité du Statut" in particular protested against the lack of positive measures in favour of CA3bs (the precarious CAs whose contracts are limited to a duration of a maximum of 6 years in the Commission). However DG HR, pressured by DG BUDG, does not seem to be willing to redress the situation. Last but not least, the Commission has been caught using precarious CAs to carry out tasks that should have been done by permanent officials (see below the invitation to a lunch debate organised by Generation 2004). As most of these CAs are too scared to take the Commission to court, the Commission gets away with it. A network of CA3bs has called for a reform of the Staff Regulations as the only option to redress their situation. Most [staff organisations, in particular those that are well-established](#), are reluctant to support their plea. At Generation 2004, we think that [the current situation is not sustainable](#) and that if Commissioner Oettinger does not intervene, budgetary constraints will lead to the gradual replacement of permanent officials by precarious and underpaid CA staff.

What's next?

With respect to Brexit, this is not under our control. All we can ask for is transparency on the part of the Barnier team. We understand that a certain level of confidentiality is needed, but at the same time it would be unacceptable if the staff was informed via the newspapers about the decisions that affect them. Some level of consultation is needed, the same kind of consultation that the EU requires of private companies when they cut costs on the back of their workers. As mentioned above, we should know more by Spring 2018 since this is the deadline to prepare the draft budget proposal for 2019 and the next MFF.

With respect to any future reform of the SR, it is difficult to have a clear opinion. This is always a risky endeavour, especially when our administration fails to consult staff when preparing reforms and focuses on preserving the acquired rights of its senior staff at the expense of the others. Only a committed Commissioner could conduct a decent reform. No signs that this will happen. The danger of course is that by postponing decisions, even worse reforms might be imposed on us if the future of the EU does not turn to be as bright as we hope. Moreover, the atmosphere that has prevailed ever since the 2004 reform: "winter is coming" is not necessarily the kind of atmosphere we want to live in for ever. Better to get on with a decent reform and get guarantees that the MS will stop fiddling with the SR for the foreseeable future.

With respect to CAs, the Commissioner being German is fully aware of the loss of attractiveness of the EU institutions for citizens of the richest MS. Primarily recruiting CAs at the expense of functionaries is not the best way to restore geographical balance. The Commissioner must act before it is too late, i.e. before the end of his mandate.

You are a Contract Agent? Share your experience with us!

“In a Union of equals, there can be no second class workers. Workers should earn the same pay for the same work in the same place.” J.C. Juncker, State of the Union address, 13 September 2017.

Contract Agents account for more than a quarter of the European Institution’s population and are increasingly the victims of budgetary restrictions. Limited access to decent employment opportunities in the Institutions, insufficient job security and unfair working conditions are now well documented.

However, what is less documented is that there is a growing gap between the duties performed by CAs and their functional group.

The Staff Regulations of Officials and Conditions of Employment of Other Servants of the European Union are clear: CAs are recruited in the European Institutions in the interest of the service to do either repetitive, periodical or specific technical tasks always under the supervision of officials or temporary agents.



Duties and corresponding function groups¹:

GF I	<i>Compulsory education</i>	<i>Manual and administrative support service tasks</i>
GF II	<i>Secondary education attested by a diploma giving access to post-secondary education. (+ Training or professional experience - in some cases)</i>	<i>Clerical and secretarial tasks, office management and other equivalent tasks²</i>
GF III	<i>Secondary education attested by a diploma giving access to post-secondary education. (+ Training or professional experience – in some cases)</i>	<i>Executive tasks, drafting, accountancy and other technical tasks</i>
GF IV	<i>University studies of at least 3y. (+ professional experience or training – in some cases)</i>	<i>Administrative, advisory, linguistic and equivalent technical tasks</i>

However, we have indications that the European Institutions employ CAs function group I or II to perform tasks that really are AD tasks. For instance:

How could it be possible that a GF I is working as an Expert or an Inspector?

This person is sent on regular business trips (missions) to several Member States where European experts play an important role. This could be part, in this case, of the new HR Talent Management Strategy based on competencies!!! Fair enough for a highly educated person with an in-depth knowledge! However, it is not understandable why this talented person is still graded as a CA FGI with the lowest salary!

How could it be possible that a GFII is working as a Coordinator-Team Leader and planning Officer?

*This person is working as the leader of a small team (with Officials) and performs many tasks and responsibilities towards other units and external customers in a perfect way but is still graded as a CA FGII. The principle **Equal Pay for Equal Work** is clearly not applied in this case.*

Conceptually, it is important to distinguish a true interest of the service from an abuse of the system to use well-educated staff to perform duties of high responsibility for the lowest possible salary. Because of the economic crisis in several countries of the EU, CAs are often recruited at a grade that is well below their level of education and experience.

¹ Staff regulation IV CS, Ch. I, Art.80

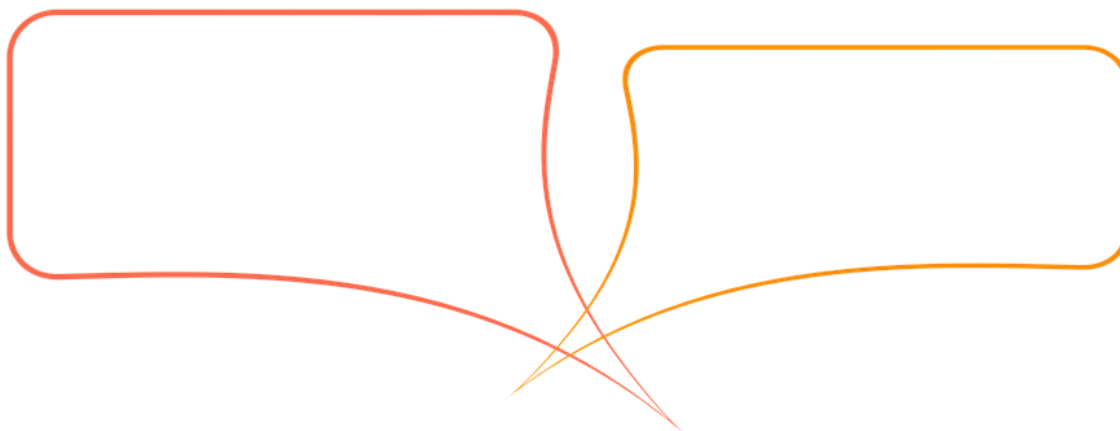
² Staff regulation IV CS, Ch. III, Art.82

Moreover, obscure regulations and selection rules give CAs a false hope to become one day officials via an Internal Competition. DG HR overplays the impact of this scheme. It is true that the Commissioner has agreed to organise such competitions on a regular basis. However, the number of laureates will be limited to a few tens for each competition because of a provision written black on white in the current staff regulations. These figures just don't match the number of CAs and their expectations. At the current pace of recruitment via internal competitions, it would take centuries for the institutions to provide prospects of a decent future to the thousands of CAs waiting for an improvement in their situation. This lack of clarity leads to a self-destructive behaviour for people who could look for better opportunities elsewhere if they were better informed. It becomes harmful to the institutions when the victims realise that they have been fooled. Moreover, instead of modernising and simplifying the procedures for selecting and recruiting CAs in a transparent way, the various subcategories of CA:

- ⇒ **CA 3a (contract for indefinite period)**
- ⇒ **CA 3b (6 years or fixed term contract)**
- ⇒ **CA-AMI (procedure without EPSO test)**

...are played against each other by DG HR during the negotiations with the staff. In addition, those who pass the internal competition have no guarantee to be recruited. This is in particular true for AST-posts, less for AD-posts. A major problem if you are a GF II, as you are NOT allowed to apply for an AD competition!

Is that a Responsible use of human resources for a European Public Administration with a modern HR's strategy, a role model for Europe and every Member State?



DON'T STAY ALONE!

Generation 2004 proposes a Lunch-Time debate open to all Contract Agents in the European Institutions on the theme:

CAs' functional groups vs performed tasks

When: Tuesday 14 November at 12:30

Where: J79 Grand Salle CCP Level 2

[Contact us](#) for visio conference connections.

6 Reasons you should attend this Lunch-Time debate with G2004!

- 1. Meet Experts face to face** – Mira Nesheva, Łukasz Wardyn (PhD), Pascal Le Grand
- 2. Find Networking Opportunities** – OIB, PMO, OIL, EPSO, DEVCO, EAs
- 3. Break Out of Your Comfort Zone**
- 4. Discuss with People who are in the same situation**
- 5. Learn New Tips & Tactics**
- 6. Invest In Yourself**

Air quality in Brussels

Many of us are concerned with the air quality of the cities where we live and work. The Brussels region is slowly waking up on this issue. They recently released data on black carbon pollution levels in Brussels. These measurements are the results of a citizen science program called ExpAir in which some of our colleagues took part. Each participant was given a little box to measure black carbon both outdoor and indoor. Black carbon is a subset of the micro-particles that are subject to the EU legislation on air quality (it makes about 10% of the total mass of PM10 micro-particles, but it is potentially the most harmful part of these particles as it is a direct product of combustion and moreover it can aggregate all sorts of volatile organic compounds that are harmful to our health, including a number of carcinogenic substances).

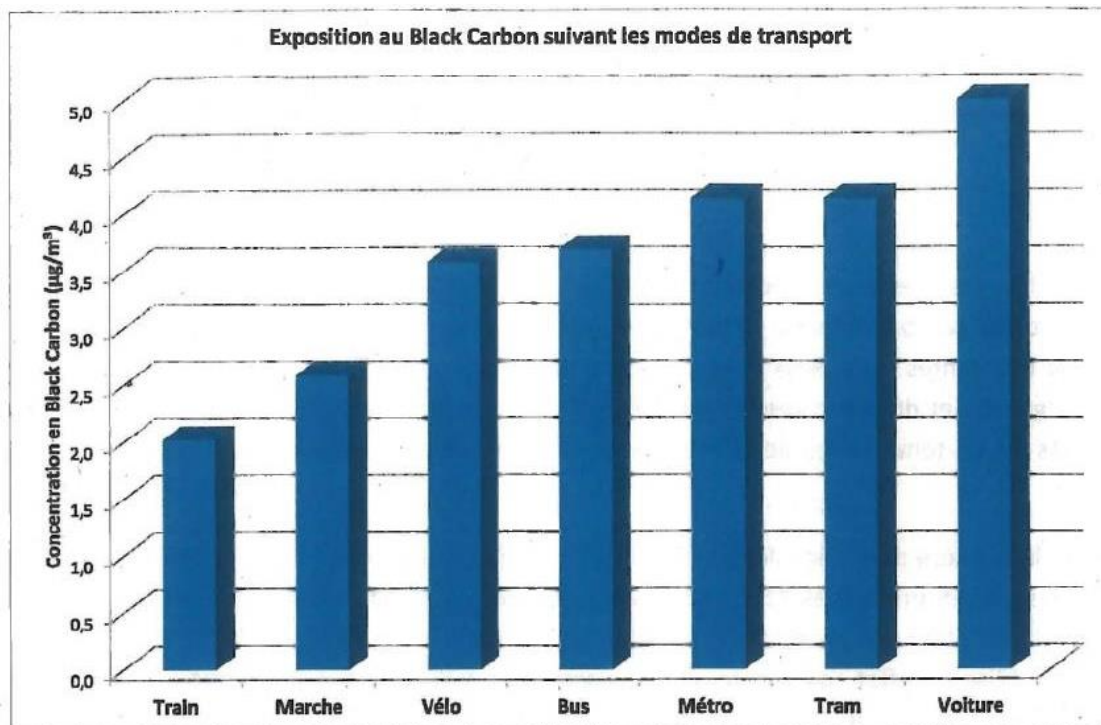


Figure 4: Exposition moyenne des participants au black carbon pour les différents modes de transport en Région bruxelloise.

A number of conclusions were drawn from the ExpAir study. Interestingly, indoor air quality seems to be reasonably good in the office buildings for which measurements were available. Apparently, this includes Commission buildings in Brussels. Not surprisingly, cyclists are affected to a level that reaches on average 3.5 times what is deemed to be safe ($1\mu\text{g}/\text{m}^3$). More surprising, however, is the finding that the **worst affected category of road users are car drivers**, exposed on average to 5 times what is deemed to be safe. The most likely explanation is that black carbon accumulates inside the cars. Pedestrians do much better than users of private cars, but metro users are exposed to high levels of pollution. The likely explanation is that the intake of air in the metro is done at ground level, i.e. where the exhaust fumes of cars are concentrated. A detailed report is available in [FR](#) and in [NL](#) (but unfortunately not in EN).

More detailed analysis would be useful for the areas where the Commission's buildings are located. The ExpAir project produced **maps of black carbon levels** along the main roads in Brussels, both at rush hour and outside of rush hour ([Peak hours map](#)/ [Normal hours map](#)). Not surprisingly, rue de la Loi and rue Belliard are badly affected by black carbon at rush hour. Less intuitively, other places are also affected, for instance the round-about near the E411 highway at Beaulieu.

Generation 2004 has been sensitive to the issue of air quality for some time. We were the first ones to propose to abrogate [reserved parking space in Commission buildings](#) because it is not an efficient use of parking space and because we are against privileges. More generally, any policy that encourages people to drive to work is not only bad for the air quality that we all breathe, it is also bad for those who drive according to the ExpAir project. Why not recycle these reserved parking spaces into more parking space for bicycles (in several buildings, there is a shortage of cycle parking spaces because of the steady growth in the number of daily cyclists), add some showers and lockers for those who want to change clothes after cycling to work, but also provide more space for electric vehicles, if possible with charging stations (for cars but also electric bicycles, electric mopeds and electric motorcycles)? Interestingly, the staff representation still has a number of reserved parking spaces (which probably explains why some staff representatives are so conservative on the parking issue) but some organisations are now sharing some of our ideas and sometimes even [going further](#). Mind you, TAO-AFI could start by leading by example... Anyway, we will manage to avoid the usual lack of cooperation between staff organisations and try to move forward on this issue with those willing to collaborate.



In the immediate future, Generation 2004 is tackling the issue of sustainable mobility via the Brussels Local Staff Committee (Łukasz Wardyn, the President of the Brussels Committee is one of our members; that helps to push the issue on the agenda. Other geographical locations face different problems so the outcome of the discussion in Brussels will not necessarily be applicable everywhere but we nonetheless hope to learn general lessons from this exercise). The [LSC intervened in favour](#) of more parking space for bikes. More strategically, the Commission is preparing a new mobility plan for its staff posted in Brussels. Previous ones were usually drafted behind closed doors and submitted to the staff representation for rubber stamping. This time, the President of the LSC is hoping to be able to consult Brussels staff more broadly.

For that purpose, a mobility group has been set-up within the LSC with participation of staff representatives, the [EU Cyclist Group](#) and independent volunteers interested in the issue. As a first step, the LSC will organise a conference with (we hope) the participation of Pascal Smet, the Brussels regional Minister in charge of mobility and a high-ranking senior official of the Commission. At this conference, the LSC foresees the launch of a consultation of the staff located in Brussels that will feed into the input of the LSC to the Commission mobility plan. The LSC will also push for the release of data on where colleagues live (in aggregated – presumably by commune – and anonymized format, the data are available via the personal information that each one of us has to provide in sysper). Having proper data will help the LSC form an informed opinion on what the mobility needs of the Brussels staff are and presumably make proposals to the Commission mobility plan that will improve the situation of all of us. If you are interested in participating in the

conference or the organisation of the consultation, please get in contact with the secretariat of the LSC (CLP-BXL@ec.europa.eu) (or alternatively [here](#)).

Who represents the staff and for how long: Staff representatives secondments and the 6-year rule

Existing rules provide for the Commission to ensure sufficient resources for staff representation activities. This includes a number of reserved posts outside of the DGs dedicated for full-time staff representation activities – the so-called detachments or secondments. At present, there is a well justified limit to a maximum of 6 years to occupy such a post after which one must return to a regular job in a DG (There is no limit to how many times you may be elected as Staff representative though!). There are in total 41 Full Time Equivalents available for staff representation secondments, distributed to each staff organisation proportionally to the percentage of votes received in staff elections (only the organisations that pass the 5% threshold benefit from these secondments, which explains why organisations tend to merge just before the elections).

Surprise, surprise! Some staff representatives have been seconded forever, nobody has seen them in a DG this century! DG HR turns a blind eye on those switching from so-called statutory secondments and union secondments. This way, the lucky beneficiaries can spend 6 years on the first type of secondment then 6 years on the second type and then revert back ... forever. Those who can't benefit from union secondments are now reaching the 6-year limit and are getting nervous. Nervous enough to request that the issue be discussed with Commissioner Oettinger in person and ask the rule to be abolished!

As a result, a meeting with the Commissioner and staff representatives took place on 19 September with the 6 years rule featuring first on the agenda.

Generation 2004 feels we owe colleagues some feedback from that meeting.

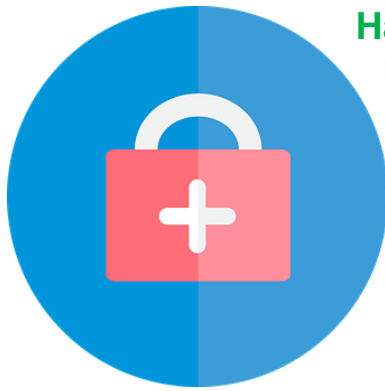
First of all, the meeting never got to the second agenda point and the majority of the meeting was devoted to the secondments of staff representatives. Generation 2004 made one clear intervention on the topic – the 6 year rule should stay!

Rotations are imposed in many services of the Commission, so why not in the staff representation? We argued that it is important for staff representatives to stay in touch with the services. However, we suggested to the Commissioner that there is a need to revamp the notion of work in the interest of the service, even in exchange for concessions on the number of secondments.

At the end of the meeting, at the demand of most staff organisations (with the obvious exception of G2004) Commissioner Oettinger proposed to suspend the application of the 6-year rule for 6 months, subject to approval by College. In the meantime, he invited DG HR and the staff representation to prepare a joint paper with proposals for a reform of the Staff Representation. Another meeting with Commissioner Oettinger is foreseen to take stock of progress in January 2018.

Generation 2004 considers that the issue deserves a wide and transparent discussion. This is why, notwithstanding the accusations of populism, we will shortly launch a survey amongst all Commission staff. Meanwhile, if you have views or ideas, including radical ones, feel free to [contact us](#). We will compile your proposals and feed them into the discussion with the hope that some of the proposals make their way to the joint paper.

Reminder: Generation 2004 has a very strong position on this point. Bringing staff representation closer to staff (including through strict application of the 6-years rule) was an essential element of our platform in the 2015 Brussels elections and 25% of colleagues supported it. Therefore, we feel democratically mandated to defend the 6 years rule which make sure that at least once every 6 years those who represent you will be put in the same shoes as any other regular staff member and will not become part of a closed class of "professional syndicalists" who have lost sight of reality.



Have you been accused of unjustified absences in the recent past?

We are hearing complaints that the medical service puts colleagues in unjustified absence even though they had a medical certificate from a medical doctor outside of the Commission. If you are aware of such situations around you, we invite you to [contact us](#).

..... and finally

Got any ideas for the G2004 newsletter? [Send](#) them along (with "Newsletter" in subject), together with any letters, articles, poems, comics and any other assorted forms of expression.

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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