

**YOUR RIGHTS · YOUR CAREER · YOUR DAILY LIFE**

# The R&D Handbook.

*Six chapters to make sense of your rights, your career and your daily life.*



## **FOR THE STAFF OF THE EUROPEAN PARLIAMENT**

*Joining the institution, organising your time, building your career, tracking your pay, life beyond the office, asserting your rights.*

*Six themed chapters. Twenty-six practical entries. An R&D publication for European Parliament staff.*



**STAFF COMMITTEE ELECTIONS**

# LIST N° 10

## EDITORIAL

# Why this handbook?

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**Dear colleagues,**

We tend to forget it: a precise knowledge of your rights is probably the single most effective tool you have when you find yourself in a situation that puzzles you. How many half-days have you made up without being required to? How many times have you accepted a journey in a lower travel class? How many self-assessments have you completed believing they were compulsory?

This guide brings together, in a deliberately compact form, the essentials of the Staff Regulations, Bureau decisions and case-law that affect your daily working life. It will not replace case-by-case advice: it gives you the right reflexes and the right questions to ask. For everything else, the R&D team is at your disposal.

Enjoy the read — and do feel free to pass it on.

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## ***The R&D team***

*List N° 10 · Staff Committee Elections*

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**HOW TO USE THIS HANDBOOK**

This handbook is not meant to be read in one sitting. Slip it into a drawer and take it out again when a situation demands it. Each entry is calibrated to give you, in under two minutes' reading, the essentials of the applicable rules and the right reflexes — including those that your line management will not always think to remind you of.



# Settling in at Parliament.

*Your first reflexes at the European Parliament — far more than mere formalities.*



## IN THIS CHAPTER

A few days into your new post, questions arise in no particular order, and most of them have answers buried in administrative notes nobody thinks to consult. This first chapter brings the essentials together: understanding your status as a European official, your tax privileges, your health cover, your pension scheme, and the practical arrangements for parking and public transport. In short, everything no one will quite explain to you and that everyone seems to take for granted.

- I.1**     **Joining the institution**  
*I have just been recruited: the essentials.*
- I.2**     **Car park**  
*Car, public transport: how to combine?*

# Joining the institution ♦

*I have just been recruited: the essentials.*

*Welcome among us. A few markers, brief but structuring, to start on the right foot: working hours, pay, social cover, pension, functional immunities.*

## Working hours

The statutory week is **40 hours**, set by the appointing authority. For staff without specific constraints: Mon–Thu and long Fridays, **8.30–12.45** and **13.30–17.45**; short Fridays, **8.30–13.30**. Lunch may extend to 14.30, the afternoon then ending at 18.45.

The Parliament has yet to apply a default flexitime scheme, but many units have put flexible arrangements in place — discuss it with your line manager. Canteens open from midday (sometimes 11.45): no one may forbid you to use them earlier than 12.45.

You may also apply for a part-time arrangement. A calendar of public holidays applies according to the place of employment, and an inter-faith calendar allows, for instance, Orthodox Easter or Passover to be observed in lieu of Easter.

## Pay and tax

Your salary is set by a grid published in the Official Journal, supplemented by various allowances and deductions detailed on the intranet. Crucially: your salary **cannot be taxed** by the Member States, since EU income tax is already withheld at source (an equivalent agreement applies to Switzerland). Nor may it be factored in to compute the rate of taxation of other income, which itself remains taxable locally.

## Social cover and pension

From the moment you take up your duties, you leave any national social-security scheme: it is the **JSIS** (Joint Sickness Insurance Scheme, RCAM in French) that will cover you, and that will continue to do so in retirement — though without the accident component. On the pension side, again, a European scheme takes over, likewise exempt from taxation in the Member States.

**PENSION-RIGHTS TRANSFER**

At the moment of joining, it is possible to have contributions paid into national or UN pension schemes transferred. The operation is not always to your advantage: the trade-off is case-by-case and our union can help with the decision. Schemes from non-Member States cannot be transferred. Where the national body has been unable to communicate the value of the rights before the transfer itself, the PMO applies a 3.1% deduction; but where a specific transferable amount has indeed been notified, that deduction is unlawful (*Commission v Tuerck* and *Tuerck v Commission*). Note also that **at least 10 years of contributions** are required to qualify for a European pension. For staff who took up their duties before 2004 or 2013, particular conditions of age and accrual apply — see notably *Isabel Torné v Commission* on continuity of service.

**Privileges and immunities**

This is not diplomatic immunity in the sense of the Vienna Convention. The status nevertheless opens up a number of concrete benefits, in particular the ability to make purchases free of VAT, both upon taking up duties and throughout the career (under specific conditions, set out on the intranet).

◆ END OF SECTION I.1

CHAPTER I · SECTION 02

**I.2****Car park** ◆*Car, public transport: how to combine?*

*The Parliament's buildings have free parking, accessible with a valid service card and a parking permit. But colleagues who choose public transport are eligible for an attractive incentive scheme.*

- In **Brussels and Strasbourg**, the EP can cover up to **90%** of the cost of a public-transport season ticket, provided you give up using your car to commute. A yearly cap of **30 days of parking** then applies.
- In **Luxembourg**, where public transport is already free, the scheme is geared to a cross-border season ticket (from France, Belgium or Germany), with a **50%** contribution and the same 30-day parking restriction.
- In the **liaison offices**, the contribution is **50%**, with no restriction on the use of any parking that may be available.

◆ END OF SECTION I.2



# Organising your time.

*The Parliament's tempo is not set in stone — and neither are your rights.*

## IN THIS CHAPTER

The European Parliament is, above all, an organisation of time: leave, absences, teleworking, overtime. This chapter brings together everything that shapes your working week and sets the limits on what management may, and may not, ask of you. You will also find here the lesser-known arrangements — special leave, parental leave, family leave to care for an ailing relative, part-time work, medical part-time for a gradual return — that allow you to absorb life's surprises without eating into your annual entitlement. And, because trust does not exclude verification, a word on the procedure followed by the institution when it doubts a sick note.

### II.1 Brief absences

*Must time spent away from the office always be made up?*

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### II.3 Parental leave

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*Who can be compensated, and on what terms?*

# Brief absences ♦

*Must time spent away from the office always be made up?*

*A quick errand, an appointment with the orthodontist, your child's class teacher to see at the European School... The make-up rule is not the same for everyone, nor for every kind of absence.*

## Non-medical absences

Where your absence is unrelated to a medical appointment and lasts less than half a day, your line manager may quite legitimately ask you to make the hours up. Where it reaches a full half-day, the manager is entitled to propose that you take half a day's annual leave (in which case, naturally, no further make-up is owed).

## Medical appointments

For a medical appointment (general practitioner, dentist, physiotherapist, osteopath...) the situation is different: no annual leave can be imposed on you, and no make-up time is owed. The administration simply asks that, where possible, such appointments be scheduled outside working hours — typically the short Friday afternoon or in the early evening. It does, however, recognise that this is not always feasible.

### ♦ 12 DAYS A YEAR, NO CERTIFICATE NEEDED

Each year (in fact on a 12-month rolling basis) you have **12 days of sick leave** that do not require a medical certificate, within a limit of **3 consecutive days per episode**. Your line manager must be informed from the first day.

END OF SECTION II.1

# Leave ♦

*Annual, special, personal-leave: which scheme to choose?*

*The Staff Regulations offer a far wider range of leave entitlements than is generally believed. Beyond annual leave, lesser-known arrangements help absorb the unforeseen events of professional and personal life.*

## Annual leave

The basic entitlement is **24 days a year as a minimum** (192 hours), to which are added top-ups linked to age and grade, together with travelling time depending on your place of origin or recruitment. All requests pass through the HRM Portal, which shows your remaining balance in hours and indicative day-equivalents.

### Lesser-known special leave

- **External competition:** a summons to sit a test outside your place of employment does not generate a mission order, but it does open entitlement to special leave for the duration of the test. Proof of attendance is uploaded into HRM.
- **Internal competition:** no special leave but a regular mission, with reimbursement of expenses (code 713).
- **Interview for a vacant post:** a mission as well (code 711).
- **Blood, plasma or platelet donation:** a half-day of special leave, with the Red Cross slip uploaded to HRM.

### Personal-leave (CCP)

Reserved for **established officials**, this scheme (Article 40 of the Staff Regulations) allows you to step away from the institution for personal reasons. Its duration ranges from **one month to one year**, renewable several times up to a cumulative ceiling of **12 years** across the whole career. Up to six months, your post is recovered on return; beyond that, the previous assignment is no longer automatically guaranteed.

#### CCP RENEWABLE WITHOUT CEILING

Two situations lift the 12-year cumulative limit: where you accompany a close relative suffering from a serious illness or severe disability medically certified (the certificate to be sent under sealed cover to the Medical Service within the week), and where you follow a spouse who is an EU official or staff member whose new assignment requires distant residence (attach the reassignment decision).

END OF SECTION II.2

## Parental leave ◆

*Preparing for the arrival of a child: how many months, and on what terms?*

*Article 42b of the Staff Regulations, fleshed out by the General Implementing Provisions of 4 September 2014, opens an entitlement to parental leave for each child — full time or half time. A regime distinct from family leave (which concerns the illness of a relative) and from maternity, adoption or paternity leave.*

## Who is eligible, and for how long

**Officials, temporary staff, contract staff and accredited parliamentary assistants** all qualify (for the duration of their contract). The standard duration is **6 months per child, extendable by a further 6 months** — 12 months in total. For a **single parent** (unmarried, legally separated, or not in a registered partnership, and solely assuming primary parental responsibility), the cap is raised to **12 + 12 months, i.e. 24 months**. If the single-parent status appears or disappears mid-career, the remaining entitlement is recalculated on the residual difference.

## Procedure and deadlines

The request goes through line management at least **2 months before** the desired effective date — reduced to **1 month** if the requested duration does not exceed 2 months, or if the leave follows immediately on a maternity, adoption or paternity leave. It states the child's name and date of birth or adoption, the duration and the format (full time or half time). If the child is not yet born, this information is provided **within 2 weeks of the birth**. In cases of **disability or serious illness** of the child, a medical certificate must be sent under sealed cover to the Medical Service within the week following the request.

### LEAVE ENTITLEMENTS DURING PARENTAL LEAVE

During parental leave, your **annual leave** rights are proportionally reduced to your absence. By contrast, **supplementary leave for age and grade is fully preserved**. If the leave follows immediately on a maternity, adoption or paternity leave, the AIPN **cannot postpone** the request; in any other case, an exceptional postponement of **one month maximum** is possible if the interest of the service warrants it.

## Half time and existing part-time staff

Half-time parental leave follows the rules of **part-time work** (Article 55a, Annex IVa). Your line manager sets the daily timetable without compromising the service, but no assignment incompatible with those terms may be imposed without your prior agreement (save imperative service reasons). For staff **already on part time**: contract ≤ 50% → no half-time option but full-time leave with pro-rata allowance; contract > 50% → half-time option with allowance calculated on the difference. For full-time staff who later move to part time, the part-time arrangement is **suspended** for the duration of the parental leave.

### ENDING IT EARLY — ILLNESS OR ACCIDENT

Should the underlying circumstances change, you may request to end parental leave or vary its terms, with at least **one month's notice** in principle. **Illness or accident** preventing you effectively from caring for the child: the AIPN may exceptionally accept immediate termination, provided the request reaches it within **10 working days** of the start of illness or the date of the accident — original medical certificate under sealed cover to the Medical Absences Service.

END OF SECTION II.3

# Family leave ♦

*A relative facing serious health difficulties: how can you take leave?*

*Article 42c of the Staff Regulations allows unpaid leave to care for a family member with a disability or serious illness. A close cousin of parental leave but with its own logic: a career-wide cap, advance request and — crucially — annual leave entirely preserved.*

## Who is eligible, and for how long

**Officials**, but also **temporary staff, contract staff and accredited parliamentary assistants** (for the duration of their contract). The condition: a **family member with a recognised disability or a serious illness**, attested by a medical certificate sent under sealed cover to the Medical Service within the week following the request. The career-wide maximum duration is set by **Article 42c of the Staff Regulations**; renewals fit within that envelope.

## The procedure

The request goes through **line management**, at least **one month before** the desired effective date — save in cases of urgency. It states the relative's name, family link, requested duration and format (**full time or half time**). Documents evidencing the family link must follow as soon as possible, unless the institution already holds them. The AIPN decides after the opinion of the Medical Service.

### ANNUAL LEAVE ENTITLEMENTS — FULLY PRESERVED

**Annual leave** rights and **supplementary leave for age and grade** are **maintained at 100%** during family leave. This is the most valuable provision, and the most overlooked one: caring for a relative does not erode your leave balance. Worth bearing in mind when choosing between family leave, CCP or any other arrangement.

## Half-time variant and existing part-time staff

Half-time family leave follows the rules of **part-time work** (Article 55a of the Staff Regulations, Annex IVa). Daily working hours are set by your line manager, but **no assignment incompatible with those terms may be imposed** on you without your prior agreement (save imperative service reasons duly justified). For staff **already on part time**: contract ≤ 50% → no half-time option but full time with pro-rata allowance; contract > 50% → half-time option with allowance calculated on the difference.

### ◆ ENDING IT EARLY IF THINGS CHANGE

You may request **early termination** of family leave, with a notice period that in principle cannot be less than **one month**. Special case: **your own illness or accident** preventing you from caring for your relative — the AIPN may accept immediate early termination, provided the request reaches it within **10 working days** of the start of illness or the date of the accident, with the original medical certificate under sealed cover.

◆ END OF SECTION II.4

CHAPTER II · SECTION 05

II.5

## Part-time work ◆

*How can you move to part time, and on what grounds may it be refused?*

*Article 55a of the Staff Regulations and its Annex IVa, implemented by the internal rules of 4 June 2014, frame part-time work. The arrangement is more flexible than people think — and, on certain grounds, the AIPN may neither refuse nor postpone it.*

### The percentages on offer

Part time is exercised at **50%, 60%, 75%, 80%, 90% or 95%** of normal working time, on a **daily, weekly or monthly** basis. Where the daily timetable exceeds 6 hours, a **lunch break of at least half an hour** remains compulsory. You indicate in your request whether you wish to contribute to the pension on the basis of full or reduced basic salary; that choice is expressly recorded in the authorising decision.

### The procedure

The request, addressed to the AIPN through line management, states the grounds, the percentage, the start and end dates, and the timetable sought. Line management delivers an opinion within **15 calendar days**; any negative opinion or one altering the dates must be reasoned. An exceptional refusal by the AIPN, on duly justified imperative service grounds, requires referral to the **Joint Committee** for opinion.

### ◆ GROUNDS THAT CANNOT BE REFUSED OR POSTPONED

The grounds listed in **Article 55a, paragraph 2** (a to e) confer an entitlement the AIPN cannot dismiss: child under 12 (or under 14 for a single parent), **serious illness or disability** of a family member (medical certificate under sealed cover to the Medical Service within the week), training, and **serious difficulty** affecting a child (psychological troubles linked to adolescence, separation, bereavement or geographic distance; serious learning difficulties; the list is not exhaustive).

### Modification, early termination, missions

You may request to end part time or to vary its terms, with at least **one month's notice**. **Illness or accident**: request to be lodged within **10 working days**, certificate under sealed cover to the Medical Absences Service. The AIPN decides case by case, taking into account the medical check under Article 59. **No mission incompatible** with the part-time terms may be imposed on you without prior agreement, save imperative service reasons duly justified.

#### ◆ LEAVE — REDUCED, BUT NOT EVERYWHERE

**Annual leave** rights are reduced in proportion to the reduction in working time, and for the duration of the authorisation. By contrast, **supplementary leave for age and grade is preserved in full**. Worth noting: for elective or appointed public office (Article 15 of the Staff Regulations), the part-time period cannot extend beyond the term of the mandate or the electoral period.

◆ END OF SECTION II.5

## Medical part-time ◆

*Returning gradually after a prolonged absence: what regime?*

*Medical part-time is an often-overlooked yet valuable arrangement: it allows a staff member returning from a prolonged health-related absence to resume duties **at 50%** while keeping **full pay and full leave entitlements**. A return ramp, in short, framed by a 2014 Secretary-General decision.*

### The principle

You work **50%** of normal hours (by half-days), on medical prescription, after a **prolonged absence** for health reasons that warrants a gradual return. During this period, your **full pay is maintained** and your leave rights continue to accrue as on full time. The daily timetable is set by your line manager, taking account of your needs and the interests of the service.

### Duration and renewal

Medical part-time is granted for **one month maximum, renewable twice** on the medical cabinet's advice — i.e. **3 months total** in the standard case. As an exception, in cases of **serious illness** within the meaning of Article 72 of the Staff Regulations, the period may be extended by successive one-month renewals up to **3 additional months**, bringing the ceiling to **6 months**.

**PROCEDURE — REQUEST 5 DAYS BEFORE RETURN**

The request, accompanied by a **medical certificate setting out the reasons**, is sent to the competent medical cabinet — the certificate under sealed cover marked "**medical secret**". For the part-time to begin on the first day of return, the request must be lodged at least **5 working days before** the end of the sick leave. The doctor responsible for managing medical absences may also **propose** medical part-time directly: in that case, you may submit the request without an additional certificate.

**Combination with part time**

A staff member already authorised to work **part time (Article 55a of the Staff Regulations)** may benefit from medical part-time only if their part-time arrangement is  $\geq 75\%$  of normal hours. Below that, the scheme does not apply. **Annual and special leave** taken during medical part-time are deducted on the basis of working time excluding the part-time reduction: they do not "burn" any faster.

**◆ AUTHORISATION SITS WITH DG SUPPORT, NOT DG PERS**

It is the **Director for Support and Social Services Management** who grants medical part-time, on the advice of a medical adviser — not DG PERS. The arrangement takes effect **no earlier than the date of the authorising decision**. Anticipating the procedure saves weeks of salary: if you know your long sick leave is ending, start the request as soon as possible.

END OF SECTION II.6

**Sickness absence checks ◆**

*What can the institution actually do when it doubts a sick note?*

*Article 59 of the Staff Regulations allows Parliament to subject an official on sick leave to a medical check **at any time**. The September 2014 internal rules set the conditions for these checks, which are **independent**, framed and open to arbitration. Knowing the procedure saves you from unpleasant surprises and lets you exercise your rights calmly.*

**Your duties during sick leave**

From **day 1**, inform your line manager (cause — without disclosing medical secret —, location, expected duration, contact details). From **day 4**, a medical certificate is mandatory, sent to the medical absences management service on the working day following its issue. You provide the service with phone numbers, email and fax. You are also

**recommended** to flag medical appointments, the daily window during which you may go out (no more than **3 hours a day** if your certificate allows it) and any person of trust who can be reached.

### How a check unfolds

The check is performed by an **external panel doctor**, chosen on rotation from lists drawn up by a joint committee (medical manager + medical adviser + staff representative). It takes place **at your residence**, on working days between **08:30 and 17:30**. The doctor produces a professional ID and the AIPN's signed mandate. At the end, you receive a signed document clearly stating whether you can resume work immediately or not, and setting out the contesting procedure. You countersign it.

#### ABSENT OR RESISTANT — THE RISKS

If you are not present at the check, a **second visit** is arranged; if that also fails, you are summoned by registered letter to an examination on Parliament premises.

**Refusing access** to the doctor triggers the same summons. Failing to attend exposes you to **disciplinary sanctions**, save serious, imperative and verifiable justifications. Refusing the check does not "deactivate" the sick leave: on the contrary, the absence may be reclassified as irregular.

### Outcome, arbitration and remedies

If the doctor concludes you are **fit to return**, you must return to work the same day (or the next morning if you are notified after 16:00). If you contest, an **arbitration procedure** opens with an independent doctor drawn from a list jointly agreed between the AIPN and the Staff Committee. While the arbitration is being prepared (in principle within **5 days**), your absence remains **justified**.

#### ◆ THREE UNJUSTIFIED CERTIFICATES = EXTERNAL NOTIFICATION

If **3 certificates** issued by the same practitioner are deemed unjustified within **one year**, the AIPN **informs the Member State's sickness insurance fund and the professional regulator** overseeing that doctor. The provision targets compliance certificates — worth knowing if you ever hesitate to ask for a certificate in a borderline situation.

◆ END OF SECTION II.7

# Teleworking ◆

*Do not let yourself be forced back to the office full time.*

*Since the Secretary-General's decision of 18 December 2023, in force from 1 March 2024, two teleworking schemes coexist — standard and extended —, under markedly different authorisation conditions. That is precisely what to remember.*

- **Standard scheme:** up to 1 day a week on average, on a monthly basis. No prior agreement — simply notify your line manager at least **4 working days** in advance.
- **Extended scheme:** up to 2 days a week on average. Subject to management's agreement, refusal reasoned on service-interest grounds. Request **at least one month** before the start date; granted for **6 or 12 months, renewable** (trainees excluded).

## ◆ WHAT YOUR LINE MANAGER MAY NOT DO

The **standard scheme is not refusable** — your line manager cannot compel you to come into the office five days out of five, provided your job profile appears on the list of teleworking-eligible roles published by your DG. The manager may, however, set one or more days of mandatory office presence for the entire unit, and recall you ad hoc when service interest requires it.

## Special cases and teleworking from abroad

Exceptional medical and disability cases: adapted regime possible. Outside the place of employment: **5 working days a year**, raised to **10 days** in family circumstances.

◆ END OF SECTION II.8

# Overtime ◆

*Who can be compensated, and on what terms?*

*The statutory working time at the EP is **40 hours** a week. Beyond that, the internal rules of 5 September 2014 — based on **Article 56 and Annex VI of the Staff Regulations** — strictly frame overtime: who can be compensated, in what form, and within what limits.*

## Who is entitled to compensation?

Only **officials at AST 1 to AST 4 and SC 1 to SC 6** qualify for **compensatory rest or remuneration** for overtime. Administrative assistants or support staff in transition

(Annex XIII, Art. 31) keep that benefit. The rules apply **by analogy** to **temporary staff** meeting the conditions and to **contract staff in function groups I and II**. Every hour must be **authorised in advance** by the head of unit and recorded in a declaration.

### Compensation: rest first, pay second

The default is **granting compensatory rest**; DGs aim to recover at least **60%** of the total. Compensation follows two scales: **type 1** (working days, Saturdays or office-closure days, between 7 am and 10 pm) → **1.5 hours of rest** per hour worked; **type 2** (night 10 pm-7 am, Sundays, public holidays) → **2 hours of rest**. Where compensation is not feasible within 2 months, the hour is paid at **0.56%** of monthly basic salary — calculated on the same basis as the rest compensation. Performance below **30 minutes** is not counted.

#### THE LIMITS WORTH KNOWING

Overtime may only be performed in cases of **emergency** or **exceptional surge** of work. The total may not exceed **150 hours in any six-month period**. And, crucially, every staff member must be guaranteed at least **11 consecutive hours of rest** in any 24-hour period: a limit often overlooked, which trumps urgency.

### Adjustments and exclusions

**Part-time** staff may not perform overtime (Annex IVa, Art. 3). Staff with one or more **dependent children under 12** cannot be required to work beyond a limit set by mutual agreement; the same option is open to staff producing a **medical certificate** accepted by the medical adviser. The adjustment request, with line managers' opinion within 15 days, is decided by the DG for a **maximum of 12 months**, renewable. **Travel time** to a mission never counts as overtime.

#### ◆ FLAT-RATE ALLOWANCE — VERY LIMITED CASES

For a few highly specific posts, the nature of which excludes a normal hourly count, the Secretary-General may, on a **list he draws up**, grant a **monthly flat-rate allowance** in lieu. It is paid during leave and any period of force majeure, but **suspended from the 31<sup>st</sup> day** of sickness or accident absence, until the duties in question are effectively resumed.

◆ END OF SECTION II.9



# Building your career.

*A career at Parliament is never an automatic trajectory.*



## IN THIS CHAPTER

Compulsory mobility, a job description that quietly broadens, the annual appraisal report, merit points, promotion committees: so many levers to pull in the right order, and so many traps to avoid. This chapter gives you the markers to stop merely undergoing these statutory rendez-vous and start using them — including the lesser-known subtleties, such as the loss of merit points at the AST→AD transition depending on the date of crossover.

### III.1 Job description

*May my line manager assign me tasks beyond my job description?*

### III.2 Mobility

*May I stay in my post for as long as I wish?*

### III.3 Promotions

*Eligible for promotion does not mean automatically promoted.*

### III.4 Reclassification (Art. 2 a)

*How do you move up a grade when you are not an official?*

### III.5 Annual appraisal

*How to defend your annual appraisal report?*

# Job description ♦

*May my line manager assign me tasks beyond my job description?*

*The actual content of a post always extends a little beyond its formal job description. The legal question is therefore not whether the hierarchy may do this — it may — but within what limits and following what procedure.*

Each member of staff has a job description accessible through the HRM Portal. **Articles 21 and 55 of the Staff Regulations**, however, require the official to "assist and advise his superiors" and to remain "at all times at the disposal of the institution". It would therefore be ill-advised, and risky, to refuse a task outright on the sole ground that it does not appear in the job description — the charge of insubordination is never far away.

## The reasonable approach

Any task falling outside the agreed scope deserves a bilateral discussion in good faith, taking into account your actual workload and skills. The AIPN may ask you to perform what you are capable of accomplishing, in the interest of the service, even if it does not delight you — but only **after formal consultation**. Since your line manager is not the AIPN, the formal interview must involve the Director, the Resources Director and the Director-General, who will then ask Career Development & Ethics in DG PERS to amend the job description accordingly.

### ♦ A LEVER NOT TO FORGET

If the new task really does not suit you, use this formal interview to request a **transfer** to a post matching the trade for which you originally applied. This is precisely the moment when such a request can be heard.

END OF SECTION III.1

# Mobility ♦

*May I stay in my post for as long as I wish?*

*The Bureau's new decision sets the rule: beyond a certain seniority on the same post, you change assignment. The framework is firm, but it offers more flexibility — and more safeguards — than is generally believed. The essentials.*

## When do you become 'mobile'?

You acquire the status of **official in career mobility** after **6 calendar years** on the same post, counted from the year following your assignment. From that moment, the AIPN may decide on a change of assignment, and must do so **within 3 years at the latest**. Mobility applies to all grades (AD, AST, AST-SC), except for certain **specific job profiles** set out in a list adopted by the Secretary-General.

You are automatically included in your DG's three-year planning. The rules also require you to **actively explore** opportunities — inertia is no strategy: choosing your own mobility is always preferable to having it thrust upon you.

## Your rights and safeguards

- **Prior hearing** is mandatory if the AIPN acts on the basis of Article 7 of the Staff Regulations.
- **Return to the previous post is barred** for at least **12 months** after a change.
- **Postponement of the status** may be requested upon return from maternity leave, long sick leave (over 6 months), parental or family leave — addressed to the Director-General for Personnel, for **1 year, renewable once**.
- **Suspension** may be granted by the Secretary-General where your unique expertise remains essential to the service — same duration.

### TWO USEFUL EXEMPTIONS

Two long-standing safeguards remain in place: no forced mobility applies if you have reached the **age of 60**, or if your **institutional seniority exceeds 30 years**. Beyond those thresholds, your current post is no longer challengeable on rotation grounds.

## Adjustments where the place of employment changes

Where mobility entails a change of place of employment (Brussels, Luxembourg, Strasbourg), the Secretary-General may, upon a **reasoned request**, grant a tailored arrangement in two situations: a **serious illness or a disability** recognised by the Parliament affecting you, your spouse, recognised partner or dependent child; or where you are a **separated or divorced parent** of a minor in legally binding shared custody.

## And forced rotation?

If the mobility rate of a function group falls below **25%** for two consecutive years, the Secretary-General may decide on a **job rotation exercise** applying to the whole group. For Directors-General and Directors having reached 7 years on their post, it is the Bureau itself that decides whether a change is suitable.

### ◆ THE CAREER TALK — FROM YOUR 6TH YEAR

From your 6<sup>th</sup> year on a post, you are entitled to a **career consultation** with the SCOP (Central Career Guidance and Counselling Service, within DG PERS). This is the moment to prepare your next step: explore opportunities, identify useful training paths, mature your choice. Findings may be recorded in your appraisal report under professional development.

END OF SECTION III.2

CHAPTER III · SECTION 03

III.3

## Promotions ◆

*Eligible for promotion does not mean automatically promoted.*

*The promotion mechanism at Parliament is neither a magical algorithm nor a lottery. It rests on points, thresholds and committees. Knowing the logic helps you avoid unpleasant surprises and time the right reflexes correctly.*

A member of staff who carries out their work properly will, in principle, receive **2 points a year**. A less satisfactory appraisal can bring this down to 1, or even to 0 in extreme cases. Each unit also has a top-up envelope of 20% extra points, which allows the head of unit to award **3 points** to a few particularly outstanding colleagues.

### The threshold and the exceptions

To stand a chance of promotion, the points threshold defined grade-by-grade must be reached. Promotion committees may, however, promote before the threshold a member of staff who has previously been awarded 3 points, and conversely, a single year at 1 point may compromise the expected promotion. These borderline situations are precisely what the committees discuss.

### ◆ CLASSIC PITFALL — AST → AD CROSSOVER

If you secure a certification or an AD competition and cross from the AST grade to the AD grade, **your accumulated points disappear**. The following year, your fresh appraisal as an AD will earn you new points. **If the crossover takes effect before 1 July**, you receive the usual 2 points; **after**, only one. Practical consequence: if you are close to a promotion in the AST career, it is preferable, where possible, to delay the move to AD so as not to lose that promotion. Worth bearing in mind.

**BASIC PRINCIPLE**

Promotions must rest **exclusively** on appraisal reports. Any other element of the administrative or personal file may only be taken into account in exceptional circumstances (*XH v Commission*).

**Threshold values per grade**

For each grade, there is a **minimum number of merit points** — or **threshold value** — at which an official or staff member is **automatically considered** in the promotion exercise. The threshold is defined in **Article 9(2)** of the Promotion and Career Progression Policy.

**Officials (AD, AST, AST/SC)**

Grade	AD HoU/Adv. or equiv.	AD	AST Confirmed / in transition	AST	AST career-restricted (ex D)	AST/SC
14	12	—	—	—	—	—
13	12	—	—	—	—	—
12	10	—	—	—	—	—
11	—	8	—	—	—	—
10	—	8	10	—	—	—
9	—	8	—	—	—	—
8	—	6	—	8	—	—
7	—	6	—	8	—	—
6	—	6	—	8	—	—
5	—	4	—	8	—	18
4	—	—	—	6	20	15
3	—	—	—	6	9	12
2	—	—	—	6	9	10
1	—	—	—	4	—	8

**Contract staff**

FG I	Threshold
3	—
2	10
1	6

FG III	Threshold
12	—
11	10
10	10
9	8
8	6

END OF SECTION III.3

## Reclassification (Art. 2 a) ♦

*How do you move up a grade when you are not an official?*

*For temporary staff recruited on the basis of Article 2(a) of the CEOS and engaged on an indefinite contract within the General Secretariat, **reclassification** at the next grade plays the role that promotion plays for officials. Closely related logic — budget availability, seniority, two satisfactory appraisals — but a calendar and a mechanism of its own that warrant attention.*

### The two cumulative conditions

To be reclassified at the next grade with effect from **1 January of year N**, the staff member must, on that date:

- have reached the **minimum seniority in grade** set by a schedule which varies according to track (AD head of unit/adviser, AD, AST senior assistant, AST, AST/SC) — for instance **5 years** at AD 12 "HoU/Adviser", **3 years** at AST 7, or **4 years** at AST/SC 1;
- have received a **satisfactory level of performance** in the **last two appraisal reports**.

Where reclassification takes place, it takes the form of an **amendment to the contract**, with effect from 1 January.

### The annual procedure

As early as year **N-2**, within the budgetary procedure, **DG PERS** identifies the staff who will meet the seniority condition and quantifies the foreseeable reclassifications. In **January of year N**, after checking the available appropriations and consulting the Directorates-General concerned, it prepares the contract amendments and submits them to the **AHCC**, together with the appraisal reports. **Where the budget is insufficient**, the AHCC arbitrates on the basis of **merit, seniority in grade and length of service**.

#### EXCEPTIONAL RECLASSIFICATION

On a **reasoned recommendation** from the Directorate-General, the AHCC may, on an exceptional basis, reclassify a **particularly meritorious** staff member without the average-duration condition being met — provided that, on 1 January of year N, they have **at least 2 years** of seniority in their grade. Worth flagging explicitly in the file submitted to the DG if you consider your case out of the ordinary.

### Successive contracts and interruptions

The period under an immediately preceding **fixed-term 2(a) contract** counts towards seniority in grade, provided that the **function group and the grade are the same**. Where there is an **interruption** between two 2(a) contracts, it is taken into account if it has not exceeded **8 months** (while remaining in the service of an EU institution as TS or CS), or the **duration of the mandate** for posts attached to a holder of an elective mandate. Conversely, prior periods under **2(b) or 2(c) do not count**, and any unpaid leave of **one**

**month or more** is excluded from the seniority calculation.

### ◆ NOTHING IS AUTOMATIC

Reclassification is **never automatic**, even where the conditions are met and the budget is available. The AHCC may refuse it where the **quality of work, output or conduct** are considered below the level of colleagues in the same grade, or in the event of a **breach of professional obligations**. Conversely, a particularly meritorious staff member may be moved forward early: merit remains the compass needle. Therefore a disputable appraisal report should be challenged **in the year it is drawn up** — not two years later, when reclassification is refused.

◆ END OF SECTION III.4

CHAPTER III · SECTION 05

III.5

## Annual appraisal ◆

*How to defend your annual appraisal report?*

*Between January and April, the appraisal interview is an unmissable rendez-vous. Routine for many, dreaded by some: in any case, precise rules apply — well worth knowing in order to prepare.*

### Who is concerned?

The report covers officials, temporary staff and contract staff engaged for **at least one year**. You must receive the draft report **at least 5 days before** the interview. Once the interview has taken place, do not forget to validate the draft explicitly: failing any reaction on your part within 5 days, the draft is validated by default and forwarded to the final appraiser. If you are on leave, this period is extended accordingly.

### What the report must (and may not) contain

Your report must faithfully reflect your work over the reference year. **Any negative comment must be clear, specific, and have been discussed with you during the year.** No reproach pulled out of a hat at the moment of appraisal can appear in the report if it has never been raised earlier. Nor may you be held accountable for situations beyond your control. The report must be drafted without value-judgements, in the language indicated in HRM. Objectives must be **clear, specific, measurable and verifiable**.

### The principle of impartiality

Article 11 of the Staff Regulations and Article 41 of the Charter of Fundamental Rights require **full impartiality** at every stage of the appraisal. An important consequence: the appeal appraiser cannot be a subordinate of the initial appraiser. How, indeed, could the appeal appraiser freely assess the merits of a challenge and, if appropriate, overturn the

assessment of his own superior, where that very superior is appraising him? The case-law holds that there is, at the very least, serious cause for doubt.

#### ◆ THREE REFLEXES TO HAVE

1. You have the right to be **accompanied** by the person of your choice during the interview. The appraiser may also be accompanied, but only by a member of the Resources unit of his DG.
2. If you are asked to fill in a **self-assessment** ahead of the draft report, you may refuse. R&D advises against it: staff almost always tend to underestimate themselves.
3. The content of the report **and the allocation of merit points** may both be challenged on receipt.

#### AND THEN?

R&D members can, at any time and in confidence, obtain full support: review of the draft report, preparation of the interview, drafting of observations, even a formal complaint where necessary. Do not wait for the situation to deteriorate.

◆ END OF SECTION III.5



# Following your pay.

*What does one really earn — and what is left at the end of the month?*



## IN THIS CHAPTER

The picture the public still holds of European salaries — inherited from before the 2004 and 2013 reforms — no longer corresponds to reality. This chapter unpacks the payslip: basic salary, expatriation or foreign-residence allowance, family allowances, EU income tax, national exemptions. It also covers mission expenses, which punctuate the working life of most colleagues — which means of transport, which travel classes, which reimbursements you may insist upon without compromise. Lastly, two lesser-known mechanisms tied to family circumstances: socio-financial assistance under Article 76 of the Staff Regulations, and the procedure for treating a relative as a dependent child — both worth knowing for anyone whose financial situation extends beyond the strict perimeter of their own household.

### IV.1 Pay

*What does working for the EU really pay?*

### IV.2 Missions

*Can you be sent travelling under just any conditions?*

### IV.3 Socio-financial assistance

*Financial, medical or housing difficulties: what avenues of support?*

### IV.4 Person treated as dependent

*Extending the dependent-child allowance to a parent or relative: under what conditions?*

# Pay ♦

*What does working for the EU really pay?*

*The picture the public still holds of European officials — inherited from before the 2004 and 2013 reforms — no longer matches reality. A clear-eyed survey, without taboo, of what makes up an EP payslip.*

## Salary base and allowances

The **basic salary** depends on grade and follows a grid published in the Official Journal. Depending on your situation, the following are added: a **foreign-residence (16%)** or **expatriation (4%)** allowance, a **household allowance**, a **dependent-child allowance**, and/or an **education allowance**.

One-off payments may also be made: travel expenses on entry, transfer or end of service; installation or resettlement allowance; reimbursement of removal costs; daily subsistence allowance; annual travel allowance; birth grant. Salaries are paid around the **14<sup>th</sup> of the month**.

## Yes, we pay tax

The **EU income tax** is withheld at source. Staff with children may benefit from a tax allowance.

### A FEW MISCONCEPTIONS WORTH DISMANTLING

- Member States **have no right** to tax your European official's income. On Belgian and French returns, ticking the relevant box is enough; in Luxembourg, no tax return is even required. If an authority insists, certificates are available in the HRM Portal. *Mutatis mutandis*, pensions are also exempt, including in Switzerland. Other income (movable, immovable...) of course remains taxable.
- **No 13<sup>th</sup>-month salary, no luncheon vouchers**: those private-sector staples do not exist at the EU.
- **Tax-saving plans** or pension-saving schemes offered by banks lose their interest for European officials, since there is no national tax to set credits against.
- Where you become **naturalised** Belgian, Luxembourgish or French during your career, and you were receiving a foreign-residence or expatriation allowance, you can sometimes keep it — provided you never lived in the country concerned before joining service. To be checked case-by-case with the Individual Rights unit.

**DIG DEEPER**

Our full pay dossier — salary grids, allowances, taxation, edge cases — is available at [rdpe.eu/remunerations](https://rdpe.eu/remunerations). Scan the code opposite to go straight there.



END OF SECTION IV.1

# Missions ♦

*Can you be sent travelling under just any conditions?*

*Any mission on behalf of the Parliament must be framed by a prior mission order, and lead to an expense claim on return. A few rules deserve to be known — particularly those that the hierarchy sometimes omits.*

## Before you leave

You may, without being obliged to, use the Parliament's travel agency. If you accept the *standard offer* it sends you once your mission is validated, you secure two valuable things: the guarantee of full reimbursement of transport, and round-the-clock assistance in the event of any incident during the trip.

## Which means of transport?

- **Private car:** permitted only between the three places of work (Brussels, Luxembourg, Strasbourg), with reimbursement calibrated on the estimated 1<sup>st</sup>-class rail fare. Tolls, parking, fuel, fines, breakdowns and repairs remain at your charge. For any other journey, a derogation is required.
- **Train:** you are entitled to **1<sup>st</sup> class**, unless the train offers no such carriage. No lower class can be imposed on you.
- **Air travel:** economy class authorised for missions over 400 km from the place of employment; business class reserved for destinations outside the Europe-IATA zone. **Note:** even though Strasbourg is over 400 km from Brussels, flying is prohibited during plenary sessions. Outside session weeks, however, it remains an option.
- **Parliament shuttles:** practical (Brussels-Luxembourg on a daily basis, in particular), but never compulsory. You retain the freedom to choose train or car, including in the context of training missions.

## Hotel, transfers, rest

You choose your **hotel** freely, reimbursed up to the cap fixed for the country concerned; no establishment may be imposed. Airbnb-style lettings are also reimbursed against the online invoice. **Taxis, Uber and PHVs** are reimbursed only in specific cases — typically restrictive

timings. Lastly, on certain **long-haul missions**, 24 hours' rest on site are owed to you between arrival and the actual start of work, and symmetrically on return. This rest period is not negotiable.

END OF SECTION IV.2

CHAPTER IV · SECTION 03

IV.3

## Socio-financial assistance ♦

*Financial, medical or housing difficulties: what avenues of support?*

*Article 76 of the Staff Regulations — extended to other staff by Articles 30, 98 and 135 of the CEOS — empowers the institution to grant gifts, loans or advances to officials and staff facing a particularly difficult situation. An internal safety net, to be activated as a last resort but without embarrassment: it is designed precisely for that.*

### Who is eligible, and for what

Cover is broad: **officials, temporary staff (2(a)/(b)/(c)), contract staff (3a/3b), accredited parliamentary assistants**, former officials and pensioners, beneficiaries of deceased staff, as well as former other staff unable to work as a result of a prolonged serious illness, disability or accident occurring during their engagement. Five forms of assistance exist: **non-repayable social aid** (gifts), **social loans**, **salary advances**, **advances on medical expenses**, and **aid towards rental guarantees**.

### How a request is handled

First port of call: the **social worker** at DG PERS, who draws up a social report; in parallel, the **Financial Counselling** sector of the *Social Action* Unit prepares the financial analysis. The file is **strictly confidential** and submitted in **anonymous form** to the Social Action Advisory Committee (**CCAS**) where its opinion is required. The AIPN/AHCC may **decide without referring to the CCAS**, in cases of urgency and within precise limits: social aid ≤ € 15,000 over 12 months; advance on medical expenses ≤ € 20,000; rental-guarantee aid within the fixed threshold. Above those limits, the CCAS opinion is mandatory. The salary advance falls within the AHCC's direct competence.

#### RENTAL GUARANTEE — TO FIND YOUR FEET

Paid **once per household**, to a **newly recruited** staff member required by Article 20 of the Staff Regulations to comply with residence conditions. Cap: € 4,500, repaid over a **maximum of 24 months**. Total household income may not exceed that of an **AST 3, step 1** — save in duly justified exceptional cases. The application may be lodged as early as the probation period; payment is made only once recruitment has taken effect.

## Repayment and safeguards

Repayable assistance is subject to a written **repayment schedule** agreed with the staff member and taking account of the duration of the contract. The monthly deduction begins **from the month following** the granting decision, with the possibility of a temporary deferral. In the event of **resignation, non-establishment or premature termination**, the outstanding balance is offset against the final emoluments; failing that, a debit note is issued. The schedule may be **adapted** on a reasoned request if the situation changes. Any amount reimbursed by JSIS in the context of a medical advance must be **transferred immediately** to the institution.

### ◆ LAST RESORT — BUT NO TABOO

Socio-financial assistance does **not replace** bank loans or external schemes: before opening a file, the *Financial Counselling* sector verifies that no other avenue has been overlooked. This should not deter you from raising the matter. Many colleagues miss the scheme out of reserve or sheer ignorance — though it has been **designed for them**. Social workers are bound by **professional secrecy** and the documents submitted to the CCAS are anonymised. No trace appears in your administrative file.

◆ END OF SECTION IV.3

CHAPTER IV · SECTION 04

IV.4

## Person treated as dependent ◆

*Extending the dependent-child allowance to a parent or relative: under what conditions?*

*Article 67 of the Staff Regulations, fleshed out by Article 2(4) of Annex VII, allows the AIPN to **treat a person as a dependent child** where the official has a legal alimentary obligation towards them and where their upkeep represents a heavy charge. An exceptional regime, framed by the General Implementing Provisions of 18 May 2004, that can amount to several hundred euros a month.*

### The two cumulative conditions

- A **legal alimentary obligation** arising under a national law (determined by conflict-of-laws rules where several are in play; the official is presumed domiciled at their place of employment). Obligations towards a **spouse or ex-spouse are excluded**.
- A **heavy financial burden** that is actually borne — therefore real, monthly, evidenced.

### How the 'heavy burden' is calculated

The upkeep is valued at: **40%** of the basic salary of a staff member at **grade 1, step 1** if the person **lives under your roof**, **50%** otherwise. That amount is reduced by the person's **net**

**income** (including imputed rental value at **12%** of grade 1 if they own or have usufruct of their home). For further persons within the same household: **25%/20%** for the 2nd, then the dependent-child allowance amount thereafter. The resulting charge qualifies as **heavy** once it exceeds **20%** of your taxable remuneration (+ **10 percentage points** per additional person).

#### UPLIFTS — RECURRING DOCUMENTED EXPENSES

The charge may be **uplifted** to reflect regular, evidenced expenses: **home help** properly prescribed by a doctor; the person's **health insurance** contributions; **medical fees** not reimbursed beyond **2%** monthly of grade 1 salary; **care-home** fees exceeding **50%** of grade 1 (capped at + 20%). Receipts required — the procedure is finicky but the financial gain justifies it.

#### Procedure and validity

**Written request** to the AIPN with full supporting documents. A favourable decision is retroactive to the **1st of the month** of the request. **Validity: 1 year, renewable**, with any change to be reported. During validity you must justify a **regular monthly contribution** at least equal to the higher of: **20%** of your taxable remuneration (full salary base) plus all other net income; or the additional amount received plus **20%**. No justification is required if the person **lives permanently under your roof**.

#### ◆ DISCRETIONARY POWER, MANDATORY REASONING

The assimilation is granted by a **special and reasoned decision** of the AIPN — which has **broad discretionary power**. As an exception (Article 10 of the GIP), it may even be granted where the heaviness of the burden falls short of the usual threshold, provided that **particularly heavy charges** are demonstrated. A well-prepared file — chronology, supporting documents, a covering letter explaining the context — markedly improves the chances of success.

◆ END OF SECTION IV.4



# Life beyond the institution.

*Your life does not end at the Parliament's door.*

## IN THIS CHAPTER

You are writing a book, you give the occasional conference, you sit pro bono on a board of trustees, an honour is bestowed upon you: your professional life is not confined to your post. The Staff Regulations know all about these situations and frame them — without forbidding them — through prior authorisation. This chapter explains when authorisation is required, when it is not, and how to obtain it without friction.

### V.1 Outside activities

*May I have a second activity outside the Parliament?*

### V.2 Honours

*An honour is being offered to me: may I accept it without formality?*

### V.3 Publications

*You are writing a book: what are the formalities?*

# Outside activities ♦

*May I have a second activity outside the Parliament?*

*Conferences, occasional consulting assignments, writing books, sitting on charity boards: life does not stop at the Parliament's doors, and the Staff Regulations are well aware of it. A few simple rules nevertheless apply.*

Any activity carried out alongside your duties — whether paid or unpaid, occasional or regular — must be the subject of a request for prior authorisation addressed to the AIPN. The form sits in the HRM Portal; never fill it in *after* beginning the activity.

## The criteria for acceptance

To be authorised, the activity must remain reasonable in scope — under no circumstances equivalent to a full-time job in the country concerned — and must give rise to no remuneration other than the reimbursement of costs. Where the local legal framework imposes remuneration on you and refusal is not possible, you must transfer the balance (after actual expenses are deducted) to a charity of your choosing, and provide proof of doing so.

Combining a European public-service post with private employment is therefore ruled out. Authorisation may also be refused where the activity threatens the availability your duties require, or where it conflicts with the interests of the institution.

◆ END OF SECTION V.1

# Honours ♦

*An honour is being offered to me: may I accept it without formality?*

*Over the course of your life you may be offered an honour. It happens more often than people imagine, starting with Luxembourg medals for regular blood donors.*

Before accepting such an honour — be it a national Order, a ministerial medal, an association distinction or an honorific title — you must inform the AIPN and obtain prior authorisation. The request goes through the HRM Portal, takes a few minutes and settles the matter.

Failing to observe this formality exposes you to reproaches that could perfectly well have been avoided. If you have the slightest doubt as to whether authorisation is required, ask:

administrative practice can vary from one case to another.

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◆ END OF SECTION V.2

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CHAPTER V · SECTION 03

V.3

# Publications ◆

*You are writing a book: what are the formalities?*

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*Many colleagues write alongside their day jobs — poetry, novels, specialised works. The applicable regime depends essentially on the subject of the book and on how you intend to commercialise it.*

- **Where your work touches, however indirectly, on the European Union**, prior authorisation by the AIPN is required. It is requested through the dedicated page in the HRM Portal.
- **Where the subject has no link with the EU** — a poetry collection, a crime novel, a gardening book — no formality is required. You publish freely.

## Royalties and other revenue

**Conventional royalties** from sales of the work belong to you in full: the Staff Regulations do not stand in the way. By contrast, where you receive other forms of income — for instance a profit margin between cost price and selling price, or fees for the translation of a text — those amounts must be transferred to a charity of your choice.

If you intend to **commercialise the book yourself** to colleagues or to the wider public, request as a precaution an outside-activity authorisation. Several R&D members are themselves published authors: we can pass you a tested template request.

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◆ END OF SECTION V.3



# Asserting your rights.

*When tension rises, procedure becomes your closest ally.*



## IN THIS CHAPTER

Disciplinary proceedings, harassment, formal complaints against a decision: three legal pathways this chapter helps you push open in the right order. You will find the deadlines to observe, the right interlocutors to contact, and the safeguards European case-law has built up for you over the years. The golden rule, applicable in every case: never go through these stages alone. R&D stands by your side at every key juncture.

### VI.1 Discipline

*The Secretary-General is summoning me: what should I do?*

### VI.2 Harassment

*How to respond to abusive behaviour?*

### VI.3 Complaints

*How to challenge a decision that does not suit you?*

# Discipline ◆

*The Secretary-General is summoning me: what should I do?*

*Disciplinary proceedings are rare, but when they arise they can be a gruelling ordeal. One golden rule: never go through these stages alone.*

It begins with an **administrative inquiry**, today led by the Legal Service — which took on this role after numerous past abuses led to the former unit within Career Development & Ethics being stripped of the responsibility. During the inquiry, an interview will be arranged. **Our cardinal piece of advice: never attend unaccompanied.**

Once the inquiry is concluded, an interview with the Director-General of DG PERS determines the next steps. Depending on the gravity, the range of sanctions runs from a simple **written warning** to **dismissal**, by way of a reprimand, downgrading temporary or permanent, with or without referral to the Disciplinary Board.

## Your safeguards

Proceedings must be handled diligently: undue delays may render them lapsed. Three years after a sanction, you may ask the Director-General of DG PERS to remove every mention from your personal file — and once removed, those documents may not be reintroduced. If a fresh case were to arise later, the Parliament could no longer rely on any earlier sanction to argue recidivism (*IP v Commission*).

### ◆ YOUR FIRST REFLEX

Before any interview, read the *General Implementing Provisions on Disciplinary Procedures and Administrative Inquiries*. Then call us. We have seen many such files; we know what should sound the alarm and what may be challenged.

◆ END OF SECTION VI.1

# Harassment ◆

*How to respond to abusive behaviour?*

*Harassment — moral as well as sexual — is never a matter of interpretation that you should learn to live with. It is a serious matter and calls for precise responses. R&D supports you and points you to the right resources.*

The first reflex is **not to remain isolated**. If you are a victim or a witness, talk to someone — to a relative, a union delegate, a person you trust. Methodically keep the written items that may document the facts: emails, dated notes, screenshots, witness accounts. These records are essential to any inquiry.

### The official referral

You may submit to the AIPN a **request for assistance under Article 24 of the Staff Regulations**. This step is a prerequisite to any referral to the Harassment Committee. It triggers an inquiry led by the Career Development & Ethics unit, which examines the file.

The case-law is clear: where a member of staff seeks the assistance of his or her institution, the AIPN must act **in an appropriate manner, without minimising the facts, and within a reasonable time-frame** (*Curto v Parliament* and *SQ v EIB*). Failures of the institution are sanctionable.

END OF SECTION VI.2

CHAPTER VI · SECTION 03

VI.3

## Complaints ◆

*How to challenge a decision that does not suit you?*

*Officials and other staff have an internal channel to challenge AIPN decisions affecting them. Used well, it often succeeds — and conditions access to subsequent judicial remedies.*

The complaint may target any **act adversely affecting you**, that is to say any decision that directly and immediately alters your legal situation. Examples are numerous: classification on appointment, allocation of merit points, promotion decisions, fixing of pension rights, refusal of medical reimbursement, determination of the place of origin, allowances of various kinds...

### Time-limits and outcomes

The complaint is filed with the competent AIPN **within three months**. Following examination, the institution may either **uphold** the complaint — in which case the contested decision is annulled and the file referred back to the competent service — or **reject** it, expressly or impliedly (silence within the deadline). On rejection, you may bring proceedings before the EU Civil Service Tribunal, or lodge a complaint with the European Ombudsman.

**THE RIGHT TO BE HEARD**

At every stage — promotion, appraisal, disciplinary proceedings, contract termination — you have the right to be heard before any decision concerning you. This obligation is reaffirmed by abundant case-law: *Josefsson, A & G v Commission*, *Rounis*, *Lavagnoli*, *Cwik*, *Schönberger v Parliament*, *Tzirani*, *Nardone*... The Parliament cannot, for example, terminate a contract at the end of a long sick-leave by simply presuming you unfit: it must verify and consult you (*TO v EEAS*).

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**END OF SECTION VI.3**

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# Alphabetical quick-reference.

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