

Implementing Rules to the Staff Regulations

42nd Meeting of the Management Board 22-23 June 2016

Item	10
Action	For adoption
Status	Final - public

Proposal

The Management Board is requested to adopt the 8th cluster of Implementing Rules giving further effect to the Staff Regulations (SR) and Conditions of Employment of Other Servants (CEOS), concerning part-time work¹.

Background

On 12 January 2016, the European Commission ('Commission') notified ECHA of the adoption of new Implementing Rules concerning part-time work ('part-time rules'). The Standing Working Party² concluded that there would be no need to request specific Agencies' rules and left it to each individual agency to decide whether to apply the Commission rules or not. Having reviewed these rules closely, the ECHA Secretariat hereby proposes that the Management Board adopts the rules by analogy.

As an indication of the incidence of part-time working in ECHA, the number of staff members availing of part-time work in 2015 was 59, with over 65% of those requests being for 90% or 80% part-time working rates.

Rationale

The part-time rules contain only one modification to the current system, namely the introduction of a 95% working time rate with a proportionate reduction in pay. At present, the 95% working time rate is only available to staff who can prove that they face a serious hardship, with no reduction in pay. The other technical changes in the document have been introduced to provide more clarity with respect to the process (for example, with respect to part-time based on time credits, how to deal with gaps between different part-time requests and when to approve part-time requests during probation).

It can be concluded that the part-time rules provide increased flexibility for staff and, also, clarify certain matters in the administration of the process. The part-time rules have been the subject of consultation, and agreement, with ECHA's Staff Committee.

¹ Article 55a of the Staff Regulations, and Annex IVa thereto,

² The Standing Working Party is the group comprising Agencies' representatives and DG HR that reviews and, where necessary, amends implementing rules to the Staff Regulations, having regard to the specific needs of EU Agencies.

Alternative options

ECHA could either do nothing and let the part-time rules apply automatically nine months after their notification³, or request the Commission's agreement to opt-out from these rules. However, it is considered that, as the part-time rules contain improvements, both to staff members and the administration, and as there are no risks involved, these alternatives are not in ECHA's interest and are not recommended.

Drawbacks

None

Attachment:

- Annex: Commission Decision C(2015) 9720 of 8.1.2016 on Article 55(a) of the Staff Regulations and Annex IV thereto concerning part-time work

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³ pursuant to Article 110(2) of the Staff Regulations