

DECISION OF THE MANAGEMENT BOARD OF EUROPOL

laying down General Implementing provisions on the procedure governing the criteria applicable to classification in grade and step on engagement

THE MANAGEMENT BOARD of EUROPOL,

Having regard to the Council Decision establishing the European Police Office (hereinafter "Europol") of 06/04/2009 based on Article 30(1)(b), Article 30(2) and Article 34(2)(c) of the Treaty on European Union, (hereinafter the "Europol Decision"), and in particular Article 37(9)(d), Article 39 and Article 57 thereof,

Having regard to the Staff Regulations of Officials of the European Communities (hereinafter the "Staff Regulations") and the Conditions of Employment of Other Servants of the European Communities (hereinafter the "Conditions of employment"), laid down by Council Regulation (EEC, EURATOM, ECSC) No 259/68 last amended by Council Regulation (EC, EURATOM) No 672/2008 and the amendments thereto, and in particular, Articles 5, 29, 30, 31 and 32 of the Staff Regulations and Articles 10 and 15 of the Conditions of employment,

Having regard to the Management Board rules of procedure,

After consultation of the Europol Staff Committee and in agreement with the European Commission pursuant to Article 110 of the Staff Regulations,

Whereas:

- (1) Europol's recruitment policy constitutes an essential part of its staff policy.
- (2) Detailed rules on the criteria applicable to classification in grade and step on recruitment are desired.
- (3) The grading of temporary staff should be in accordance with the relevant provisions of the Staff Regulations and Conditions of employment and should correspond to the functions to be exercised by the person concerned.
- (4) Pursuant to the second paragraph of article 32 of the Staff Regulations, the authority authorised to conclude contracts (hereinafter the "Contracting Authority") may allow candidates additional seniority of step in grade in order to take account of their specific professional experience.
- (5) The rules contained in these implementing provisions are without prejudice to the General Implementing Provisions of 17/11/2009 on the Internal Selection Process of Article 57 of the Europol Decision.

HAS ADOPTED THE FOLLOWING PROVISIONS:

Article 1

These general implementing provisions shall apply when any temporary agent is engaged by Europol.

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.
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 preparations.
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

from the time when a post-secondary education diploma was awarded: where the official 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 vacancy notice or selection procedure; where no such number is specified, three years shall be deducted from the professional experience.

AD5 and AD6 from the time when, on completion of a 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 selection procedure, from the date when the diploma or certificate relating to this training was awarded.

AD7 to AD 16 from the time when a university degree was awarded on completion of a 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 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 selection procedure, from the date when the diploma or certificate relating to this training was awarded.

Article 3

Candidates shall be responsible for providing documents evidencing

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

Article 4
Additional seniority of step in grade

For the purposes of determining professional experience, the Contracting Authority shall allow 24 months' additional seniority of step in grade for professional experience equal to or more than the number of years indicated below:

For grades AD14 to AD16	21 years
For grades AD12 and AD13	18 years
For grades AD9 to AD11	15 years
For grade AD8	12 years
For grade AD7	09 years
For grade AD6	06 years
For grade AD5	03 years
For grade AST4	12 years
For grade AST3	09 years
For grade AST2	06 years
For grade AST1	03 years

By way of exception where a temporary agent is hired at level AST 5, 6, 7 or 8 additional seniority of 24 months shall be granted in respect of professional experience of 15 years 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 is actually taken up has an impact on the classification in step, the Contracting Authority shall adopt a new decision in this regard.

Article 5

Temporary staff members appointed as permanent officials

1. Temporary staff who are appointed as permanent officials to posts in the same grade immediately after their period of temporary employment shall maintain their seniority in step.
2. Any temporary staff who are appointed as permanent officials in a lower grade immediately after their period of temporary employment shall be classified according to one of the following options, whichever is most favourable:
 - as new recruits
 - in the same step and with the same seniority in step in the grade acquired as a member of the temporary staff or
 - with the same seniority in step, but in the step which they would have occupied had they been hired as temporary staff in the grade to which they are appointed as permanent officials.
3. Any temporary staff who are appointed as permanent officials in a higher grade immediately after their period of temporary employment 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 new recruits.

Article 6

Any permanent officials who are appointed at a higher grade as a result of an open 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 any temporary staff who, immediately after a period of temporary employment, are hired in a higher grade as temporary staff following a selection procedure.

Article 7

These rules shall enter into force on the date following that of their adoption.

By way of derogation from these provisions, the classification in grade and step of temporary agents engaged pursuant to Article 57 of the Europol Decision shall take place in accordance with the General Implementing Provisions of 17/11/2009 on the Internal Selection Process of Article 57 of the Europol Decision.

Done at The Hague on 13/10/2010

Signed by Mr Francisco José Aranda

For the Management Board

The Chairperson