

DECISION

CONCERNING THE TELEWORKING SCHEME FOR LINGUISTS WORKING IN THE TRANSLATION DIRECTORATE

THE SECRETARY-GENERAL

HAVING REGARD TO Council Regulation No 259/68 of 29 February 1968 laying down the Staff Regulations of Officials of the European Union, as amended inter alia by Regulation No 723/2004 of 22 March 2004, and in particular Articles 2, 20, 34 and 55 thereof,

HAVING REGARD TO the Bureau decision of 3 May 2004 determining the appointing authorities, and in particular Article 3 thereof,

After consulting the Joint Committee, the Staff Committee and the Committee on Equal Opportunities,

HAS DECIDED AS FOLLOWS:

Title 1 *Object*

ARTICLE 1:

A homeworking scheme shall be set up, hereinafter referred to as 'teleworking'. Teleworking represents an appropriate administrative arrangement for linguistic administrators employed in the Translation Directorate (hereinafter referred to as translators). The scheme is voluntary and offers a means of reconciling more effectively the requirements of private and working life.

Title 2 *Staff concerned*

ARTICLE 2:

1. Translators who are officials and who are employed in the Translation Directorate may apply to take part in this scheme, in accordance with the arrangements laid down in this decision.
2. Teleworking shall be reserved for experienced translators with at least four years' seniority in the service¹, whose analytical assessments in their staff reports with regard to ability, efficiency and conduct indicate a very satisfactory level of performance. It shall require advanced knowledge of the European Parliament's computer applications and procedures, to enable them to work independently.

¹ The years of service of officials originally engaged under contract as translators shall be taken into account in the calculation of seniority.

Title 3
Material conditions

ARTICLE 3:

1. Under this scheme a workstation incorporated in Parliament's network or linked to that network by a public telephone line shall be supplied for the use of translators in their homes, to enable them to exchange documents, work and information with Parliament in real time.
2. Parliament shall supply translators with the essential computer and telematic hardware and shall maintain that equipment, which shall remain its property. The sole costs to be defrayed by Parliament shall be those incurred in the supply, installation, maintenance and insurance of the necessary computer and telematic hardware and software and the rental and call charges incidental to teleworking.
3. Parliament shall undertake to develop the technical solutions guaranteeing that the way in which these applications are accessed and operated are the same for teleworkers as for the other officials.
4. Translators shall keep the equipment supplied to them and use it purely for professional purposes in accordance with the prescribed rules governing its use. They must inform Parliament immediately if the equipment is stolen, deteriorates or is accidentally damaged.
5. An office with computer equipment for use by teleworkers shall be established in each language unit in which the teleworking scheme is applied.

Title 4
Rights and obligations of teleworkers

ARTICLE 4:

1. Translators authorised to do telework shall enjoy all the rights and be subject to all the obligations laid down in the Staff Regulations. In particular:
 - (a) they shall reside either in the place where they are employed or at no greater distance than is compatible with the proper performance of their duties, in accordance with Article 20 of the Staff Regulations. They shall work at the address indicated in the authorisation for telework and shall inform Parliament of any change of address in good time;
 - (b) they shall remain at Parliament's disposal at all times and accordingly make every necessary arrangement to enable their superiors to contact them during Parliament's working hours. They shall report to Parliament in person when summoned to attend and shall comply with the provisions on absence and leave. They shall take part in professional training, in particular to acquire an

excellent knowledge of translation tools, thus offering them every opportunity for professional development.

- (c) they may work part-time in accordance with Article 55a of the Staff Regulations.
- 2. Work in the office shall represent between 20 and 50% of the working time. The authorisation shall mention the periods of teleworking and the periods of working in the office, in accordance with a weekly timetable agreed with their superiors.
- 3. Teleworkers shall be informed of the European Parliament's policy on safety and health at work, particularly rules on the use of screens². Teleworkers shall apply these safety policies correctly.
 - (a) Safety in the home workplace shall be the sole responsibility of the teleworkers. Without prejudice to the provisions of Article 3(2) of this decision, teleworkers shall take out the home insurance laid down by the law of the country of residence. They shall be responsible for ensuring that their electrical installations meet safety standards.
 - (b) Teleworkers shall be required to comply with ergonomic standards of which Parliament must inform them without fail.
- 4. They shall work only for Parliament and may not subcontract the jobs allocated to them. They shall respect the confidential nature of information obtained in the course of their duties and refrain from using that information for their own ends.

Title 5

Authorisation procedure

ARTICLE 5:

The teleworking scheme, throughout the period for which it is authorised, shall remain strictly compatible with the interests of the service. Duly substantiated applications to take part in this scheme shall be submitted through the official channels to the Director-General responsible for translation services.

ARTICLE 6:

- 1. The number of teleworkers may on no account exceed 20% of the actual staff numbers³ in a language unit.
- 2. Where this is in the interests of the service, taking account of the duties of the official concerned, the Director-General responsible for translation services shall grant the authorisation after consulting the head of unit and obtaining the

² Council Directive 90/270/EEC of 29 May 1990 on the minimum safety and health requirements for work with display screen equipment (OJ No L 156, 21.6.1990).

³ AD officials.

opinion of the Director for Translation and the authorising officer responsible for the appropriations for computer and telematic equipment. Any refusal of an admissible request for teleworking must be substantiated by invoking grounds consistent with the interests of the service.

3. The authorisation shall specify the place where the teleworking is to be carried out and shall take effect on a date determined by common accord of the translation services, the Information Technology Directorate and the applicant.
4. It shall be notified in writing to the applicant, his or her immediate superiors, the authorising officer responsible for appropriations relating to computer and telematic equipment and the Directorate-General for Personnel.
5. If a translator has never previously been authorised to work from home, the decision shall apply for a trial period of six months. If the trial period is considered successful by his or her immediate superiors, authorisation to do telework shall, without prejudice to the provisions of Article 7(2) of this decision, be granted for a maximum period of five years, on the understanding that the initial period may not be less than one year. The teleworker's situation shall be reviewed at the end of the first and third years.
6. However, if the 20% threshold is not reached in the unit at the end of five years or if no other request for teleworking has been received, the authorisation for teleworking may be extended from year to year for a maximum of three years, at the official's request.
7. No fresh application may be submitted in the year following reintegration into a translation unit after a period of teleworking.
8. If the Director-General responsible for translation services refuses authorisation, the application shall be forwarded to the appointing authority⁴, which shall take a decision after consulting the Joint Committee.

ARTICLE 7:

1. When an authorisation has expired, the translator concerned shall automatically return to work on Parliament's premises.
2. Authorisation to do telework may be terminated before the scheduled date:
 - (a) at the request of a translator, who must apply to the Director-General for Translation at least two months prior to the date on which he or she wishes to resume work on Parliament's premises;

⁴ The relevant appointing authority is the Director-General for Personnel, under Article 12 of the Bureau decision of 3 May 2004 on the delegation of the powers of the appointing authority (AIPN) and of the Authority Empowered to Conclude Contracts of Employment (AHCC).

- (b) in the interests of the service, at the request of teleworker's immediate superiors. This request shall be made to the appointing authority, who shall inform the teleworker of the date on which he or she must resume his or her duties on Parliament's premises, giving him or her notice of at least two months starting from the date of the decision to end the authorisation for teleworking.
- (c) at the request of the authorising officer responsible for appropriations relating to computer and telematic equipment, in the event of failure to respect the technical rules laid down, in order to ensure the safety and proper functioning of the European Parliament's IT network. In that case the appointing authority shall state in the decision in which it ends the authorisation for teleworking the date on which the teleworker concerned must resume his or her duties on Parliament's premises.

ARTICLE 8:

This Decision shall take effect on the date on which it is signed. It cancels and replaces the decisions on teleworking of 8 July and 9 October 2003.

Luxembourg, 10 February 2009

(signed by)
Harald Rømer