

**Staff ideas forum:**  
**Collective level**

**Situation of Contract Agents CA 3b serving in DG DEVCO: a call for Management's action**

With this document the Contractual Agents 3b serving in DG DEVCO would like to raise awareness about implications of the new general implementation provisions (GIPs) which implementation started on 1<sup>st</sup> November 2017.

In the framework of the DEVCO days 2018, there has been a call for contributions at a collective and individual level. On the collective level, we have been asked to reflect on:

***What can we do to collectively deliver better on our policy ambitions? What needs to be improved and how?***

DEVCO CA3b are convinced that the world around us keeps changing and we need to adapt to new realities that challenge the way we work both in HQs and Delegations. We believe that we need to respond to the existing and future challenges professionally, based on performance and equal treatment of all staff, and labour rights based on a relevant legal basis.

Although there have been some attempts to improve the situation of CAs, the new GIPs have indeed deepen the gap between CAs 3a and CAs 3b. **Therefore we would like to ask the management to engage in a collective effort to improve such a situation and provide adequate answers and solutions.**

CA 3b staff perform the same duties as other AD colleagues. Even though we understand that we are operating under the current Staff Regulations with its limitations for CA 3b, **concrete actions to equal the situation with CA 3a** would constitute a fair settlement and renovated motivation to maintain the high professionalism we provide to DG DEVCO.

CA3b represent a **44% of DEVCO statutory workforce in Headquarters**. This without taking into account CAs posted in Delegations; **without us many tasks could not be accomplished nor would important targets be achieved**. We demand therefore formal recognition of our work, passion and determination by asking DEVCO's management support in improving our situation and guarantee basic fair and equal work conditions and opportunities as all the other CAs.

**Critical points regarding CA 3b situation:**

1. The new GIPs foresee in its Article 8 that the duration of CA 3b contracts may not exceed six years, including all tasks rendered in all function groups as a CA 3b. **Therefore after six years many colleagues depart without having reasonable opportunities in the EU institutions in the near future**. Although the GIPs in its Art.14 foresee a **mobility** scheme for CA 3a (CAs engaged in agencies and in EU Delegations) within the Commission and between the Commission and the executive agencies, **such possibility does not exist for CA 3b colleagues**.

Also on the **duration**, the GIPs set a clear distinction between CA 3a and CA 3b. For CA 3a the contract could be concluded for an indefinite period **while for CA 3b, the contract may not exceed six years**. Even though CA 3b perform permanent tasks and possess an accumulated experience and in-house knowledge, they do not have a possibility to exceed the 6 years' time limit. However in some Brussels-based executive agencies CA 3b can be entitled

to longer than six-year's contract which multiplies the differences even within the same typology of CAs.

2. The new GIPs enable CA 3a to become **Team Leaders** in delegations. The relevant DGs are currently mapping the needs and will be working with DG HR to create the new mechanism for implementation over the next few months. **However, even though the tasks and responsibilities of CAs 3a and 3b remain similar, there is no possibility to become Team Leaders for CAs 3b, i.e. having the opportunity to apply to Team Leader positions in HQ.**
3. CA 3b staff recruited pursuant to Commission Decisions C(2013) 4459 of 25 July 2013 and PV(2014) 2101 of 30 October 2014 are obliged to pass the **selection tests** provided for in Article 2(2)(c) of Annex I prior to their contract being renewed beyond four years of engagement. **This provision is being implemented in a retroactive manner and does not follow a positive performance evaluation rationale but rather an ad-hoc system which aims at certifying CAs after having performed 4 years with the EU Institutions.** This adds as well a risk element to the non-renewal of existing contracts with negative consequences for the service and the contract agents.

#### **Our proposals for addressing the situation:**

1. We would like to seek DEVCO management's support to liaise with DG HR and other relevant DGs/services in charge of Staff Regulations and HR matters **to amend the GIPs towards creating a mobility system open for CA 3a and CA 3b contracts. This system will facilitate the mobility of contract staff within the Commission departments and between these departments and the executive agencies and make the best possible use of the skills available.** The new system shall allow CA 3b to apply for CA 3a posts published internally at the Commission and the executive agencies.
2. We would like to ask DEVCO management to **map the Human Resources needs of the Directorate General and call for internal or specialised competitions for CAs in international development cooperation, once a year.**
3. **We would like to call for a pilot exercise in which performance and appraisals are linked to the possibility of transforming CA 3b contracts into 3a contracts for Contract Agents whose contribution and talent has been recognised,** as it is being done at the European Patent Office, the European Parliament, and the European Central Bank. These arrangements could be taken as "pilot" practices and be applied immediately as transitional steps until end of 2020, for those colleagues approaching their contractual limit.
4. **CA 3b should be given the same opportunity as CA 3a to apply for Team Leader positions. This is an evident discrimination among staff performing duties with same/similar responsibilities.** Appraisals should be useful to this end. This would also increase CAs' motivation and constitute a reward for the work performed with the same responsibilities as AD colleagues.