



Brussels, 16.12.2013
C(2013) 8970 final

COMMISSION DECISION

of 16.12.2013

**laying down general implementing provisions concerning the criteria applicable to
classification in step on appointment or engagement**

COMMISSION DECISION

of 16.12.2013

laying down general implementing provisions concerning the criteria applicable to classification in step on appointment or engagement

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union, as laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68¹, and in particular Article 32 of the Staff Regulations,

After consulting the Staff Regulations Committee,

After consulting the Staff Committee,

Whereas

- (1) The Commission's recruitment policy constitutes an essential part of its staff policy.
- (2) Pursuant to the second paragraph of Article 32 of the Staff Regulations, the appointing authority may allow candidates additional seniority of step in order to take account of their specific professional experience.
- (3) The general implementing provisions on classification in grade and step need to be adapted to the career structure provided for in the Staff Regulations in its version amended as of 1 January 2014. For the sake of clarity and legal certainty, Commission Decision of 7 April 2004 on general implementing provisions of 7 April 2004 should be replaced by this Decision,

HAS DECIDED AS FOLLOWS:

Article 1 *Scope*

The general implementing provisions laid down by this Decision shall apply when an official is appointed to the Commission or a temporary agent is engaged.

Article 2 *Taking account of professional experience*

1. Any duly certified professional activity connected with one of the institution's areas of activity shall be taken into account.
2. Where additional periods of training and study are accompanied by periods of professional activity, only the latter shall be considered as professional experience.
3. Compulsory military service or equivalent civilian service shall be taken into consideration.

¹ OJ L 56, 4.3.1968, p. 1.

4. For grading purposes, professional activities pursued part-time shall be calculated pro rata, on the basis of the certified percentage of full-time hours worked.

In the case of freelance translators, the length of professional experience shall be calculated, within the limits of the period spent on such activities, on the basis of the number of pages translated.

In the case of freelance interpreters, the length of professional experience shall be based on both the number of days worked as an interpreter and the time spent on the necessary preparation.

5. A given period may be counted only once.
6. According to the rules on access to function groups (Article 5(3) of the Staff Regulations), professional experience shall be counted as follows:

AST and AST/SC:

from the time when a post-secondary education diploma was awarded: where the official minimum duration of the course is less than three years, the difference shall be deducted from the professional experience;

where no such diploma has been awarded and a secondary-education certificate and three years' professional experience have been accepted as an alternative, those three years shall be deducted from the experience acquired;

where professional training of an equivalent level is accepted as an alternative, from the time when the diploma or certificate relating to this training was awarded;

where equivalent professional experience is accepted as an alternative, the duration of the professional experience within the meaning of Article 2 shall be reduced by the number of years of equivalent experience specified in the notice of competition or selection procedure; where no such number is specified, three years shall be deducted from the professional experience.

AD 5 and AD 6:

from the time when, on completion of a required minimum of three years of study, the university degree giving access to these grades was awarded;

where no such degree has been awarded and "professional training of an equivalent level" has been accepted as an alternative in the competition or selection procedure, from the date when the diploma or certificate relating to this training was awarded.

AD 7 to AD 16:

from the time when a university degree was awarded on completion of a required minimum of four years of study;

where a university degree has been awarded on completion of less than four years of study, the difference between the official minimum duration of the course and four years shall be deducted from the professional experience;

where no such degree has been awarded and "professional training of an equivalent level" has been accepted as an alternative in the competition or selection procedure, from the date when the diploma or certificate relating to this training was awarded.

Article 3 Documentation

Candidates shall be responsible for providing documents evidencing

- the official minimum duration of their studies/training,
- the level of a degree or diploma/the equivalent level of a training period,
- the length of professional experience,
- their professional activity during periods of training and further study.

Article 4 Additional seniority of step

In acknowledgement of professional experience, the appointing authority or the authority empowered to conclude contracts of employment shall allow 24 months' additional seniority of step for professional experience equal to or more than the number of years indicated below:

- For grades AD 14 to AD 16: 21 years
- For grades AD 12 and AD 13: 18 years
- For grades AD 9 to AD 11: 15 years
- For grade AD 8: 12 years
- For grade AD 7: 9 years
- For grade AD 6: 6 years
- For grade AD 5: 3 years
- For grade AST 4: 12 years
- For grade AST 3: 9 years
- For grade AST 2 and AST/SC 2: 6 years
- For grade AST 1 and AST/SC 1: 3 years

By way of exception, where a temporary agent is hired at level AST 5, 6, 7 or 8, an additional seniority of 24 months shall be granted in respect of professional experience of 15 years or more. Likewise, where a temporary agent is engaged at level AST/SC 3 or 4, an additional seniority of 24 months shall be granted in respect of professional experience of 9 and 12 years respectively or more.

The length of the professional experience to be counted shall be established at the time when the job offer is made. Where the period between this date and that on which the appointment or engagement is actually taken up has an impact on the classification in step, a new decision shall be adopted in this regard.

Article 5

Temporary staff members appointed as officials

1. Members of temporary staff who are appointed as officials to posts in the same grade immediately after a period of temporary employment in the institutions shall maintain their step and seniority in the step. This provision shall apply *mutatis mutandis* in cases of engagement as temporary agent immediately after a previous period of temporary employment.
2. A member of temporary staff who is appointed as official in a lower grade immediately after a period of temporary employment in the institutions shall be classified according to one of the following options, whichever is most favourable:
 - as a new recruit,
 - in the step and with the seniority in the step acquired as a member of the temporary staff, or
 - with the seniority in the step acquired as a member of the temporary staff, but in the step which he would have occupied had he been hired, at the beginning of his period of temporary employment, in the grade to which he is appointed as official.
3. A member of temporary staff who is appointed as official in a higher grade immediately after a period of temporary employment in the institutions shall be classified according to one of the following options, whichever is more favourable:
 - in accordance with Article 46 of the Staff Regulations; or
 - as a new recruit.

Article 6

Officials passing a competition

An official who is appointed at a higher grade as a result of a competition shall be classified according to one of the following options, whichever is more favourable:

- on the basis of Article 46 of the Staff Regulations;
- as a new recruit.

The same shall apply to a member of temporary staff who, immediately after a period of temporary employment, is hired in a higher grade as temporary agent following a selection procedure.

Article 7

Final provisions

The Commission Decision of 7 April 2004 on general implementing provisions concerning the criteria applicable to classification in grade and step on appointment or engagement (C(2004) 1313 final/1) is repealed. However, that Decision shall continue to apply in the event of appointment or engagement prior to 1 January 2014.

This Decision shall take effect on 1 January 2014.

Done at Brussels, 16.12.2013

For the Commission
Maroš ŠEFČOVIČ
Vice-President