

EUROPEAN UNION
Delegation to Ethiopia

Addis Ababa, 28 October 2013
D (2013) 1921

Note for the attention of:

Mr. José Manuel Barroso, President of the European Commission

Mr. Herman Van Rompuy, President of the European Council

Mr. Martin Schulz, President of the European Parliament

Mrs. Catherine Ashton, Vice-President of the European Commission and High Representative of the European Union for Foreign Affairs and Security policy

Mr. Andris Piebalgs, Commissioner Development

Mr. Maroš Šefčovič, Vice-President of the European Commission and Commissioner for Inter-Institutional Relations and Administration.

Subject: amendments to staff regulations – EU Delegation to Ethiopia

Following our Delegation's as well as many other sister Delegation's written concerns about the "disproportionate singling out" of staff working in Delegations by the amendments in the Staff Regulations and the subsequent response from Mr. D. O'Sullivan and Mr. F. Fotiadis dated 26th August 2013 (annex 1), we would like to bring to your attention our continued concern on notably the full alignment of annual leave entitlements with those prevailing for headquarter colleagues and the reduction to economy class entitlement for the annual travel allowance - no matter where one is posted - and would like to propose some concrete way forward, within the framework of the revised staff regulations.

As indicated in this delegation's earlier letter on the matter, we fail to understand the rationale of the alignment of annual leave entitlements with Headquarters, given that the reality of living and working in third (developing) countries, often under challenging conditions, can in no way be compared to a posting in Brussels. **This is recognised by International Organisations and Diplomatic Services of Member States.**

We have done a partial review of the leave entitlements of EU Member States diplomatic staff here in Addis (see annex 2 attached) and have found that on average those staff are getting about 43 days of leave (not including public holidays) and that have a significant number of additional days in comparison to their Headquarters from a minimum of 8 extra days to more than 20 extra days.

This goes against the frequently quoted studies and audits on annual leave on which the decision for the reduction would have been based (see annex 3 attached), but which have so far not been published or shared. We, as many other Delegations, have asked several times to get a copy of these 'studies and audits', but we have never received any reply; **we are deeply disappointed by this lack of transparency** and we ask once again to share those studies to facilitate an open and frank discussion within our institutions/services. Should these studies be found not to exist, we request that appropriate measures are taken by the competent Institutions towards those services.

We are convinced that what we gathered as information regarding the annual leave days from EU MS in Addis can be extrapolated to other locations.

This foreseen alignment of annual leave days with those prevailing for our headquarter colleagues (representing a 40% reduction of current entitlements), together with a radical reduction in the annual travel allowance, no matter how far one is based from his or her home, has particularly dismayed us. **While these measures will not lead to substantial budget savings, they disallow delegation staff for being partially compensated for being far from their families, from having no access to minimal acceptable medical standards, from the absence of basic shopping facilities (clothes, household items, medicines, etc), for spending extra time on inevitable and mandatory administrative/legal issues back home during leave.** The substantial reduction in entitlements also does not seem to appreciate that many of the European staff in delegations are the sole earners in their family, due to the difficulty (or, in the case of Ethiopia, prohibition) of spouses seeking work.

While we have clearly established rules related to the duration of travel for the use of business or economy class, the suggestion to universally apply economy class ticket value for annual travel allowance seems incoherent and unfair, in particular for people posted on the other side of the globe.

On the particular point of annual leave days, the letter of Mr. D. O'Sullivan and Mr. F. Fotiadis dated 26th August 2013 mentions a couple of arguments to justify this reform. We would like to list them one by one and provide our reaction to these justifications:

- **Justification number one: *"this proposal was supported by both Parliament and Council after having been raised in the JURI report from April 2012"***

We would like to emphasise here that the report of the JURI Committee had proposed a reduction from 3,5 days per month to 3 per month (i.e. from 42 to 36 days), not to 2 days. We would have no objection to this proposal. However, we fail to understand the supplementary radical reduction requested unilaterally by the EEAS itself against staff in Delegation. **We feel we have been unjustly betrayed by the Institution which was supposed to represent us in this process;**

- **Justification number two: *"this change is justified on the grounds that 42 working days as basic right of annual holidays in any EU Delegation is no longer defensible to the European tax payer"***

As mentioned above, while we would have agreed to the proposed reduction in leave days from 3,5 to 3 per month in line with the recommendations of the JURI committee, we would like to underline that none of the consulted EU MS has a rule of less than 2,5 days per month. The average in Addis is actually 3,6 days per month which is significantly more than the 2 days per month proposed in Annex 10. **In view of this, it seems hard to understand how the same European tax payers have fewer problems with the leave entitlements of their national diplomatic staff than with sometimes lower entitlements of staff working in EU Delegations;**

- **Justification number three: *"the staff regulations allow for additional leave days for other factors like age and seniority"***

While we appreciate these additional days, they are not differentiated between headquarter colleagues and colleagues working in delegations and hence do not take away the principal concern of the wrong decision to align leave entitlements between headquarter colleagues and delegation staff;

- **Justification number four:** *"concerning countries where conditions are difficult, the new Staff Regulation is still offering enough flexibility, including through rest leaves system, to maintain attractiveness"*.

It is to be noted that the trend over the last few years has been to reduce the number of rest leaves in different delegations where "conditions are difficult", rather than use it as an instrument to maintain attractiveness.

In view of the above, we hope you can agree with us that all of the provided justifications for the drastic, unilateral cut in leave entitlements without any consultation with affected staff is unfair and unfounded and requires proper reconsideration.

We would therefore like to further explore the possibility offered in the earlier referred to letter to *"make use of the flexibility offered by the Staff Regulations (...) through the implementing texts (...) to address the very specific circumstances in which colleagues in Delegations find themselves"*.

In view of the above, and in coherence with the JURI committee and the leave entitlements of our Member States colleagues, we would suggest the elaboration of additional special leave entitlements bringing the total annual leave days for staff working in delegations in developing countries to 3 days per month and allowing for the necessary medical visits outside of the place of posting, basic shopping, mandatory administrative/legal issues in the place of origin, etc. Furthermore we would also suggest aligning the annual travel allowance to the general rules for business or economy class based on duration of travel.

We trust that these constructive proposals, within the framework of the amended staff regulations, will be carefully considered and acted upon.

Hoping that our concerns will be seriously taken into account and considering that it is still possible to have an honest, transparent and equilibrated debate on the reform, we ask for an urgent consultation between Staff Representatives in EU Delegations, Trade Unions and European Institutions to reach a balanced and fair reform of Annex X.

Annexes:

1. Message to Staff in Delegation about the New Staff Regulation from David O'Sullivan and Fokion Fotiadis; Ares (2013)2929868 – 26/08/2013
2. Leaves days in EUD to Ethiopia: comparison with diplomatic services of Member States
3. Staff Regulation reform – message to staff from Bjorn Larsson – 02/07/2013

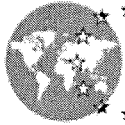
Copy: EEAS: D. O'Sullivan, P. Vimont, B. Larsson, P. Child, N. Westcott

DEVCO: F. Fotiadis, F. Frutuoso De Melo, M. Cornaro, F. Mosca

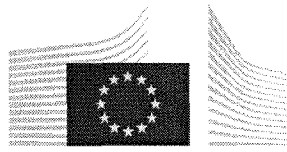
Leave days in Ethiopia - EU Member States

Countries	Days	Ethiopian context	Mobility	Total
Germany	30	12		42
France	33 + 11 (RTT)			44
Italy	31	10	3	44
Portugal	25	22		47
Sweden	30	12		42
UK	30	3		33
Spain	25	10	9	44
The Netherlands	23 + 25 (RTT)		3	51
Belgium	30	10	2	42
Average				43,2

EUROPEAN EXTERNAL ACTION SERVICE



Chief Operating Officer



EUROPEAN COMMISSION
Directorate-General for Development
and Cooperation - EuropeAid

Director General

Brussels,
Ares (2013)

26 AOUT 2013

MESSAGE TO STAFF IN DELEGATIONS ABOUT THE NEW STAFF REGULATIONS

Dear Colleagues,

The changes to Annex X to the Staff Regulations have triggered a number of concerns among you and we have read with attention the messages you have sent to President Barroso, to VP/HR Baroness Ashton, to Commissioners Piebalgs and Füle, and to us outlining your concerns. We have corresponded with staff representatives (Comité local du personnel hors UE / CLP-HU) on this matter.

In the current political and financial context, changes to the staff regulations were unavoidable. The measures at stake are part of a package that has been supported by a qualified majority of Member States in the Coreper, and a very comfortable majority of 73% in the European Parliament. Even if some of them will require some sacrifices from the staff, at the end of the day, the compromise agreed delivers a reasonable and acceptable balance between the Commission proposal, staff interests as well as the positions of the Council and of the European Parliament.

Apart from the annual leave entitlement, almost all the special rights for Staff in Delegation outside EU have been maintained (installation allowance, taking up duty ticket, moving, housing, annual travel, local conditions allowances, weightings coefficients, school allowances, full medical cover, accident insurance to family, rest leaves, etc.).

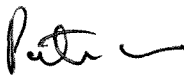
The most significant change is the reduction in annual leave. This proposal was supported by both Parliament and Council after having been first raised by the European Parliament in the JURI report from April 2012. This change is justified on the grounds that 42 working days as basic right of annual holidays in any EU delegation is no longer defensible to the European taxpayer. However, given the importance of the change, we welcome the principle of a transitional period, as foreseen in the new staff regulations. Furthermore, the staff regulations allow for additional leave days for other factors like age and seniority to be determined by common agreement in the context of the implementing rules. Finally, concerning countries where conditions are difficult, the new Staff Regulation is still offering enough flexibility, including through the rest leaves system, to maintain attractiveness.

Our services will work closely with the Commission's Directorate-General for Human Resources in drawing up the general implementing provisions (GIPs) for Annex X to the Staff Regulations and make use of the flexibility offered by the Staff Regulations. All the implementing texts must be adapted before the end of the year. We will explore all available workable options to address the very specific circumstances in which colleagues in Delegations find themselves.

You should be in no doubt that we highly value your contribution to the work of the European Union and that one of our main objectives is to maintain an efficient and motivated network of staff whatever their status, family situation or place of work may be. Indeed people remain the most important asset of the Commission / EEAS.

Naturally, we will keep you fully abreast of any progress we make. To that end we will remain in close contact with the EEAS Staff Committee and CLP HU in the development of the GIPS in the coming months.

With best wishes,


David O'SULLIVAN
D.O.


Fokion FOTIADIS
F.O.