



Renouveau & Démocratie

Trade Union of the European Institutions

# Le Renard Déchaîné



June 2006

## PROMOTION EXERCISE 2006 THE GAME OF MERIT AND CHANCE!

### Introduction

The combined CDR/Promotion exercise is a huge game of chance in which each colleague has two options: the scratch card or the lucky dip. With the scratch card, you win merit points; with the CDR/Promotion lucky dip, you earn two priority points. As in all games of chance, the dice are sometimes loaded. This "Renard Déchaîné" gives you a few hints as to how to spot what is really going on and, above all, how to react.

Against all odds and in spite of very clear jurisprudence on the matter, the Commission tried to once again modify the regulations concerning promotion (see R&D flyer of the 21 March 2006 [http://www.renouveau.org/en/04\\_tracts.htm](http://www.renouveau.org/en/04_tracts.htm)) in order to load the dice even more in favour of personnel in Cabinets. R&D immediately opposed this proposal and insisted that the 2006 promotion exercise be carried out in compliance with the rules in force since 2004.

This third "Renard Déchaîné" is the last one in R&D's annual SPECIAL CDR series that produced to explain the processes of appraisal, appeal and promotion. It describes the promotion procedure in detail, and offers practical advice. Over and above the information set out here, our team of specialists and lawyers is at your disposal at each stage of the procedure.

R&D will keep you fully informed and help you to defend your rights to the best of your ability. Send all your questions by e-mail to: REP PERS OSP R&D REC-CDR. Our team will get back to you as quickly as possible.

### 1. A BIT OF THEORY TO START OFF WITH

#### Where are we in the procedure?

The CDR is over, and you have received your merit mark. For the DG to start distributing priority points, 2006 objectives and training maps must be validated for each and every colleague. As soon as that has happened, the Grand Priority Points Draw can begin.

#### Are you eligible for promotion?

To be eligible for promotion, you must fulfil a certain number of criteria:

- Two years' service in the grade
- Demonstrate your capacity to work in a **third language** (Article 45.2 Staff Regulations) if the promotion occurs after 1 May 2006. A compromise proposition will be discussed at the Council and foresees that **Level 6** should be attained **from 2008** onwards. During this transition period, you will only need to have succeeded a Level 4 examination and to at least have participated in courses up to Level 6.
- Be in active service in the institution at

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**Fox****Advice:**

If you do not have enough points (closeness to the threshold, considerable seniority, a relocated or often forgotten unit, or the JAC's opinion), contact us on **REP PERS OSP R&D REC-CDR** as soon as you have been notified of your priority points.



the moment of the promotion decision (beware transfers between Institutions, unpaid leave (CCP), etc.)

- Have a merit mark equal to or above 10

**Date of entry into force for promotion**

The promotion is effective as of 1 **January** for the old grades D\*4, C\*6, B\*10 and A\*12. The promotion is effective as of 1 **March** for all other grades. R&D requested that all promotions come into effect as of 1 January for all grades as long as the rule of the two years of length in service is respected.

**2. RUCKSACKS AND PRIORITY POINTS****Priority points: what are they all about?**

The CDR provides for a “rucksack” in which points are accumulated year-on-year to achieve a promotion threshold. As soon as you get the number of points necessary to pass the promotion threshold, you are promoted, and as soon as you are promoted, you keep the remaining points in your rucksack (= rucksack minus promotion threshold). You then restart the process of accumulating points.

The rucksack conditions the pace of career (i.e. slow, normal or fast). There are several types of points that can be added together:

Directorate-General PPs + “catch-up” PPs + PPs for activity carried out in the interest of the institution + Promotion Committee PPs (appeal points + transitional points) + end-of-career transition PPs.

**Directorate-General PPs:** These are distributed at the discretion of DGs, which scatter them hither and thither according to more or less precise criteria generally to “motivate their troops” and, often, maximise the number of promotions. You can receive between 0 and 10 points.

The criteria for awarding points are defined by the Directorate-General. They are usually based on a subtle balance between merit over time/merit over the year and other criteria such as seniority, involvement in particular jobs and the nature of duties. These criteria are discussed with the Joint

Appraisal Committee (JAC) and staff are then informed.

As chance does not always get things right, application of the system is controlled by the JACs, which have responsibility for ensuring a minimum of transparency and equity. JAC discuss the criteria with DGs, which check on the validity of the proposed distribution insofar as they are competent to do so. Be careful of joint Appraisal Committees that only have a consultative role in this context!



Other PPs:

**o “Catch-up” PPs – Transition - PPTA:**

compensation points for careers that are lagging behind because of the system. Catch up PPs are awarded automatically. They aim to minimise the harmful effects of the transition between the old and new promotion systems, and to “catch up” on career delays thus caused. The (highly advanced) calculation is worked out on the basis of the mark obtained in the previous exercise and the number of months behind compared with the average amount of time in the grade (see General Implementing Provisions (GIPs) Article 45 Annex 1 for more details).

**o End-of-career transitional points:**

**UPDATE OR DELETE FOR 2006?** awarded automatically by the system, and in 2006 only. These points (a maximum of 7) aim to take account of seniority in the grade.

**o PPs for activity carried out in the interest of the Institution - PPII:**

1 or 2 points are awarded by Promotion Committees to members of selection boards, joint committees and correctors of tests (see GIPs Article 45 Annex 1 for more details).

**o Promotion Committees’ transitional**

**PPs - PPTCP:** Promotion Committees may, when appropriate, award a maximum of three transitional points to officials whose careers have been slowed down following transition from the old system.

### o Promotion Committees' appeal PPs - PPACP:

awarded by Promotion Committees on a case-by-case basis after analysis of the appeal and further consideration.

### Attestation/certification - do I keep my rucksack?

For colleagues who succeed in the certification procedure, in other words the change of category from AST to AD, the rucksack will be completely emptied. For the "attested" (i.e. colleagues C\* and D\* who are passing the AST category) on the other hand, the rucksack should be "**translated**" into the new grade.

**Demonstration:** if a C\*5 colleague is at 90% of the C\*6 promotion threshold, s/he will be placed at 90% of the threshold to pass from B\*5 to B\*6 according to the new GIP dispositions (Article 45) proposed by DG ADMIN.

### 3. PROMOTION THRESHOLDS... THEY HAVE NOT STABILISED, NOR ARE CAREERS BECOMING FASTER

The table below sets out the **new indicative thresholds for 2006** that have been published by ADMIN for staff in post before 1 May 2004 - [http://www.cc.cec/guide/publications/infoadm/2006/ia06026\\_en.html](http://www.cc.cec/guide/publications/infoadm/2006/ia06026_en.html). ADMIN has made a praiseworthy attempt to come up with stabilised thresholds for each grade, but it remains VERY THEORETICAL because it is based on average seniority in the grades of promoted staff.

It is important to point out that average amounts of time spent in grade have been greatly extended for some grades by comparison with the period 1998-2002. This is due to the fact that promotion credits allocated to the Commission do not allow it to respect the promotion thresholds defined by the Staff Regulations.

Grade	Threshold 2005	Threshold 2006	Diff.	Theoretical stabilised threshold	Period of time spent in grade 2000-2004	Period of time spent in grade 1998-2002
From A*13 to A*14		85	new	grade	5 (theoretical)	
From A*12 to A*13	76,5	98.5	+22	117	6.9	5.9 (+1.0)
From A*11 to A*12	66	81	+15	117	6.9	5.9 (+1.0)
From A*10 to A*11	60	71	+11	85	5.0	4.6 (+0.4)
From A*09 to A*10		68	empty	grade	4 (theoretical)	
From A*08 to A*09	58.5	66	+7.5	78	4.6	3.9 (+0.7)
From A*07 to A*08	33	33	0	33	2.1	1.7 (+0.4)
From A*06 to A*07		51	new	grade	3 (theoretical)	
From A*05 to A*06		48	new	grade	3 (theoretical)	
From B*10 to B*11	76.5	95	+18.5		6.3	
From B*09 to B*10		85	empty	vide	5 (theoretical)	
From B*08 to B*09	67.5	82	+14.5	129	7.6	7.3 (+0.3)
From B*07 to B*08	63.5	77.5	+14	104	6.1	5.6 (+0.5)
From B*06 to B*07	61	73.5	+12.5	94	5.5	5.3 (+0.2)
From B*05 to B*06	38	38	0	38	2.4	2.1 (+0.3)
From AST4 to AST5		51	new	grade	3 (theoretical)	
From AST3 to AST4		48	new	grade	3 (theoretical)	
From C*06 to C*07	75	94	+19		8.1	
From C*05 to C*06	68	84.5	+16.5	141	8.3	8.2 (+0.1)
From C*04 to C*05	62	75	+13	99	5.8	5.7 (+0.1)
From C*03 to C*04	60	73.5	+13.5	95	5.6	5.4 (+0.2)
From C*02 to C*03	38	38	0	38	2.4	1.9 (+0.5)
From C*01 to C*02		48	new	grade	3 (theoretical)	
From D*04 to D*05	74.5	93	+18.5		8.9	
From D*03 to D*04	63.0	74	+11	90	5.3	5.4 (-0.1)
From D*02 to D*03	51.5	50	-1.5	71	4.2	3.9 (+0.3)

**Fox advice:**

Colleagues situated **ON THE PROMOTION THRESHOLD** or **VERY CLOSE TO IT** are urged to contact **REP PERS OSP R&D REC-CDR** for an individual analysis of their case and, if appropriate, to plan the lodging of an appeal with the Promotion Committee.

**Thresholds far too high by grade and the new grades**

During the presentation of the modified proposal for the General Implementing Provisions, **R&D** asked that the promotion rates for the new grades and for the empty grades be determined so that the first promotions may take place after a permanence in the grade of two years, as foreseen in the Staff Regulations. Reading this table, it is evident that it is mathematically **IMPOSSIBLE** for a colleague recruited after 1 May 2004 to receive a promotion in 2006.

**Demonstration:** Recruited after 1 May 2004, a colleague will only receive 8 points for the year 2004. Even by receiving the highest mark of merit and priority points for the year 2005, the rucksack will not exceed 35 points. The threshold is set at 48 points. **R&D** asked for a progressive introduction of the new thresholds which means a threshold set at around 30/31 points.

**Beware!** Final promotion thresholds are recorded by **Promotion Committees and issued by DG ADMIN**. "Indicative" promotion thresholds announced by **DG ADMIN** may increase by 1 or 2 points. For security make your calculations on the basis of threshold +2

**4. PROMOTION****COMMITTEES**

There are three joint Promotion Committees (A\*, B\* and C\*/D\*), and a sub-committee for research that forwards the outcomes of its work to committees by grade. Promotion Committees have a triple role:

1. to process appeals and, with justification, to award a limited number of additional priority transitional points (between 0 and 3 points per civil servant) and/or priority appeal points;
2. to fix final promotion thresholds on the basis of real promotion ;

3. to analyse merit lists and to decide between any ex-aequos'.

As soon as the Promotion Committees have finished their work, the final merit lists and the lists of promoted officials are drawn up by the AIPN, and everyone is notified.

**Beware!** The awarding of merit is discussed on Joint Appraisal Committees and not on Promotion Committees.

**5. APPEALING TO THE PROMOTION COMMITTEE: WHY AND WHEN?**

**You have received your priority points and you are not satisfied**

The first thing to do is to carry out an **analysis of the situation**. Do your sums, check that all the points you are entitled to have been awarded, and make sure of the average amount of time spent in the grade. Several cases can be put forward:

- you do not have enough priority points and, despite promises, you are moving further away from the promotion threshold and your career is slowing down more and more. **Your career is falling apart**, and you are still paying for the transition between the old and new system (very common among colleagues of "good level" with 14 or 14.5);
- you have fewer priority points than last year although you have the same merit mark, or even a higher one. If the criteria for distributing Directorate-General PPs are unchanged, there is probably a problem of **consistency** in the distribution of points;
- despite your 10 priority points, you are 1 point away from the threshold – and that means it is well worth putting in an appeal.

**How to calculate a career slowdown**

Let us take a concrete example.

On average, a C\*3 wins promotion in **5.6**



**years.** The theoretical final promotion threshold has been set at 95 points. This means that the colleague in question must obtain an average of **17 points** every year (i.e. 95 divided by 5.6).

If you have 51 (17 x 3) points in your rucksack at the end of your third year in the grade, you are good average, and you have a good chance of being promoted within the average 5.6 years. If you have more points, your career is accelerating at an above-average rate; if, on the other hand, you have fewer than 51 points, your career is slowing down, and you need to be on your guard.

### How do you lodge an appeal?



You want to appeal to the **Promotion Committee**. It is vital that the appeal focuses on the priority points that you have been awarded. It must/can not focus on merit points. When you lodge your appeal with the Promotion Committee, do not waste your time writing pages and pages. Be to the point.

The Promotion Committee has no authority to judge the jobs that merit the awarding of priority points. It can only check that the criteria laid down by the DG have been correctly applied, and that the DG has been free of discrimination. It also tries to deal with “difficult” appeal cases (e.g. many years of seniority, mobility and discrimination).

The Promotion Committee normally awards transitional points in the following cases:

- **Career falling apart**

Statistically, your career has slowed down because, for example, of the transition or disciplinary action, and the Promotion Committee is able to quantify the amount of slowdown by comparison with a typical career profile and make good some of the points shortfall.

- **Unequal treatment**

Priority points have not been awarded according to the rules,

and the DG has not complied with the opinion of the Joint Appraisal Committee. **Appeal!** The Promotion Committee will take the Joint Appraisal Committee’s opinion into account. Although the Committee cannot guarantee that you will get promoted, it is able to check that priority points have been distributed equitably in your DG, and possibly make some adjustments by asking for the priority points to be awarded differently.

- **Number of points insufficient to gain promotion**

You are close to, or on, the indicative threshold. You should lodge an “as a holding measure” in order to allow the Committee to “save your promotion” if the thresholds were to rise significantly. It is appropriate to draw the Committee’s attention to your case as **only people who have lodged appeals will be able to claim appeal points** (as long as the appeal is looked on favourably). However, we must bear in mind that promotion rates are linked to budgetary options, and cannot therefore be extended *ad infinitum*.



**Be careful!** Because of the number of appeals, analyses are mainly carried out on a mathematical basis.

### 2006 Calendar

#### June:

Verification of the training courses/objectives card  
 Eventual information on the evolution of promotion thresholds (reviewed by the ADMIN)  
 Deadline for the PPDG, DG column

### Fox Advice:



Check the priority points awarded even if promotion is not going to happen in the immediate future. It is important to have average annual progression in order to avoid entering the slow career category.

### Fox Advice:



At all events, consult **R&D** before lodging an appeal with the Promotion Committee. This will enable you to understand the situation, structure your appeal properly, and maximise your chances of success.

**July:**

Consultation of the CPE  
 Publication of the formal intentions of the General Directions from the list of the most deserving and the list of the civil servants susceptible of obtaining PPII  
 Opening of the deadline for the appeals in front of the promotion committee (5 working days)

**September-October:**

Meeting of the promotion committees.  
**End October:** Publication of the list of the most deserving civil servants, of the list of the civil servants who obtained the PPII and the list of the promoted civil servants.

The **R&D** CDR/Promotion team will give you all the necessary information to explain the different steps of the promotion exercise. R&D will organise an advice centre to assist all the possible candidates for promotion and particularly those who wish to introduce an appeal with the Promotion Committee.

The advice centre will be based at Loi 80 9/226.

To make an appointment, please contact the **R&D** Political Secretariat on 55676, or send an e-mail to **REP PERS OSP R&D REC-CDR**



**Note:** You have **5 working days** in which to lodge your appeal after the list of promoted officials is published. Do not miss the deadline!

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