

EUROPEAN EXTERNAL ACTION SERVICE



DIRECTORATE GENERAL FOR BUDGET AND ADMINISTRATION

GUIDELINES ON
TELEWORKING, LEAVE-, WORKING TIME AND OTHER
ADMINISTRATIVE AND FINANCIAL ISSUES FOR STAFF
IN **EU DELEGATIONS**¹

DURING THE COVID-19 PANDEMIC

Replacing version of 1 July
with effect from 18 November 2020

¹ These guidelines are applicable to officials, temporary agents, contract agents, local agents and *mutatis mutandis* to seconded national experts (SNEs) and JPD **working in EU Delegations**.

A. TOWARDS A GRADUAL RETURN TO NORMALITY

The management of COVID-19 remains a challenge across Europe and across the world. Yet, over the last months, we have “learned” to live with the challenges and adapt our way of life, in our private and professional sphere. At the same time, although continuing to work effectively and remotely, staff and work are starting to bear the weight of many months of absence from the office and remote relations. As COVID-19 will continue to impact our lives in the coming months, the challenge we are facing is to find the right balance between “duty of care”/ business continuity/interest of the service and “care of duty” for diplomatic functions which require physical presence on the ground vis-à-vis our local counterparts, especially during such troubled times.

So far, our Delegations have continued to ensure **business continuity** and have adopted solutions in order to perform work remotely efficiently and effectively so as to meet the expectations of Member States and host countries, in line with the policy adopted by the majority of other diplomatic representations and international organisations.

Against this background, it is more appropriate that any decisions on how to return to work and which measures to be taken be decided locally, as they have to be adapted to each host country. HQ will continue to **monitor closely the pandemic** and provide **guidance, including minimum protocols and security whenever possible**, to EUDELs on risk assessment, public health, and possible response activities.

For third countries where there is a gradual easing of restrictions related to COVID-19, **a gradual return policy is being implemented.**

Under such peculiar circumstances, it is more essential than ever that all Delegations have updated tools allowing for an efficient and flexible management of resources, notably their Action Plans, Business Continuity Plans and tables of staff whereabouts, which they have been requested to update regularly².

The majority of Delegations have already shared these documents, providing the state of play of the local situation and declaring **if and when** the gradual (up to full) return to normality has started or is foreseen. The remaining ones are expected shortly. For others, the evolution of the pandemic might imply reverting to the situation where only a minimum presence in the office can be allowed.

B. PROVISIONS APPLICABLE TO EXPATRIATE STAFF

² Note [Ares\(2020\)5098120](#) of 29.09.2020

1. RETURN OF STAFF WITH NON-ESSENTIAL FUNCTIONS AND VULNERABLE STAFF TO THE PLACE OF POSTING

In the countries **where the (gradual) return to normality has been declared**, or where conditions allow, the Head of Delegation (HoD) **should** instruct non-essential staff who was authorised to leave the country of posting and telework from abroad to return to the Delegation. In principle, **no further voluntary departure** will be authorized, but the EEAS will of course continue to **closely monitor the outbreak** and take any appropriate decision.

As for the return of vulnerable staff who have been authorised to telework outside the place of employment, the EEAS Medical Service has been reviewing all the cases of vulnerability identified since the start of the pandemic.

Reassessments are based on updated medical evidence and detailed medical reports, so as to make an appropriate risk analysis and take adequate mitigation measures for those colleagues having an increased risk of complications in case of COVID-19 infection for themselves. Per se, the health condition of family members and other relatives is not a valid ground to be declared as vulnerable and be exempted to return to the country of posting - please see below for exceptions.

As a result of this reassessment, which will be notified to staff members concerned and communicated to the respective line manager – without disclosing any medical data:

- If the staff member concerned is considered as fit or having a mitigated risk, (s)he should return to the country of posting;
- If the staff member concerned is considered as unfit to return, (s)he will be authorised by the AIPN (BA.HR.3) to continue to telework outside the place of work until the next assessment as decided by the EEAS Medical Service;
- If despite being declared unfit to return, (s)he would fail to abide by the medical recommendation and insist on returning to the country of posting, the HoD should formally notify him/her of the formal instruction not to return to the country of posting due to the medical condition and in exercise of the duty of care (via an ARES note³). If (s)he does not comply with this, the HoD should report the matter to the Appointing Authority (DG BA for EEAS staff, parent Directorate-General for Commission staff).

For vulnerable staff who have been teleworking in the place of employment, an assessment from a local doctor will be required, which may be reviewed by the EEAS Medical Service upon the HoD's request.

In Delegations where physical return to the country of posting/ office is required, the following cases are exempt from the obligation to return:

³ BA.HR.3 will provide a template upon request.

- Staff who have a condition that increases the risk of adverse outcomes of COVID-19. Such staff should directly submit their request to be exempted from returning to the office, to CORONA-MED@eeas.europa.eu;
- In exceptional circumstances, based on an opinion of the EEAS Medical Service and provided that it is compatible with the interests of the service, staff who live with a person having a condition that increases the risk of an adverse outcome of COVID-19.

Upon confirmation of the EEAS Medical Service of their vulnerability, staff may be authorised to telework from home in the place of employment and **only in duly and justified cases preferably in Brussels HQ or their place of origin within the EU territory as registered in Sysper**⁴ (see chapter 2 below).

Moreover, staff members falling into one of the below categories **must not come to the office** and must self-quarantine at home as follows:

- Staff who have tested positive for COVID-19 and must respect any isolation period indicated;
- Staff presenting any symptoms compatible with COVID-19 must stay at home. The usual rules on sick leave apply;
- Staff in another case of self-quarantine provided for in the EEAS medical protocol (e.g. close contacts of a positive case);
- Staff who are required under the national rules to quarantine after a private trip to a specific area. In such cases, telework applies for the period corresponding to the quarantine. If the nature of the duties is incompatible with teleworking, staff must however take annual leave for the duration of the quarantine, except where such staff could not possibly have foreseen the obligation to quarantine during their stay in that specific area (e.g. unexpected change of risk assessment by national health authorities);
- Staff whose children are requested by the school/doctor to quarantine upon submission of a certificate to the Commission's Medical Service/ school declaration.

In all the above-mentioned cases⁵, staff are requested to inform their hierarchy in a timely manner.

Each Delegation will regularly revise the instructions concerning physical presence in the office depending on the epidemiologic assessment in the

⁴ With the exception of the United Kingdom for staff keeping their place of origin there.

⁵ For further information, please consult the updated medical protocol available https://intranet.eeas.europa.eu/system/files/Enriched_documents/covid_medical_protocol_14102_0_0.pdf

host country and according to further measures to be adopted by the local authorities.

2. TELEWORKING RULES

For Delegations where telework remains the norm in line with the Action Plan and guidance of the host authorities, it should be performed **at the place of employment** (country of posting) and staff should, in principle, telework from home, i.e. their usual place of residence.

Teleworking from outside the place of employment, including from the place of origin, is in principle **no longer allowed**.

By way of exception, staff may telework from outside the place of employment and in Brussels or their place of origin within EU territory as registered in Sysper⁶ **with prior approval by the line manager and authorisation by the Appointing Authority (AIPN BA.HR.3) on a case-by-case basis and in particular:**

- for vulnerable staff in duly and justified cases as explained in chapter 1 above;
- when return to the place of employment is not possible due to unexpected travel restrictions (including mandatory quarantine) linked to the evolution of the pandemic and imposed by the national authorities of the country of stay or the country of employment, in particular:
 - (i) after **essential travel (for missions**, please refer to the specific instructions): in this case, after having immediately informed the the HoD and the AIPN, the staff member should start teleworking from the country of stay and should return to place of employment as soon as travel restrictions are lifted;
 - (ii) after **private travel** – in this case, the staff member should take annual leave (in due consideration of the statutory obligation of two consecutive weeks) and, if the situation persists, should telework from the country of stay or alternatively from Brussels, and should return to the place of employment as soon as travel restrictions are lifted. Should return not be feasible after **one month** of teleworking, the staff member must take annual leave or may also consider other types of leave, unless it is documented that no flights are available.

Also in these above-mentioned cases, **teleworking in non-EU countries⁷ is in principle excluded**, considering the sensitive issues related to diplomatic status and medical coverage.

Workflow:

⁶ With the exception of the United Kingdom for staff keeping their place of origin there.

⁷ With the exception of the United Kingdom.

- 1) Request via email submitted by the staff member to CORONA-ADMIN@eeas.europa.eu with the HoD and line manager in cc;
- 2) Colleagues wishing to declare medical conditions should directly submit their request to CORONA-MED@eeas.europa.eu (no one else in cc). Please note that the EEAS Medical Service will provide its opinion directly to the staff member concerned, who based on it will submit the request to telework as per point 1) above, without disclosing any medical details to the line manager;
- 3) approval by the Head of Delegation (by e-mail), in due consideration of the need to ensure business continuity;
- 4) opinion given by the respective EEAS and COM Geographical departments (at Division/unit level) and for Commission staff also by the respective HR Business Correspondent;
- 5) final authorisation by the AIPN (BA.HR.3).

The EEAS counts on the **individual sense of responsibility** of each staff member when travelling, in particular before leaving the place of employment:

- to observe any restrictions in force and follow any advice given by national authorities in their country of employment and country of destination (and if possible also country of transit – when relevant);
- to get the necessary prior administrative authorisations including appointments for PCR tests that might be required before departure/upon return⁸.

Staff members who have been authorised to telework from outside the place of employment in line with the previous instructions and continue to telework outside the country of posting after the entry into force of these guidelines, **are required** to return to the place of employment as soon as possible, unless otherwise indicated by the EEAS Medical Service or falling in the exceptions listed above. **If they fail to return, they will be considered to be on unauthorised absence⁹.**

In case of prolonged absence from the place of posting, Heads of Delegation should encourage the staff members concerned to terminate their house rentals after the third month of absence, so as to spare the EU budget unjustified expenses. HQ will support Heads of Delegation and the concerned colleagues in managing such situations, if necessary, in coordination with the EEAS Medical Service, particularly in cases where the agent cannot return to the place of assignment for health reasons.

⁸For further information, please consult the updated medical protocol available https://intranet.eeas.europa.eu/system/files/Enriched_documents/covid_medical_protocol_14102_0_0.pdf

⁹ Under the terms of Article 60 of the EU Staff Regulations.

3. WORKING TIME

For Delegations where telework remains the norm in line with the Action Plan and guidance of the host authorities, teleworking is about performing the duties that are normally discharged at the office, **taking into due consideration the diplomatic and representation duties related to an assignment in Delegation**, and relies on **staff being reachable, also by phone**. Teleworking does not imply, however, that staff members should be fully online during working hours.

In principle, core time remains the working hours established for the Delegation. The Head of Delegation may derogate from these – if deemed appropriate, including for colleagues exceptionally authorised to telework under different time zones. In individual cases, the Head of Delegation may adjust core time at the request of a staff member, if the interest of the service is upheld, taking into consideration the current specific circumstances¹⁰. In particular, staff whose child(ren)'s school/*garderie*/kindergarten facilities remain closed, shall be offered derogations to the core time to the extent needed for them to care for his/her child(ren), notably if without any other possibility of supervision (i.e. partner, relatives).

No particular formalities are required for staff teleworking from the place of posting, even if alternating with a physical presence in the office. Only staff, including those under flexitime regime, who are exceptionally authorised to telework outside the place of employment, **should continue to fill the specific forms provided by BA.HR.3 to be countersigned by the HoD**. It is up to each Delegation to set up a proper monitoring system.

Under the time accounting arrangements, a teleworking day will count as a standard 8-hour day, which implies that no hours worked in excess of 8 hours can be recorded during telework.

Nevertheless, under the present circumstances of force majeure, the above limitation **may be exceptionally derogated in duly justified cases** at the request and with prior agreement of the HOD. Those colleagues will be allowed to work overtime¹¹ and be compensated according to modalities that will be defined at a later stage (e.g. recuperation, special leave for exceptional work).

4. ALTERNATIVE WORKING ARRANGEMENTS

Colleagues who face specific personal/family situations, which cannot be resolved via the above teleworking arrangements, might wish to consider alternative working arrangements also under COVID-19 times, which can provide better solutions in terms of work-life balance.

¹⁰ The HoD and the staff member should agree on the core tasks the staff member needs to perform during this period and on the extent to which they need to be available.

¹¹ The computation of daily working hours may go up to (but cannot exceed) a total of 10 working hours per day, including for staff working part-time. Work outside the foreseen bandwidth (e.g. during the weekend or a public holiday) is considered as working time **only under exceptional circumstances and subject to prior approval by the superior**.

Those colleagues whose personal situations cannot be addressed by neither the teleworking arrangements or the alternative working arrangements indicated below, are invited to contact their line DG/Service with a view to explore the options for reassignment to HQ.

a. PART-TIME

The request for part-time work needs to be introduced at least two months before the requested start date and should start on the first day of a month. Line managers should show maximum flexibility when examining such requests due to the exceptional circumstances linked to the coronavirus crisis.

Part-time **may not be combined** with the exceptional cases of teleworking outside the place of posting.

b. PARENTAL LEAVE

Staff members are entitled to parental leave for each child, to be taken during the first 12 years after the birth or adoption of the child.

Parental leave may be taken full time or part-time, over a period of one or several months.

A request for parental leave needs to be introduced at least one month before the requested start date in consultation with the line manager for organisational purposes.

Parental leave may start at any point in time, the only requirement being that it should cover a period of minimum one month.

Parental leave is an individual entitlement and may not be refused. No paid work is allowed during parental leave.

c. FAMILY LEAVE

Staff members may be granted family leave to care for a seriously ill or disabled spouse, relative in the ascending or descending line or brother or sister for a maximum of nine months (full-time family leave) or 18 months (part-time family leave) over their entire career.

The request should be introduced at least one month before the requested start date and the minimum duration shall be 10 consecutive working days.

Family leave does not cause a proportional reduction in entitlement to annual leave. No paid work is allowed during family leave.

5. ANNUAL LEAVE, CARRY-OVER AND PRIVATE TRAVEL

Leave policy is an essential part of the “duty of care” under such exceptional circumstances. It is essential to balance the legitimate expectation of staff to

take a deserved rest and the need to preserve the interest and functionality of the service.

As it continues to be difficult to predict if and which measures will (still) be in force in the places of posting and destination until the end of the year, flexibility is therefore required from all sides to combine the wellbeing of staff and the interest of the service in the best possible way.

Staff were explicitly encouraged to take annual leave earlier this year to comply with the **statutory obligation** to take two consecutive weeks¹² still during 2020; if not yet done, a leave plan should be discussed with the line manager.

Staff were also reminded that in principle, carry-over of unused leave to the next year is limited to 14 days, in line with Article 7.2 Annex X to SR. There will be no general exception to that limit, except – as it is normally the rule every year – where the inability to take all the annual leave results from the requirements of the service, such as the extra workload linked to the management of the crisis, on a case-by-case basis, where it is duly justified by the line manager.

All staff members leaving their place of employment must follow strictly any advice given by national authorities and observe any restrictions in force, both in their place of employment and in the country of their destination (and possibly transit countries). It is the responsibility of each staff member before travelling to check the rules applicable in your country of destination and countries of transit and share it with their HoD/line manager.

Should a period of self-isolation or quarantine still be necessary in the country of destination, **a combination of telework and annual or other types of leave (e.g. parental leave, rest leave) may be granted** under the conditions mentioned above in section 3.ii).

6. LIVING CONDITIONS ALLOWANCES- EXCEPTIONAL MEASURES

Staff serving in the Delegations authorised for voluntary departures and to be in telework outside the place of employment have been granted three months of Living conditions allowance (LCA).

Moreover, a 10% LCA supplementary premium has been paid retroactively to staff staying behind (physical in the office or in teleworking in the place of employment) as per the corresponding Business Continuity Plans (BCP).

BA.HR.3's (small) team has been continuing to review the Action Plans, the BCP and staff's whereabouts as regularly provided and updated by each Delegation, with the aim of checking the actual dates of departure from the place of employment, making the right encoding LCA in Sysper, adjusting to specific situations - also retroactively where needed- in order to allow PMO to process

¹² Article 2 of Annex IV of the Staff Regulations, annual leave must include at least one period of two consecutive weeks.

salary slips accordingly. This verification might also lead to recovery of unduly paid amount.

It is worth noting this extra workload requires lot of manual interventions and a detailed analysis of each personal file. In addition, the team has also continued to provide timely replies to the (overly) huge number of questions and requests for clarifications raised by the colleagues concerned.

In this respect, it is important to recall that, from a legal viewpoint, **this decision has established neither a right nor any legitimate expectation, to receive such financial benefit**, but it has been taken by the Administration as an exceptional and general *ad hoc* measure to support staff facing unforeseen personal and family situations under such special circumstances.

Moreover, in line with settled case law, provisions with financial implications, even more when of exceptional nature, have to be interpreted restrictively¹³.

In light of the above, it has therefore been decided to discontinue the payment of such exceptional benefits as follows:

- **three (3) months of LCA**: at the end of the three months of telework abroad to staff who has not returned to the place of employment or has not taken at least one month (four consecutive weeks) of annual leave (also in combination with rest leave) immediately after the 3 months of teleworking abroad and without any interruption;
- **10% LCA supplementary premium**: to staff remaining in the place of employment¹⁴ from the day when the Delegation has declared the (gradual) return to normality, payment are stopped as from the first working day of the following month¹⁵ and **no later than 1 November 2020**, irrespectively of the phase where they are¹⁶.

7. REST LEAVE (RL)- ADDITIONAL CLARIFICATIONS

It is confirmed that **staff members posted in non-family postings and in other Delegations already benefitting from rest leave in 2020 listed and authorised for voluntary departure**, may be eligible for a reimbursement of their flight costs in derogation to the provisions set out in the Rest Leave Guide 2020.

¹³ See Case T-190/03, Olesen v Commission, EU:T:2005:264, paragraph 48 with further references.

¹⁴ This supplementary premium is not paid for days of absence from the country of posting.

¹⁵ With the exception of Delegation declaring return to normality on the first day of a given month, where the payment will be suspended in that day (e.g. return declared on 01.09.2020, supplementary premium no longer paid as of 01.09.2020).

¹⁶ Including those Delegations, which still are at phase 0 at the date of 1 November 2020.

Subsequently, tickets purchased in economy premium and business class may be exceptionally reimbursed based on actual costs and upon presentation of supporting documents (invoice, proof of payment and boarding passes). As general rule, the amount should remain within the ceiling of rest leave budget already communicated to each Delegation; deviation from this ceiling must be justified.

All kind of derogations to the provisions set out in the Rest Leave Guide 2020 should be included in a non-compliance event note signed by the Head of Delegations as responsible AOSD and validated by BA.HR.3.

As it is already the case under current rules, staff members serving in a Delegation with one or more rest leave periods may combine it with annual leave (to be authorised by the Head of Delegation and approved by BA.HR.3).

Staff members who left the country of posting and were authorised to telework abroad are not eligible to benefit from the RL periods as applicable to each Delegation as they have not been physically present for the period needed for the entitlement during the calendar year.

Moreover, there will be no possibility to transfer:

- ✓ unused rest leave periods from 2020 to 2021, as the current rules do not allow carrying over the corresponding budget;
- ✓ unused periods of RL from one delegation to another, in case of staff moving between two different postings during the year, even if the two Delegations have the same annual number of RL periods in 2020.

Where possible, staff is encouraged to take rest leave until the end of the year. For staff posted in countries not permitting to travel abroad, it is **exceptionally** authorised to take rest leave in the same country of posting¹⁷.

8. REIMBURSEMENT OF PCR TESTING WHEN TRAVELLING.

A majority of countries have adopted a system to contain the spread of COVID-19, which requires a PCR test for entry/re-entry into their territory. Some airlines also require a negative COVID-19 test before boarding.

These costs for staff and their family members are covered by the Administration in the following cases:

- Arrival for taking up duties in the new place of posting
- Special leave involving travel abroad¹⁸
- Annual travel to be spent in the place of origin (for a maximum of twice in a calendar year)¹⁹

¹⁷ In this case, only the three (3) days for each period of RL will be granted, **not** the 2 days of travelling time.

¹⁸ E.g. in the event of death or serious illness of a child, spouse or relative in the ascending line residing abroad

Reimbursement is to be claimed through JSIS online, on the basis of a GP prescription or an official document/code provided by a national authority to carry out a COVID-19 test in a testing centre or laboratory.

It is strongly recommended to request such prescription to a GP, as they would also be in better position to ensure a proper follow-up of the test results.

Nevertheless, should it not possible to get a prescription from a GP or an official document, the Head of Delegation may exceptionally provide a note asserting that testing is administratively mandatory.

- Rest leave

The expenses relating to multiple testing, which staff members in hardship postings have to undergo when they use their rest leave, may be exceptionally borne by the Delegation, using the relevant budget line.

- Missions

Mandatory Covid-19 tests related to missions have to be included in the mission order and statement of expenses and will be reimbursed to staff.

Testing for medical reasons will be reimbursed according to standard JSIS rules, based on a prescription by a GP or the EEAS Medical Service (who remains available for the follow-up of cases and contacts).

9. COSTS FOR MANDATORY QUARANTINE IN COUNTRY OF POSTING

Several host countries have adopted a system to contain the spread of COVID-19, which imposes to all those entering/re-entering the country from abroad to quarantine in government-approved hotels at their own expenses.

In some of these countries, this obligation has been also imposed on the EU staff serving in the corresponding Delegations.

In order to ensure equal treatment amongst the staff concerned and apply a consistent approach across the board, it has been decided that such costs – including those ones for mandatory COVID test- will be reimbursed for staff members and their families by the Administration based on a note of the Head of Delegation as follows:

- In case of arrival for taking-up duties in the new Delegation

¹⁹ The costs relating to private trips - other than annual leave to be spent in the place of origin - will **not** be covered, except in duly justified cases when flight restrictions prevent staff members from returning to their place of origin or when another location is defined by legitimate family obligations.

- In case of return from rest leave
- In case of return from annual travel and/or special leave involving travel abroad (for a maximum of twice in a calendar year)²⁰.

10. CONTACTS

For any further information and clarification of the above sections, please contact BA.HR.3 colleagues to the following mailboxes:

- **EEAS DELEGATIONS TIMEMANAGEMENT** for legal and administrative questions DEL-TIMEMANAGEMENT@eeas.europa.eu
- **EEAS MEDICAL SERVICE** for medical issues and advices MEDICAL-SERVICE@eeas.europa.eu
- **Dr. Gianfranca RUSSO**, Health and Well-Being Adviser, for any other aspects related to voluntary return to Delegation/ continued teleworking Gianfranca.RUSSO@eeas.europa.eu.
- EUDEL-LIVING-CONDITIONS@eeas.europa.eu for any questions related to LCA and rest leave.

C. PROVISIONS APPLICABLE TO LOCAL AGENTS

1. TELEWORKING RULES

Prior to the COVID-19 crisis, teleworking was not authorised for local agents beyond the remit of the pilot project implemented in a number of Delegations. However, the pandemic necessitated putting special teleworking arrangements in place in the framework of each Delegation's business continuity plans, including for those local agents whose duties can be performed online.

The inclusion of local agents in these special arrangements shall continue as long as is necessary due to the pandemic, in line with the following flexibilities announced by the Director-General for DG BA in March 2020:

1. *Local agent required by her/his Delegation not to report for work at the office:*

- In principle, teleworking by the local agent should be encouraged in this situation if and when IT facilities are available.
- In exceptional circumstances, based on a medical opinion and provided that it is compatible with the interests of the service, a local agent who lives with a person having a condition that increases the risk of an adverse outcome of COVID-19 may be authorised to telework.

²⁰ The costs relating to private trips - other than annual leave spent in the place of origin or other location defined by legitimate family obligations - will not be covered.

- In individual cases, the Head of Delegation may adjust core time at the request of a local agent, if the interest of the service is upheld, taking into consideration the current specific circumstances²¹, in particular for those whose child(ren)'s school/*garderie*/kindergarten facilities remain closed, to the extent needed for them to care for his/her child(ren), if without any other possibility of supervision (i.e. partner, relatives).
- However, in cases where teleworking is not technically feasible but the Delegation considers it necessary to request the local agent not to report for work at the office, special paid leave for exceptional reasons may be authorised after consulting Headquarters (EEAS BA.HR.5 Division).

2. *Local agent required to not report for work at the office due to local law / local regulations / local security instructions:*

- If such an obligation exists under local rules, teleworking should be encouraged and facilitated to the extent possible. If teleworking is not technically feasible, special paid leave for exceptional reasons may be authorised after consulting Headquarters (EEAS BA.HR.5 Division), in accordance with the local law rules.

3. *Local agent asking to telework or to be absent from the office in the absence of any corresponding requirement from the Delegation or under local law/rules:*

- When such a request is reasonably justified by the context (i.e. mandatory quarantine in the place of posting when returning from leave) and when IT facilities for teleworking are available, such requests may be considered positively, subject to authorisation by the Head of Delegation (or her/his delegate). When teleworking is not technically feasible in these circumstances, the local agent may either (i) use annual leave; or (ii) the Head of Delegation may authorise unpaid leave in accordance with the applicable standard rules.

In all three cases above, the following additional rules apply:

- Teleworking is only allowed at the place of employment of the local agent;
- During this crisis period and when necessary to facilitate authorised telework (in accordance with the guidance above), reimbursements of home internet connections will be authorised on an exceptional basis. Requests will be assessed on a case-by-case and validated by the HoD (AOSD) and sent, together with a budget estimate validated by the RITO, to the IT Division (EEAS BA.SI.3) for approval;

²¹ The HoD and the staff member should agree on the core tasks the staff member needs to perform during this period and on the extent to which they need to be available.

- Regardless of the basis on which the local agent is absent from the office, s/he shall be required to keep the Delegation regularly informed of her/his whereabouts and wellbeing.

Exceptional medical or other cases requiring derogation from the above rules may be brought to the attention of Headquarters (EEAS BA.HR.5 Division), e.g. special paid leave in exceptional situations.

2. WORKING TIME

The principles mentioned in the first two paragraphs of Section B.2. above apply *mutatis mutandis* to local agents:

- teleworking staff should be reachable by phone;
- teleworking does not however imply that staff members should be fully online during working hours;
- the Head of Delegation may authorise derogations from core hours at the request of a staff member where the interest of the service is upheld and considering the specific circumstances, in particular when school/garderie/kindergarten facilities remain closed and such derogation is needed to enable a local staff member to care for his/her child(ren).

No particular formalities are required of local staff who are teleworking pursuant to these rules.

Under the time accounting arrangements for local agents, a teleworking day will count as a standard 7.5-hour day (or such other duration of a standard working day as is defined for them by local law), which implies that no hours worked in excess of the standard working hours can be recorded during telework. Teleworking local agents cannot be required to work in excess of their standard working hours.

However, where overtime is an absolute necessity in cases of emergency or exceptional workload, as determined by the Head of Delegation and upon her/his prior written authorisation, it may be undertaken by teleworking local agents, provided however that this can be compensated in accordance with the applicable rules for this category of personnel.

3. ANNUAL LEAVE, CARRY-OVER AND PRIVATE TRAVEL

Annual leave is granted to local agents in accordance with the contractual provisions applicable to them. Like their expatriate colleagues, local agents have been encouraged to use their annual leave as normal this year, whether they have been teleworking or not.

Carry-over of unused leave to the following year is limited by the contractual provisions applicable to the local agent concerned. There will be no general exception to that limit, other than the standard possibility for a Head of Delegation to authorise carryover (up to the contractually-defined ceiling) for a local agent who has not used up their annual leave entitlement due to the requirements of the service.

Local agents travelling from their place of employment must follow strictly any advice given by national authorities and observe any restrictions in force, both in their place of employment and in the country of their destination (and possibly transit countries). It is the responsibility of the staff member before travelling to check the rules applicable in the country of destination and countries of transit and share it with their HoD/supervisor.

Should a period of self-isolation or quarantine become necessary in the destination country, consistent with the rule set out in Section C.1. above the local agent will not be permitted to telework from the destination country. The local agent in that case may either (i) use annual leave; or (ii) be authorised to take unpaid leave by the Head of Delegation in accordance with the standard rules for unpaid leave.

4. CONTACTS

For any further information and clarification of the above sections, the Head of Delegation or Head of Administration should contact the appropriate correspondent in BA.HR.5.