

**INTERNAL RULES ON THE RECLASSIFICATION OF TEMPORARY STAFF
EMPLOYED UNDER ARTICLE 2(a) OF THE CONDITIONS OF EMPLOYMENT
OF OTHER SERVANTS**

THE SECRETARY-GENERAL OF THE EUROPEAN PARLIAMENT,

Having regard to the Staff Regulations of Officials of the European Union (hereinafter ‘Staff Regulations’) and to the Conditions of Employment of Other Servants of the European Union (hereinafter ‘CEOS’), in particular Article 10, third subparagraph, 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 (AECE),

Having consulted the Legal Service, the Data Protection Officer, the Staff Committee and the Committee on Equal Opportunities and Diversity,

Whereas the European Parliament undertakes to ensure that the careers of temporary staff working in the Secretariat and employed for an indefinite period under Article 2(a) of the CEOS develop smoothly,

HAS ADOPTED THE FOLLOWING INTERNAL RULES:

**Article 1
Scope**

These rules shall apply to temporary staff in the Secretariat of the European Parliament employed pursuant to Article 2(a) of the CEOS on an open-ended contract.

**Article 2
Definitions**

For the purposes of these rules:

- ‘year N’ means the year in which a reclassification takes place;
- ‘AECE’ means the Authority Empowered to Conclude Contracts of employment;
- ‘DG PERS’ means the Directorate-General for Personnel.

**Article 3
Reclassification in the next higher grade**

1. Subject to the availability of budget funding and without prejudice to Article 6(4), temporary staff members may be classified in the next higher grade on the basis of a supplementary agreement to their contract of employment provided, firstly, that their seniority in grade on 1 January of year N is at least equal to that set out in the table below

	AD HoU/Advisor or equivalent	AD	AST Senior Assistant	AST	AST/SC
14	-				
13	6				
12	5	-			
11		4	-		
10		4	5		
9		4		-	
8		3		4	
7		3		4	
6		3		4	-
5		2		4	9
4				3	7
3				3	6
2				3	5
1				2	4

and, secondly, that their performance has been judged satisfactory in their last two staff reports.

2. The time spent on unpaid leave granted under Article 17 of the CEOS for a period of one month or more shall not be taken into account for the purpose of calculating seniority in grade.
3. The new classification shall take effect on 1 January of year N.

Article 4 Successive contracts in the European Parliament

1. When a contract of employment concluded under Article 2(a) of the CEOS for an indefinite period immediately follows a fixed-term contract of employment concluded under that same article, the period of service under the fixed-term contract shall count towards seniority in grade, provided that the staff member's function group and grade under the new contract are the same as under the previous contract.
2. When a contract of employment concluded under Article 2(a) of the CEOS immediately follows a contract of employment concluded under Article 2(b) or 2(c) of the CEOS, the period of service under the first contract shall not count towards seniority in grade.

Article 5
Breaks between contracts in the European Parliament

1. Where there is a break between two contracts concluded under Article 2(a) of the CEOS, the period of service under the first contract shall count towards seniority in grade provided that the break has been no longer than
 - (a) eight months, if the staff member continued to work throughout that period for a European Union institution as a member of the temporary staff and/or contract staff for auxiliary tasks, or
 - (b) the duration of the term of office, if the staff member was assisting a person holding an office referred to in Article 2(c) of the CEOS or the elected president of a European Union institution or body,and provided that the staff member's function group and grade under the new contract are the same as under the first contract.
2. The provisions set out in paragraphs 2 and 3 of Article 3 shall apply by analogy.

Article 6
Procedure for classification in the next higher grade

1. As part of the budget procedure in year N-2, DG PERS shall determine the number of reclassifications in the next higher grade likely to be made in year N by identifying the temporary staff whose seniority in grade on 1 January of year N will be at least equal to that specified in Article 3(1).
2. In January of year N, after verifying that budget funding is available and consulting the directorates-general concerned, DG PERS shall draw up supplementary agreements to the contracts of the temporary staff eligible to be reclassified in the next higher grade and shall submit them, together with the staff reports of the staff members concerned, to the AECE. DG PERS shall also send the AECE a list of all temporary staff recruited under Article 2(a) of the CEOS, specifying their seniority in grade.
3. If the available budget funds for given grades are insufficient for the reclassification of all staff members fulfilling the average time in grade conditions laid down in Article 3(1), the AECE shall take into account merit, seniority in grade and length of service in order to determine who should be reclassified in the grades concerned.
4. Subject to the availability of budget funding, and on the reasoned recommendation of the directorate-general concerned, the AECE may, exceptionally, reclassify a particularly deserving temporary staff member not fulfilling the average time in grade conditions laid down in Article 3(1) in the next higher grade, provided that he or she has at least two years' seniority in grade on 1 January of year N.

Article 7
Non-classification in the next higher grade

1. Classification in the next higher grade shall not be automatic, even when a staff member fully satisfies all the conditions set out in these internal rules and the funds available in the budget are sufficient to allow reclassification.
2. The AECE may refuse to reclassify the staff member in the next higher grade if, for example, the staff member's quality of work, output and/or conduct are considered to be at a lower level than those of other staff members in the same grade, or if the staff member has failed to comply with professional obligations.

Article 8
Final provisions

1. These internal rules shall enter into force on the day on which they are signed.
2. They shall replace the internal rules on career planning for temporary staff employed under Article 2(a) of the CEOS of 9 March 2012.

Done at Luxembourg on 21 October 2014

Klaus WELLE