



GENERATION 2004



RECTIFYING INJUSTICE  
STANDING FOR OUR RIGHTS  
RESTORING UNITY

# Generation 2004

## Christmas Edition 2016



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### General Implementation Provisions for Contract Agents: a compromise which leads NOWHERE

The saga of the discussions on the General Implementing Provisions (GIP) for Contract agents (CA) seems to have lasted for ages. Generation 2004 has followed it for you in a number of articles (see [here](#) and [here](#)).

The culmination came some weeks ago at a meeting of the social dialogue chaired by VP Georgieva (*concertation politique* in French) – one of her last actions before her departure to the World Bank.

Generation 2004 expressed a position that is crystal clear. The so-called compromise is NOT acceptable to us. It fails to address our main concern: the new initial classification grid for CAs which we see as the core of the problem.

The only visible outcome of the final meeting was a political declaration which is not worthy its name. We fail to see in it a reasonable explanation of WHY the Commission decided to lower down the initial grading of CAs, except for the implicit financial gains which will allow the Commission to hire **even more CAs in the future**. Moreover, it seems that the Commission is quietly leaving aside the concept of employing CAs on temporary contracts **only** to carry out temporary tasks.

This goes against the commitment of the Commission to Member States not to [compensate the required 5% personnel cuts with increased employment of CAs](#), a category more vulnerable and exposed to pressure due to less generous labor guarantees in comparison to officials.



## Implementation Provisions for Contract Agents: a compromise which leads NOWHERE cont.

Globally, these GIPs **may explode in the face of the entire EU civil service** next time Member States start contemplating further changes to the "statute". It is clear for everybody with eyes to see that if the door is opened for replacing officials with CAs you could wave goodbye to the concept of an independent EU administration. Moreover, this replacement process will mean **more and more rivalry** among CAs for the already tiny piece of the cake of permanent official positions (e.g. the famous 80 officials posts offered through internal competitions).

Generation 2004 has passed this message to Mme Georgieva and makes the commitment to pass it on to her successor. This is why we cannot support the majority of the trade unions which seem to feel now rather comfortable with the GIPs text.

Generation 2004 strong disapproval of the GIPs is based on three additional arguments given that:

- ⇒ The GIPs create a new post-2016 generation of CAs that will be recruited at lower grades. This is to be contrasted with the ultra-generous treatment of [senior experts that DG HR wants to promote to the AD14 grade](#). If DG HR is really serious about cutting administrative costs, they should start with permanent officials in double-digit grades, not with CAs. We at Generation 2004 know how humiliating it is to be treated less favorably than others just because of our entry date in the institutions, you can count on us to fight against this discrimination!
- ⇒ HR has been unable to come up with a work-around for CAs who change institutions and/or function group: every change implies a new contract and every new contract implies worse conditions, in particular with regard to pension rights (retirement at the age of 66, 1.8% accrual rate). As a result, CAs are penalized when they change job. Improved mobility for CAs has become nothing more than an empty slogan, this is unacceptable.
- ⇒ There is nothing in the GIPs that addresses the issue of CAs doing, for a fraction of the salary, tasks that should be done by AD fonctionnaires. President Juncker started his mandate by a declaration on "[same pay for the same job at the same place](#)". Vice-President Georgieva's political declaration fails to reiterate the commitment of the Commission to this essential principle. The Vice-President cannot ignore a principle put forward by the president of the Commission himself!

During the various meetings organized by the trade unions to inform CAs on the negotiations between the staff representation and DG HR, some suggested that the CA issue can only be addressed through a new reform of the Staff Regulations. Unions led by high-grade ADs certainly do not want to hear about a new reform which might this time target their very high benefits. We at Generation 2004 take a more balanced view. We are certainly not excited about yet another reform (for some of us, this is going to be the 3<sup>rd</sup> one...). However, we cannot ignore the fact that the pressure is mounting, and that a new reform might possibly be one of the many fallouts of the Brexit referendum or even simply an attempt to calm down growing euroscepticism throughout Europe. If or when discussions for a new reform start, let us treat this as an opportunity to address the injustice made to CAs as well as other systemic injustices. Generation 2004 is open to suggestions. If you have ideas on how to help CAs, come to us and let's see what can be done. We need to be prepared to fight in order to preserve the unity of staff. We know that we cannot count on DG HR for that!



## Our letter to Ms Souka on Contract Agents



(Kindly click [here](#) to access letter in pdf)



EUROPEAN COMMISSION

Generation 2004

Brussels, 05 September 2016

**Subject: General Implementing Provisions for Contract Agents, request on Art. 5**

Ms SOUKA, Director General Human Resources and Security,

We are approaching the end of the technical negotiations of the draft text for the General Implementing Provisions for Contract Agents, to which Generation 2004 has been actively contributing. We acknowledge that there are some first steps towards a somewhat fairer and clearer situation for this category of staff.

However, regardless of the progress achieved, Generation 2004 cannot but strongly oppose to what appears to us a déjà vu, namely the creation of second class colleagues within the same category: *Contractual Agents' Generation 2016*. Introducing a new evaluation grid for entry grades (Art. 5), which downgrades recruitments in all Function Groups by means of a significantly reduced appreciation of professional experience is therefore in our eyes an unacceptable measure. Following the entry into force of this decision, the working climate cannot but deteriorate further as even more colleagues, this time Contractual Agents, working side by side, doing the same job, even with the same experience, will receive a significant lower salary (up to 31% less), based on the only and artificial reason of being recruited a few days before or after the fatidic date. For this reason Generation 2004 firmly opposes the entire Art. 5.

What is more, Art. 5 also violates the principle of "Equal work for equal pay", recalled by President J. C. Juncker<sup>1</sup> in his Commissions' priorities 2014 and by Commissioner M. Thyssen<sup>2</sup> in the presentation of Commission's Social Package, in 2016; a principle that has already been systematically breached as a result of the 2004 and 2014 reforms and a

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<sup>1</sup> << [...] the same work at the same place should be remunerated in the same manner. >> Political guidelines 15/07/2014 - [https://ec.europa.eu/priorities/publications/president-junckers-political-guidelines\\_en](https://ec.europa.eu/priorities/publications/president-junckers-political-guidelines_en)

<sup>2</sup> << Too often have we seen two workers, side by side, doing the same job, but one earning much less than the other. This is not what a fair and European labour market should look like. >>  
[http://europa.eu/rapid/press-release\\_SPEECH-16-682\\_en.htm?locale=en](http://europa.eu/rapid/press-release_SPEECH-16-682_en.htm?locale=en)

practice which deprives the Commission of any credibility with respect to the principles which it tries to impose on Member States<sup>3</sup>.

Furthermore, how will DG HR explain such a reduction of salaries to all future Contract Agents, to the European Parliament and to Member States when, reading the political aims of this decision<sup>4</sup>, it purports to seek an improvement of the working conditions and a better talent management for this category, which represents nowadays 20% of EC personnel? How does DG HR believe to be able to attract experienced experts on a broad geographical basis if the offered remuneration is below that of a Marie Curie fellow? Is it not exactly this inadequacy of the GIPs which spurs again 'bypassing' strategies such as the excessive use of national contracts through DG JRC (strongly contested by all OSPs)? Finally, if there was a real crisis situation, preventing the maintenance of a fair social package for Contract Agents, where would the excessive and factually unfounded nomination of "senior experts" (often with qualifications less than those of some CAs) to grades AD13 grade and above fit? After all, if our social European Union needs to make budgetary cuts, these should be implemented through measures which are directly proportional to the salary and to the working conditions of all its staff and they should be communicated and justified transparently.

In the light of these facts and considerations, we hereby ask you to do the necessary to entirely remove this article from this decision and maintain the existing evaluation grids. Concomitantly, we formally request a political meeting in order to discuss an issue that is going to concern the future of thousands of CAs working for the Commission.

Eckehard ROSENBAUM

Vice-Chair, GENERATION 2004 adf

CC: Ms Alexandrova (Cabinet Georgieva), Mr Levasseur, Mr Mórícá, Mr Roques, Mr Carlini, Mr Saint Aubin, Mr Balthazar, Mr Truquet and Mr Duluc (DG HR)

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<sup>3</sup> << If the professional experience and seniority acquired by a worker in another Member State are not correctly taken into account these workers consequently either have no or a less favourable access to the other Member State's public sector or they must restart their career from the beginning or at a lower level. ... The Court has already ruled several times that provisions of national law that prevent previous periods of employment in the public service of other Member States from being taken into account, constitute unjustified indirect discrimination, for example in relation to access to the public sector.>> COM2002(694)

<sup>4</sup> Preamble of GIP par. 3 << Il est également essentiel de mieux intégrer les agents contractuels dans une politique générale de gestion des talents inclusive développée par la Commission, de leur ouvrir d'avantage de perspective d'évolution au sein de l'institution, notamment via la possibilité de changer de grade, de groupe de fonctions ou de participer à des concours internes, et de faciliter leur mobilité entre les services. >>



## What you don't know surely can hurt you!



DG HR is desperately trying to cut costs... Nothing new.

But for those of you who anticipate the usual enrolment message for spring language courses this may come as a surprise – [NO MESSAGE this time.](#)

The enrolment has started in cautious silence, hoping that as many colleagues as possible will miss the deadline to introduce their request for language training before they leave for Christmas... and it will be too late when they are back as the end date for registration is **8 January 2017**.

A suspicious mind could also ask why the new learning platform (to replace Syslog) is introduced during this same period. Even if you decide to enrol – there is a high risk that you will get lost in the new system.

Sorry to have once again disrupted DG HR's plan.

**Generation 2004** is here to give you all the information you need. This is what you have to do if you wish to enrol for the standard language courses February – June 2017:

- ⇒ From *MyIntracomm Top Tools* go to *EU learn*.
- ⇒ Open *Catalogue* menu, search for *Interinstitutional catalogue*, then *Languages and country knowledge*. Find your location (Brussels, Luxembourg, etc.) and the language you need.
- ⇒ And do this before 8 January 2017!

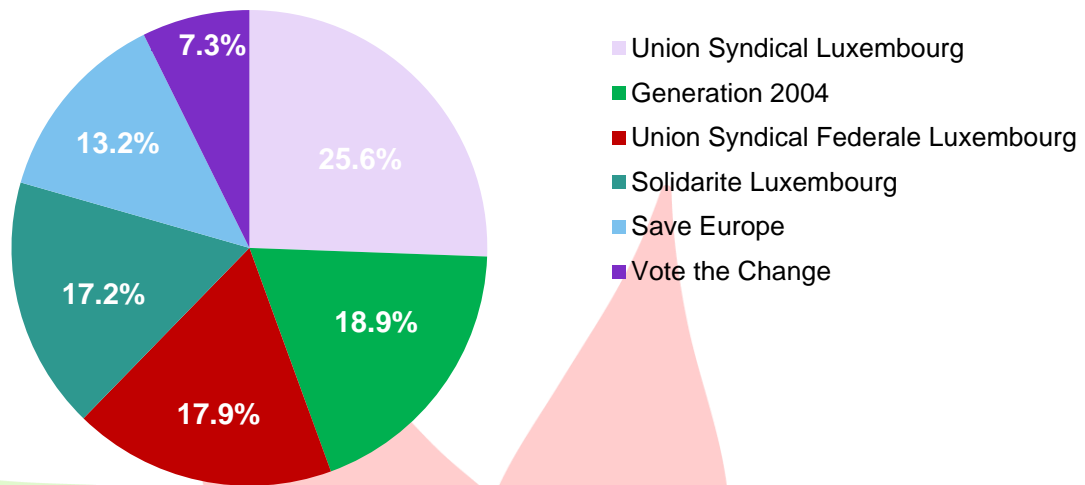
## 🎄 Luxembourg Mathematics: 25 = 70 🎄

The Election of the new Local Staff Committee of Luxembourg (LSC) took place at the end of November with a turnout of almost 70%. Generation2004 scored some 18.8% of votes, which translates into 2 seats out of 20. We would like to thank all those who voted for us. Despite the increase in the number of lists that were presented to the elections this time, we are the only list that has maintained our score achieved 3 years ago. As a result, we still send two representatives (full member and deputy) to the Central Staff Committee, and we will keep roughly the same representation in the Joint Committees (e.g. promotion committees).

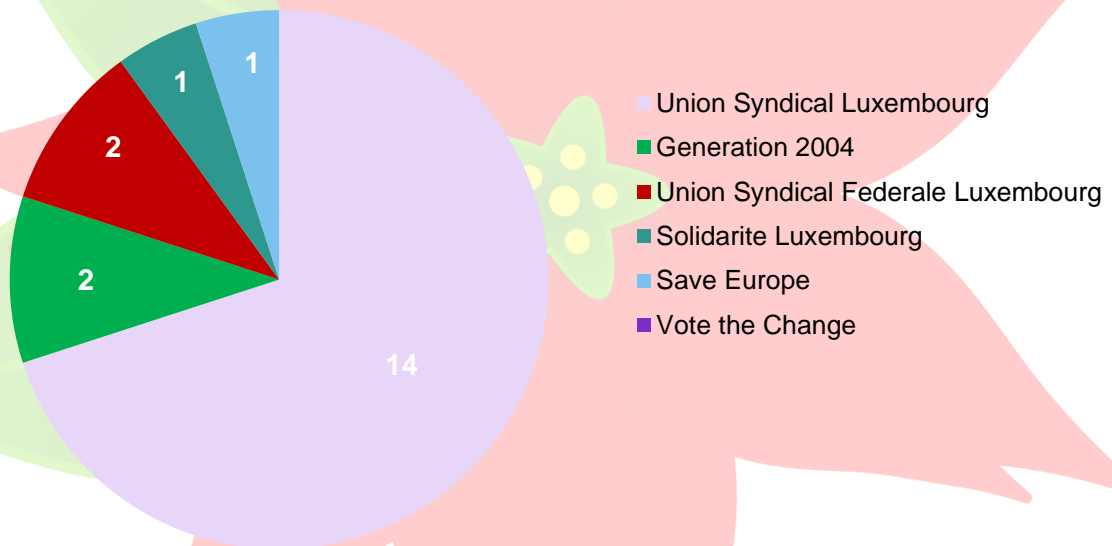
The full results are:

<b>Union Syndical Luxembourg (Alliance)</b>	25.5%	14 seats
<b>Generation 2004</b>	18.8%	2 seats
<b>Union Syndical Federale – Luxembourg</b>	17.8%	2 seats
<b>Solidarite Luxembourg (Alliance)</b>	17.1%	1 seat
<b>Save Europe</b>	13.2%	1 seat
<b>Vote the Change</b>	7.3%	No seat

## Distribution of votes



## Distribution of seats



How come a list that receives around one fourth of the votes obtains more than two thirds of the seats, i.e. a qualified majority in all decisions? We have explained this to you in our newsletter in July (click [here](#)): this is the result of a flawed majority system that mixes list votes with preferential votes and counts twice some votes.

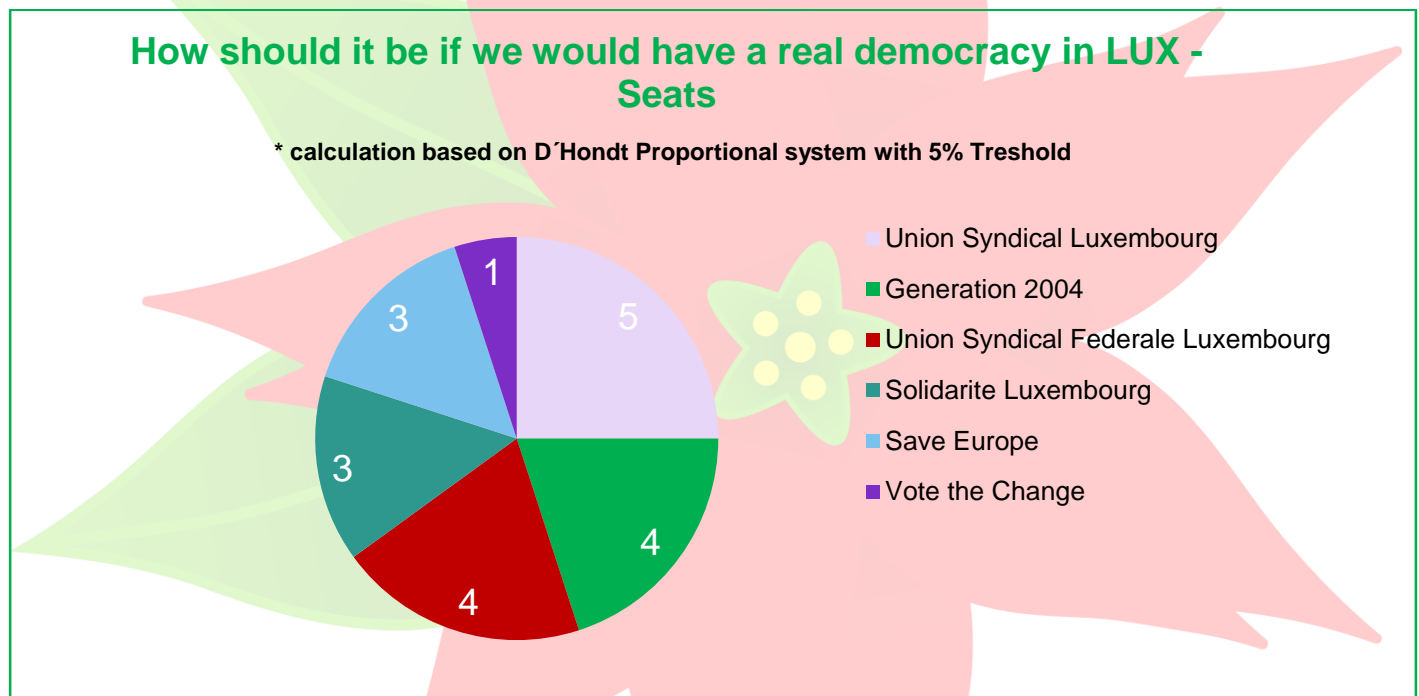
One could argue that the rules were the same for everybody and that everybody knew the rules in advance, therefore complaining afterwards shows a lack of fair-play. Actually, Generation 2004 demonstrated opposition to the Luxembourg electoral system (as did also Save Europe and FFPE) before the elections and even made a proposal for change without success. The flaws of the system are this time even more apparent than 3 years ago, as the Local Staff Committee will be run by a “majority” that got 25% of votes but 70% of seats. Already at the first LSC meeting, this 25% “majority” has demonstrated very clearly how they intend to run the staff committee and “cooperate” with others.

Among several issues that have come up during the past few days, a significant one is the treatment of resignations that was demonstrated during the constitutive meeting of the LSC. The elected couple from the Save Europe list decided to resign. Another pair from the same list should have replaced them. Unfortunately, the resigning pair only communicated their intention by e-mail to the chairperson of the plenary meeting. (This used to be the normal

procedure, until recently a resignation by email was accepted just fine.) However, this time the chairperson did inform the plenary about the e-mail, did print it out, but then went on to explain that an email was not sufficient. Moreover, he never bothered replying to those concerned and telling them to confirm their resignation with a signed statement on paper and/or an Ares note or appear in person in the constitutive meeting. Thus, no attempt on his part to find a solution as should have been done in a good-spirited cooperative environment!

As a result, one list representing some 13% of the staff couldn't propose anyone to the LSC bureau or vote on its composition. Even worse, a LSC board composed of an *ad interim* president, two vice-presidents and one secretary were elected during the constitutive meeting, all of them members of USL. The only candidate proposed by us to sit on the Board, Michael Ashbrook, who received the third highest number of individual votes, was voted down. As the above described composition of the LSC board did not comply with the electoral rules that require a minimum level of pluralism in the LSC board, another member of the Alliance (Solidarite Europeene) presented himself during the second meeting of the LSC as candidate. With this trick, the minimum level of pluralism within the LSC board is fulfilled by a second branch of the same coalition (Alliance). Together, USL and Solidarite Europeenne represent one third of the staff working in Luxembourg. Thus, two member organisations of the same coalition, representing only a third of the staff, now entirely control the Local Staff Committee.

You might wonder why we are devoting so much space to this issue: because we believe in democracy and pluralism; because we believe that the Staff Committee should be here for all staff, not just for the "lucky" 25%; and because we defend our values at all times, not just when they happen to work to our advantage.



We now need to get back to work and try to reach out to those who were not sufficiently convinced by our message and felt the need to propose new lists. Let's see what can be done to strengthen the staff representation in Luxembourg during the next 3 years: Finding common positions that unite the staff, including the newcomers and not just a handful of high-ranking officials hired 20 or more years ago, will be our motto for the 3 coming years.



### Promotions: adapted Article 90 template available in January

Every year G2004 provides support to members but also colleagues irrespectively of their trade union affiliation in defending their rights in the framework of promotions exercise. We congratulate everyone who received their well-deserved promotion this year. For those of you who did not find their names on the list of promoted officials for 2016 we offer our support for an article 90 appeal. During this year's exercise G2004 representatives in the Promotions Committees deposited an objection note (for AD and AST) which will give additional factual weight to the claims of all who decide to launch an appeal. Our new adapted template will be available in January.

### End of the year quiz:

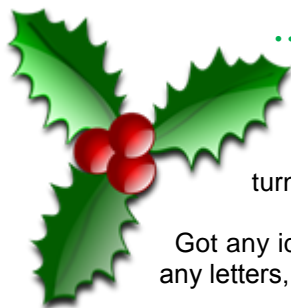
Where was this photo taken?  
(There is a geographic hint in the background!)

#### What is the prize?

The first one to find the right answer will win a Generation 2004 recommendation for a Goldman Sachs job!



.... and finally some lighter moments ☺☺☺



**G2004 Christmas message song of the month:**  
turn up the volume and listen well.



click on our DJ, sit back,

Got any ideas for the G2004 newsletter? [Send](#) them along (with "Newsletter" in subject), together with any letters, articles, poems .... and 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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Merry Christmas &  
Happy New Year  
from your Generation  
2004 Team