



RECALL OF FACTS	2
ANALYSIS OF THE DRAFT GIP PRESENTED BY DGHR AND RESULTS OF ALLIANCE AFTER THE FIRST NEGOTIATION TOUR	3
CAREER	3
<i>An unacceptable proposal to be abandoned</i>	3
SELECTION AND RECRUTEMENT	4
<i>Other grossly inadequate proposals that must be substantially improved...</i>	4
MOBILITY	4
<i>Missing proposals that absolutely must be added to the package...</i>	5
ANNEX	6
<i>Detailed analysis of the proposals of the DG HR</i>	6
CAREER	6
SELECTION AND RECRUTEMENT	7
MOBILITY	9
SOCIAL DIALOGUE	10

To ensure effective representation of the interests and specific needs of CA colleagues (from the DGs, offices, delegations, representations and executive agencies), the Alliance has always considered that two elements were essential:

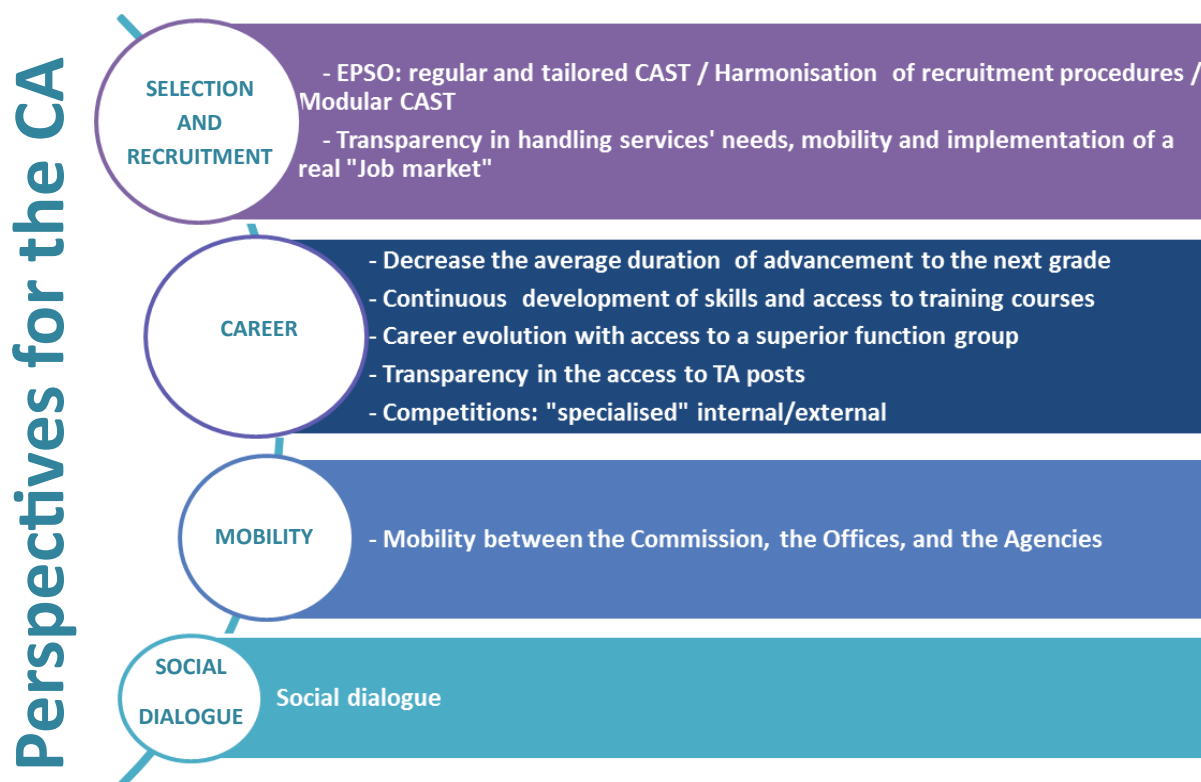
- **unity of action of unions;**
- **clear, accurate and credible demands**, established in close consultation with concerned colleagues and to be defended without half measures during negotiations with DG HR.

In this context, ALLIANCE has always encouraged CA colleagues to engage in the work of the staff representation. It is with great satisfaction that we found on their growing mobility regarding the demand of better working conditions. They are also committed to the

coordination and presentation of the conference organized by all the OSP, in November 2014 on the theme: Contractual agents **"from 2004 to 2014: 10 years of inequality and injustice in the European Commission"**.

The unitary claims established on this occasion correspond to the Alliance specifications as part of the ongoing negotiations since June 2015, as set out in our Alliance leaflet in February 2015.

Without ever neglecting the principles and values we have chosen to serve and that apply to all colleagues without prejudice to their status, in collaboration with the most experienced negotiators, our ALLIANCE CA colleagues were at the head of our negotiating team which allowed the Alliance to target common interests but also the specificities of the different categories of CA.



By June 2015 and during nine consecutive meetings of negotiations for the drafting of the general implementing provisions (GIP), our representatives have discussed the consequences of each article. To date, unlike other negotiations that just ended, no structured summary of the positions expressed has reached us.

We are still waiting to receive, as agreed, the Commission position!

If at this stage, all initiatives have been useful, it is important to follow the request made by our CA colleagues to different unions, in the last phase of negotiations, do not disperse in separate steps and ensure GREATER UNITED ACTION establishing common positions presented in a UNITARY manner, both at administration and staff levels.

ALLIANCE is committed to make every effort so that their request is met.

ANALYSIS OF THE DRAFT GIP PRESENTED BY DG HR AND RESULTS OF ALLIANCE AFTER THE FIRST NEGOTIATION TOUR

True to its commitment to be accountable for its political action, to always inform and involve staff, ALLIANCE announced its analysis of the draft GIP proposed by DG HR and its balance after the first round of negotiation.

ALLIANCE denounced the outset that the package of proposals presented by DG HR is not up to the scale of problems to solve and expectations of CA.

In particular, this draft GIP contains absolutely unacceptable proposals, as well as inadequate, and yet essential parts have not been addressed at all.

CAREERS

An unacceptable proposal to be abandoned: the degradation of recruitment conditions aiming further savings on the backs of the weakest part of our staff! ([see Annex-A](#))

As denounced by several DGs in the context of the inter-service consultation (ICS), an estimate of the rebate rules in grading at the entry of service of GA will degrade significantly the conditions of CA colleagues and make those jobs much less attractive.

In particular, rather than following the request made by the Alliance and services aiming the harmonization of the recruitment conditions of CA 3a with those more favourable for CA 3b, DG HR offers exactly the opposite by applying to the recruitment of all CA far less favourable than those currently in force for CA 3b. This is a downward harmonization absolutely unacceptable.

To appreciate the magnitude of the degradation of conditions offered for future recruitment, it is sufficient to note that, as indicated in the financial statement accompanying the draft, DG HR confirms that this measure alone will enable the Commission to save nearly **€ 4M per year!**

It is simply outrageous that the more than pompous and soothing statements concerning the institution's willingness to improve conditions and to meet the expectations

of our CA colleagues materialize in practice in significant savings made on the back of the weakest part of our staff, when in other more "political" dossiers Commission demonstrated great generosity ...

SELECTION AND RECRUITMENT

B *Other grossly inadequate proposals that must be substantially improved ...*

While it is true that DG HR has finally addressed a number of chapters for which the Alliance and other OSP had requested the opening of negotiations, it is nevertheless clear that the proposals remain well below the needs and expectations of our colleagues:

1. For internal competitions, is confirmed the will to organise, before the end of 2015, procedures allowing to certain CA the access to civil servant status. However, the initial proposal in in this regard is absolutely unacceptable and inadequate as regards both the number of posts and the conditions of access.

2. For CAST, namely the selection procedures providing access to CA positions, it is reassuring to see the abandoning of the parody of current "procedure" called "AMI" that offered no guarantee of transparency and equal treatment .

Nevertheless, the proposed procedure for selecting "light CAST " implying again EPSO, and the forecast of anonymous CBT tests, remains largely questionable and incomplete, in particular regarding the pre-selection of candidates to be invited to pass the EPSO tests, which is left only in the hands of services, without guarantee of transparency and without any involvement of the staff representation. Even if this approach seems easier a priori, it might be arbitrary if objective selection guarantees are not implemented so as to ensure that all

candidates have an equal opportunity to be hired on the basis of their qualifications /experience.

As regards the transitional measures, the proposals are absolutely inadequate to end the array of situations and current discriminations for the existing staff. This while the disorder is not at all attributable to these colleagues and comes from the more than erratic policy of the institution that since 2004 has developed a range of procedures, often in improvisation and the greatest disorder.

3. If it is significant that the draft GIP foresees the reclassification of CA3b colleagues when renewing their contract after the first three years.

4. On the contrary the proposed measures to enable progress to the higher function group are insufficient, even disadvantageous.

MOBILITY

Providing a structural framework for mobility ([see Annex-B](#)) to set up a real "labour market" to encourage and support the mobility of CA colleagues between services, offices and executing agencies, it remains at this stage a simple advertisement without any guarantee of real implementation.



Missing proposals that absolutely must be added to the package ... ([see Annex-C](#))

1. NOTHING is expected on improving the speed and capabilities of reclassification of our CA 3a colleagues who receive reclassification rates largely insufficient and can take up to 10 years before obtaining an increase often of a few tens of euros.

2. NOTHING is envisaged concerning the implementation of a genuine policy for the staff of the executive agencies and to meet the expectations of thousands of colleagues about their careers, as well as concerning their request to finally enjoy a true social dialogue.

Given the above, in the continuing negotiations, the Alliance will strive for the removal by DG HR of the unacceptable aspects of the proposal, and will ask to profoundly improve the parts that are inadequate and complete its proposal with the issues which have not been addressed.

As for the establishment of claims, during further negotiations with DG HR and later with Vice-President Georgieva, Alliance will continue to work for the largest trade union unity and to closely associate to each decision the concerned colleagues.



In this context, we invite you all to send us your feedback and suggestions at : REP-PERS-OSP-ALLIANCE@ec.europa.eu

The details of each part of the proposal and the detailed analysis of the Alliance are laid down in the ANNEX

Detailed analysis of the proposals of the DG HR



CAREERS

A Unacceptable proposals : recruitment conditions more than rebated

Current situation

Depending on the type of contract (CA and CA 3b 3a) each CA receives an entry ranking calculated using a grid that is based on different criteria:

CA 3b				CA 3a		
GF	Experience length	Grade		GF	Experience length	Grade
II	Under 5 years	4		II	Under 7 years	4
	Between 5 and 10 years	5			At least 7 ans	5
	Between 10 and 20 years	6		III	Under 7 years	8
	At least 20 years	7			Between 7 and 15 years	9
III	Under 5 years	8			At least 15 years	10
	Between 5 and 10 years	9		IV	Under 8 years	13
	Between 10 and 15 years	10			Between 8 and 21 years	14
	Between 15 and 20 years	11			At least 21 years	16
	At least 20 years	12				
IV	Under 5 years	13				
	Between 5 and 9 years	14				
	Between 9 and 13 years	15				
	Between 13 and 17 years	16				
	Between 17 and 21 years	17				
	At least 20 years	18				

DG HR proposal

The draft GIP imposes additional restrictions and, by exploiting the request for the application of harmonization, proposes **TO LOWER** the entry classification grades by offering worse conditions than those currently offered to any CA!

Based on this new grid, with a few exceptions, the AC will be hired under **downgraded conditions** by being limited **only to the first two grades** of function group (II - III - IV). The grade from experience of time will be 6 years:

CA 3b et CA 3a		
FG	Experience length	Grade
II	Under 6 years	4
	At least 6 years	5
III	Under 6 years	8
	At least 6 years	9
IV	Under 6 years	13
	At least 6 years	14

Just compare the two tables to see the extent of the proposed degradation regarding recruitment conditions.

While the status of CA no more attracts some nationalities, the provision of heavily penalizing terms of the conditions for access to those jobs, going beyond the provisions of the Staff Regulations for the Other Agents, amplifies geographical imbalance by making politically untenable the establishment of an internal competition policy. This will further degrade the conditions of colleagues and therefore their motivation and frustration. In addition, these conditions will wipe out all the appeal of these jobs. Creating more and more differences and discrimi-

nation in this population, these conditions amplify further social tensions.

We must not forget that the ability to take proper account of the scope of professional experience in recruitment as a CA was previously the only alternative to achieve less disadvantageous conditions both in the succession of contracts and in case of mobility.

This possibility will be locked by the new GIP!

SELECTION AND RECRUITMENT

B Other insufficient proposals

1. INTERNAL COMPETITIONS:

As part of the requests of the ALLIANCE, access to internal competitions for CA colleagues is a breakthrough achieved under the new Staff Regulations.

A first social dialogue meeting relating only the access to organizational arrangements for an upcoming competition was held in November between DG HR and OSP. The initial Commission proposal contains 60 posts / laureates AT ALL including 22 for AST-SC2, 13 and 25 for AST2 and 25 for AD6. The access conditions are more

restrictive than those laid down in the Staff Regulations for CA and fuzzy regarding TA and permanent officials.

These proposals being largely insufficient, the Alliance, together with other unions, has fought to make sure that they are reviewed.

After a second social dialogue meeting, Commission proposed a list providing 75 laureates and tests that rely more on professional skills. However, access conditions remained identical to those originally proposed.

Given this minimal progress, the Alliance together with other unions requested the convening of a meeting with the Director-General of DG HR to profoundly improve the proposal as concerns, in particular:

- The number of laureates to take into account the eligible population (AC, AT and officials)
- The conditions of access that must be reviewed to avoid penalizing our CA colleagues and unduly favor certain candidates.

ALLIANCE in the greater unity of action with other unions will fight to ensure that the conditions are reviewed, in order to take into account the expectations of our CA colleagues.

Moreover, the ALLIANCE request to negotiate a structural policy on internal competitions and the specialized external competitions giving CA colleagues truly enhanced access to the civil service through fair and transparent procedures.

2. SELECTION PROCEDURE FOR ACCESS TO CA CONTRACTS

THE LIMITS OF THE NEW « LIGHTENED » CAST PROCEDURE

This new streamlined procedure CAST provides that any candidate may register to calls for expression of interest published on EPSO but ONLY the services, without any involvement of the staff representatives, will nominate candidates among these people being called to pass CBT tests with EPSO. They will then be invited for an interview before a joint selection panel. Specific criteria will be established by the services according to the real needs of the institution.

The proposal will reduce the cost of real CAST organized by EPSO in the past, but will also question the credibility of the procedure and the freedom of access of all candidates for these jobs: it's only on appointment from their service that staff can access the CAST. This preliminary screening, entrusted only to services, will take place without any involvement of the staff representation.

Moreover, transitional measures proposed are incom-

plete and inadequate and are not likely to end the paucity of situations arising from the haphazard approach established by the institution since 2004 that the ALLIANCE had yet listed in its analysis.

Worse, DG HR announces that the lists of laureates of these ancient CAST will be closed upon adoption of the new GIP. CA having passed a CAST of higher level without having found a job at this level so far, should therefore pass the new selection procedure if they still want to Evolved.

3. CAREER DEVELOPMENT WITH ACCESS TO A HIGHER FUNCTION GROUP

If the principle of evolution through the function groups is finally addressed, the proposed measures are still insufficient.

The Staff Regulations require an external selection for the passage of a function group to another thus giving the guarantee of CA skills that may progress in their careers. Nevertheless, while current CAST are open to all CA with the required qualifications, the proposal submitted by DG HR imposes several cumulative conditions for participation in the selections for access to a higher function group regarding in particular years of service and grade, the adequacy of the assessment in the evaluation report. All without giving any guarantee of recruitment for CAs who have fulfilled all these conditions and succeeded in general selection procedure.

Moreover, both CA3a who wish to change of institution and those who wish to move to a higher function group should think carefully before making any decision.

Indeed, the CA colleague who already has a permanent contract, after passing a new selection procedure, will be submitted to a new stage that he/she must succeed unless he/she loses his/ her new job without being able to recover the one he occupied until there. Moreover, penalized by new recruitment conditions, he/she can not avail himself of all his/ her experience, will have higher responsibilities without real improvement of living conditions and the new contract will be subject to penalizing conditions provided by the Staff Regulations after the 2014 reform, particularly as regards the higher retirement age to retirement and the lower accrual rate of pension rights.

It is unacceptable that the transition to a group of higher function without interruption of the employment contract is the subject of a new penalizing contract. Why not having foreseen an addendum to the contract?

ALLIANCE reiterates its proposals, which are :

- **Explore the option of organizing modularly CAST with the first common part for the verbal and numerical and a second part related to the specialist profile, allowing to reduce costs of CAST procedures without depriving applicants of free access to the CAST of their choice.**
- **Establish a procedure to ensure transparency in the exploitation of the resulting lists of CAST and thus ensure the publicity and transparency of service's needs.**



MOBILITY BETWEEN THE COMMISSION, AGENCIES AND EXECUTIVE AGENCIES

Under this issue, the Commission proposal is absolutely below the demands and needs and nothing really concrete and operational is envisaged.

The ALLIANCE confirms its request to establish a true CA colleague's mobility policy allowing them a true evolution of their careers.

It is essential to move from vague promises to the establishment of a real **"job exchange"** allowing the inter-institutional mobility and mobility between agencies / offices which will ensure career opportunities for CA colleagues and will meet adequately the services' needs.

It should be ensured the publication of all CA posi-

tions available based on a simple and flexible centralized system truly equivalent to that which exists for permanent officers in SYSPER2.

We must make this system accessible to all CA (Commission / Offices / Delegations / Agencies). This will allow also not to lose acquired experience and to capitalize it, which is desirable both for the institution and for agents.

We must also ensure consistency **between the job description and the tasks performed in practice**: it is important that each CA colleague Function Group takes into account the actual duties performed and matches the relevant FG in connection with the candidate's experience. It is no longer acceptable to continue to sell off artificially recruitment conditions with CA colleagues who are called to perform tasks well above their FG.

C Missing Measures

1. Improvement of conditions regarding the possibilities and the reclassification speed within the function group

The requests from the Alliance concerning "Reduction of the average duration of advancement in grade" and "Continuous development of skills and access to training" were not taken into account during the negotiations of the new GIP.

But the Alliance reiterates its requests to include this point in the negotiations because it is essential for our CA colleagues!

2. The establishment of a genuine policy for the CA in the Executive agencies regarding in particular their needs of career development and mobility, as well as their request to finally have a structured social dialogue within the executive Agency.

Despite assurances by DG HR, everyone understands that nothing will be done within the executive agencies without political leadership and clear legal framework established by the Commission in consultation with the OSP.

Worse yet, many proposals included in the draft GIP also heavily penalize agencies' staff.

In this regard, it is important to remember that about 75% of staff are contractual agents of type CA 3a GFI - GFII - GFIII - GFIV.

Among them are former CA 3b from the Commission. These CA had a successfully passed a CAST to enter the Commission as a CA 3b. While they had already proved in their DG, they were engaged in the executive agencies only after passing a specific new selection panel for "executive agencies". In most of the executive agencies, every engaged CA must first have successfully passed a full CAST.

After a series of successful CAST and panels, CA 3a from agencies are excluded from the competitions because they are considered as Commission's external personnel. They have contracts limited to the life of their agency.

Furthermore, mobility is impossible without any selection procedure and the new contract is subject to the new conditions of Staff Regulations after 2014.

Now it is in the interest of the institution to also enable mobility for example on a temporary basis from an

Agency to a Directorate General, especially if the expertise of CA colleagues and the experience acquired in the Agency is useful for the DGs.

The possibility of a period worked at the headquarters exists: it is provided, for example, as part of the mobility of CA 3a colleagues assigned in delegations.

This must also involve the "senior" CA colleagues also in their last years of career. The availability and value of their most remarkable experience that would be no

doubt beneficial for the institution since it would benefit from experienced people, and therefore immediately operational, in its services.

This feeling of neglect and contempt for CA colleagues from agencies is reinforced by the absence of any positive measures particularly regarding career development, access to TA positions...

SOCIAL DIALOGUE

As the Commission preaches it with MS, social dialogue must have a prominent place in good administration. That is why it is a priority to ensure that it is applied in all services including executive agencies.

As guardian of the Staff Regulations, DG HR must do everything to ensure that staff from these agencies, which are emanations of the Commission, can have a real social dialogue.

Moreover, not being an elector on the Commission to elect those representatives who represent them in some joint committees (CPPT, CAMR, ...), agencies' staff feel undervalued compared to colleagues in the Commission.

ALLIANCE reiterates its proposals

- **To negotiate a new legal framework to ensure an effective social dialogue, coordinated between the Commission and the Executive Agencies.**
- **Establish practical measures allowing the commitment of CA colleagues in the staff representation, dispelling concerns about any negative impact on their jobs, their career or their contract.**