

## **INTERNAL RULES ON ADVISORY PROMOTIONS COMMITTEES**

THE SECRETARY-GENERAL OF THE EUROPEAN PARLIAMENT,

having regard to the Staff Regulations of Officials of the European Union (hereinafter ‘the Staff Regulations’) and to the Conditions of Employment of Other Servants of the European Union (hereinafter ‘CEOS’), and in particular to Article 45 of the Staff Regulations and Article 87(3) of the CEOS,

having regard to Article 2 of the Bureau decision of 13 January 2014 on the delegation of the powers of the Appointing Authority and of the Authority Empowered to Conclude Contracts of Employment,

having regard to the Secretary-General’s decision of 20 June 2014 on the policy on promotions and career progression (hereinafter ‘promotions policy decision’),

having consulted the Legal Service, the Data Protection Officer, the Staff Committee and the Committee on Equality of Opportunity between Men and Women and Diversity,

whereas there is a need to revise the internal directive on advisory promotions committees of 19 October 2005, to take account of the latest changes to the Staff Regulations,

HAS ADOPTED THE FOLLOWING INTERNAL RULES:

### **Article 1 Setting-up and tasks**

1. It is hereby decided to set up:

- two advisory promotions committees for the AD function group

and

- two advisory promotions committees for the AST and AST/SC function groups and for the contract staff belonging to function groups I and III who have been recruited in accordance with Article 3a of the CEOS.

2. These committees’ areas of responsibility shall be divided up as follows:

#### **I – AD FUNCTION GROUP**

(a) to AD 6 up to AD 12

(b) to AD 13 and AD 14

#### **II – AST FUNCTION GROUP + AST/SC FUNCTION GROUP + CONTRACT STAFF IN FUNCTION GROUPS I AND III**

(a) to AST 2 up to AST 6 and  
to AST/SC 2 up to AST/SC 6 and  
contract staff I and contract staff III

(b) to AST 7 up to AST 9 and to AST 11.

3. The task of the advisory promotions committees, hereinafter referred to as 'committees', shall be to deliver opinions to the Appointing Authority, in the manner provided for in the provisions of these internal rules:
  - on all promotions of officials, up to and including grade 14, pursuant to Article 45 of the Staff Regulations, and also
  - on the classification of contract staff in the next higher grade in the same function group, in accordance with Article 87(3) of the CEOS.

## **Article 2 Composition**

1. The committees shall be chaired by the director-general responsible for personnel matters or his or her delegate, and shall be composed of four full members and four alternate members designated by the Appointing Authority and of an identical number of members designated by the Staff Committee. The chair, his or her delegate and the members shall be assisted by a secretariat.
2. Members of the committees for the AD function group must necessarily belong to the AD function group and be at the following grade:
  - at least AD 12, for the committee designated I(a) in Article 1(2) above, and
  - AD 14 performing the duties of at least a head of unit or adviser or equivalent, for the committee designated I(b) in Article 1(2) above.
3. Members of the committees for the AST and AST/SC function groups may belong to the AST function group but must be at the following grade:
  - at least AST 6, for the committee designated II(a) in Article 1(2) above,
  - at least AST 11, for the committee designated II(b) in Article 1(2) above, or
  - belong to the AD function group but be at least grade AD 7.
4. The representatives of the Committee on Equality of Opportunity between Men and Women and Diversity shall be subject to the same grade conditions when acting as observers on these four committees.
5. The committees shall have a gender balance.
6. Members shall be completely independent and may not be given a mandate by their directorate-general. They shall act only in the interests of the service.

7. The Chair of the Staff Committee shall be invited to all meetings of these committees to set out the Staff Committee's priorities.
8. The composition of the committees shall be determined each year by decision of the Appointing Authority.
9. The directorate-general responsible for personnel matters shall provide the committees' secretariat.

### **Article 3 Operation**

1. The chair shall conduct debates, give the floor to members, declare discussions closed, put matters to the vote and announce the results of votes. He or she shall not take part in the voting unless there is a tied vote.
2. An alternate member shall attend meetings only if the corresponding full member is unable to do so.
3. Any member of the committee who is the direct hierarchical superior or assessor of one of those eligible for promotion or who has been consulted by the assessor when drawing up the staff report of one of those eligible for promotion may take part in the discussion and voting relating to the official or contract staff member concerned if he or she indicates this clearly at the beginning of the discussion on the lists.

### **Article 4 Procedure**

1. Prior to the start of proceedings, and if the committees are not chaired by the same person, the chairs shall hold a meeting to harmonise the procedures for implementing these internal rules.
2. When the committees start their work, the chair shall remind all the members of the way in which the committees operate and of members' obligations.
3. The four committees shall in principle meet once a year to examine the lists of staff eligible for promotion as at 1 January of the year in which the promotions procedure takes place.
4. The committee considering promotions to AD 13 and AD 14 shall meet first and lay down the guidelines for all the promotions in the promotions procedure concerned.

If the committees are not chaired by the same person, the other chairs shall be invited to attend the meeting of the AD 13-AD 14 committee so that common guidelines applicable to all staff can be adopted.

5. The committees shall deliberate on the list of officials and staff who have fulfilled the conditions set out in Article 45 of the Staff Regulations, drawn up by the directorate-general responsible for personnel matters, hereinafter designated the list of staff eligible for promotion.

In that list, staff shall be ranked, for each function group and grade, according to the total number of merit points awarded since their appointment to the grade. Where two or more officials have the same number of points, the second ranking criterion shall be the annual average of points obtained since their appointment to the grade or, at most, since 1997. Points carried over and points awarded automatically in accordance with Article 7(1), second indent, of the promotions policy decision shall not be taken into consideration for the calculation of this average. Officials with equal ranking shall then be ranked according to seniority in that grade and then in alphabetical order.

6. The committees shall take account of staff reports, which shall be made available electronically.

Where the budgetary funding is insufficient to permit all the officials who have reached the reference threshold to be promoted, and where they have an equal number of merit points, the committees shall take the following criteria into account, in the following order:

- merit over time,
- the level of responsibility in the posts held,
- successful mobility,
- membership of administrative bodies or committees,
- seniority in grade,
- age.

If, after this analysis, there is still a tie between staff eligible for promotion, the requirement concerning equal opportunities shall be decisive.

7. The same procedure shall apply by analogy to the classification in the next higher grade of the contract staff defined in Article 1 of the promotions policy decision.

8. The committees shall draw up, in order of merit:

- the list of officials whom they recommend for promotion; this list shall include, at most, a number of candidates that is equal to the number of promotions for which budgetary funding is available,
- the list of contract staff whom they recommend for classification in the next higher grade within their function group.

**Article 5**  
**Opinions of the committees and decision of the Appointing Authority**

1. The day after its meeting, each committee shall forward for comment the full draft minutes, drawn up under the joint responsibility of the chair and the secretary, to the members who took part. Those minutes shall include the proposals for promotions and, if applicable, the recommendations for contract staff to be moved to the next higher grade. If guests are invited to a meeting, each committee shall also send them copies of the record of their statements at the meeting, for comment.

Requests for correction and/or opinions shall be forwarded to the chair of the committee concerned and to the other members.

The approved minutes shall be sent to the Secretary-General, the director-general responsible for personnel matters, the Appointing Authority, the members who took part in the meeting and the Chair of the Staff Committee.

2. The committees shall be informed of the decisions taken by the Appointing Authority, which shall give reasons in writing for any decision to depart from the committees' opinions.

Should the Appointing Authority propose promotions or moves to the next higher grade in respect of officials or contract staff who have not been recommended and/or who have not reached the reference threshold of merit points, the committees will be asked to deliver an opinion.

3. The decisions taken by the Appointing Authority shall be published electronically..

**Article 6**  
**Posting of lists of those eligible for promotion and those promoted**

1. At the latest at the beginning of each committee's work, the directorate-general responsible for personnel matters shall publish electronically the list of officials and other staff defined in Article 1 of the promotions policy decision who have at least two years' seniority in the grade on 1 January of the year of the promotions procedure under consideration and who, where this is applicable, have shown their ability to work in a third language, and the list of those officials and other staff with sufficient merit points to have reached or exceeded the reference threshold laid down in Article 9 of the promotions policy decision.

These lists shall be presented by staff category (officials/contract staff), by function group and by grade, in alphabetical order.

2. When the committees have completed their deliberations, the directorate-general responsible for personnel matters shall publish, electronically, the list of officials recommended for promotion by the committees and/or by the Appointing Authority, and the list of officials selected for promotion by the Appointing Authority.

Those lists shall be presented by function group and by grade in alphabetical order.

3. The list of contract staff recommended and selected by the Authority Empowered to Conclude Contracts of Employment for classification in the next higher grade shall be published in the same way.

**Article 7**  
**Secrecy of deliberations**

The committees' deliberations shall take place in secret. Any committee member who discloses information concerning these deliberations shall be liable to disciplinary action in accordance with Articles 17 and 86 of the Staff Regulations.

**Article 8**  
**Final provisions**

1. These rules shall enter into force on the day they are adopted and shall apply with effect from the 2014 promotions procedure.
2. They shall replace the internal directive on advisory promotions committees dated 19 October 2005.

Done at Luxembourg, on 18 July 2014

Klaus WELLE