

Mr Fernando Frutuoso de Melo
Deputy Director General
Directorate General Human Resources
European Commission

Brussels, 8th March 2012

Re: Draft call for AD and AST 2013 Internal Competitions

Dear Mr. Frutuoso de Melo,

Today we have the pleasure to submit to you a new contribution of **Generation 2004** *adf* which intends to serve as a constructive proposal: a blueprint for Internal Competitions as we would propose to design them. After our substantiated criticism of the project discussed at the Social Dialogue [G2004 answer to DDG-HR on Internal Competitions, 25.1.2013, Ares(2013)94526], we have thus taken the next logical step and formulated our ideas by means of a *draft call for Internal Competitions at both AD and AST level*. The draft seeks to provide a workable alternative while addressing the shortcomings that we had highlighted in our above mentioned document. We strongly hope that this fact-based approach will help to spark a new round of Social Dialogue, as it is also requested by many other OSPs¹. Indeed, its interruption has disoriented many post-2004 colleagues, and the announcement of DG-HR² has created perplexity, since many staff are aware that such a proposal cannot bring a significant solution to the ever-growing delay affecting post-2004 careers.

The enclosed documents are to be considered, we underline, a *draft*, where modifications will very likely be necessary. At the same time, we consider it a solid basis for how the final result could and should look like. We therefore would like to invite you and your services to consider it carefully and wherever you identify elements which you consider in potential conflict with legal requirements we are eager to learn about them, in order to improve the proposal until it meets the highest possible standards.

We are also available to discuss a proposal for the financing of such competitions through a wide-spectrum redistribution of promotions; needless to say, seeking to

¹ See Note to Mr. M Šefčovič issued by REP PERS ALLIANCE (dated 28.2.2013, sent 7.3.2013), subject: *Publication on the organisation of internal competitions on HR's Intranet site and an urgent request for discussions*.

² Published in Intracomm on 14.2.2013,
<http://myintracomm.ec.europa.eu/NewsPortal/Pages/NewsDetails.aspx?listid=470cc0e6-c651-4331-9feb-15f63d5620a6&itemid=9681&NewsCategory=5.0000000000000000>

ensure rigorous *budgetary neutrality*. Our model is necessarily based on same assumptions and approximations since we don't have full access to Human Resources data. But again, we trust that you'll appreciate the overall approach and the willingness to provide a solidarity-based solution that could make a real difference for the plight of thousands of colleagues and, by extension, for the future of the European Civil Service.

Allow us to highlight the key features of our proposal with a view to guide its analysis, illustrating its internal logic. Wherever possible we have used previously published notices of competitions as a source for drafting the proposal:

- Proposed competitions would lead to *all grades in the brackets AD5-AD11 and AST1-AST6*. Each competition is open to all staff demonstrating the required qualification and professional experience. Consequently no minimum access grades are used, since in our understanding minimum grades would compromise the very objectives of internal competitions, which seek to redress the consequences of being recruited at artificially junior grades which by far don't match the actual professional experience of many laureates. As we have argued, the essential manifestation of the post-2004 problem is that 'grade' bears no direct relationship with 'experience' for large numbers of officials. An important question yet to answer (not considered in our proposal, due to the underlying complexity) is whether AD competitions should be opened to qualified AST staff.
- The *fields of expertise* intend to be highly comprehensive, while referring wherever possible to previous competitions. By this means, we seek to ensure that most professional qualifications are taken into account and virtually no categories are left out or just disadvantaged by being included in a broad generic category such as "European public administration" (which we have nevertheless retained). No quotas for successful candidates are applied to each field of expertise either.
- The *admission tests* are equivalent to those of external competitions, but it is proposed to exempt from them, both for economy and for fairness reasons, *all candidates who have already passed such tests in other competitions*. Their application instead to other types of candidates (e.g. Temporary Agents) reflects our opinion that their legal *right* to participate in internal competitions should go hand in hand with their *duty* to demonstrate the same competences and abilities requested to candidates in open competitions. The same principle applies to the language requirements.
- The proposed *selection process*, which should allow access to the individual assessment to be carried out on every single candidate under equal conditions, is mainly based on a quantitative assessment of "professional experience at the time of recruitment", since our analyses show that its lack of recognition is the main reason for the current massive and unjustifiable career delays affecting substantial numbers of post-2004 colleagues, among others. In order to be taken into account, this experience must obviously

correspond to the functions covered (AD or AST respectively). Further points will then be given for "seniority in the Commission/Institutions", i.e. for the time already worked as an official, since this seniority is demonstrably related to the time the official has been sustaining the negative impact of the low recruitment grade. The combination of these parameters determine a *qualifications-based ranking* of all eligible candidates; the best-qualified candidates, to be admitted to the individual assessment, are those whose qualifications equal or exceed a ranking threshold.

- The last step of the process, i.e. the *individual assessment* of each candidate, is carried out through an interview conducted by the Selection Board. In order to ensure the appropriate balance between this individual assessment and the previously conducted assessment of qualifications, the maximum number of points that can be given as a result of the interview is a fixed percentage of the ranking-threshold for that competition. Along all the process, no negative points are possible and there are not pass-marks.
- Finally, we propose to apply a *cascading principle* in order to ensure maximum effectiveness of the 'redressal effect' that the internal competitions should pursue. That is, unsuccessful candidates whose total points are below the final success-threshold for a specific competition, i.e. lower than the marks of the last successful candidate, are automatically considered for the next lower competition, one grade below. By doing so we ensure that those candidates who have lost most in terms of unacknowledged professional experience relative to that implied by their recruitment grade have the highest probability of being promoted. At the same time, this method would discourage unnecessary multiple applications and strategic applications for lower competitions which solely aim at increasing relative chances of success.

In line with the spirit of the Social Dialogue, we will be sharing these documents with all the OSPs in the Commission, as well as with all our interinstitutional members, currently more than five hundred. We trust that both representatives and colleagues will be able to further enrich it with more suggestions and improvements.

With best regards,

(electronically signed)

Dr Fernando Sánchez Amillategui

Chair – **Generation 2004** *adf*

Enclosure 1: Notice of AD5-AD11 2013 Internal competitions

Enclosure 2: Notice of AST1-AAST6 2013 Internal competitions