

# FREQUENTLY ASKED QUESTIONS ON WORKING TIME AND HYBRID WORKING

LAST UPDATE:

The Commission Decision C(2022) 1788 on working time and hybrid working provides for a new flexible framework for our daily work in the Commission, based on what we have learnt from past years and, in particular, during the COVID-19 pandemic.

Hybrid working is a combination of working at the office and teleworking. Hybrid working gives an effective framework to enhance work efficiency while ensuring work-life balance.

Teleworking can sometimes be more efficient than working at the office and can help to promote staff well-being and a better balance between professional and private life. On the other hand, remote working may blur the border between professional and private life, making it sometimes more difficult for some people to switch off from work.

Some colleagues may also feel that teleworking reduces the direct interactions that are so important in our daily professional life. Indeed, time spent with colleagues and stakeholders face-to-face in the office is also valuable, especially to build relationships and integrate newcomers in the team. This is fully part of staff well-being.

Staff's needs and constraints vary depending on a multitude of criteria, of both professional and private nature, and which vary over time. Therefore, the new Decision on working time and hybrid working aims to strike the right balance and increase flexibility in our working arrangements.

These FAQs are intended to answer as many of your questions as possible about the working time, organisation, and how the new rules will affect our work.

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### Glossary

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**Working timeframe:** the given period during which staff should primarily work (Monday-Friday 08.00 – 19.00).

**Flexitime:** the standard working time regime under which staff members can choose their working hours, provided that they are available for interaction between 9.30 and 12.00 and between 15.00 and 16.30 (16.00 on Wednesdays and Fridays).

**Disconnection period:** the period between 19.00 and 8.00 during which line managers and other staff may not contact or request staff to work, unless it is an emergency, it was pre-agreed or where the nature of the work or tasks require availability during such hours.

**TIM:** SYSPER time recording module, via SYSPER.

**Monthly timesheet:** the calculation of all working hours recorded by staff and accepted by the line manager within a calendar month.

**Monthly flexitime balance:** the total of working time acceptable according to the Decision on working time and hybrid working at the end of each month. There is no limit on the credit balance, but only a debit balance of up to -20h is allowed to be carried over to the next month.

**Offsetting:** the possibility offered to a staff member to work shorter or longer working hours in order to level their flexitime balance.

**Recuperation:** the possibility offered to a staff member when their balance is positive to recuperate a previous monthly credit balance in a form of a full day or half a day.

**Teleworking:** a method of carrying out work by staff outside the office with the help of information and communication technologies.

**Hybrid working:** combination of teleworking and working from the office.

### General

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#### What is the Legal basis?

Commission Decision C(2022) 1788 on working time and hybrid working.

#### Whom does this concern?

All Commission statutory personnel (officials, temporary agents, contract agents) (except special advisers), irrespective of function group and grade, as well as seconded national experts (SNEs) and local staff working in the Commission's Representations in the Member States.

Commission staff members (officials, temporary agents, contract agents, local staff and SNEs) working in the EU Delegations are governed by arrangements determined by European External Action Service (EEAS) in close cooperation with the European Commission.

#### What about other types of staff?

The Commission Decision on working time and hybrid working does not apply to other categories of staff working at the Commission (eg. trainees, service providers etc.). These categories of staff remain covered by the working time arrangements already defined by the competent authorities.

## Working hours

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### What is the default working time regime?

The default regime is flexitime. It means that you can choose your working hours. These hours should mainly fall within the working timeframe, i.e. between 8.00 and 19.00. You should agree your working hours with your line manager.

You should be available for interaction between 9.30 and 12.00 and between 15.00 and 16.30 (16.00 on Wednesdays and Fridays) unless you have agreed with your line manager on other time slots to be available for interaction or unless your DG has determined different time slots to be available.

### Can services apply specific working time regimes?

DGs and Services can decide to apply specific working time regimes to the *entire* service. For instance, DGs and Services can decide that, in view of specific service requirements, it is necessary to set core hours during which staff are required to work. Before setting such specific working time arrangements, DGs and Services must consult DG HR and the Staff Committee.

### Which staff members can be excluded from flexitime?

As was already the case under previous decisions, DGs and Services may exclude certain *groups* of staff from applying flexitime. They may determine fixed working hours or different working hours for these groups after consulting DG HR and the Staff Committee.

Note: the local working time arrangements already in force prior to the adoption of the Decision on working time and hybrid working remain in force.

### Am I obliged to work flexible hours?

You are free to choose to work regular daily hours if you prefer. However, you should be available for interaction between 9.30 and 12.00 and between 15.00 and 16.30 (16.00 on Wednesdays and Fridays) unless you have agreed with your line manager on other time slots to be available for interaction or unless your DG has determined different time slots to be available.

### The time slots to be available for interaction are the same as the old core hours. What is the difference?

Under the core hours, you had to work during the time slots. With the time slots for availability, you only have to be available or reachable from 9.30 to 12.00 and from 15.00 to 16.30 (16.00 on Wednesdays and Fridays). Being reachable does not mean you have to be behind your laptop; you must simply be able to answer or return a call or reply to an email within a reasonable period of time.

### When do daily working hours start to be counted?

As a rule, working time starts to be counted when you actually start working. The time when you enter your office building or any other building where you have to attend meetings is a reasonable proxy for defining when you actually start working. For teleworking, the time when you have logged into your account is a reasonable proxy. This rule should of course be applied with common sense.

Note: If you are not actually working, but only reachable during the availability timeslots, it may not be registered as working time in Sysper.

### Are there any indicative standard working hours?

Under the default flexitime regime, you decide when to start and when to finish, as long as this is

compatible with the interests of the service. You should work mainly between 8.00 and 19.00. You can start your standard 8 working hours before 8.00 or work after 19.00, in agreement with your line manager. However, if you work outside the working timeframe, you should focus on tasks that do not require immediate interaction with other colleagues.

The Decision on working time and hybrid working has introduced a 'disconnection period' between 19.00 and 8.00. During these hours, staff cannot be contacted nor requested to work, unless it is an emergency, it was pre-agreed or in cases where the nature of work or tasks dictate availability during such hours.

Line manager can determine the working hours in cases where staff fail to comply with the rules.

### **Am I obliged to start and end my workday within the working timeframe of 8.00 and 19.00?**

It is possible to start your standard 8 working hours earlier than 8.00 or work after 19.00, as long as this pre-agreed with the line manager. However, you should focus on tasks that do not require immediate interaction with other colleagues.

### **What is the disconnection period?**

The disconnection period is the time slot between 19.00 and 8.00 on working days, the weekends, the annual leave (half)days and other types of leave. You may not be contacted nor required to work during this period. You may be contacted or requested to work only in the following three case:

- Emergency
- Pre-agreement
- Where the nature of the work or tasks require availability during such hours.

You are also not obliged to check your emails after 19.00, unless you were pre-alerted or you were called because of an emergency.

This period is there to ensure that staff can fully disconnect. It contributes to a better work-life balance.

### **What is considered as being contacted during the disconnection period?**

The following are considered as contacts: calls, messages and e-mails specifically addressed to you that require you to work immediately. These contacts are not allowed unless they fall under one of the exceptions to the disconnection period.

E-mails or messages that are addressed to someone else with you in copy, requiring no immediate action from you, or addressed in general to the staff, such as official communications, are not considered as being contacted.

### **I want to vary my working hours depending on the different days of the week. Can I set my working hours as I prefer, as long as I stay within the working timeframe?**

In principle, yes. However, you should be available for interaction between 9.30 and 12.00 and between 15.00 and 16.30 (16.00 on Wednesdays and Fridays) unless you have agreed with your line manager on other time slots to be available for interaction or unless your DG has determined different time slots to be available.

Furthermore, in the interests of the service, you might need to work during a specific time. For instance, your line manager may require a minimum staff presence during certain hours, meaning that several colleagues could not be absent at the same time. This is particularly true for services with a 'desk function', where during the office hours a strong presence is needed and flexibility will need to be limited.

DG and Services may put limits to flexible working hours or set specific time schedules for certain categories of staff or for an entire service. Before adopting such derogations, DGs and Services must consult DG HR and the Staff Committee.

### **If I do not work flexible hours, am I obliged to record my working hours anyway?**

Yes, there is an obligation to record the time you have actually worked. This is a requirement under the Working Time Directive and it is necessary to verify compliance with your rights as a worker.

For the time being, there is a default option for 8 hours in Sysper that you need to validate at the end of each working day. However, alternative recording systems might be put in place by DGs in exceptional cases, owing to the nature of the duties or specific working conditions.

### **Can the current flexitime default regime accommodate colleagues working part-time?**

Yes, but the flexible hours should be individually agreed with your line manager. The special provisions for part-time work must be respected.

### **I had to work outside the working timeframe (e.g. during the weekend, or a public holiday or before 8.00 or after 19.00). Should this time be registered? Is this considered as working time?**

Yes, work done outside the working timeframe (i.e. before 8.00 or after 19.00 Monday to Friday) or during weekends, public holidays or recuperation should be registered and is considered as working time. However, the main work should be done between 8.00 and 19.00 from Monday to Friday. Your line manager may decide not to accept this registered time for your flexitime balance if it was not preagreed or necessary in the interests of the service.

Unless pre-agreed with your line manager, this should not become a recurring practice.

### **Which criteria are used by the line manager to decide when to accept work done outside the working timeframe if not pre-agreed?**

Your line manager must decide whether the work outside the working timeframe is justified by taking into account the interests of the service.

In this context, your line manager could typically take into account your work, the nature and urgency of the work to be performed, and the overall workload.

Managers must ensure that the overall work assigned to their staff is manageable within the context of a standard 40-hour working week, while having regard to inevitable peak periods during the year.

### **Do I have to be connected all the time between 8.00 and 19.00 or be reachable?**

No. This timeframe is to be understood as a recommended schedule within which you should perform your standard 8 working hours. Staff are not expected to be on standby duty when they are not working during certain hours in this working timeframe.



## Time Recording

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### Should I register manually my daily working hours?

Registration of your working hours is done in Sysper. This is also where you need to indicate whether you have worked from home or from the office (or you were on mission). This is a requirement under the Working Time Directive and it is necessary to verify compliance with your rights as a worker.

Sysper is set by default for 8 hours: 8.30-12.30 and 13.30-17.30. This can be changed to match the actual working hours. For the time being, registration remains manual. Any changes on this will be communicated in due time.

### How often do I have to register my working hours?

It should be done on a daily basis. Sysper TIM allows you to go back in time for only 6 calendar days.

At the beginning of each month n+1, when double checking that there is no mistake in the timesheet before sending it for validation to your line manager, it is still possible to encode working hours for the missing (week) days.

### I have introduced the wrong working hours into the flexitime system. Can I correct them and, if so, how?

You may correct your working hours in SYSPER for the previous 6 calendar days only.

If the time has elapsed, you can still add your missing working hours when you verify your timesheet at the beginning of each month n+1, before sending it for validation. Your Leave Manager (GECO) can offer you further information on recording daily working hours.

Note: it is important that you check the quality of your timesheet both in terms of hours recorded and place of work. This data is used for reporting. Furthermore,

mistakes must be corrected by Leave Managers (GECOs, HR.D.1), which is time consuming for both the agent and the Leave Manager.

### Can I record my working hours in advance?

Yes, you can. However, any hours indicated in advance in SYSPER will have to be confirmed on the day itself or within 6 days after the day concerned.

### What happens if I do not record my working hours?

If you do not record your working hours, you automatically receive an 8-hour debit for each unrecorded day (applied pro-rata, for staff working part-time). A monthly debit balance may usually not exceed 20 hours. Higher debits will lead to a corresponding deduction of your annual leave.

Recording working hours and sending your monthly timesheets for validation by your line manager is an obligation under the Decision on working time and hybrid working. Failing to comply with this obligation may ultimately lead to disciplinary measures.

### What do I have to record for annual leave or sickness?

Nothing. If the request for annual leave has been approved and sickness has been registered, this will automatically register in SYSPER 8 hours in the case of a full day and 4 hours in the case of a half day. This is applied pro rata for staff working part time.

### Why do I have to take a minimum 20-minute rest break?

This provision stems from health and safety EU legislation, which imposes a rule that after a certain number of working hours, staff must take a rest. According to the Interpretative Communication C(2017) 2601, you need to take a minimum of 20 minutes of rest if you work more than 6 hours consecutively.

### **I am doing job-sharing. How do I record my working hours?**

Job-sharing is a part-time formula (50%) where two persons share the same post. Your minimum working-time obligation is accordingly 20h per week and you record your daily working hours normally in SYSPER. Working hours shall be shared between job-sharing partners in a manner that they fully cover the duration of an entire working day. Extra hours worked without overlapping can also be recorded and added to the monthly balance.

### **Excess hours, offsetting, recuperation, overtime**

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#### **Can I accumulate excess hours and, if so, how?**

Any time worked in excess of the standard working day (8 hours for somebody working full-time) in principle creates a credit balance. Excess hours can usually not exceed 2 hours per working day (i.e. 10 hours of full-time working time a day). This threshold is linked to the necessary work life balance and wellbeing of staff. In exceptional circumstances, the line manager may authorise that more than 2 hours a day are counted.

Your excess hours are transferred, once accepted by your line manager, to the following month with no limit. That being said, your manager must ensure that the overall work assigned to you is manageable within the context of a standard 40-hour working week, while having regard to inevitable peak periods during the year. The main objective of the flexitime scheme is daily flexibility (adapting working hours), not recuperation. Flexitime is not a way to accumulate excess hours in order to request recuperation in the form of days or half-days. Furthermore, recuperation is linked to the interests of the service and is not a right.

### **How many excess hours and debit hours can I carry over to the next month?**

There is no limit for excess hours to be carried over to the next month. However, only 2 extra hours per normal working day will be counted towards your flexitime balance even if you record more extra hours. Your line manager may decide when validating your timesheet to add extra hours.

For your debit hours, a maximum of 20 hours in debit may be carried over into the next month. Staff should work longer hours during (at maximum) the following six calendar months. It is important that this debit be offset in maximum 6 months.

Above 20 hours debit or in case the debit hours are not offset within 6 months, the absence may be converted into annual leave and, thus, may be taken from your annual leave balance.

#### **By the end of the month, I have accumulated a flexitime debit balance. What should I do?**

A monthly debit balance should be avoided and offset as soon as possible by working longer than the standard daily 8 hours subsequently. For a debit balance in excess of 20 hours at the end of the monthly accounting period, unless you could not offset the debit balance due to service reasons, sick leave or force majeure, the excess hours will be considered an unauthorised absence and will be offset accordingly by a deduction of a corresponding number of half or full days of annual leave in the following accounting period.

If you still have a debit balance after 6 months of your first debit balance, these debit hours will be considered as an unauthorised absence and will be offset accordingly by a deduction of a corresponding number of half or full days of annual leave in the following accounting period.

### **The credit balances achieved each month, are they cumulative?**

Yes. There is no limit to the carry-over of the credit balance. Managers should, however, pay attention in case of an excessive amount of hours being cumulated. The Commission finds it important to ensure that its staff enjoys a good work-life balance.

Regardless of the amount of excess hours accumulated and depending on your grade, a maximum of 2 days (or 4 half days) can be recuperated. Such recuperation is always subject to approval from your line manager. It may be granted if the excess hours are justified by the staff member's work and if the interests of the service allow for it. Next to recuperation, you can offset the rest of the hours accumulated, as there is no limit for offsetting.

### **Who can recuperate? Is this possibility limited to certain grades?**

Article 55(4) of the Staff Regulations provides that officials and temporary agents with a grade of 9 and above (AST or AD) may not recuperate entire working days. All other categories of staff working under the flexitime regime can recuperate full days.

Managers receiving the management allowance cannot request flexitime recuperation of entire days or half-days. They may, however, offset working hours in excess and must manage their working time in agreement with their superiors.

### **I have accumulated a credit balance of hours during the month, am I entitled to recuperate them?**

As a general rule, a monthly credit balance can preferably be offset by shorter working days compared to the daily average of 8 hours. As a second option, staff members eligible for recuperation may request recuperation of the credit hours in the form of half a day or a full day. Such recuperation is always subject to the approval of your

line manager. It may be granted if the excess hours are justified by your work and if the interests of the service allow for it.

### **When can I recuperate excess hours? Do I necessarily have to take them in the following month?**

Excess hours do not have to be recuperated necessarily in the month which follows the month they were accumulated. Excess hours credited in January can be transferred to February, to March and recuperated in April. Offsetting hours should be favoured over recuperations.

Please note that excess hours are not carried over in case of interruption of the service (i.e. CCP, contract interruptions for temporary or contract agents and SNEs etc.). In such cases, as recuperation is not a right, positive or negative balances have to be offset prior to the interruption of contract.

### **I know I will have to work extra hours this month. Can I already take a recuperation day even if it will lead to a negative balance for the moment?**

No. You can only take recuperation if you have enough credit hours from the previous month(s). The purpose of recuperation is to rest from the extra work already done.

### **What is the point of carrying credit hours to the following month if I can only recuperate up to two days per month?**

You can indeed take up to 2 days or 4 half days of recuperation each calendar month, provided that the excess hours are justified by your work and if the interests of the service allow it. The remaining hours should therefore be offset by working shorter daily periods in the following month(s), or recuperated in one of the following months.

### **Can I combine a day of recuperation with annual leave?**

Yes. However, be aware that if you are asked to come back to the office during a day of recuperation, this will be at your own expenses. If it is during the day of annual leave, your costs will be reimbursed.

**I am an official or temporary agent of grade AST9/AD9 or above. Can I request half a day of recuperation and half a day of normal leave on the same day?**

Yes.

**I have to work overtime occasionally, for which I am compensated/remunerated under Article 56 of the Staff Regulations. Can I, nevertheless, also request recuperation under the flexitime scheme?**

Yes, but, of course, only hours which have not been yet compensated as overtime; the hours which are compensated/remunerated as overtime cannot be recuperated for a second time under the flexitime scheme.

Please note: This also applies to staff who benefit from an overtime flat-rate.

**Is recuperation a right, or can it be refused by my superior?**

Your request for recuperation is not a right and can be refused by your line manager if he/she consider that your excess hours are not justified by your work and/or that if your recuperation is not in the interests of the service on the day(s) or half day's) you proposed.

**I requested flexitime recuperation to visit my family abroad and planned my travel accordingly and I was asked to cancel my flexitime recuperation for work-related purposes. Can I ask for the reimbursement of my travel expenses?**

Article 5 of Annex V of the Staff Regulations stipulates that reimbursement of incurred costs is

possible if annual leave is cancelled in the interests of the service. The implementation provisions are to be found in heading "III d Cancellation of annual or special leave – Section 2 at the immediate superior's request" of the Commission Decision on Leave C(2013) 9051 of 16 December 2013.

These provisions do not apply to the cancellation of flexitime recuperation because flexitime recuperation is considered as a way for managing working time and is not assimilated into leave. Flexitime recuperation is linked to the interests of the service, it is not a right, unlike annual leave. Staff concerned can therefore not ask for reimbursement: all financial engagements are taken at their own risk.

**Can excess hours not recuperated be paid as overtime?**

No, excess hours earned under the flexitime scheme are not considered as overtime under the terms of Article 56 of the Staff Regulations.

**I worked while on leave, sick leave or flexitime recuperation: can I record these hours in my timesheet and will they be added to my credit balance of working hours?**

While on annual leave: if a staff member is requested by their line manager or decides at their own initiative to interrupt their annual leave for work-related reasons, they may cancel their annual leave and record their working hours in TIM. Such a cancellation can be made only for full days (8 hours) or half days (4 hours) of annual leave.

While on sick leave: a staff member should not work and if they do, such hours should not be counted as working time. Please note that if these hours are recorded in the system, they will not be counted as working hours at the validation stage to prevent staff from working while on sick leave.

While on flexitime recuperation: if a staff member works during part of a half or full day of recuperation, such hours can be recorded in TIM and can in principle be accepted as working hours by your line manager at the validation stage. The half or full day of recuperation will nevertheless be counted against the maximum limit of 4 half-days/2 whole days recuperable each month, unless it has been cancelled in advance.

### **I worked several hours during the day and I then left the office because I felt sick. Will the hours worked be counted?**

If you worked several hours on a given day **prior to** falling sick, these hours should be recorded in the system and will be counted. The Leave Manager (GECO) will introduce the sick leave as of the moment you leave the office and a comment to this effect will be added in the appropriate box.

If the hours recorded are less than 4 hours (in case of falling sick in the morning or when you are supposed to work only half day) or less than 8 hours (in case of falling sick in the afternoon when you are supposed to work full day), the system will generate a debit which can be cancelled by the hierarchical superior at the time of validating the monthly timesheets.

Example: a staff member was supposed to work the entire day and fell sick in the morning after having recorded 3 hours of work. The entire afternoon will be considered as sick leave. As for the morning, the 3 hours of work will be recorded and the debit of 1 hour (4 -1) can be cancelled by the hierarchical superior at the time of validating the monthly timesheets.

### **I am on sick leave but feel better. Can I come back to the office earlier than the date indicated on the medical certificate?**

If during sick leave you feel better and decide to resume work earlier than initially expected, you can

in this context record your working hours, provided that you cancel your sick leave first. You do not need to submit a medical certificate attesting that you can resume work. However, to modify the absence in the system it is important that the Medical Service is informed. Therefore, upon returning to work, you should: 1) inform the Medical Service accordingly by email to the relevant functional mailbox (e.g. [hr-bxl-certificats-medicaux@ec.europa.eu](mailto:hr-bxl-certificats-medicaux@ec.europa.eu), [HR-LUX-SERV-MEDICAL@ec.europa.eu](mailto:HR-LUX-SERV-MEDICAL@ec.europa.eu)) and 2) contact the GECO in order to cancel the sick leave in TIM.

### **I have taken a day of annual leave. Can I modify it into a day of flexitime recuperation if I have the necessary credit hours?**

No. If you have taken annual leave, you cannot replace it by flexitime recuperation or another type of leave subsequently.

### **During a day of recuperation, I feel ill. Can I modify the day of "recuperation" into a day of "sick leave"?**

No, once the recuperation has been started, it is not possible to change the reason for the absence from "recuperation" to "sick leave". The only exception could be where a sick leave started already before a scheduled recuperation; in that case, the recuperation request could be withdrawn. Otherwise, the only case where recuperation can be cancelled *a posteriori* is when you are requested to come back to the office under exceptional circumstances.

### **Is there any link between flexitime recuperation and the possibility of carrying over a maximum of 12 days of annual leave to the following year?**

The only criterion to be taken into account for the carry-over of more than 12 days of annual leave is whether the person was prevented for service reasons from taking their annual leave.

### **Can I recuperate excess hours on a systematic basis and recuperate all my Wednesdays or Fridays for instance?**

No. The main objective of flexitime is to give staff the possibility of varying the time when they start work, take lunch and go home in order to better reconcile their professional and private needs. It has not been implemented in order to accumulate extra hours with the simple aim of getting recuperation in the form of half or full days off, either systematically or not. A person who would like to take a day off every week should choose another formula such as 'part-time' or 'time credit' (special part-time).

### **What happens to my excess hours/debits when I change DG?**

SYSPER automatically carries forward the debit or credit balance to the new Commission DG/Service post, so any credit or debit will automatically go with you to your new service.

### **If I am working part-time, can I also recuperate, and how much?**

Yes, you can also recuperate, but the maximum is reduced by the same proportion as your part-time work pattern. For example, somebody working half time (50%) cannot recuperate and/or transfer from one month to another a maximum of 20 hours, but half of it, i.e. 10 hours.

### **What happens if I have a positive/negative flexitime balance when definitively leaving the Commission services?**

A positive time balance cannot be remunerated and will be lost when leaving the Commission services. A negative flexitime balance, however, will be deducted from any remaining annual leave entitlements, and if these entitlements are insufficient, may be deducted from the salary. It is therefore strongly recommended that you keep your flexitime to a positive balance before leaving the Commission.

## **Missions**

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### **How many hours per day can I record for a mission?**

You should record the working hours as well as the travelling time, including when this takes place on weekend or a public holiday.

### **If the mission involves work on a weekend or on a public holiday - for example, a conference organised on a Saturday and Sunday - how is this accounted for?**

When on mission, you should record all your working hours and your travelling time, even if it takes place on a weekend or on a public holiday.

### **For an outside meeting starting on Monday, I had to travel on Sunday or on a public holiday. Is this travelling time considered working time?**

Yes, travelling time during the weekend or on a public holiday to or from the place of mission should be registered as working time.

### **How should I record my working hours in SYSPER when on mission?**

This of course depends on the length of the mission. If your secretary has a delegation, s/he can record the mission hours for you daily. For short-term missions, you should record your working hours as soon as you are back from your mission. Should 6 days have elapsed, and you had not the opportunity to record your mission working hours, you should refer to your Leave Manager (GECO).

### **After a mission ending on a Friday evening, I stayed on in the place of the mission until Sunday morning in order to benefit from a reduced-price air ticket. My service agreed**

**to this. Does the Saturday spent in the place of mission count as working time?**

No.

**Where a mission finishes with an overnight flight and a morning return to the place of work, half a day's compensation may be granted. When can I take that half day off?**

This half-day of compensation should in principle be taken on the day you return to the office (morning or afternoon). However, if this leave cannot be taken immediately upon return, as for example you immediately have to right a report, this half day of leave should be taken in due course after your return. This half-day should be recorded by choosing the "compensation after an overnight flight" option of the daily time recording application in SYSPER.

**When travelling on mission during the week, can I consider the travel time as working time?**

Yes, travelling time during the week to or from the place of mission can be credited as working time. You should select in the type of period "mission" to record your working hours.

**After a mission, I stayed on the place of mission and took some holidays. May I credit the travel time back to my place of work as working time?**

If the mission is combined with personal leave after your mission, the travelling time back to your place of work could be counted as working time. The same reasoning applies when leave days are taken before a mission.

## **Medical appointments, breastfeeding**

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**Is time spent at a medical appointment considered as working time?**

Only the annual medical visit, as foreseen under the Staff Regulations, is counted as working time. The Preventive Medicine 3-5 year health-screening cycle examinations organised by the PMO, which are not compulsory, can be counted as working time under certain conditions (see next question below).

Other medical appointments during working hours do not count as working time. They should, whenever possible, be arranged outside the time slots in which you need to be reachable.

In accordance with the reasonable accommodation principles for colleagues with disability, long-term illness/medical conditions and the relevant Commission Guidance, the line manager, in line with the Commission's duty of care, should make a case-by-case assessment where a colleague's condition might require frequent or regular medical visits.

**How do we account for time spent on an annual examination by the Commission Medical Service?**

All medical examinations performed under the compulsory annual medical examination are considered as working time up to a maximum of 8 hours for a person working full time (this credit is to be reduced proportionately for a person working part-time).

If you prefer to have an annual check-up with your own doctor, you should, as far as possible, try to set the appointments for your external examinations outside of the timeslots during which you need to be reachable.

When that proves impossible, the line manager may authorise you to derogate from the timeslots during which you are expected to be reachable.

The time needed for the external examinations is not counted as working time.

The Preventive health-screening cycle examinations organised by the PMO which take place after 3-5 years' service are counted as working time up to a maximum of half a day (=4h).

**Up to two hours per day may be granted for breastfeeding. Is this considered working time?**

Breastfeeding time is considered as working time for up to 2 hours a day. Any such absence, which must be taken around lunchtime, has to be agreed in advance with the line manager. Please find more information here: [Time allowed for breastfeeding \(europa.eu\)](https://europa.eu)

**Time recording for training, participation in EPSO competitions and other Commission internal personnel support services**

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**How will days of professional training be accounted for under the flexitime rules?**

The rules state that professional training, which is approved by the hierarchy according to the rules in force and is in the interests of the service and not at the personal interest of a staff member, is considered as working time. In such a case, staff should record the total duration of the course as working time. The minimum lunch break should be 20 minutes. If staff work at the office prior to or after the course, additional hours can be added for the same day. If staff work at the office prior to or after the course, travel time between the office and the training is also included as working time. If staff does not go to the office the day of training, they should count working time from the moment they arrive or leave the training course accordingly.

Part-time staff can only follow courses during their agreed working hours (as training time is counted as working time).

Courses requested at the personal interest of a staff member (e.g. language courses not in the interest of the service) they do not count as working time.

**Is the participation to a lunchtime conference or languages conversations' tables considered to be working time?**

Lunch time conferences are also counted as working time, (provided they have been previously approved by the line manager in EU Learn and that they are in the interest of the service) in their entirety, minus the 20 minutes obligatory lunch break.

**I currently participate in a certification course. What do I encode for each day?**

One certification day course equals to a flat-rate of 8h.

**What about time spent on Commission internal personnel support services?**

Consultations with the Commission internal personnel services, e.g. DG HR, PMO, Medical Service and the Psychosocial Teams, the SCOP, the confidential counsellors etc., are a provision by the employer considered to be carried out in the interest of the service and thus count as working time. Time recording should include the total amount of the meeting hours plus, when necessary, the relevant mission/travel hours.

**I participate in an EPSO external or internal competition, or a selection/recruitment procedure organised by an EU Institution or Agency or Body. How shall I record these hours?**

When a colleague is participating in an external competition organised by EPSO or another Institution, Agency or Body, special leave should be granted



where necessary, as per rules of Commission Decision on Leave C(2013) 9051 final of 16.12.2013.

When a colleague is participating in an EPSO Internal Competition, he/she records the necessary hours in SYSPER as “working time” having informed their Line Manager in advance. In such cases, when the internal competition activity takes place in the colleague’s employment location (e.g. Brussels) the colleague records the requested amount of time as “working at the workplace”. Some limited amount of “travel time” might be included –only if applicable- to cover the transport of the person from their office to their internal competition place and back. This includes the time needed to reach the place of the internal competition and back. When the recruitment activity takes place in a different place from the colleague’s employment location (e.g. a colleague from Luxembourg or ISPRA applies for a post in Brussels), he/she records the relevant amount of time as “mission”. Travel time can be included in the SYSPER recording – if applicable- to cover the transport of the person from their office to their interview place and back. In these cases, these hours shall be added to their total monthly balance and can be offset or recuperated in the following month(s).

Alternatively, (due to confidentiality reasons some colleagues might prefer not to inform their hierarchy about participating in internal competitions) the colleague can make appropriate use of their Annual Leave.

## Hybrid Working

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### Who can be excluded from hybrid working arrangements?

Staff whose tasks are incompatible with teleworking are excluded from hybrid working arrangements. DG HR will set up a register of types of tasks incompatible with teleworking.

### I am new at the Commission, can I telework immediately?

Yes, if your tasks are eligible for teleworking. To organise your teleworking, you need to discuss this with your line manager first and together agree on a teleworking arrangement. It may be useful that you spend a substantial amount of time at the office in the beginning to meet your team and other colleagues. The framework is flexible enough to enable you to adapt your presence at the office or work from home as you settle in your responsibilities. Be aware that your line manager needs to agree with the changes as well.

## Organisation of hybrid working

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### How many days can I telework?

The new Decision on the implementation of working time and hybrid working includes the right to telework for up to 20%.

This can be increased to up to 60% if agreed with the line manager.

If the line manager decides it is required in the interests of the service (e.g. you need to concentrate on a project), you can also telework more than 60% during the week, up to 100%.

### Can I telework only for half days or full days?

No. The Decision on working time and hybrid working lays down certain percentages of your working week,

e.g. 20%. The way in which you choose to spread your amount of teleworking over the week is up to you, subject to the agreement of your line manager.

For instance, you could decide to telework for two hours in the morning and then work at the office for the rest of the day.

### How can I get a hybrid working arrangement?

You should discuss with your line manager how much during the week and when you would like to telework and come to the office. Keep in mind that 20% of teleworking during the week is a right and if you would like to telework more you should agree with your line manager the amount. Only the line manager can indicate that you may telework for more than 60% during the week.

It is important to keep in mind that open communication is important from all sides, including within the team. It is important that the new flexibility does not jeopardise the quality of work and allows for direct interactions with the team and other colleagues.

### Can a manager refuse a request to telework?

The line manager cannot refuse 20% of working time as teleworking during the week. However, the line manager may instruct you to telework on a different timeslots during the week than you have indicated.

Beyond 20% of your working time, and up to 60%, your manager may refuse a request to telework for duly justified reasons. This refusal can cover the whole request or part of it. For example, if you ask for teleworking for 40% per week, your line manager may refuse but may agree for you to telework 30% of the week.

### What can I do if my manager does not let me telework for more than one day?

Line managers have some discretion in implementing teleworking to take into account the constraints in their service or team. If you disagree with the decision of your line manager, you may:

contact your HR.BC to seek guidance or to set up an informal dialogue with your line manager;

contact the Mediation Service, which can help you solve the disagreement;

introduce an complaint under Article 90(2) of the Staff Regulations.

### Should I use a special format to request a hybrid working arrangement?

No. It is up to you and your line manager to agree on a format. The arrangement can be agreed for example via e-mail or even orally.

### For how long is the hybrid working arrangement valid?

If you have an agreement to telework for 20% of your working time, the agreement and the timeslots indicated are valid for a period of six or twelve months, which can be renewed in a formal or informal manner. If you have an agreement to telework more than 20% of your working time and the timeslots, it is valid for six months, which can be renewed in a formal or informal manner.

### I have agreed with my line manager that I will telework every working day from 8.00-10.00 and come to the office afterwards. However, tomorrow I need to be home the whole day, is that possible?

If your line manager agrees, you can exceptionally change your agreed teleworking timeslot for a different one on an ad hoc basis. In this case, your line manager can also agree to grant you an additional teleworking timeslot (e.g. from 10.00-17:00) only for this week. The extra time slot should not result in more than 60% of teleworking this week.

### **I would like to modify my hybrid working agreement. Is this possible even though the six months have not expired yet?**

In agreement with your line manager, you can modify your hybrid working agreement. However, this new arrangement only becomes applicable after one month.

### **Do I have to telework during official hours?**

The working time rules apply in the same manner whether you are working in the office or from home: you should work mainly between 8.00 and 19.00.

### **Can I telework without specifying the timeslots in which I do so?**

No. You have to inform your line manager of at least the approximate timeslots during which you are planning to work in the office and during which you are planning to telework; and she/he has to agree, formally or informally. Moreover, the line manager may decide that on specific time slots during which you have to be present at the office.

### **I have broken my leg and should keep it up all the time. I cannot come to the office, but I would like to telework until I can walk properly again, is this possible?**

Yes, this is possible. However, you should provide the Commission's Medical Service with a medical certificate that indicates that you have a mobility issue and that you can telework. A medical officer of the Commission may proceed with the necessary verifications.

### **If I telework for 60% and I am sick on Monday and Tuesday where I agreed to be at the office, should I still come two days during the week if I am better on Wednesday?**

No. If you are ill during the days you agreed to come to the office, you do not need to come to the office

on other days. Of course, if you want to, you are always allowed to come back to the office during other timeslots than agreed upon.

### **Where should I telework from?**

Telework should in principle be performed at the place of employment or at no greater distance therefrom as is compatible with the proper performance of the duties. Usually, this will be working from your declared place of residence.

### **Am I allowed to telework outside the place of employment?**

Yes. You may telework outside the place of employment for up to 10 days per calendar year, subject to the agreement of your line manager. A specific request needs to be submitted in Sysper (Leave module).

### **Am I allowed to telework outside the place of employment for family reasons, or in exceptional circumstances?**

DG HR (Unit D1) may authorise you to telework outside your place of employment for up to one month in exceptional circumstances. Your line manager will be consulted. The circumstances for which this authorisation can be given include imperative family reasons, such as the need to take care of severely ill parents. For more details on how to request such an authorisation, please see [Exceptional Telework from Outside the Place of Employment \(europa.eu\)](https://europa.eu/exceptional-telework-from-outside-the-place-of-employment)

### **If I am called back to work urgently, does the Commission reimburse my travel costs?**

Since teleworking is supposed to be performed at the place of employment or close to the place of employment, going back to the office will be at your own expenses.

If you are using the possibility to telework outside the place of employment (up to 10 working days per

calendar year, in agreement with your line manager) and you are requested to come back for urgency reasons, you will not be reimbursed for the costs of travelling back.

If you are granted the authorisation to telework outside your place of employment for family reasons, and you are called in to come back to the office for an urgent matter, travel costs will also be at your expenses.

### Equipment, health, safety

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**Does the Commission supply me with computer equipment to telework? Does it cover the costs of the ADSL connection and/or telephone calls?**

**Laptop:** teleworking staff will be equipped with at least a laptop.

**Additional equipment:** Depending on the job profile, you may also receive additional equipment, such as a keyboard, a mouse, a headset and a screen.

**Internet subscription and Communications charges:** Officials/agents must bear the cost of their internet subscription and of the communication charges incurred while teleworking.

**Deviation of office line:** If staff members decide not to be present during the indicated time slots, professional phone calls must be forwarded to one of their private phone numbers (fixed line or mobile phone).

**Am I covered against accidents while I telework?**

Officials, temporary agents and contract staff, and local agents in the Commission Representations are covered against the risk of accidents regardless of whether they take place at the office or elsewhere, including your place of telework.