



Council of the
European Union

Brussels, 31 October 2017
(OR. en)

13904/17
ADD 4

STAT 7

COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	26 October 2017
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2017) 632 final ANNEX 4
Subject:	ANNEX to the Report from the Commission to the European Parliament and the Council on the rules adopted by the appointing authority of each institution to give effect to the Staff Regulations Implementing rules in agencies

Delegations will find attached document COM(2017) 632 final ANNEX 4.

Encl.: COM(2017) 632 final ANNEX 4



Brussels, 26.10.2017
COM(2017) 632 final

ANNEX 4

ANNEX

**to the Report from the Commission to the European Parliament and the Council on the
rules adopted by the appointing authority of each institution to give effect to the Staff
Regulations**

Implementing rules in agencies

		Commission		Agencies Number of implementing rules on 31 December 2016							
Article	Subject Matter	Relevant COM implementing rule	Ex-ante agreement	Adopted before 2014 reform ¹			Adopted after 2014 reform			No rule / opt-out (including ongoing requests)	Total
				Analogous to COM rule	Own rules (including ongoing requests)	Analogy - Art. 110 Application by analogy	9 month period not expired on 31/12/2016	Rule based on ex-ante agreement	Own rules different from COM (including ongoing requests)		

Staff Regulations

1e(1)	Measures of social nature	C(2013)4876 on guidelines for assistance with home care or care for a sick child		3	2					43	48
5	Types of posts and post titles	C(2013)8979 on types of post and post titles C(2016)3214 concerning the function of adviser				41			5	2	48
7	Transfer	C(2009)7839 laying down implementing rules as regards temporary occupation of management posts		5	25					18	48
9	Staff Committee	Rules laying down the composition and operation of the Staff Committee of 22/10/1997	C(2016)3323 regarding implementing rules on setting up a Staff Committee	5	25			13		5	48
12a	Harassment	C(2006)1624/3 on protecting the dignity of the person and preventing psychological harassment and sexual harassment	C(2016)6595 on policy on protecting the dignity of the person and preventing psychological and sexual harassment	5	27			4		12	48

¹ Agencies' rules implementing the Staff Regulations and adopted before the 2014 reform are mentioned if a Commission Decision on the subject matter exists.

		Commission		Agencies Number of implementing rules on 31 December 2016							
Article	Subject Matter	Relevant COM implementing rule	Ex-ante agreement	Adopted before 2014 reform		Adopted after 2014 reform			No rule / opt-out (including ongoing requests)	Total	
				Analogous to COM rule	Own rules (including ongoing requests)	Analogy - Art. 110 Application by analogy	9 month period not expired on 31/12/2016	Rule based on ex-ante agreement			Own rules different from COM (including ongoing requests)
12b - 16 - 17	Outside activities	C(2013)9037 on outside activities and assignments C(2016)3829 Learning and Development Strategy				47			1		48
24a	Training	C(2016)3855 on Training on the own initiative of the staff member C(2013)8970 GIPs concerning the criteria applicable to classification in step upon recruitment					33			15	48
27-34	Recruitment					48				14	48
29	Middle management	C(2016)3288 on middle management staff C(2013)9054 on measures concerning leave on personal grounds for officials and unpaid leave for temporary and contract staff of the EU					33			15	48
40	Leave on personal grounds		C(2015)5320 on measures concerning leave on personal grounds for officials and unpaid leave for temporary and contract staff of the EU C(2015)1513 on Article 43 and 44(1) SR			7		37		4	48
43	Annual report	C(2013)8985 GIPs on Article 43 and 44(1) SR				17		31			48

Staff Regulations

		Commission				Agencies Number of implementing rules on 31 December 2016					
Article	Subject Matter	Relevant COM implementing rule	Ex-ante agreement	Adopted before 2014 reform		Adopted after 2014 reform			No rule / opt-out (including ongoing requests)	Total	
				Analogous to COM rule	Own rules (including ongoing requests)	Analogy - Art. 110 Application by analogy	9 month period not expired on 31/12/2016	Rule based on ex-ante agreement			Own rules different from COM (including ongoing requests)

Staff Regulations

45	Promotion	C(2013)8968 on implementing Article 45 SR	C(2015)9563 on implementing Article 45 SR			15		12	15	6	48
55	Working hours	C(2014)2502 on working time	C(2015)9562 on working time			23		21	4		48
55a	Part-time	C(2015)9270 on Art 55a SR and Annex Iva				47			1		48
	Telework	C(2015)9151 on Telework				29			4	15	48
55b	Job-sharing	C(2004)1314 on Job-sharing									48
57	Annual leave and special leave	C(2013)9051 on leave		26	1	48				21	48
59-60	Sick leave	C(2004)1597/11 on sick leave		26	19					3	48
67-68	Education allowance	C(2013)8971 GIPs on Art 3 of Annex VII				48					48
71	Travel expenses	C(2013)8987 GIPs on Art 8 of Annex VII				48					48
71	Place of origin	C(2013)8982 GIPs on Art 7(4) of Annex VII				48					48
71	Removal expenses	C(2013)9040 GIPs on removal expenses				47			1		48
71	Mission and duty travel	C(2008)6215 - GIPs on missions		27	17					4	48
77	Transfer of pension rights	C(2011)1278 GIPs on Article 11 and 12 of Annex VIII		24	19					5	48
86	Disciplinary proceedings and administrative investigation	C(2004)1588 GIPs on administrative inquiries and disciplinary procedures		9	31					8	48

Conditions of Employment of Other Servants

Article		Commission		Agencies Number of implementing rules on 31 December 2016							Total
				Adopted before 2014 reform		Adopted after 2014 reform			Own rules different from COM (including ongoing requests)	No rule / opt-out (including ongoing requests)	
Subject Matter	Relevant COM implementing rule	Ex-ante agreement	Analogous to COM rule	Own rules (including ongoing requests)	Analogy by analogy	Analogy - Art. 110	Rule based on ex-ante agreement	9 month period not expired on 31/12/2016			

12(5)	Engagement of TA	C(2013)9049 on policies for engagement and use of TA								4	38	48
15 CEOS +43 SR	Appraisal TA			11							37	48
17 + 91	Maternity leave and maternity pay	C(2013)9020 on maternity leave and maternity pay			48							48
54	Reclassification TA			18							30	48
	Reclassification TA 2f			2		C(2015)4996 and C(2015)9560 on implementing rules giving effect to Art 54 CEOS			32		14	48
56	Engagement of TA 2f					C(2015)1457 and C(2015)1509 on implementing rules giving effect to Art 56 CEOS			38		10	48
79(2) - 90	Engagement of CA	C(2013)9028 on the maximum duration for the recourse to non-permanent staff in the Commission services				C(2016)2421 regarding the non-application of the COM Decision on the maximum duration for the recourse to non-permanent staff			26		22	48
87	Appraisal CA	C(2014)2226 GIPs for implementing Art 87(1) of the CEOS			11	C(2015)1456 for implementing Art 87(1) CEOS and Art 44(1) SR			37			48
87(3)	Reclassification of CA	C(2013)2529 on GIPs for implementing Art. 87(3) CEOS			15	C(2015)9561 and C(2015)4997 on provisions for implementing Art 87(3) CEOS			33			48

Legend

<p>Commission implementing rule adopted after the reform of 2014 and notified to agencies</p>	<p>Implementing rules in agencies which apply by analogy after the reform of 2014 (Art. 110 (2) SR)</p>	<p>Derogations after 2014 (own rules or opt out, including requests pending)</p>
<p>Commission horizontal ex-ante agreements</p>	<p>Implementing rules adopted by agencies based on ex-ante agreement</p>	