

## **INTERNAL RULES ON FAMILY LEAVE**

THE SECRETARY-GENERAL OF THE EUROPEAN PARLIAMENT,

having regard to the Staff Regulations of Officials of the European Union (hereinafter referred to as ‘the Staff Regulations’) and to the Conditions of Employment of Other Servants of the European Union (hereinafter referred to as ‘the CEOS’), and in particular Article 42b of the Staff Regulations and Articles 16, 91 and 131(5) 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 (hereinafter referred to jointly as ‘the appointing authority’),

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

HAS ADOPTED THESE INTERNAL RULES:

### **Article 1 Scope**

These rules shall apply to officials in accordance with the provisions of Article 42b of the Staff Regulations and to temporary staff, contract staff and accredited parliamentary assistants, for the duration of their contracts, in accordance with the provisions of Articles 16, 91 and 131(5) respectively of the CEOS (all these persons shall hereinafter be referred to as ‘agents’).

### **Article 2 Procedure**

1. Except in urgent cases, agents shall submit requests for authorisation to take family leave through their immediate superior at least one month prior to the proposed starting date.
2. Requests for authorisation to take family leave shall specify the name of the person in respect of whom family leave is to be taken, that person’s family ties with the agent and the period of leave being requested. They shall state whether family leave is being requested on a full-time or half-time basis. Agents shall supply supporting documents providing proof of the family ties as soon as possible, unless the Administration already has such documents in its possession.
3. An agent who has cited as the grounds for seeking authorisation to take family leave the need to care for a family member with a disability or a serious illness shall be required to send to the medical service for his or her place of employment within one week of submitting the request, and under sealed cover, a medical certificate specifying the nature of the family member’s disability or serious illness. The medical service shall forward its opinion immediately to the appointing authority.

4. Family leave may be extended within the limits laid down in Article 42b of the Staff Regulations.

**Article 3**  
**Amending the authorisation to take family leave**

1. Should the circumstances that originally justified the granting of family leave change, the agent may ask the appointing authority to terminate the authorisation or revise its terms before the end of the period of family leave granted, provided that notice of no less than one month is given.
2. The agent may ask the appointing authority to terminate the parental leave authorisation in the event of illness or accident. The appointing authority may approve such requests in exceptional cases, taking due account of the likely duration of the period of sick leave, the duration of the period of family leave and the issue of whether the illness or accident is such as to prevent the agent from caring for the family member.

Save in exceptional circumstances, agents shall submit their requests to the appointing authority within 10 working days of the start of the illness or of the date of the accident, accompanied by a medical certificate, the original of which must be forwarded under sealed cover to the Medical Leave Service as soon as possible.

The appointing authority shall take a decision with effect from the date of receipt of the aforementioned request by the competent service of the directorate-general responsible for personnel matters.

**Article 4**  
**Family leave on a half-time basis**

1. Where family leave is taken on a half-time basis, Article 55a of and Annex IVa to the Staff Regulations, together with the internal rules on part-time working, shall apply.
2. The agent's immediate superior shall draw up the arrangements for his or her half-time working, taking due account of the agent's needs, but without jeopardising the proper functioning of the service.
3. Agents on part-time family leave may not be given duties that are incompatible with the terms of their part-time family leave without their prior agreement, save where justified for overriding service reasons.

**Article 5**  
**Special case of agents employed on a part-time basis**

1. Agents employed on a part-time contract shall be eligible for full-time family leave and shall be paid a family leave allowance reduced on a pro-rata basis in keeping with their working time.

2. Agents employed on a half-time contract shall not be eligible for half-time family leave.
3. Agents employed on a contract covering more than 50 % of normal working time shall be entitled to half-time family leave and shall be paid a reduced family leave allowance corresponding to the hours they normally work in excess of half time.
4. These provisions shall not apply to agents employed on a full-time basis who have subsequently been authorised to work part time. In such cases, part-time working shall be suspended for the duration of the period of family leave granted.

**Article 6**  
**Leave entitlements during family leave**

The annual leave entitlements and the entitlements to additional leave on grounds of age and grade of an agent on family leave shall not be reduced.

**Article 7**  
**Final provisions**

1. These rules shall enter into force on the first day of the month following that in which they are signed.
2. They replace the internal instructions of 18 May 2004.

Done at Luxembourg, on 4 June 2014.

Klaus WELLE