



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. Juncker¹ in his Commissions' priorities 2014 and by Commissioner M. Thyssen² 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

¹ << [...] 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

² << 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

practice which deprives the Commission of any credibility with respect to the principles which it tries to impose on Member States³.

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 decision⁴, 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 Móriccá, Mr Roques, Mr Carlini, Mr Saint Aubin, Mr Balthazar, Mr Truquet and Mr Duluc (DG HR)

³ << 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)

⁴ 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. >>