

INTERNAL RULES ON PART-TIME WORKING

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 the Conditions of Employment of Other Servants of the European Union (hereinafter referred to as ‘the CEOS’), and in particular Article 55a of and Annex IVa and Article 31(6) and (7) of Annex XIII to the Staff Regulations and Articles 16, 91 and 131(5) of the CEOS,

having regard to the Bureau Decision of 9 December 2013 delegating to the Secretary-General the powers necessary for the adoption of internal rules, rules of application and implementing measures necessitated by the revision of the Staff Regulations and the CEOS,

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

HAS ADOPTED THE FOLLOWING INTERNAL RULES:

Article 1 General provisions

1. These rules shall apply to officials in accordance with the provisions of Article 55a of and Annex IVa to the Staff Regulations and to temporary staff, contract staff and accredited parliamentary assistants in accordance with the provisions of Articles 16, 91 and 131(5) respectively of the CEOS.
2. The term ‘agent’ or ‘agents’ shall be used hereinafter to designate persons in the various categories of staff referred to in paragraph 1, and the term ‘appointing authority’ shall also cover the authority empowered to conclude contracts of employment.
3. Part-time working shall be understood to mean working 50, 60, 75, 80 or 90% of the normal working week as specified in Article 55 of the Staff Regulations.
4. Part-time work may be undertaken on a daily, weekly or monthly basis. Should their daily working time exceed six hours, agents shall be required to take a break of at least half an hour for lunch.

Article 2 Procedure

1. Agents shall submit requests for authorisation to work part time to the appointing authority through their immediate superior, pursuant to Article 1 of Annex IVa to the Staff Regulations.
2. Requests shall state the grounds for seeking such authorisation, the percentage of normal working time the applicant wishes to work, the period for which authorisation is being requested and the hours the applicant wishes to work. Applicants must also specify whether they wish to pay pension contributions calculated by reference to the basic salary of an official working full time or to that of an official working part time.
3. If an agent cites the need to care for a family member with a disability or a serious illness, within the meaning of Article 55a(2)(e) of the Staff Regulations, as the reason for requesting authorisation, he or she shall be required to forward to the medical service for his or her place of employment, within one week of submitting the request for to work part time and under sealed cover, a medical certificate specifying – in as much detail as possible – the nature of the disability or serious illness in question.
4. The applicant's immediate superiors shall deliver an opinion on the request within 15 days. If the request is turned down or if the date on which the part-time working is to begin or end is changed, reasons must be given.
5. If authorisation to work part time is requested on the grounds set out in Article 55a(2)(a), (b), (c), (d) or (e) of the Staff Regulations, it may not be refused, nor may the starting date be deferred.
6. The agent's immediate superior shall draw up the terms of his or her part-time working arrangements, taking due account of the interests of the service.

Nonetheless, decisions on requests for authorisation to work part time submitted pursuant to Article 55a(2) of the Staff Regulations shall be taken by an agent's immediate superior primarily in the light of the agent's needs, but without jeopardising the proper functioning of the service.

7. If, on the basis of the opinion delivered by the applicant's immediate superiors, the appointing authority intends – exceptionally and for overriding and duly substantiated service-related reasons – to refuse authorisation or to defer the start of the period of part-time working, it shall inform the competent director in the directorate-general responsible for personnel matters, which shall refer the matter to the Joint Committee for its opinion. On the basis of that opinion, the appointing authority shall decide what action to take on the request.

8. The appointing authority's decision must state the percentage of working time to be worked, the dates on which the period of part-time working will begin and end, the hours to be worked and the grounds for granting authorisation. It must also state the percentage of the basic salary on which the agent's pension contribution will be based. This must be communicated immediately to the applicant and to his or her immediate superiors.

Article 3 **Concept of single parent**

1. A single parent within the meaning of Article 55a(2)(c) of the Staff Regulations shall be taken to mean an agent with one or more dependent children who:
 - is not married, or is married but legally separated,or
 - is not registered as a stable non-marital partner within the meaning of Article 1(2)(c) of Annex VII to the Staff Regulations,and
 - has sole primary parental responsibility for the child or children.
2. An agent who submits a request for parental leave as a single parent shall be required to produce supporting documents confirming that he or she meets the criteria set out in paragraph 1.

Article 4 **Concept of 'serious difficulties'**

1. Pursuant to Article 55a(2)(d) of the Staff Regulations, the following situations shall be deemed to constitute 'serious difficulties':
 - serious psychological disorders affecting the child, caused, for example, by problems related to adolescence, by the separation or divorce of his or her parents, or by the serious illness, death or geographical distance of a family member;
 - serious learning difficulties which require one of the child's parents to devote more time to him or her.
2. The above list is not exhaustive. It shall be for the appointing authority to determine whether the situation described by the agent may be deemed to constitute serious difficulties, where appropriate after consulting the specialist services of the directorate-general responsible for personnel matters.

3. An agent who cites serious difficulties as the reason for requesting authorisation to work part time shall be required to provide supporting documents. Medical certificates must be forwarded under sealed cover directly to the medical service for the agent's place of employment.

Article 5
Election or appointment to public office

1. An authorisation to work part time granted to an agent standing for public office, pursuant to Article 15(1) of the Staff Regulations, shall cover only the period of the election campaign, which shall end with the official publication of the final results of the election.
2. An authorisation to work part time granted to an agent who is elected or appointed to public office, pursuant to Article 15(2) of the Staff Regulations, shall cover only the duration of the agent's term of office.

Article 6
Amending the authorisation to work part time

1. In particular if the circumstances that originally justified the granting of authorisation to work part time change, the agent may ask the appointing authority to terminate the authorisation or modify its terms before the period of part-time working comes to an end, in principle provided that notice of no less than one month has been given.
2. The agent may ask the appointing authority to terminate the authorisation to work part time in the event of illness or an accident. Requests of this kind may be approved by the appointing authority in exceptional cases, with due account being taken of the likely duration of the period of sick leave, the duration of the period of part-time working, the original reason for the request for authorisation to work part time and the results of a medical examination carried out pursuant to Article 59 of the Staff Regulations. The appointing authority shall determine whether the illness or accident is such as to make it impossible for the agent to work even part time and whether part-time working has thus ceased to serve its intended purpose.

Save in exceptional circumstances, the agent shall submit his or her request to the appointing authority within 10 working days of the start of the illness or of the date on which the accident occurred, 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.

3. Agents working part time may not be given duties that are incompatible with the terms of their part-time working arrangements without their prior agreement, save where this is justified by overriding service reasons.

Article 7

Annual leave entitlement

The annual leave entitlement of an agent authorised to work part time shall be reduced proportionally. The entitlement to additional leave for age and grade shall not be reduced.

Article 8

Transitional measures

Agents authorised to work part time pursuant to Article 55a(2)(g) of and to Article 4 of Annex IVa to the Staff Regulations for a period commencing before 1 January 2014 may continue to work part time on the same terms for a total of five years.

Article 9

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 general implementing provisions of 2 June 2004.

Done at Luxembourg, on 4 June 2014

Klaus WELLE