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ANNEX 4

ANNEX

to the

REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

on the rules adopted by the appointing authority of each institution to give effect to the Staff Regulations

Implementing rules in the institutions

STAFF REGULATIONS

		Commission		Agencies[1] Number of implementing rules on 31 December 2019							
				Adopted before 2014 reform[2]		Adopted after 2014 reform				No rule / opt-out (including ongoing requests)	Total
						Analogy - Art. 110		Rule based on ex-ante agreement	Own rules different from COM (including ongoing requests)		
Article	**Subject Matter**	**Relevant COM implementing rule**	**Ex-ante agreement**	**Analogous to COM rule**	**Own rules** (including ongoing requests)	Application by analogy	9 month period[3] not expired on 31/12/2019				
1e(1)	**Measures of social nature**	C(2013)4876 on guidelines for assistance with home care or care for a sick child		2	3	6	1		4	34	**50**
5	**Types of posts and post titles**	C(2013)8979 on types of post and post titles	C(2018) 8800 type of post and post titles			37	1	12			**50**
		C(2016)3214 concerning the function of adviser	C(2018)2209 and C(2018)4012 concerning adviser functions			15	1	34			**50**
7	**Transfer**	C(2009)7839 laying down implementing rules as regards temporary occupation of management posts	C(2017) 7332 on temporary occupation of management posts (all)	3	2		1	36	2	6	**50**

[1] A complete list of the executive agencies, joint undertakings, decentralised agencies and Union bodies has been provided at the end of this Annex.

[2] Agencies' rules implementing the Staff Regulations and adopted before the 2014 reform are mentioned if a Commission Decision on the subject matter exists.

[3] A Commission implementing rule applies by analogy to the agencies after the expiry of nine months from its entry into force at the Commission or after nine months of the date on which the Commission informed the agencies of the adoption of the respective implementing rule, whichever is later.

9(1)	**Staff Committee**	Rules laying down the composition and operation of the Staff Committee of 22/10/1997	C(2016)3323 regarding implementing rules on setting up a Staff Committee and C(2019)4542 on setting up a Common Staff Committee	1	16		1	30	2		**50**
9(1)(a)	**Common Committee for Prevention and Protection at Work**		C(2019)5362 on setting up a Common Committee for Prevention and Protection at Work					5			**5**
12a	**Harassment**	C(2006)1624/3 on protecting the dignity of the person and preventing psychological harassment and sexual harassment	C(2016)6595 on policy on protecting the dignity of the person and preventing psychological and sexual harassment	2	16	2	1	29			**50**
12b - 16 - 17	**Outside activities**	C(2018) 4048 on outside activities and assignments				49	1				**50**
22a - 22b	**Whistleblowing**	SEC(2012) 679 Guidelines on whistleblowing	C(2018)1362 Guidelines on Whistleblowing					34		16	**50**
24a	**Training**	C(2016)3829 Learning and Development Strategy	C(2017) 6772 on Learning and development			15	1	34			**50**
		C(2016)3855 on Training on the own initiative of the staff member				15	1				**50**
27-34	**Recruitment**	C(2013)8970 GIPs concerning the criteria applicable to classification in step upon recruitment				49	1				**50**
29	**Middle management**	C(2016)3288 on middle management staff	C(2018)2542 and C(2018)4360 on middle management staff			15	1	33	1		**50**

40	**Leave on personal grounds**	C(2013)9054 on measures concerning leave on personal grounds for officials and unpaid leave for temporary and contract staff of the EU	C(2015)5320 on measures concerning leave on personal grounds for officials and unpaid leave for temporary and contract staff of the EU			4	1	45			**50**
43	**Annual report**	C(2013)8985 GIPs on Article 43 and 44(1) SR	C(2015)1513 on Article 43 and 44(1) SR			6	1	43			**50**
		C(2016) 7270 - Amendment Appraisal					1	48		1	**50**
45	**Promotion**	C(2013)8968 on implementing Article 45 SR	C(2015)9563 on implementing Article 45 SR			25	1	20		4	**50**
51	**Procedures dealing with incompetence**	C(2019)6855 on professional incompetence of officials					49			1	**50**
55	**Working hours**	C(2014)2502 on working time	C(2015)9562 on working time			20	1	29			**50**
55a	**Part-time**	C(2015)9720 on Art 55a SR and Annex Iva				49	1				**50**
	Telework	C(2015)9151 on Telework	C(2017) 5308 on telework			26	1	22	1		**50**
55b	**Job-sharing**	C(2004)1314 on Job-sharing		24	1	5	1			19	**50**
57	**Annual leave and special leave**	C(2013)9051 on leave				49	1				**50**
59-60	**Sick leave**	C(2004)1597/11 on sick leave		30	10	5	1		2	2	**50**
67-68	**Education allowance**	C(2013)8971 GIPs on Art 3 of Annex VII				49	1				**50**
71	**Travel expenses**	C(2013)8987 GIPs on Art 8 of Annex VII				49	1				**50**
71	**Place of origin**	C(2013)8982 GIPs on Art 7(4) of Annex VII				49	1				**50**
71	**Removal expenses**	C(2013)9040 GIPs on removal expenses				49	1				**50**

71	**Mission and duty travel**	C(2017) 5323 Mission Guide				49	1				**50**
77	**Transfer of pension rights**	C(2011)1278 GIPs on Article 11 and 12 of Annex VIII		34	13		1			2	**50**
86	**Disciplinary proceedings and administrative investigation**	C(2019)4231 on Administrative inquiries and Disciplinary procedure				25	1			24	**50**

CONDITIONS OF EMPLOYMENT OF OTHER SERVANTS

		Commission		**Agencies** Number of implementing rules on 31 December 2019							
				Adopted before 2014 reform[4]		**Adopted after 2014 reform**				**No rule / opt-out** (including ongoing requests)	**Total**
						Analogy - Art. 110[5]					
Article	**Subject Matter**	**Relevant COM implementing rule**	**Ex-ante agreement**	**Analogous to COM rule**	**Own rules** (including ongoing requests)	Application by analogy	9 month period not expired on 31/12/2019	**Rule based on ex-ante agreement**	**Own rules different from COM** (including ongoing requests)		
12(5)	**Engagement of TA**	C(2013)9049 on policies for engagement and use of TA				6	1			43	**50**
17 + 91	**Maternity leave and maternity pay**	C(2013)9020 on maternity leave and maternity pay				49	1				**50**
54	**Reclassification TA 2f**		C(2015)4996 and C(2015)9560 on implementing rules giving effect to Art 54 CEOS					49		1	**50**

[4] Agencies' rules implementing the Staff Regulations and adopted before the 2014 reform are mentioned if a Commission Decision on the subject matter exists.

[5] Note that these figures include also rules adopted by analogy based on Commission implementing rules that were, even though adopted prior to 2014 reform, notified by the Commission to the agencies.

56	**Engagement TA 2f**		C(2015)1457 and C(2015)1509 on implementing rules giving effect to Art 56 CEOS					47	2	1	**50**
79(2) - 90	**Engagement of CA**	C(2017)6760 on conditions of employement of contract staff	C(2019)3016 on conditions of employement of contract staff			32	1	17			**50**
		C(2013)9028 on the maximum duration for the recourse to non-permanent staff in the Commission services	C(2016)2421 regarding the non-application of the COM Decision on the maximum duration for the recourse to non-permanent staff			14	1	35			**50**
		C(2019) 2548	C(2019)6929 regarding the non-application of the COM Decision on the maximum duration for the recourse to non-permanent staff				46	4			**50**
87	**Appraisal CA**	C(2014)2226 GIPs for implementing Art 87(1) of the CEOS	C(2015)1456 for implementing Art 87(1) CEOS and Art 44(1) SR			6	1	43			**50**
87(3)	**Reclassification of CA**	C(2013)2529 on GIPs for implementing Art. 87(3) CEOS	C(2015)9561 and C(2015)4997 on provisions for implementing Art 87(3) CEOS			3	1	46			**50**

Legend:

Commission implementing rules adopted <u>after the reform of 2014</u> and notified to agencies

LIST OF AGENCIES, JOINT UNDERTAKINGS AND EU BODIES

Executive Agencies

1. Consumers, Health, Agriculture and Food Executive Agency (CHAFEA)
2. Education, Audiovisual and Culture Executive Agency (EACEA)
3. Executive Agency for Small and Medium Enterprises (EASME)
4. European Research Council Executive Agency (ERCEA)
5. (Research Executive Agency (REA)
6. Innovation and Networks Executive Agency (INEA)

Decentralised Agencies and EU Bodies

1. Agency for the Cooperation of Energy Regulators (ACER)
2. Body of European Regulators for Electronic Communications and the Office (BEREC)
3. Translation Centre for the Bodies of the European Union (CDT)
4. European Centre for the Development of Vocational Training (CEDEFOP)
5. European Union Agency for Law Enforcement Training (CEPOL)
6. Community Plant Variety Office (CPVO)
7. European Aviation Safety Agency (EASA)
8. European Asylum Support Office (EASO)
9. European Banking Authority (EBA)
10. European Centre for Disease Prevention and Control (ECDC)
11. European Chemicals Agency (ECHA)
12. European Environment Agency (EEA)
13. European Fisheries Control Agency (EFCA)
14. European Food Safety Authority (EFSA)
15. European Institute for Gender Equality (EIGE)
16. European Insurance and Occupational Pensions Authority (EIOPA)

17. European Institute of Innovation and Technology (EIT)
18. European Labour Authority (ELA)
19. European Medicines Agency (EMA)
20. European Maritime Safety Agency (EMSA)
21. European Monitoring Centre for Drugs and Drug Addiction (EMCDDA)
22. European Union Agency for Cybersecurity (ENISA)
23. European Public Prosecutor's Office (EPPO)
24. European Union Agency for Railways (ERA)
25. European Securities and Markets Authority (ESMA)
26. European Training Foundation (ETF)
27. European Union Intellectual Property Office (EUIPO)
28. European Agency for the operational management of the large-scale IT systems in the area of freedom, security and justice (eu-LISA)
29. European Agency for Safety and Health at Work (EU-OSHA)
30. European Foundation for the Improvement of Living and Working Conditions (EUROFOUND)
31. European Union's Judicial Cooperation Unit (EUROJUST)
32. European Union Agency for Law Enforcement Cooperation (EUROPOL)
33. European Union Agency for Fundamental Rights (FRA)
34. European Border and Coast Guard Agency (FRONTEX)
35. European Global Navigation Satellite Systems Agency (GSA)
36. Single Resolution Board (SRB)

Joint Undertakings

1. Bio-based Industries Joint Undertaking (BBI)
2. Clean Sky 2 Joint Undertaking (CLEAN SKY 2)
3. Electronic Components and Systems for European Leadership Joint Undertaking (ECSEL)
4. European High Performance Computing Joint Undertaking (EuroHPC)
5. Fuel Cells and Hydrogen 2 Joint Undertaking (FCH 2)
6. The European Joint Undertaking for ITER and the Development of Fusion Energy (F4E)
7. Innovative Medicines Initiative 2 Joint Undertaking (IMI 2)

8. SESAR Joint Undertaking (SESAR)
9. Shift2Rail Joint Undertaking (S2R JU)