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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 14.11.2008  
COM (2008) 786 final /2  
(adopted as SEC(2008)2604)

2008/0224(CNS)

**CORRIGENDUM**

annule et remplace le document COM(2008)786 final du 12.11.2008  
(ajout de la cote interinstitutionnelle)  
Concerne uniquement les versions FR/EN/DE

Proposal for a

**COUNCIL REGULATION**

**amending the Conditions of Employment of Other Servants of the European  
Communities**

## EXPLANATORY MEMORANDUM

### 1. CONTEXT OF THE PROPOSAL

- Grounds for and objectives of the proposal

The objective of this proposal is to introduce in the Conditions of Employment of Other Servants (CEOS) provisions that create a new category of staff which is specific to the European Parliament. It covers the assistants to Members of the European Parliament (MEPs), based in one of the European Parliament's places of work (Brussels, Strasbourg, Luxembourg), with the exception of those assistants working in MEP offices in the country of election, e.g. constituency offices, and aims to clarify and improve their current situation while fully respecting the particularity of their tasks in the Parliament.

- General context

The current system of engaging of assistants to MEPs, which is based entirely on private law contractual arrangements, seems to be no longer compatible with the size and complexity of a Parliament composed of MEPs from 27 Member States. It puts a very heavy administrative burden both on Parliament's administration and on individual MEPs. Apart from this administrative burden, the application of 27 different tax and social security systems to persons working between Brussels, Strasbourg, Luxembourg and other parts of Europe results in numerous constraints concerning the position of MEPs' assistants.

In 2000, in the context of the Commission proposal of 19 May 1998, the Council declared that it was fully aware of the need to regulate the conditions of employment of parliamentary assistants and to improve their current situation. To that end, the Council pointed out that on 26 April 1999, when examining the draft Statute for Members of the European Parliament, it adopted principles which it regards as essential in that regard:

- direct payment of assistants by Parliament, under the responsibility and in accordance with the personal instructions of the MEP concerned;
- the existence of a written contract registered with the European Parliament;
- compliance with the applicable provisions relating to taxation and social security.

These principles are respected by the present proposal by which the new category of Parliamentary Assistants is introduced in CEOS. Persons falling within the new category would be engaged by the European Parliament for a MEP after being selected by MEP.

Specific rules are introduced for governing this new category of staff, taking into consideration the specific features of the tasks of the Parliamentary Assistants and their relations with the European Parliament and the MEPs.

The introduction of this new category in CEOS would also bring about the replacement of 27 different contract relation, taxation and social security schemes by one single scheme.

- Existing provisions in the area of the proposal

Regulation (EC, Euratom) No 259/68 laying down the Staff Regulations of Officials of the European Communities and the Conditions of Employment of Other Servants of the Communities

Decision of the European Parliament of 28 September 2005 adopting the Statute for Members of the European Parliament (2005/684/EC, Euratom)

- Consistency with the other policies and objectives of the Union

Not applicable.

## **2. CONSULTATION OF INTERESTED PARTIES AND IMPACT ASSESSMENT**

- Consultation of interested parties

Not relevant.

- Collection and use of expertise

There was no need for external expertise.

- Impact assessment

The draft proposal is limited to introducing a new category of staff in CEOS, i.e. no external impacts are expected. For this reason, there was no need for an impact assessment.

## **3. LEGAL ELEMENTS OF THE PROPOSAL**

- Summary of the proposed action

The proposal lays down rules introducing a new category of assistants to MEPs in the Conditions of Employment of Other Servants.

- Legal basis

Article 283 of the Treaty establishing the European Community

- Subsidiarity principle

The proposal falls under the exclusive competence of the Community. The subsidiarity principle therefore does not apply.

- Proportionality principle

The proposal is consistent with the principle of proportionality for the following reason:

In accordance with the principle of proportionality, it is necessary and appropriate for the achievement of the basic objective of covering the assistants of MEPs based in one of the European Parliament's places of work (Brussels, Strasbourg, Luxembourg) by the Conditions of Employment of Other Servants to lay down rules on this new category respecting its specifics. This proposal does not go beyond what is necessary in order to achieve the objective pursued.

- Choice of instruments

Proposed instrument: regulation.

Other means would not be adequate for the following reason:

The proposal concerns the amendment of an existing instrument.

#### **4. BUDGETARY IMPLICATION**

The proposal has no implication for the Community budget.

Proposal for a

## **COUNCIL REGULATION**

### **amending the Conditions of Employment of Other Servants of the European Communities**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 283 thereof,

Having regard to the Protocol on the Privileges and Immunities of the European Communities, and in particular Article 13 thereof,

Having regard to the proposal presented by the Commission after consulting the Staff Regulations Committee<sup>1</sup>,

Having regard to the opinion of the European Parliament<sup>2</sup>,

Having regard to the opinion of the Court of Justice<sup>3</sup>,

Having regard to the opinion of the Court of Auditors<sup>4</sup>,

Whereas:

- (1) According to Article 21 of the Statute for Members of the European Parliament<sup>5</sup>, Members shall be entitled to assistance from personal staff that they may freely choose. At present, Members employ all their staff directly under contracts subject to national law, while recovering the costs incurred from the European Parliament, subject to a fixed maximum amount.
- (2) A limited number of such staff (hereinafter referred to as “parliamentary assistants”) assist one or more Members within the premises of the European Parliament in Strasbourg, Brussels and Luxembourg. The others work for Members in the country where they have been elected.
- (3) In contrast to the latter, parliamentary assistants are, as a general rule, expatriates. They work in the premises of the European Parliament in a European, multilingual and

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<sup>1</sup> OJ C , , p . .

<sup>2</sup> OJ C , , p . .

<sup>3</sup> OJ C , , p . .

<sup>4</sup> OJ C , , p . .

<sup>5</sup> OJ L 262, 7.10.2005, p. 1.

multicultural environment and undertake tasks which are directly linked to work of the European Parliament.

- (4) This has been confirmed, moreover, by the Court of First Instance of the European Communities which has recognised that parliamentary assistants may in certain respects be considered for the purposes of the Staff Regulations of officials of the European Communities and the Conditions of Employment of other servants<sup>6</sup> to be performing duties for the Parliament<sup>7</sup>.
- (5) For these reasons and with a view to ensuring transparency, non-discrimination and legal certainty through common rules, it is appropriate to provide for such assistants, - with the exception of persons working for Members in the Member State in which they were elected, including persons working locally for Members elected in one of the Member States in which the three places of work are situated -, to be employed by way of direct contract with the European Parliament.
- (6) It is therefore appropriate for such assistants to be subject to the Conditions of Employment of other servants in such a way as to take account of their particular circumstances.
- (7) The introduction of this specific category of servants does not affect Article 29 of the Staff Regulations which provides that internal competitions are only open to officials and temporary staff.
- (8) Parliamentary assistants thus constitute a category of staff specific to the European Parliament, in particular with regard to the fact that they support Members of Parliament in their capacity as democratically elected representatives entrusted with a mandate, in carrying out their duties.
- (9) Accordingly, it is necessary to amend the Conditions of Employment of other servants to a limited extent in order to incorporate this new category of staff.
- (10) In the light of the nature of the duties of assistants, it is necessary to provide for only one category of assistants, but divided into grades, to which assistants should be assigned according to criteria to be determined in an internal decision of the European Parliament.
- (11) The contracts of parliamentary assistants concluded between them and the European Parliament should be based on mutual trust between the parliamentary assistant and the Member or Members of the European Parliament whom he assists.
- (12) The principle of budgetary neutrality should be observed in respect of the introduction of this new category of staff. In this respect, the European Parliament shall pay into the general budget of the European Union the entire amount of the contributions needed to finance the pension scheme with the exception of the contribution under

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<sup>6</sup> Council Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities (OJ L 56, 4.3.1968, p. 1).

<sup>7</sup> Judgment of 19 June 2007 in Case T-473/04, Asturias Cuerno v Commission, not yet reported.

Article 83(2) of the Staff Regulations which is deducted monthly from the salary of the person concerned.

- (13) The entry into force of these new provisions should coincide with the entry into force of the Statute for Members of the European Parliament,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Conditions of Employment of other servants of the European Communities are hereby amended as set out in the Annex.

*Article 2*

Within three years of the entry into force of this Regulation, the European Parliament shall submit a report on the application of this Regulation in order to examine the possible need to adapt the rules applying to parliamentary assistants.

*Article 3*

This Regulation shall enter into force on the first day of the European Parliament parliamentary term beginning in 2009.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Council  
The President*



## ANNEX

The Conditions of Employment of other servants of the European Communities are hereby amended as follows:

1) in Article 1, the following indent shall be inserted after “– special advisers”:

“– parliamentary assistants,”.

2) the following Article shall be inserted:

“Article 5a

For the purposes of these Conditions of Employment, “parliamentary assistant” means staff chosen by one or more Members and engaged by way of direct contract with the European Parliament to assist one or more Members of the European Parliament, as provided for in Article 125(1).”;

3) Titles VII and VIII with Articles 125 to 127 become Titles VIII and IX with Articles 141 to 143. A new Title VII shall be inserted:

*“Title VII*

*Parliamentary assistants*

*Chapter 1*

*General provisions*

*Article 125*

1. “Parliamentary assistant” means a member of staff engaged by the European Parliament to assist, in the premises of the European Parliament in one of the European Parliament’s three places of work, one or more Members in carrying out their parliamentary mandate. He shall carry out tasks which are directly linked to the work of the European Parliament.

The Parliamentary assistant shall be engaged to perform either part-time or full-time duties without being assigned to a post included in the list of posts appended to the section of the budget relating to the European Parliament.

2. By internal decision, the European Parliament shall adopt provisions governing the employment of parliamentary assistants.

3. Parliamentary assistants shall be paid from the total appropriations allocated to the section of the budget relating to the European Parliament.

*Article 126*

1. Parliamentary assistants shall be classified by grade.

2. Article 1e of the Staff Regulations, on measures of a social nature and working conditions, shall apply by analogy.

## ***Chapter 2***

### ***Rights and obligations***

#### *Article 127*

Articles 11 to 26a of the Staff Regulations shall apply by analogy. The European Parliament shall determine in an internal decision practical implementing measures that take account of the specific nature of the working relationship between Members and their assistants.

## ***Chapter 3***

### ***Conditions of engagement***

#### *Article 128*

1. Article 1d of the Staff Regulations shall apply by analogy.

2. A parliamentary assistant shall be selected by the Member or Members of the European Parliament whom he is to assist. Without prejudice to any additional requirements which may be laid down in the provisions referred to in Article 125(2), the assistant may be engaged only on condition that he:

- (a) is a national of one of the Member States of the Communities, unless an exception is authorised by the authority referred to in the first paragraph of Article 6, and enjoys his full rights as a citizen;
- (b) has fulfilled any obligations imposed on him by the laws concerning military service;
- (c) produces the appropriate character references as to his suitability for the performance of his duties;
- (d) is physically fit to perform his duties;
- (e) produces evidence of a thorough knowledge of one of the languages of the Community and appropriate knowledge of another Community language to the extent necessary for the duties he is called upon to perform and
- (f) has completed:
  - (i) a level of post-secondary education attested by a diploma, or
  - (ii) a level of secondary education attested by a diploma giving access to post-secondary education, and appropriate professional experience of at least three years, or

- (iii) where justified in the interest of the service, professional training or professional experience of an equivalent level.

#### *Article 129*

1. A parliamentary assistant shall serve a probationary period of three months.
2. Where during his probationary period a parliamentary assistant is prevented by sickness or accident from performing his duties for one month or more, the authority referred to in the first paragraph of Article 6 may, at the Member's request, extend his probationary period by the corresponding length of time.
3. Not less than one month before the expiry of the probationary period, a report on his ability to perform his duties and also on his conduct and efficiency shall be made by the Member of the European Parliament if the work of the parliamentary assistant has not proved adequate to justify retention in his function. That report shall be communicated to the person concerned, who shall have the right to submit his comments in writing within a period of eight days, by the authority referred to in the first paragraph of Article 6. If necessary, the abovementioned parliamentary assistant shall be dismissed by the authority referred to in the first paragraph of Article 6, provided the report was communicated to him before the end of the probationary period.
4. A parliamentary assistant dismissed during the probationary period shall be entitled to compensation equal to one third of his basic salary per month of probation completed.

#### *Article 130*

1. Before being engaged, a parliamentary assistant shall provide evidence of physical fitness to the European Parliament's medical service in order that the European Parliament may be satisfied that he fulfils the requirements of Article 128 (2)(d).
2. Where a negative medical opinion is given as a result of the medical examination provided for in paragraph 1, the candidate may, within 20 days of being notified of this opinion by the institution, request that his case be submitted for the opinion of a medical committee composed of three doctors chosen by the authority referred to in the first paragraph of Article 6 from among the institutions' medical officers. The medical officer responsible for the initial negative opinion shall be heard by the medical committee. The candidate may refer the opinion of a doctor of his choice to the medical committee. Where the opinion of the medical committee confirms the conclusions of the medical examination provided for in paragraph 1, the candidate shall pay 50% of the fees and of the incidental costs.

#### *Article 131*

1. The contracts of parliamentary assistants shall be concluded for a fixed period. Without prejudice to Article 140, the contracts shall expire at the latest by the end of the parliamentary term during which they were concluded.
2. The European Parliament shall adopt an internal decision defining the criteria applicable to classification on engagement.

3. Where a parliamentary assistant concludes a new contract, a new decision concerning his grading shall be taken.

#### ***Chapter 4***

#### ***Working conditions***

#### ***Article 132***

1. The weekly working hours of an assistant shall be set by the Member, but in normal circumstances may not exceed 42 hours per week.
2. Assistants may not be required to work overtime except in the event of an emergency or exceptional workload.
3. However, overtime worked by parliamentary assistants shall carry no right to compensation or remuneration.
4. Articles 42a, 42b, 55a and 57 to 61 of the Staff Regulations (leave, hours of work and public holidays) and Articles 16(2) to (4) and Article 18 of the present Conditions of employment shall apply by analogy. Special leave, parental leave and family leave shall not extend beyond the term of the contract.

#### ***Chapter 5***

#### ***Remuneration and expenses***

#### ***Article 133***

Save as otherwise provided in Articles 134 and 135, Article 19, Article 20(1) to (3) and Article 21 of these Conditions of Employment and Article 16 of Annex VII to the Staff Regulations (remuneration and expenses) shall apply by analogy. The arrangements for reimbursement of mission expenses shall be laid down in the provisions referred in Article 125 (2).

#### ***Article 134***

The scale of basic salaries shall be as provided for in the following table:

| <b><i>Grade</i></b>    | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> | <b>6</b> | <b>7</b> |
|------------------------|----------|----------|----------|----------|----------|----------|----------|
| Full-time basic salary | 1 193,00 | 1 389,85 | 1 619,17 | 1 886,33 | 2 197,58 | 2 560,18 | 2 982,61 |

| <b><i>Grade</i></b>    | <b>8</b> | <b>9</b> | <b>10</b> | <b>11</b> | <b>12</b> | <b>13</b> | <b>14</b> |
|------------------------|----------|----------|-----------|-----------|-----------|-----------|-----------|
| Full-time basic salary | 3 474,74 | 4 048,07 | 4 716,00  | 5 494,14  | 6 400,67  | 7 456,78  | 8 687,15  |

### *Article 135*

By way of derogation from the last subparagraph of Article 4(1) of Annex VII to the Staff Regulations, the expatriation allowance shall not be less than EUR 250.

## ***Chapter 6***

### ***Social security benefits***

### *Article 136*

Save as otherwise provided in Article 137, Articles 95 to 115 (social security) shall apply by analogy.

### *Article 137*

1. By way of derogation from the second subparagraph of Article 96(3) and without prejudice to the other provisions of that Article, the amounts calculated under that provision may neither be less than EUR 700 nor exceed EUR 2000.
2. By way of derogation from Articles 77 and 80 of the Staff Regulations and Articles 101 and 105 of the present Conditions of employment, the minimum amounts used for the purpose of calculating pension and invalidity benefits shall correspond to the basic salary of a parliamentary assistant in grade 1.
3. The European Parliament shall pay into the general budget of the European Union the entire amount of the contributions needed to finance the pension scheme with the exception of the contribution under Article 83(2) of the Staff Regulations which is deducted monthly from the salary of the person concerned.
4. Article 112 shall only apply to contracts concluded for a period not exceeding one year.

## ***Chapter 7***

### ***Recovery of undue payment***

### *Article 138*

The provisions of Article 85 of the Staff Regulations on the recovery of undue payment shall apply.

## ***Chapter 8***

### ***Appeals***

### *Article 139*

The provisions of Title VII of the Staff Regulations on appeals shall apply by analogy.

## *Chapter 9*

### *Termination of employment*

#### *Article 140*

1. Apart from cessation on death, the employment of the parliamentary assistant shall cease:

- (a) on the date stated in the contract as provided for in Article 131(1);
- (b) at the end of the month in which the parliamentary assistant reaches the age of 65;
- (c) in the case of an assistant engaged to assist only one Member of the European Parliament pursuant to Article 128(2), at the end of the month in which that Member's term of office ends, whether by death or resignation or for any other reason;
- (d) at the end of the period of notice specified in the contract, which shall give the parliamentary assistant or the European Parliament the option to terminate the contract before its expiry. The period of notice shall not be less than one month per year of service, subject to a minimum of one month and a maximum of three months. The period of notice shall not, however, start to run during maternity leave or sick leave, provided such sick leave does not exceed three months. It shall, moreover, be suspended during maternity or sick leave subject to these limits.
- (e) where the parliamentary assistant no longer satisfies the conditions laid down in Article 128(2)(a), subject to any authorisation of an exception pursuant to that provision. Should an exception not be authorised, the period of notice referred to in point (d) shall apply.

2. Where the contract ceases pursuant to paragraph 1(c) or the European Parliament terminates the contract pursuant to paragraph 1(d), the parliamentary assistant shall be entitled to compensation equal to one third of his basic salary for the period between the date when his duties end and the date when his contract expires, subject however to a maximum of three months' basic salary.

3. Without prejudice to Articles 48 and 50 which are applicable by analogy, the employment of a parliamentary assistant may be terminated without notice in serious cases of failure to comply with his obligations, whether intentionally or through negligence on his part. A reasoned decision shall be taken by the authority referred to in the first paragraph of Article 6, after the person concerned has had an opportunity of submitting his defence.”

## LEGISLATIVE FINANCIAL STATEMENT

### **1. NAME OF THE PROPOSAL:**

Council regulation amending the Conditions of Employment of Other Servants of the European Communities (creation of a new category of staff, parliamentary assistants accredited in one of the European Parliament's three official places of work).

### **2. BUDGET LINES**

#### **2.1. Budget headings, including their titles:**

Chapter 12 – Officials and temporary staff

Chapter 16 – Other expenditure relating to persons working with the institution

Chapter 20 – Buildings and associated costs

Chapter 21 – Data processing, equipment and movable property: purchasing, rental and maintenance

Chapter 23 – Current administrative expenditure

Item 3220 – Documentation and library expenditure

Item 4200 – Parliamentary assistants

Item 4220 – Parliamentary assistance

#### **2.2. Duration of the action and the financial impact:**

The action is open-ended. It will take effect from the start of the EP's next parliamentary term in July 2009.

The financial impact of the procedure will take two forms: firstly, costs directly linked to parliamentary assistants accredited in one of Parliament's three official places of work, and, secondly, administrative expenditure generated by the management of parliamentary assistants covered by the Conditions of Employment of Other Servants of the European Communities (hereinafter 'CEOS').

(1) Expenditure

(a) Expenditure directly linked to parliamentary assistants:

This aspect of the proposal is neutral in budgetary terms.

Salary-related costs and mission expenses will be entirely covered by being charged to the individual budget available to each Member. In 2009, the additional appropriations required against Item 4220 will be taken from Item 4220.

The volume of non-salary-related costs will not change by comparison with the costs already covered under various headings of Parliament's budget.

(b) Expenditure linked to staff assigned to manage the action (15 additional posts):

The work of managing parliamentary assistants will create the need for additional human resources which should be dealt with in the budget procedure.

(2) Revenue

The payment in accordance with the Staff Regulations of salaries and allowances both to parliamentary assistants and the additional staff required to manage the action will generate revenue for the Community budget by virtue of the Community tax, the special levy and the pension contributions payable on the salaries and allowances.

### 2.3. Budgetary characteristics:

| Budget heading | Type of expenditure |     | New | EFTA contribution | Contribution from applicant countries | Heading in FP |
|----------------|---------------------|-----|-----|-------------------|---------------------------------------|---------------|
|                | NCE                 | NDA |     |                   |                                       |               |
| See point 2.1. | NCE                 | NDA | NO  | NO                | NO                                    | 5             |

## 3. SUMMARY OF RESOURCES

### 3.1. Financial resources

#### 3.1.1. *Operating expenditure*

The proposal will not generate operating expenditure.

3.1.2. Administrative expenditure – see details under points 7.2.4. and 7.2.5.

EUR million (to three decimal places)

| Nature of the expenditure                             | 2009          | 2010           | 2011           | 2012           | 2013           | 2014           | Total          |
|---|---------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Cost of human resources and related expenditure       | 55.701        | 111.401        | 111.401        | 111.401        | 111.401        | 111.401        | 612.706        |
| Other administrative expenditure                      | 17.998        | 35.995         | 35.995         | 35.995         | 35.995         | 35.995         | 197.973        |
| <b>TOTAL CA/PA including costs of human resources</b> | <b>73.699</b> | <b>147.396</b> | <b>147.396</b> | <b>147.396</b> | <b>147.396</b> | <b>147.396</b> | <b>810.679</b> |

#### 3.1.3. *Compatibility with financial programming*

- Proposal compatible with existing financial programming.
- Proposal will necessitate a reprogramming of the relevant heading in the Financial Perspective.



- This proposal may entail application of the provisions of the Interinstitutional Agreement<sup>8</sup> (concerning the flexibility instrument or the revision of the Financial Perspective).

### 3.1.4. Financial impact on revenue

- No financial implications
- Financial impact - The effect on revenue is as follows:

Payments by parliamentary assistants and by staff assigned to manage the action in the form of the Community tax, the special levy and contributions to the Community pension scheme in accordance with the provisions of the Staff Regulations and of the CEOS, and payment by Parliament, on behalf of parliamentary assistants, of the employer's contribution to the Community pension scheme.

EUR million (to one decimal place)

| Budget heading                       | Revenue   | Prior to 2008 | Situation following action |      |      |      |      |      |
|--------------------------------------|---|---------------|----------------------------|------|------|------|------|------|
|                                      |   |               | 2009                       | 2010 | 2011 | 2012 | 2013 | 2014 |
| 400 (EP)                             | Community tax   | 0             | 2.7                        | 5.4  | 5.4  | 5.4  | 5.4  | 5.4  |
| 404 (EP)                             | Special levy  | 0             | 0.3                        | 0.5  | 0.5  | 0.5  | 0.5  | 0.5  |
| 410 (EP)                             | Pension contributions   | 0             | 3.7                        | 7.3  | 7.3  | 7.3  | 7.3  | 7.3  |
| 422 new (COM)                        | Employer's contribution to parliamentary assistants' pensions | 0             | 7.2                        | 14.4 | 14.4 | 14.4 | 14.4 | 14.4 |
| <i>(a) Revenue in absolute terms</i> |   | 0             | 13.9                       | 27.6 | 27.6 | 27.6 | 27.6 | 27.6 |
| <i>(b) Change in revenue</i>         |   | Δ             | 13.9                       | 27.6 | 27.6 | 27.6 | 27.6 | 27.6 |

### 3.2. Human Resources FTE – see details under point 7.2.1.

| Annual requirements             | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 |
|---------------------------------|------|------|------|------|------|------|
| Total number of human resources | 1438 | 1438 | 1438 | 1438 | 1438 | 1438 |

## 4. CHARACTERISTICS AND OBJECTIVES

### 4.1. Implementation required in the short or long term

Hitherto, parliamentary assistants accredited in one of Parliament's three official places of work have been covered by various employment arrangements which have given rise to

<sup>8</sup> See points 19 and 24 of the Interinstitutional Agreement.

disparities in terms of remuneration, social security and sickness cover, pension rights etc. The action described here seeks to integrate those parliamentary assistants into the CEOS by creating a specific category of staff.

#### **4.2. Added value of the Community involvement**

Community involvement is essential, since only the European institutions are legally empowered to integrate parliamentary assistants into the CEOS.

#### **4.3. Objectives, expected results and related indicators of the proposal in the context of activity-based management (ABM)**

The proposed action seeks to create uniform conditions of employment for parliamentary assistants.

#### **4.4. Methods of implementation (indicative)**

***Centralised management***

directly by Parliament

indirectly by delegation to:

executive agencies,

bodies set up by the Communities, as referred to in Article 185 of the Financial Regulation,

national public sector bodies/bodies with public-service mission.

***Shared or decentralised management***

with Member States

with third countries

***Joint management with international organisations (please specify)***

### **5. MONITORING AND EVALUATION**

#### **5.1. Monitoring system**

Expenditure will be monitored by the relevant Parliament departments.

### **6. ANTI-FRAUD MEASURES**

Measures to ensure sound financial management and regular ex-post checks will be carried out.

## 7. DETAILS OF RESOURCES

### 7.1. Objectives of the proposal in terms of costs

The proposal seeks to integrate parliamentary assistants into the CEOS in order to guarantee uniform working conditions for all staff performing the duties in question.

### 7.2. Administrative expenditure

#### 7.2.1. Number and type of human resources

| Types of post                             |     | Staff to be assigned to manage the action using existing and/or additional resources ( <b>number of posts/FTEs</b> ) |             |             |             |             |             |
|---|-----|--|-------------|-------------|-------------|-------------|-------------|
|   |     | 2009   | 2010        | 2011        | 2012        | 2013        | 2014        |
| Officials or temporary staff (Chapter 12) | AD  | 3  | 3           | 3           | 3           | 3           | 3           |
|   | AST | 12   | 12          | 12          | 12          | 12          | 12          |
| Parliamentary assistants (Item 4200)      |     | 1423   | 1423        | 1423        | 1423        | 1423        | 1423        |
| <b>TOTAL</b>                              |     | <b>1438</b>  | <b>1438</b> | <b>1438</b> | <b>1438</b> | <b>1438</b> | <b>1438</b> |

#### 7.2.2. Description of tasks deriving from the action

Administrative management of parliamentary assistants

Assistance to Members

#### 7.2.3. Sources of human resources (under Staff Regulations)

- Posts currently allocated to the management of the programme to be replaced or extended
- Posts pre-allocated within the APS/PDB exercise for year n
- Posts requested as part of the 2009 budget procedure – 15 posts
- Posts to be redeployed using existing resources within the managing service (internal redeployment) – 1423 posts
- Posts required for year n but not provided for in the APS/PDB exercise for the year in question

## 7.2.4. Cost of human resources and associated costs

EUR million (to three decimal places)

| Type of human resources                                   | 2009          | 2010           | 2011           | 2012           | 2013           | 2014           |
|---|---------------|----------------|----------------|----------------|----------------|----------------|
| Officials and temporary staff (Chapter 12)                | 0.340         | 0.680          | 0.680          | 0.680          | 0.680          | 0.680          |
| Parliamentary assistants (Item 4200)                      | 55.361        | 110.721        | 110.721        | 110.721        | 110.721        | 110.721        |
| <b>Total cost of human resources and associated costs</b> | <b>55.701</b> | <b>111.401</b> | <b>111.401</b> | <b>111.401</b> | <b>111.401</b> | <b>111.401</b> |

### OFFICIALS AND TEMPORARY STAFF (CALCULATION METHOD)

Calculation of indicative average on the basis of three AD 5 and 12 AST 1. The amounts incorporate salaries, allowances and normal employer's contributions for this type of staff under the Staff Regulations.

The requisite appropriations and posts will have to be incorporated into the budget procedure.

### PARLIAMENTARY ASSISTANTS (CALCULATION METHOD)

Calculation of indicative average

- for 1423 assistants (extrapolation from the current situation for the future figure of 736 Members)
- salaries and family allowances based on specific remuneration arrangements as outlined in the proposal
- expatriation and foreign-residence allowances in accordance with the CEOS, with the exception of the triggering threshold provided for in the proposal
- employer's contributions to sickness, accident and unemployment insurance schemes in accordance with the CEOS
- (flat-rate) mission expenses
- real employer's contribution to the pension scheme for parliamentary assistants

The breakdown for each grade is an approximate extrapolation from the current situation:

- grade 1: 5.18%, i.e. 73.71 assistants
- grade 2: 2.16%, i.e. 30.74 assistants
- grade 3: 1.59%, i.e. 22.63 assistants
- grade 4: 2.74%, i.e. 38.99 assistants

- grade 5: 6.49%, i.e. 92.35 assistants
- grade 6: 5.04%, i.e. 71.72 assistants
- grade 7: 10.09%, i.e. 143.58 assistants
- grade 8: 9.51%, i.e. 135.33 assistants
- grade 9: 13.69%, i.e. 194.81 assistants
- grade 10: 11.96%, i.e. 170.19 assistants
- grade 11: 18.87%, i.e. 268.52 assistants
- grade 12: 8.9%, i.e. 125.08 assistants
- grade 13: 1.87%, i.e. 26.61 assistants
- grade 14: 2.02%, i.e. 28.74 assistants

The corresponding appropriations are already covered by existing resources.

### 7.2.5. Cost of human resources and associated costs

EUR million (to three decimal places)

|   | 2009          | 2010          | 2011          | 2012          | 2013          | 2014          | TOTAL          |
|---|---------------|---------------|---------------|---------------|---------------|---------------|----------------|
| Other administrative expenditure - administrative management staff (Chapters 12, 16, 21, 23)      | 0.210         | 0.420         | 0.420         | 0.420         | 0.420         | 0.420         | 2.310          |
| Other administrative expenditure - parliamentary assistants, (Chapters 12, 16, 21, 23; Item 4200) | 17.788        | 35.575        | 35.575        | 35.575        | 35.575        | 35.575        | 195.663        |
| <b>Total administrative expenditure other than human resources and associated costs</b>           | <b>17.998</b> | <b>35.995</b> | <b>35.995</b> | <b>35.995</b> | <b>35.995</b> | <b>35.995</b> | <b>197.973</b> |

#### OTHER ADMINISTRATIVE COSTS (CALCULATION METHOD)

The calculation is based on an average cost which takes into account the other staff/administrative expenditure and operating and infrastructure costs.

The average cost is roughly EUR 28 000/year for the administrative management staff and roughly EUR 25 000/year for the parliamentary assistants.

As regards the parliamentary assistants, the relevant appropriations have already been included in Parliament's budget in order to meet the needs of the existing accredited assistants, in keeping with the rules currently in force. As regards the administrative management staff, the requisite appropriations will have to be incorporated in the budget procedure.