

## **INTERNAL RULES ON THE AWARD OF MERIT POINTS AND PROMOTIONS**

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 the decision of 20 June 2014 adopting 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 Opportunities between Men and Women and Diversity,

HAS ADOPTED THESE INTERNAL RULES:

### **Article 1**

#### **Subject and scope**

1. These internal rules implement the relevant provisions of the promotions policy decision.
2. They apply to officials and to contract staff members recruited in accordance with Article 3a of the CEOS who work in Parliament’s Secretariat.

### **Article 2**

#### **Definitions**

For the purposes of these Internal Rules:

- . ‘staff member(s)’ means staff in the categories referred to in Article 1(2);
- . ‘functional entity’ means a directorate-general or an independent administrative unit which is not a directorate-general;
- . ‘in employment’ means staff members in active employment (including staff members on parental or family leave, on leave to complete military or national service and officials seconded in the interests of the service);
- . ‘eligible for promotion’ means staff members who meet the conditions laid down in Article 45 of the Staff Regulations, as defined in Article 3 of the promotions policy decision;

- . 'promotion' means the promotion of an official to the next higher grade, in accordance with Article 45 of the Staff Regulations, and the reclassification of a contract staff member in the next higher grade, in accordance with Article 87(3) of the CEOS;
- . 'appointing authority' means both the appointing authority and the authority empowered to conclude contracts of employment.

### **Article 3**

#### **Staff members covered by the merit points award procedure**

Merit points shall be awarded to the staff members referred to in Article 6(2) of the promotions policy decision, with the exception of those in one of the situations described below:

- staff members who were absent for the whole year preceding that in which the promotions procedure takes place, because they were on leave on personal grounds/unpaid leave, long-term sick leave or leave in the interests of the service;
- officials who were absent throughout the year preceding that in which the promotions procedure takes place, because they had been seconded at their own request;
- officials who were transferred to another institution during the year preceding that in which the promotions procedure takes place;
- staff members who left the service during the year preceding that in which the promotions procedure takes place;
- staff members who left the service during the year in which the promotions procedure takes place and who were not eligible for promotion.

### **Article 4**

#### **Entities responsible for awarding merit points**

1. The functional entity responsible for awarding merit points for a given year shall be that which was responsible for drawing up the staff report for the staff member concerned for that year. The entity shall award merit points to all its staff members covered by the procedure, taking account of the special cases provided for in Article 6.
2. Merit points shall be awarded at a meeting of the entity's college of assessors. That meeting shall take place as soon as the staff reports procedure has been completed. The college may hear the views of the other superiors who contributed to the drafting of the annual staff reports of the staff members posted to the entity.

Functional entities shall invite their equal opportunities and diversity officer to that meeting as an observer.

**Article 5**  
**Procedure for the award of merit points**

1. Points shall be awarded grade by grade separately to staff members in each function group and staff category, on the basis of a comparative assessment of merits, in accordance with the following procedure:
  - identification of staff members whose performance has been deemed unsatisfactory, who are to be awarded 0 points;
  - identification of staff members whose performance has been deemed satisfactory, who deserve 1 or 2 points;
  - award of a third point, where available, to staff members whose exceptional merit warrants this. The college of assessors must take care not to favour one function group over another and to comply with the principle of equal opportunities for men and women;
  - drawing-up of a list of any requests for points from the Secretary-General's reserve.
2. Staff members with less than three months' service in a European institution or Union body during the reference year may be awarded a maximum of 1 point for the period concerned.

**Article 6**  
**Special cases**

As regards staff members in one of the specific situations outlined below, merit points shall be awarded by:

- the functional entity of origin, in the case of:
  - (a) officials seconded in the interests of the service to another institution, a national administration or an international organisation, after consulting the body to which the official has been seconded;
  - (b) officials transferred from another institution during the year preceding that in which the promotions procedure takes place, irrespective of the date of the transfer; merit points shall be awarded on the basis of both the staff report drawn up by the European Parliament and that drawn up by the institution of origin, or, where no such report is available, after consulting the institution of origin with a view to obtaining a summary written assessment;

- a special college of assessors, in the case of officials seconded in the interests of the service to a European Parliament political group; that college shall be chaired by the director responsible for human resources development in the directorate-general with responsibility for personnel matters and shall consist of the secretaries-general of the political groups concerned or their representatives.
  
- the Secretary-General, in the following cases:
  - (a) officials placed at the disposal of the Staff Committee as staff representatives; in the case of officials placed at the Staff Committee's disposal on a part-time basis, merit points shall be awarded after consulting the functional entity to which those officials are posted and in accordance with Article 7;
  - (b) officials transferred from another institution: merit points for the years between the year of the last promotion, or, failing that, the year of recruitment, and the year preceding the year of transfer shall be awarded by the Secretary-General on a proposal from a joint technical group. That group shall consist of two representatives of the Administration and two representatives of the staff. A representative of the Committee on Equality of Opportunities between Men and Women and Diversity shall also attend as an observer.
  
- the directorate-general with responsibility for personnel matters, in the following cases:
  - (a) staff members who are covered by the merit points award procedure, but who were absent throughout the year preceding that in which the promotions procedure takes place and for whom a staff report has been drawn up pursuant to Article 8(1) of the General Implementing Provisions on staff reports and Article 2(6) of the related internal rules; since these staff members were not taken into account when the points to be allocated to each functional entity were calculated, they shall by default be awarded the same number of points as for the previous year, up to a maximum of two;
  - (b) staff members absent for more than nine months and less than one year because they were on leave on personal grounds/unpaid leave, they had been seconded at their own request, they were on long-term sick leave or they were on leave in the interests of the service; these staff members may not be awarded more than one point.

**Article 7**  
**Allocation of merit points**

1. Each functional entity shall receive for its staff covered by the merit points award procedure, with the exception of those to whom one of the special cases referred to in the fourth indent of Article 6 applies, who are awarded merit points by the directorate-general with responsibility for personnel matters, the total number of merit points provided for in Article 7(1) of the promotions policy decision.

That number shall be calculated and allocated by staff category.

As regards officials seconded to political groups, the points quota shall be allocated to the college provided for in the second indent of Article 6.

2. Heads of functional entities who wish to draw on the Secretary-General's points reserve provided for in Article 7(3) of the promotions policy decision must forward a duly substantiated request to the Secretary-General specifying the provision of that article on which their request is based.

**Article 8**  
**Notification of the merit points award decision**

1. The merit points award decision taken pursuant to Article 8 of the promotions policy decision shall be notified to the staff member concerned using the form attached to these Internal Rules.
2. Each staff member concerned shall receive from the central secretariat of his or her functional entity an email invitation to collect his or her points award decision in person against an acknowledgement of receipt; he or she must do so within five working days of receiving the invitation. Once that deadline has passed, the central secretariat shall forward the decision to the staff member's place of residence by registered letter with acknowledgement of receipt. A copy of that decision shall be forwarded to the competent service of the directorate-general with responsibility for personnel matters, which shall include it in the staff member's personnel file.

**Article 9**  
**Carrying-over of merit points and resetting to zero**

1. When a staff member is promoted, merit points may be carried over or reset to zero.
2. Merit points shall be carried over in the following cases:

- if, at the time of promotion, the total number of points awarded to the staff member exceeds the reference threshold and the average number of points awarded per year in the previous grade is greater than two, the staff member may carry over into the new grade one point for each year in which he or she was awarded a third point in the old grade, up to a maximum of the number of points in excess of the threshold;
  - if the staff member is not promoted when he or she reaches the reference threshold, because insufficient budget appropriations are available, he or she may subsequently carry over all the points in excess of the threshold into the new grade;
  - in exceptional cases, officials in grades AST 1 and AD 5 may carry over any points in excess of the threshold into the new grade, if they received an average of at least two points in the previous grade.
3. When the average is calculated, points awarded for periods of service of less than three months shall not be taken into account.
  4. Merit points shall be reset to zero if a staff member moves to a new staff category or function group.

#### **Article 10**

##### **Reports Committee's role in the annual merit points award procedure**

1. The appointing authority shall be required to ask the Reports Committee for its opinion if a staff member who wishes to challenge his or her merit points award decision lodges a complaint under Article 90(2) of the Staff Regulations. The Reports Committee's conclusions shall be forwarded to the staff member concerned with the appointing authority's decision.
2. The Reports Committee shall deliver its opinions on complaints within 15 working days of them being referred to it.
3. After completing its work, the Reports Committee may deliver one or more opinions to the Secretary-General or to directors-general on general aspects of the procedure and/or the procedure as a whole, with a view to bringing about a greater degree of harmonisation.

#### **Article 11**

##### **Timetable for the merit assessment and promotions procedure**

1. Merit assessment shall take place once the staff reports have been finalised, in accordance with the following timetable:

**April:** meeting of the college of assessors in each functional entity and drawing-up of a classification in order of merit

In keeping with the substance of the staff reports, and, where appropriate, after consulting the first assessors, each final assessor places the staff members being assessed, by function group and grade, in one of the four merit groups provided for by the merit points scale (3, 2, 1 and 0 points). Extremely deserving staff members (3 points) are classified by priority. This summary table is forwarded to the director-general, in preparation, and as the basis, for the meeting of the college of assessors.

At that meeting the head of the functional entity establishes, by function group and grade, the merit groups (3, 2, 1 and 0 points) in the entity, in accordance with the proposals adopted by the college of assessors.

The minutes of the meeting are forwarded to the Secretary-General, the directorate-general with responsibility for personnel matters and the Reports Committee within five working days of the meeting. Any requests to draw on the Secretary-General's points reserve must be forwarded to him or her by the same deadline.

The individual merit points award decisions are adopted by the head of the functional entity and the list of final points awarded to each staff member being assessed is forwarded to the Secretary-General, the directorate-general with responsibility for personnel matters and the Reports Committee within five working days of adoption of the Secretary-General's decision.

**Late April – July:** forwarding of merit points award decisions to the staff members being assessed

Merit points award decisions are forwarded to the staff members being assessed in accordance with Article 8.

At all events, the staff members concerned must have received the decision by **31 July** at the latest.

2. The promotions procedure is conducted in accordance with the following timetable:

**No later than the second week of September:** updating of the merit points databases and publication of the list of staff members eligible for promotion

On the basis of the merit points award decisions, the directorate-general with responsibility for personnel matters updates the total number of merit points awarded to staff members being assessed and prepares the lists of staff members who are eligible for promotion on 1 January of the year in which the promotions procedure takes place and the lists of staff members eligible for promotion who have reached the reference threshold fixed per grade, making them eligible for promotion to or reclassification in the next higher grade.

These lists are presented by staff category (officials/contract staff), by function group and by grade, in alphabetical order. They are published electronically and brought to the attention of Parliament staff.

**No later than the third week of September:** meetings of the promotions committees

The promotions committees consider the lists referred to above in the light of the funding available in the budget. They issue their recommendations. The minutes are drawn up and forwarded to the appointing authority as soon as possible.

**Early October:** specific SG/DGs 'promotions' meeting attended by the promotions committee chairs

**No later than mid-October:** possibly, final meeting(s) of the promotions committee(s) concerned

The committee(s) considers (consider) any proposals put forward by the appointing authority concerning additional promotions for staff members who have not been the subject of a recommendation and who have not reached the reference threshold. It delivers (they deliver) its opinion (their opinions).

**Third and fourth weeks of October:** adoption of individual promotions decisions by the appointing authority

**As from 1 November:** updating of personnel files for the December salary payment

## **Article 12**

### **Final provisions**

1. These Internal Rules shall enter into force on the day on which they are signed.
2. They replace the implementing measures concerning the award of merit points and promotions of 6 May 2008.

Done at Luxembourg, 20 June 2014

Klaus WELLE

ANNEX

CONFIDENTIAL

**DECISION ON THE AWARD OF MERIT POINTS ON THE BASIS OF THE STAFF REPORT – YEAR ....**

Staff number: *[Name, Forename]*

Grade: *[Office address]*

**1. PROGRESS OF MERIT POINTS SINCE APPOINTMENT TO THE CURRENT GRADE**

Seniority in grade: *.././....*

Annual points awarded:

XXXX: ; XXXX: ; .....

i.e. a total of .. points

**2. MERIT POINTS AWARDED:** . point(s) (0,1,2,3)

**New total** : .. points

Date:

*Signature of head of entity:*

*Any staff member who wishes to challenge the merit points award decision must submit a complaint under Article 90(2) of the Staff Regulations (for information about complaints in general, please see the 'Right to appeal' section on the Intranet site*

[http://www.europarl.ep.ec/inside/staff/rights\\_obligations/default\\_en.htm?menu2](http://www.europarl.ep.ec/inside/staff/rights_obligations/default_en.htm?menu2) )