



EUROPEAN COMMISSION
 DIRECTORATE-GENERAL
 HUMAN RESOURCES AND SECURITY
 DIRECTORATE- GENERAL
 BUDGET

The Directors-General

Brussels
 HR.E.4/SS

**NOTE FOR THE ATTENTION OF
 CHAIRS OF THE REPRESENTATIVE TRADE UNIONS OR STAFF ASSOCIATIONS
 AND CHAIRS OF THE EXECUTIVE AGENCIES STAFF COMMITTEES**

Subject: New delegation of programmes to Executive Agencies

President von der Leyen has asked us to reply to your letter of 8 May 2020 addressed to herself and to Commissioner Hahn concerning the delegation of the future financial programmes to Executive Agencies, and in particular to your five requests therein.

As part of the preparation for the new multiannual financial framework, the College has looked carefully at how best to structure the portfolios of the executive agencies. The objective was to align the portfolios closely with the new programmes proposed under the new financial framework and the new political priorities, while also taking fully into account the need to avoid unnecessary disruption and in particular to minimise the impact on staff.

When deciding on the future portfolios, the College acknowledged the excellent work performed by staff in the executive agencies, as recognised in the evaluations of the agencies. The Commission proposal on the future portfolios¹ should be read as a vote of confidence in the executive agency model, since it expresses the clear intention of the Commission to maintain and even reinforce the agencies and to keep all their staff in place. The proposal gives certainty and a clear future perspective to all agency staff.

While looking at the future architecture of the new MFF programmes and conscious of the challenges and external constraints, the College decided to recommend the transfer of programmes currently implemented in the Consumer, Health and Food Executive Agency to two Brussels-based agencies. We would emphasise again that this was in no way a reflection on the performance of the staff working at the agency concerned. We acknowledge however that this decision has been a source of concern and uncertainty for the staff in CHAFEA and we would like to reassure you that both DG Budget and

¹ Communication to the Commission C(2020) 2880 concerning the delegation of implementation tasks to executive agencies for 2021-2027.

particularly DG HR, together with the parent DGs, will work closely with CHAFEA and its staff members throughout the transfer process.

Concerning your specific demands, you first request the suspension of the relocation of the programmes managed by CHAFEA.

It is important to recall that the Commission proposal for the transfer of programmes currently executed by CHAFEA is the first stage of an ongoing process. This process includes among other steps important decisions such as the adoption of the next MFF and the approval of the proposal for the future agencies' portfolios by the Council's Committee on Executive Agencies. However, in order to properly prepare both the future staff transfers and ensure business continuity, it is important to work already on a smooth transition plan and to inform staff of future developments.

Secondly, you request the creation of a joint task force to analyse the consequences for the staff of the decisions envisaged and to work on the axes for the development of CHAFEA.

The consequences for staff of the Commission's proposal should be dealt in the framework of social dialogue procedures at the appropriate level rather than in a joint task force between the administration and the staff representatives. The changes concerning the agencies' portfolios and especially the transfer of CHAFEA programmes to Brussels-based agencies is a question of the working of the institution rather than an interpretation of the Staff Regulations, which hence cannot be subject to negotiation with the trade unions.

Thirdly, you request an immediate end of the actions planned during May and June, and in particular the interviews with the staff of CHAFEA.

The Commission is committed to accompanying CHAFEA and its staff members throughout the delegation process, taking into consideration their individual needs and profiles. The interviews held with individual CHAFEA staff members are a necessary first step in providing this tailored individual support to each of the concerned colleagues starting at the earliest possible moment.

Fourthly, you request the launch of an overall reflection on the governance of the executive agencies and their human resources policy, in particular concerning the absence of career prospects, with the participation of the staff representation.

The attractiveness of executive agencies as an employer remains a priority in recruiting and retaining talent for the implementation of Union programmes. Contract and temporary agents employed by the agencies are eligible for indefinite duration contracts and participation in regular reclassification exercises, making the agencies an attractive proposition for this category of staff. Under the Commission's proposal, there will be more opportunities than ever in the agencies for staff to work directly on innovative and dynamic projects and to contribute to the political priorities. The Commission has been working constantly with the agencies since 2014 to improve or consolidate the agencies' attractiveness as employer, and we are committed to continuing to develop this work under the next MFF.

Finally, you request that the staff of the executive agencies can fully participate in the social dialogue concerning the reorganisation of the agencies, being part of the said Task

Force through the representatives of the Staff Committees of the Executive Agencies and their Joint Staff Committee.

The social dialogue on the acts governing the reorganisation of the executive agencies and their consequences on the staff in agencies and Commission DGs will be held in accordance with the Framework Agreement governing relations between the Commission and the representative trade unions and staff associations (OSPs) for Commission decisions. OSPs will be free to decide on the composition of their delegations for these social dialogue meetings.

In closing, we would like to emphasise once again our commitment to working closely with all staff affected by these changes to prepare for a smooth transition to the new portfolios. The executive agencies and their staff have a vital role to play in the implementation of the new programmes and we are determined to ensure that all staff working in agencies can do so under the best possible conditions.

(e-sign)
Gertrud Ingestad
Director-General

(e-sign)
Gert Jan Koopman
Director-General

c.c.:

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