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CONTRACT AGENTS

NEW RECRUITMENT AND PROMOTION RULES: THE RESULTS

For a long time the unions of the trade-union majority are convinced that we must improve the situation of our contract agent colleagues. Establishing the statute of auxiliary contract agents and setting up the one with the possibility of gaining a contract of unlimited duration is the most problematic to manage. Although the bulk of the problems (pay scales, job security, etc.) result directly from staff regulations, the unions of the trade-union majority have worked together diligently in order to improve the general measures for implementing the staff regulations.

STATE OF PLAY

Since implementing the staff regulations, the number of contract agents has continually increased. Initially intended to replace temporary agents, fellows of the Joint Research Centre and ALATs (Local Technical Assistance Agents), the number of colleagues without job security has surged from 3,539 in 2004 to 5,766 in 2008 within the European Commission, i.e. an increase of 60% in 4 years. This number does not even take account of the agencies whose staff levels and budget **rocketed by 84% and 70% respectively** over the same period.¹

I. RECRUITMENT

EPSO TESTS adapted to job profiles

The unions of the trade-union majority have confirmed their commitment to the principle that the recruitment of all contract agents should be governed by a **transparent** selection procedure **accessible** to everyone. The procedure should also be adapted to the profiles of candidates and take account of the specialist nature of roles. Two new procedures – non-specialist and specialist – will be put in place and will in time enable candidates to take tests in their main language on the basis of their professional competence. Candidates will be able to sit a test once a year based on their profile. Tests will be valid for a period of 3 years, with the requirement for candidates to update their CV at least once every 12 months in order to remain on the list. Finally, a special clause in favour of disabled people has been introduced in order to go beyond the simple arrangements which sought only to overcome obstacles relating to physical disability.

¹ http://myintracomm.ec.europa.eu/hr_admin/fr/hr_community/Documents/rapport_rh_2009_fr.pdf



EPSO tests for contract agents will be organised more regularly.

In the meantime, the unions of the trade-union majority have obtained agreement that certain colleagues recruited by the European Commission in 2006 who did not have the opportunity to sit tests because the tests were not organised in the relevant period will maintain their grades, ranking and length of service (if this is beneficial for them) for a period limited to 2 years.

Improving recruitment conditions

The reclassification conditions of our contract agent colleagues have also been improved by retaining the number of years experience required. The new rules stipulate that *all* experience/training will be taken into account (whereas the current general provisions for implementing the staff regulations stipulate that only experience/training at the relevant level is taken into account). At the same time, it has been agreed that the reclassification thresholds which had been increased will be maintained at the current level.

Under the new rules, the function group II (GF II) will be opened up to people with experience and/or training of 10 years within the European Commission and *in/for tasks related to those to be carried out*. Participation in *ad hoc* internal training courses organised by the institution will be taken into account so as not to exclude contract agents in the lower function group based on this criteria alone. For the GF III and IV groups, the new rules use the staff regulations formula whereby this access is conceivable on an exceptional basis according to experience and/or training as applicable.

Facilitating access to the higher function group

Access to the higher function group has been facilitated. We have obtained agreement that, in the case of recruitment in a new higher function group after having successfully passed an EPSO test, the contract agent will be immediately offered a contract of unlimited duration. The qualifying period is maintained, but if the outcome is negative, the administration will do everything possible to help the agent concerned to be reintegrated within the previous function group.

2. ACCESS TO CONTRACTS – A TRUE JOB MARKET

Increasing transparency in awarding contracts

Today, the biggest challenge is to put in place an open and transparent “**job market**” in order to give everyone an equal opportunity to obtain a contract of unlimited duration (GF I at the European Commission, all function groups in the offices, agencies, delegations and representations of the European Union).



For contract agents-temporary agents with fixed-term contracts (maximum 3 years), we have obtained agreement that the general rule will be an initial contract of one year, renewable immediately for a period of two years in order to reduce job insecurity.

Similarly, the administration will put in place a system to advertise vacant jobs in the institution for contract agent positions of an unlimited duration in order to promote the mobility of contract agents.

The administration will provide more information and will promote administrative best practices for the mobility of contract agents (length of time in a job, etc.). The administration will contact the other institutions to extend the system to their services.

The unions of the trade-union majority have asked DG HR to put an end to the confusion which has developed in relation to contract agent policies in agencies by significantly reinforcing its guidance and coordination role. This is a matter of respecting the unity of the staff regulations and facilitating the mobility of colleagues within the framework of a true job market.

3. REMUNERATION AND CAREERS

Contract agents: huge savings for the institution

The main aim of introducing contract agents was to make savings at the expense of the most vulnerable categories. Salary reductions have been as high as 30%. Recruitment levels have been lowered and the classification conditions are particularly unfair, in particular for function group I.

Within the framework of these negotiations, we have made every effort to raise the level of recruitment and improve career prospects, without forgetting that it is essential to extend the possibility for contract agent colleagues to become permanent officials via general competitions.

Concerning the careers of our contract agent colleagues with a contract of unlimited duration, the unions of the majority trade union have obtained the agreement of the DG HR to put in place a definitive table listing the average period spent at each grade. At the end of the transitional period, fixed thresholds will be adopted in order to make the reclassification process more transparent. The average periods will be communicated in terms of a "range of years" (in general, more or less one year around the average period, see *table on the back*).

Similarly, we have obtained agreement that the basis for calculating the 'rucksack' of contract agents should be increased from 3 points a year to 4, 4 being the basis for calculating promotion thresholds and the average number of performance merit points awarded to colleagues. We will keep on fighting to make sure that promotion rates are as close as possible to those applicable to civil servants and defined in Annex IB.

FUNCTION GROUP AC 3 BIS	GRADE	Recruitment grade and experience required	Average period for promotion	Promotion range
IV	18			
	17		8 y	between 6 and 10 years
	16	R - > 20 years	6 y	between 5 and 7 years
	15		5 y	between 4 and 6 years
	14	R - 7 < x < 20 years	4 y	between 3 and 5 years
	13	R - < 7 years	4 y	between 3 and 5 years
III	12			
	11		8 y	between 6 and 10 years
	10	R - > 15 years	6 y	between 5 and 7 years
	9	R - 7 < x < 15 years	5 y	between 4 and 6 years
	8	R - < 7 years	4 y	between 3 and 5 years
II	7			
	6		8 y	between 6 and 10 years
	5	R - > 7 years	6 y	between 5 and 7 years
	4	R - < 7 years	4 y	between 3 and 5 years
I	3			
	2		8 y	between 6 and 10 years
	1	R -	4 y	between 3 and 5 years

CONCLUSION

The unions of the trade-union majority have worked hard to improve the contract agents' status within the limits imposed by the Staff Regulations. However, for those colleagues who wish to go further, becoming civil servants is the only option within the present Staff Regulations that will create reasonable career prospects for our colleagues. The unions of the trade-union majority defend the permanent European civil service because, without it, there would be no administration worthy of the name. Without an administration committed on a permanent basis to the management of European issues and to the principle of absolute loyalty to the European institutions and ideals, permanent civil service positions will no longer be justified. Without such positions, there will be no career prospects for our contract agent colleagues.

We must fight TOGETHER for the European civil service, to obtain permanent civil service positions.