



Lack of credibility ?

Lack of interest ?

**MISSION: IMPOSSIBLE**

Loss of confidence ?

Lack of time ?

**Elections of the EACEA Staff Committee blocked since 27 June, 2019 due to the lack of "temporary agent" candidates.**

The elections for the next EACEA Staff Committee were initially scheduled in June 2019. The rules require 4 couples of "Contract Agent" candidates and 2 of "Temporary Agent". This distribution is supposed to be representative of the staff of the agency (about 400 people).

Since **22 May**, the Staff Committee on Routine Business **has sent 8 messages to staff**, inviting them to run as nominees for the next committee elections.

In other words, the outgoing Staff Committee did its best.

Of the 8 messages sent, 7 stressed the fact the lack of "Temporary Agent" candidates blocked the process and that the elections therefore had to be postponed.

**But where are the temporary agents?**

On 17/09, a message announced that the elections could finally take place! The number of needed candidates was reached!

But that was not counting a Hollywood rebound; on 24/09, new message announcing that the minimum number of temporary candidates was not reached.

***Has EACEA's temporary agents lost interest in standing for election in their own executive agency's staff committees?***

Why would a worker, who has no personal interest in defending his colleagues, engage in a fight (almost) lost in advance and implying more obligations to his already heavy workload?

Some colleagues report the deleterious atmosphere created by this controversy ("And do why temporary agents not show up?"). Many people are however wondering about the future of the next Staff Committee (will it be credible, will it be able to deal with future challenges?).

Some colleagues find the situation scary; others do no longer want to vote, others are now convinced that the staff committee have lost their credibility ...

**What does the administration think about it (and do)?**

Deafening silence. Neither the Director nor the HR reacted!

« *It's not our business,* » says the Administration.

They are certainly busier reorganizing the agency than managing the organization of these elections.

**In any case, this situation is symptomatic and clearly demonstrates a system that does not work.**

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**Ten years after the first "social dialogue" meetings in the executive agencies, the organization of staff representation is still being discussed. Should we worry about this long delay?**

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With these rules not adapted to the specific situation of the executive agencies, the staff does no longer believe in the added value of the staff committees.

Isolated from the Commission's social dialogue, the representation of the staff of the executive agencies is still questioning the tasks of the unions and of the various actors around them.

**Memorandum of understanding or "NO" understanding?**

Currently, the various staff committees of the executive agencies (NEASC components) are negotiating the signature of a reasonable MoU with the various directors of the executive agencies and the unions of the Commission. After several months of animated discussions in a framework limited by procedures not adapted to the situation of the staff of the executive agencies, protagonists must be patient in the face of uncertain results.

**A staff committee does not have the "temper" / power of action of a union!**

The Staff Committee remains a major player in the selection panels and the Agencies' evaluation / reclassification committees, but negotiations on all procedures governing the rights of staff are discussed only and solely by the unions and the administration of the Commission, so away from agency staff committees.

As a reminder, the SFE published in its Panoptique 109 (May 2014)<sup>1</sup> a "Agents contractuels" file, explaining where the social dialogue stands in the executive agencies. The tasks of the various actors were described. Five years later, the article is still relevant, no improvement!

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## **While we are busy organizing local representation in the executive agencies ... The important negotiations are taking place away from the agencies to which they do and will however apply!**

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### **Forced mobility or mobility in general:**

- In the new program delegation exercise planned for 2020, it is proposed for **the staff of the Executive Agencies to follow programs from one or the other agency**. In the case of this **"forced" mobility**, the rights (including pension rights) of the agents will be impacted since they will have to change agencies and therefore employer and therefore contracts. It is very likely that for the transfer of programs from one agency to another, Council Directive 2001/23 / EC on the maintenance of workers' rights will apply. But if the agents who change executive agency continue their contract with maintenance of their grade / step and seniority (in case of indefinite duration contract), those hired before the reform of 2014 will be subjected to the new rules and their pension rights for instance will therefore be affected. This is already the case for agents moving from one agency to another or to offices.

### **WHO is currently defending their rights?**

### **Negotiations of the work conditions of the staff of the executive agencies**

- The social dialogue is taking place in the Commission between its official actors (Trade unions and administration). The new general implementing provisions that will also impact the staff of the executive agencies are negotiated there: the medical certificate, the DGEs of the temporary agents, the CAMR, Harassment procedures ... but also the future of the staff representation.

To note:

- The representatives of the staff of the executive agencies are not actors of the social dialogue.
- The two unions most qualified to defend the rights of contract agents were not representative during the last central elections. This greatly reduces the value added to the negotiations to represent this category of staff (already weakened by its status, by its diversity (AC 3ter / AC 3bis), by its fragmentation in different institutions and by the exclusion of a great number of agents in the social dialogue negotiations of the Commission).

**Five years ago, the SFE already announced the adverse effects of this situation (Panoptique 109, page 31, published in May 2014<sup>2</sup>):**

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<sup>1</sup> [https://docs.wixstatic.com/ugd/d5a2c6\\_9fc96f474e69436bad4c2f3dd11dd308.pdf](https://docs.wixstatic.com/ugd/d5a2c6_9fc96f474e69436bad4c2f3dd11dd308.pdf)

<sup>2</sup> [https://docs.wixstatic.com/ugd/d5a2c6\\_9fc96f474e69436bad4c2f3dd11dd308.pdf](https://docs.wixstatic.com/ugd/d5a2c6_9fc96f474e69436bad4c2f3dd11dd308.pdf)

*"If a union counts a lot of executive agency members, their call to vote for them in the elections of Commission staff representatives may not be too successful, even preventing them to reach the requested number of members. Executive Agencies staff are not electors. "*

### **Discussions on the future of the Staff Representation**

The Staff Representation is the business of **all Colleagues, regardless of status as it guarantees the interests of the Staff** as a whole in case of attacks of their rights, past and future reforms in front of an increasingly uninhibited management.

Facing an administration increasingly dehumanized, it is urgent to change mentalities.

We can no longer accept that in an institution such as ours, there is no union representation in these structures, consisting of more than 50 people. It is anti-democratic. In other words, it is outrageous!

### **It is time for the EACEA staff elections to take place! But not only...**

The insufficient number of candidates is a sign that the staff of the executive agencies are losing interest in the staff representation. Agencies' staff have understood that they do not play in the game and that the mission to defend their rights is impossible under such conditions!

**The SFE already wrote it in Panoptique 109, page 27, published in May 2014:**

*"The concerns of the EA staff are the same as those of the Commission staff, but since their representatives are not at the heart of the central services, it is impossible for them to answer the very questions or to bring them up to the social dialogue meetings (eg access to internal competitions). This demeans both the AE staff and their representatives. It does even become difficult to find volunteers to stand for the elections of the Staff Committee .... "*

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## **Inclusive social dialogue**

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### **The staff of the Executive Agencies must be recognized and treated fairly too.**

Even if the rules have been "circumvented" to allow for a devious system, we need more than anything to stick together and demand that our leaders take action to establish a "TRUE" social dialogue at all levels, including with the staff of the executive agencies.

### **All must take their own responsibility!**

Managers should stop throwing the hot potato to each other! Together with the Commission's administration, they must ensure respect for all agents and equal treatment so that their staff can access negotiations to defend their rights.

A durable solution must be found so that a few can no longer block an already weak system, in the indifference of the Directorate, which has a responsibility according to the Regulations in the constitution of a Staff Committee.

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**SFE is worried about the social dialogue in our institutions, is worried about the future of the representation of the staff of the Commission and that of the Executive Agencies!**

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*In the midst of the economic crisis, Parliament pointed out in its resolution of 6 July 2010 on atypical contracts and new forms of social dialogue that social dialogue is vital in order to achieve the employment targets of the Europe 2020 strategy. In January 2012, it stressed that by prioritizing fiscal consolidation, the Annual Growth Survey's recommendations would hamper not only job creation and social welfare, but also social dialogue.*<sup>3</sup>

All forms of inequalities implemented by the system of reforms between staff of the same status but also between officials and contractors, the "social dialogue" of second zone in the executive agencies, the deterioration of the conditions of employment of contractual agents when moving between institutions and in the progression of their careers, undermine the rights of staff but also the interests of our institutions.

**NO DIALOGUE = WEAKENED STAFF = WEAKENED INSTITUTIONS!**

To deprive the staff of the only negotiating channel to defend their interests means destroying the role of staff representation. This will turn into a real bomb on a very short turn!

It is time to awaken people. We must change the course of things as soon as possible.

**As you have read above, the SFE has rarely been mistaken in its analyzes.  
Therefore, it asks that:**

- **Elections of the staff committee of EACEA Agency take place as soon as possible!**
- **The members of the Representation of the Executive Agencies can take part in the Social Dialogue of the Commission (Core of negotiations of all main rights)**
- **Contractual agents from these various institutions can be represented at the highest level not only by civil servants but also by contractual staff from executive agencies themselves, having the necessary expertise to negotiate.**
- **Negotiations on the future of staff representation take into account minorities and those excluded from the social dialogue!**

**Stay connected:**



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<sup>3</sup> <http://www.europarl.europa.eu/factsheets/en/sheet/58/dialogue-social>

