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EUROPEAN COMMISSION

Brussels, 2.3.2011
C(2011) 1264 final

COMMISSION DECISION

of 2.3.2011

on the general provisions for implementing Article 79(2) of the Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed by the Commission under the terms of Articles 3a and 3b of the said Conditions

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THE EUROPEAN COMMISSION,

Having regard to the Staff Regulations of Officials of the European Union¹ and Title IV of the Conditions of Employment of Other Servants of the European Union ('CEOS'),

After consulting the Central Staff Committee,

After consulting the Staff Regulations Committee,

Whereas:

- (1) The contract staff system was introduced in the European Commission from 2004. After six years the time has come to review the general implementing provisions² in order to improve the system in use at the Commission.
- (2) The application of the previous implementing provisions brought to light a number of points which were open to different interpretations or specific situations not covered by the rules in force. These questions must therefore be resolved and the text clarified to avoid any ambiguity.
- (3) It is necessary to clarify the fundamental differences between contract staff engaged on the basis of Article 3a of the CEOS and those engaged on the basis of Article 3b of the CEOS.
- (4) On 29 July 2008, the Commission adopted the general provisions for implementing Article 87(3) of the CEOS, introducing an appraisal and reclassification system for 2008. A long-term appraisal and reclassification system must be introduced for contract staff engaged on the basis of Article 3a of the CEOS.
- (5) The Commission wishes to harmonise its contracts of employment and as far as possible to move away from employment contracts covered by the national law of an EU Member State and towards contract staff contracts. The system of contracts governed by the law of non-member States will continue to be used outside the Union,

¹ OJ L 56, 4.3.1968, p. 1.

² Commission Decisions C(2004) 1313 of 7 April 2004, C(2004) 2862 of 27 July 2004, C(2004) 4952 of 17 December 2004, C(2005) 5411 of 16 December 2005 and C(2008) 3933 of 29 July 2008.

HAS ADOPTED THESE GENERAL IMPLEMENTING PROVISIONS:

TITLE I – Conditions of engagement and career

Article 1

Scope

This Title shall apply to the conditions of employment of the contract staff covered by Article 3a of the CEOS (hereinafter referred to as ‘contract staff’) and to the contract staff for auxiliary tasks covered by Article 3b of the CEOS (hereinafter referred to as ‘auxiliary contract staff’) engaged by the Commission

- in Commission departments,
- in the European Anti-Fraud Office (OLAF) and the Office for Official Publications of the European Union (OP).
- in the European Personnel Selection Office (EPSO).

The terms ‘contract staff’ and ‘auxiliary contract staff’ are used to refer only to those categories. Only the term ‘staff member’ refers to both of the above categories.

Article 2

Function groups

1. Contract staff are engaged by the Commission to perform full-time or part-time duties in a post not included in the list of posts:
 - a. in Commission departments: solely to carry out manual or administrative support service tasks in function group I,
 - b. in the Commission’s administrative offices, EPSO, the Commission’s representations and European Union delegations: to perform the tasks referred to in Article 80(2) of the CEOS, in function groups I, II, III and IV.
2. Auxiliary contract staff are engaged by the Commission to perform tasks other than those referred to in Article 3a of the CEOS in a post not included in the list of posts, or to replace an official or member of the temporary staff who is temporarily unable to carry out his or her duties.
3. The authority authorised to conclude contracts of employment shall determine the function group of recruitment based on a job description entered in the IT system by the department to which the staff member is to be assigned. The job description shall set out the duties and role of the staff member. The types of duties and corresponding function groups shall be as shown in the table in Article 80(2) of the CEOS.
4. A staff member whose job description has changed and who considers that his or her new duties relate to a different function group may refer the matter to the authority

authorised to conclude contracts of employment. That authority may demand that the department concerned amend the job description to make it consistent with the staff member's function group.

Article 3

Selection

1. A member of the contract staff may be engaged only on condition that he or she passes the selection procedures laid down in Annex II; a member of the auxiliary contract staff may be engaged only on condition that he or she passes the selection procedures laid down in Annex III.
2. By way of derogation from paragraph 1, where justified in the interests of the service, the authority authorised to conclude contracts of employment may engage as a member of the contract staff or auxiliary contract staff a person who has passed a recruitment competition for officials, organised by one or more European institutions, considered to be appropriate to the duties to be performed. In this case, and if the selection procedures referred to in paragraph 1 are not successfully completed, the duration of the engagement (including any renewal) may not exceed 18 months.
The Joint Committee shall be informed annually of the use made of this provision.
3. By way of derogation from paragraph 1, the Director-General of the Directorate-General for Human Resources may authorise the engagement as a member of the contract staff or auxiliary contract staff of an official who has been granted leave on personal grounds under Article 40(2)(ii) of the Staff Regulations.

Article 4

Minimum qualifications

1. Engagement as a member of the contract staff or auxiliary contract staff requires the minimum qualifications set out in Annex I.
2. For the purposes of this article, only diplomas that have been awarded in EU Member States or that are the subject of equivalence certificates issued by the authorities in the said Member States shall be taken into consideration. In the latter case, the authority authorised to conclude contracts of employment reserves the right to request proof of such equivalence.

Article 5

Grading

1. The grading of contract staff and auxiliary contract staff shall take account of the nature and length of their experience. For the purposes of grading, experience covers both qualifications and professional experience, calculated in accordance with the procedures set out in Annex IV.

2. Experience shall be taken into account from the date on which the member of the contract staff or auxiliary contract staff met the minimum qualifications for recruitment as defined in Article 4. In the case of qualifications equivalent to those giving access to the function group, the authority authorised to conclude contracts of employment shall establish a reference date from which experience shall be taken into account.
3. Without prejudice to Article 8, contract staff or auxiliary contract staff shall be graded in accordance with the provisions of point 10 of Annex IV.
4. The grade shall be determined when the contract is drawn up. Without prejudice to Article 87(3) of the CEOS, this grading shall not be revised in the course of the contract, including any renewals thereof, or in the case of interruptions of six months or less.
5. Without prejudice to Article 9, on recruitment contract staff and auxiliary contract staff shall be graded in the first step of their grade.
6. The authority authorised to conclude contracts of employment may decide to award the next higher grade where the duties to be performed correspond to a skills profile of such a nature that, in view of the labour market conditions at one or more of the Commission's places of work, such a measure is necessary in order to obtain a sufficient number of applicants of an appropriate quality.

Article 6

Duration of contracts for contract staff

1. A contract staff member shall be engaged for an initial period of two years and for an initial period of three years in a delegation or Commission representation.
2. If the contract is renewed, the duration of the contract shall be not less than one year.
3. Without prejudice to paragraph 5, any subsequent renewal shall be for an indefinite period under the terms of Article 85 of the CEOS.
4. Where justified in the interests of the service, the authority authorised to conclude contracts of employment may agree to contracts of a different length, with due regard for the durations referred to in Article 85(1) of the CEOS, including in exceptional circumstances an initial contract for an indefinite period. In that case the department to which the staff member is to be assigned shall submit a request for a contract of a different duration, giving reasons.
5. Previous contracts shall be taken into account for the purpose of awarding an indefinite contract only if they succeeded one another without interruption, or with an interruption or interruptions of no more than six months.

Article 7

Duration of contracts for auxiliary contract staff

1. Subject to the budgetary rules in force at the Commission and the provisions of the Commission decisions on the maximum duration for the recourse to non-permanent staff in the Commission services, auxiliary contract staff shall be engaged for a fixed period, renewable up to a total duration of three years, including services rendered in all function groups.
2. Members of the auxiliary contract staff shall be engaged for an initial period of one year. If the contract is renewed, the duration of the contract shall as a general rule be two years. However, where justified in the interests of the service, the authority authorised to conclude contracts of employment may specify a different duration.

Article 8

Probationary period

1. Without prejudice to Article 9, a member of the contract staff or auxiliary contract staff engaged for a period equal to or greater than one year shall serve a probationary period of six months if he or she is in function group I (only possible in the case of contract staff) and nine months if he or she is any other function group, in accordance with the provisions of Article 84 of the CEOS. The member of the contract staff or auxiliary contract staff shall be the subject of a probation report on his or her efficiency, abilities and conduct.
2. The report referred to in the preceding paragraph shall be drawn up in accordance with the procedure in Annex V.
3. The procedure provided for in paragraph 2 shall also apply in the case of a probation report drawn up because of obvious inadequacy, as provided for under Article 84(4) of the CEOS.

Article 9

Successive contracts as a member of the contract staff

1. Members of the contract staff who were under contract to another institution within the meaning of Article 1a of the Staff Regulations and who are engaged by the Commission under a new contract as a member of the contract staff in the same function group without interruption or with an interruption of six months or less shall be subject to the following rules:
 - a) a contract staff member in such a situation shall be assumed to have complied with the selection procedures referred to in Article 3(1) if, prior to his or her engagement with the other institution, he or she had passed a selection procedure comparable to that described in Article 2 of Annex II to this Decision.
 - b) The Commission shall engage such a contract staff member only if he or she was confirmed in his or her post following a probationary period as laid down in Article 84 of the CEOS. In that case the obligation to complete a further probationary period shall be waived. The Commission shall take the staff

member's previous contracts into account for the purposes of possibly concluding a contract for an indefinite period.

- c) In exceptional circumstances, the Commission may engage such a contract staff member who has not served a probationary period, who has not completed a probationary period or who has not been confirmed in his or her post following a probationary period under the terms of Article 84 of the CEOS. In that case he or she shall be under an obligation to serve a full probationary period in accordance with Article 8. The Commission shall not take his or her previous contracts into account for the purposes of concluding a contract for an indefinite period.
- d) If the contract with the other institution was for an indefinite period, the contract staff member shall also be engaged by the Commission for an indefinite period.
- e) The contract staff member shall be placed in the most favourable grade resulting from:
 - the maintenance of his or her grade, step and seniority within the grade and step, or
 - grading in accordance with the provisions of Article 5.

The authority authorised to conclude contracts of employment may take account of grade when deciding whether it is appropriate to engage such a contract staff member.

2. Members of the contract staff who were under contract to another institution within the meaning of Article 1a of the Staff Regulations and who are engaged by the Commission under a new contract as a member of the contract staff in a different function group without interruption or with an interruption of six months or less shall be subject to the following rules:

- a) If the contract with the other institution was for an indefinite period, the contract staff member shall also be engaged by the Commission for an indefinite period. However, earlier fixed-term contracts shall not be taken into account by the Commission for the purposes of concluding a contract for an indefinite period.
- b) The contract staff member shall be required to serve a probationary period in accordance with Article 8.
- c) With regard to grading, the following rules shall apply:
 - i. if engaged to perform duties in a higher function group, the contract staff member shall be placed in the most favourable grade resulting from:
 - the application of the rule laid down in Article 86(2) of the CEOS that the basic salary is to be maintained, choosing the lowest grade possible taking account of the steps, or

- grading in accordance with the provisions of Article 5;
- ii. if engaged to perform duties in a lower function group, the contract staff member shall be graded in accordance with the provisions of Article 5.

The authority authorised to conclude contracts of employment may take account of grade when deciding whether it is appropriate to engage such a contract staff member.

3. Members of the contract staff who were under contract to the departments and offices referred to in Article 1 and who are engaged by the Commission under a new contract as a member of the contract staff in another function group without interruption or with an interruption of six months or less shall be subject to the following rules:
 - a) A member of the contract staff who had a contract for an indefinite period shall be offered an indefinite contract in the new function group.
 - b) The contract staff member must serve a probationary period as laid down in Article 84 of the CEOS and Article 8 of this Decision. If the outcome of the probationary period in the new function group is unsatisfactory, the authority authorised to conclude contracts of employment shall endeavour to identify vacant posts within the institution corresponding to the previous function group and for which the staff member has the necessary qualifications. If such vacant posts are identified, the authority authorised to conclude contracts of employment may re-employ the staff member in his or her previous function group. In that case, he or she shall be engaged at the grade, step and seniority held in the previous function group prior to appointment to the new function group.
 - c) With regard to grading, the following provisions shall apply:
 - i. if engaged to perform duties in a higher function group, the contract staff member shall be placed in the most favourable grade resulting from:
 - the application of the rule laid down in Article 86(2) of the CEOS that the basic salary is to be maintained, choosing the lowest grade possible taking account of the steps, or
 - grading in accordance with the provisions of Article 5;
 - ii. if engaged to perform duties in a lower function group, the contract staff member shall be graded in accordance with the provisions of Article 5.
4. Where a member of the contract staff formerly under contract to the departments and offices referred to in Article 1 is engaged by the Commission as a member of the contract staff in the same function group with an interruption of six months or less, the rules on the renewal of contracts shall apply by analogy.

Article 10

Notice of end of contract

1. The period of notice shall be determined as laid down in Article 47 of the CEOS.
2. A member of the contract staff or auxiliary contract staff wishing to resign must write to the authority authorised to conclude contracts of employment no later than the day before the date on which the period of notice starts to run, stating unequivocally his or her intention to leave the service. The staff member shall first notify his or her hierarchical superior and the human resources unit of his or her department.
3. If the staff member, the department to which he or she is assigned and the authority authorised to conclude contracts of employment are in agreement, the period of notice may be shorter than that stipulated in paragraph 1 of this article and referred to in the staff member's contract, but not less than one month.
4. The provisions of this article shall also apply during the probationary period provided for in Article 84 of the CEOS.

Article 11

Annual appraisal exercise for contract staff

In accordance with the procedures described in Annex VI, every year a report covering the period from 1 January to 31 December of the previous year (hereinafter referred to as 'the reporting period') must be drawn up for each jobholder engaged for a period of not less than one year and who has been in active employment or on parental or family leave for a continuous period of at least one month during the reporting period.

Article 12

System for the reclassification of contract staff

1. Each jobholder shall have a reclassification file administered by means of a secure electronic system.
2. The reclassification file shall form an integral part of the jobholder's individual file. Jobholders shall have individual access to their reclassification files by means of a personal secret password. The reclassification file shall include, inter alia, information on the number of reclassification points awarded in the course of the current reclassification exercise and the total number of reclassification points accumulated.
3. A reclassification round shall be held each year in accordance with the procedures described in Annex VII. It shall entail awarding reclassification points and drawing up a list of the jobholders reclassified.

TITLE II - Transitional and final provisions

Article 13

Private-law contracts

With effect from 1 January 2011, the Commission will not conclude any new contracts of employment or extensions of contracts governed by the national law of a Member State of the European Union. Traineeships within the meaning of the Commission Decision of 2 March 2005 'Rules governing the official traineeships scheme of the European Commission' and of the Decision of the Director-General of the JRC dated 16 March 2007 entitled 'Rules governing the traineeship scheme of the Joint Research Centre' shall not be considered to be an employment contract within the meaning of this Article.

By way of derogation from the previous paragraph, the Directorate-General for Humanitarian Aid (ECHO) may continue, for the management of Commission humanitarian aid in non-member countries, to have recourse to individual experts employed under the labour laws of an EU Member State.

Article 14

Transitional provisions

1. Persons who passed a complete selection procedure prior to the entry into force of these provisions shall be assumed to have complied with the selection procedures described in Annexes II and III of this Decision for as long as the list of results of that procedure remains valid³.
2. The provisions of Article 5 of this Decision shall not amend contracts in force at the Commission on the date on which this Decision is adopted.
3. Where a member of the contract staff or auxiliary contract staff, who had been engaged in the departments and offices referred to in Article 1 in application of the derogation referred to in Article 11(1) of Decision C(2004) 1313 of 7 April 2004 in a profile for which no selection procedure was organised by EPSO during a period of three years following the date on which he or she took up his or her duties, is engaged and takes up duty before 1 August 2012 as a member of the contract staff or auxiliary contract staff in the same function group and to perform the same duties as before, he or she shall be placed in the most favourable grade resulting from:
 - maintaining the grade, step and seniority he or she had at the end of his or her contract as a member of the contract staff in the abovementioned duties;
 - grading in accordance with the provisions of Article 5.
4. By way of derogation from the provisions of Article 13,

³ Candidates who have passed the partial selection procedure CAST 2010 shall be assumed to have passed the equivalent of part A1 described in Annex III.

- contracts for ‘Young Experts in the Delegations’ under the programme of the same name, covered by the labour laws of an EU Member State, may be awarded until 31 December 2012 and may be renewed within the limits laid down in the programme itself;
- the Joint Research Centre (JRC) may continue to use grantees within the meaning of the Decision of the Director-General of the JRC entitled ‘Administrative rules applicable to the recruitment of grantees under national law contracts within the framework of the research programmes managed by the Joint Research Centre’⁴ employed under the labour laws of an EU Member State. Such contracts may be awarded until such a time as EPSO has finalised a specific selection procedure in conformity with Article 2, Part B, of Annex I, and this selection procedure has been approved by the Directorate-General for Human Resources and the JRC.

Article 15

Final provisions and entry into force

1. Commission Decisions C(2004) 1313 of 7 April 2004, C(2004) 2862 of 27 July 2004, C(2004) 4952 of 17 December 2004, C(2005) 5411 of 16 December 2005 and C(2008) 3933 of 29 July 2008 are hereby repealed.
2. These General Implementing Provisions shall enter into force on the day of their adoption.

Done at Brussels, 2.3.2011

For the Commission
Maros SEFCOVIC
Vice President of the Commission

⁴ Decision of the Director-General of the JRC of 18 February 2008 as amended on 17 February 2010.

ANNEX I – Minimum qualifications for engagement

Article 1

Minimum qualifications

The minimum qualifications for engagement as a member of the contract staff or auxiliary contract staff are:

1. a. in function group I: successful completion of compulsory education;
2. b. in function group II:
 - 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 three years. In this context professional experience is considered to be appropriate if it has been obtained in one of the areas of activity of the European Commission following the award of the diploma giving access to this function group,
or
 - iii. following completion of compulsory education, a total of eight years of:
 - appropriate professional training and/or
 - professional experience of an equivalent level involving tasks similar to those that the member of the contract staff will be required to perform.

In this context, professional training cannot be taken into account unless it consists of at least one academic year of full-time training following compulsory education and is attested by a certificate recognised by a Member State of the European Union,
or
 - iv. following completion of compulsory education, a total of ten years as a member of staff of the European Union and including training provided by the institution in a field relevant to the duties to be carried out,
or
 - v. in exceptional circumstances and where justified in the interests of the service, professional training or equivalent professional experience; the Joint Committee shall be informed annually of the use made of this provision.
3. c. in function group III:
 - 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 three years. In this context professional experience is considered to be appropriate if it has been obtained in one of the areas of activity of the European Commission following the award of the diploma giving access to this function group, or
 - iii. in exceptional circumstances and where justified in the interests of the service, professional training or equivalent professional experience; the Joint Committee shall be informed annually of the use made of this provision.
4. d. in function group IV:
- i. completed university studies of at least three years attested by a diploma, or
 - ii. when in a Member State of the European Union access to a profession of an equivalent level to function group IV is by State examination, professional training or any other equivalent procedure (e.g. chartered accountant and auditor, or professions in the armed forces or police), the authority authorised to conclude contracts of employment may agree to recognise this qualification as being equivalent to a university degree, or
 - iii. in exceptional circumstances and where justified in the interests of the service, professional training of an equivalent level; the Joint Committee shall be informed annually of the use made of this provision.

ANNEX II – Selection procedures for members of the contract staff

Article 1

General principles

1. The selection procedure shall be organised by or under the responsibility of EPSO on the basis of a public call for expressions of interest describing the selection procedure and the eligibility criteria for contract staff.
2. The call for expressions of interest referred to in paragraph 1 shall be open to nationals of the Member States of the European Union. The Director of EPSO may issue a call for expressions of interest from nationals of other countries when such countries are in the process of acceding to the European Union.
3. Where justified in the interests of the service, the Director-General of the Directorate-General for Human Resources may ask EPSO to allow nationals of a country that is not an EU Member State to take part in a selection procedure by derogation from the first sentence of paragraph 2 of this Article.

Article 2

Selection procedures

1. The selection tests shall be organised by EPSO on the basis of a permanent call for expressions of interest. The difficulty of the tests shall be appropriate for the function group chosen by the candidate and the content of the tests shall be consistent with the profile to be tested.
2. Candidates for the selection procedure may express an interest in one or more profiles. Candidates may sit the selection tests no more than once per profile and per 12-month period.
3. The validity of a pass mark in section A1 shall be restricted.

Part A – General profiles

Profiles such as lawyer, economist, secretary or finance officer are considered to be general profiles. This list is not exhaustive.

The selection procedure comprises the following stages:

Designation	Description of test	Body responsible
A1	A series of anonymous tests involving verbal and numerical reasoning tests and/or language tests.	EPSO
A2	A series of tests designed to assess the candidate's ability to perform the duties	EPSO

	connected with the profile in question. It may consist of written, practical, oral and/or other tests in one or more languages.	
A3	Interview before a selection committee to test the candidate's suitability for a post and knowledge of languages if necessary	DG or service concerned
A4	Determination of grade and recruitment decision	Authority authorised to conclude contracts of employment

The above-mentioned selection committee for the recruitment of a contract staff member shall consist of a Chair from a department other than the recruiting department, a member of the Human Resources Unit of the department concerned, a member of the appropriate Directorate within the department, and a person designated by the Central Staff Committee. It shall set out its conclusions in its minutes.

In the case of a post to be filled in one of the EU delegations, the candidate or candidates may be invited to an interview conducted by the Head of Delegation or Chargé d'affaires concerned, the Chief Administrative Officer and (where this is a different person) the official who might become the direct superior of the contract staff member recruited. Any such interview shall be held in the presence of a local staff representative and minutes shall be kept.

Part B – Specialist profiles

Where the above arrangements are difficult to implement or do not seem to be appropriate for ensuring the selection of suitable candidates for the profile required, the Director-General of the Directorate-General for Human Resources may grant authorisation for the selection of contract staff to be carried out in accordance with the following procedures. The Director-General of the Directorate-General for Human Resources shall ask EPSO to publish a specific call for expressions of interest. The selection procedure shall be organised by EPSO or by the department requesting the profile. In the latter case, the selection procedure shall be approved in advance by EPSO.

The selection procedure must be appropriate for the function group and profile required. It shall include:

Designation	Description of test	Body responsible
B1	An anonymous selection procedure, for example an automated CV search or preselection on the basis of qualifications and/or other factors	EPSO or department concerned in agreement with EPSO
B2	A series of tests designed to assess the candidate's ability to perform the duties connected with the profile in question This section may consist of written,	EPSO or department concerned in agreement with EPSO

	practical, oral and/or other tests in one or more languages	
B3	Interview before a selection committee to test the candidate's suitability for a post and knowledge of languages if necessary	DG or service concerned
B4	Determination of grade and recruitment decision	Authority authorised to conclude contracts of employment

The above-mentioned selection committee for the recruitment of a contract staff member shall consist of a Chair from a department other than the recruiting department, a member of the Human Resources Unit of the department concerned, a member of the appropriate Directorate within the department, and a person designated by the Central Staff Committee. It shall set out its conclusions in its minutes.

In the case of a post to be filled in one of the EU delegations, the candidate or candidates may be invited to an interview conducted by the Head of Delegation or Chargé d'affaires concerned, the Chief Administrative Officer and (where this is a different person) the official who might become the direct superior of the contract staff member recruited. Any such interview shall be held in the presence of a local staff representative and minutes shall be kept.

The Joint Committee shall be informed annually of the profiles for which the Director-General of the Directorate-General for Human Resources has authorised this type of selection procedure.

Part C – Special cases

Without prejudice to the objective referred to in Article 27 of the Staff Regulations, EPSO shall be permitted to take all appropriate steps to ensure that the provisions of Article 1d relating to persons with a disability within the meaning of paragraph 4 of that Article are in fact implemented.

Article 3

Candidates' files

1. Details of all candidates who have passed a selection procedure in accordance with points A1, A2, B1 or B2 of Article 2 shall be entered in a database accessible to all interested departments in the Commission and in the other institutions with which EPSO has an agreement. The database shall include relevant information for each candidate, including the profile for which the selection procedure was organised.
2. The data referred to in paragraph 1 shall be accessible in the database for the entire period of validity of the test. This period of validity shall be three years (with the possibility of an extension), subject, however, to the candidate's updating his or her personal data at least every 12 months. The data relating to a candidate who is

employed by an institution on a contract staff contract shall remain available for the duration of his or her contract and for six months following the end of that contract.

ANNEX III – Selection procedures for members of the auxiliary contract staff

Article 1

General principles

1. The selection procedure shall be organised by or under the responsibility of EPSO on the basis of a public call for expressions of interest describing the selection procedure and the eligibility criteria for auxiliary contract staff.
2. The call for expressions of interest referred to in paragraph 1 shall be open to nationals of the Member States of the European Union. The Director of EPSO may issue a call for expressions of interest from nationals of other countries when such countries are in the process of acceding to the European Union.
3. Where justified in the interests of the service, the Director-General of the Directorate-General for Human Resources may ask EPSO to allow nationals of a country that is not an EU Member State to take part in a selection procedure by derogation from the first sentence of paragraph 2 of this Article.

Article 2

Selection procedures

1. The selection tests shall be organised by EPSO on the basis of a permanent call for expressions of interest. The difficulty of the tests shall be appropriate for the function group chosen by the candidate and the content of the tests shall be consistent with the profile to be tested.
2. Candidates for the selection procedure may express an interest in one or more profiles. Candidates may sit the selection tests no more than once per profile and per 12-month period.
3. The validity of a pass mark in section A1 shall be restricted.

Part A – General profiles

Profiles such as lawyer, economist, secretary or finance officer are considered to be general profiles. This list is not exhaustive.

The selection procedure comprises the following stages:

Designation	Description of test	Body responsible
A1	A series of anonymous tests involving verbal and numerical reasoning tests and/or language tests.	EPSO
A2	A series of tests designed to assess the candidate's ability to perform the duties	EPSO if tests available the same day. If the tests are not

	connected with the profile in question. It may consist of written, practical, oral and/or other tests in one or more languages.	available, the Commission may decide that the candidates can proceed directly to section A3.
A3	Interview to determine the candidate's suitability, and knowledge of languages if required	DG or service concerned
A4	Determination of grade and recruitment decision	Authority authorised to conclude contracts of employment

Part B – Specialist profiles

Where the above arrangements are difficult to implement or do not seem to be appropriate for ensuring the selection of suitable candidates for the profile required, the Director-General of the Directorate-General for Human Resources may grant authorisation for the selection of contract staff to be carried out in accordance with the following procedures. The Director-General of the Directorate-General for Human Resources shall ask EPSO to publish a specific call for expressions of interest. The selection procedure shall be organised by EPSO or by the department requesting the profile. In the latter case, the selection procedure shall be approved in advance by EPSO.

The selection procedure must be appropriate for the function group and profile required. It shall include:

Designation	Description of test	Body responsible
B1	An anonymous selection procedure, for example an automated CV search or preselection on the basis of qualifications and/or other factors	EPSO or department concerned in agreement with EPSO
B2	A series of tests designed to assess the candidate's ability to perform the duties connected with the profile in question. This section may consist of written, practical, oral and/or other tests in one or more languages	EPSO or department concerned in agreement with EPSO
B3	Interview to test the candidate's suitability for a post and knowledge of languages if necessary	DG or service concerned
B4	Determination of grade and recruitment decision	Authority authorised to conclude contracts of employment

The Joint Committee shall be informed annually of the profiles for which the Director-General of the Directorate-General for Human Resources has authorised this type of selection procedure.

Part C – Special cases

Without prejudice to the objective referred to in Article 27 of the Staff Regulations, EPSO shall be permitted to take all appropriate steps to ensure that the provisions of Article 1d relating to persons with a disability within the meaning of paragraph 4 of that Article are in fact implemented.

Article 3

Candidates' files

1. Details of all candidates who have passed a selection procedure in accordance with points A1, A2, B1 or B2 of Article 2 shall be entered in a database accessible to all interested departments in the Commission and in the other institutions with which EPSO has an agreement. The database shall include relevant information for each candidate, including the profile for which the selection procedure was organised.
2. The data referred to in paragraph 1 shall be accessible in the database for the entire period of validity of the test. This period of validity shall be three years (with the possibility of an extension), subject, however, to the candidate's updating his or her personal data at least every 12 months. The data relating to a candidate who is employed by an institution on an auxiliary contract staff contract shall remain available for the duration of his or her contract and for six months following the end of that contract.

**ANNEX IV – Taking account of qualifications and professional experience for
PURPOSES OF GRADING**

Article 1

General principles

1. A given period may be counted only once.
2. All the supporting documents submitted by the candidate are liable to be subjected to a detailed examination by the departments responsible.

Article 2

Qualifications

1. ‘Qualifications’ shall be taken to mean any full-time or part-time studies or professional training attested by a diploma. Only diplomas that have been awarded in EU Member States or that are the subject of equivalence certificates issued by the authorities of one of these Member States shall be taken into consideration. In the latter case, the authority authorised to conclude contracts of employment reserves the right to request proof of such equivalence.
2. Qualifications shall be taken into account:
 - provided that the study or training is at least equivalent to the level of the qualification required for access to the function group and that it lasted for at least one academic year;
 - in respect of a period which may not exceed the statutory duration of the studies. In the case of a doctorate/PhD the actual duration of the studies shall be taken into account, subject to a limit of three years;
 - provided that the study or training was undertaken following the award of the diploma giving access to the function group. The duration of studies undertaken and/or qualifications acquired to obtain the diploma giving access to the function group shall not be taken into account.

Article 3

Professional experience

1. ‘Professional experience’ shall be taken to mean any paid activity. It shall be taken into account from the date on which the person fulfils the minimum qualifications required for recruitment as defined in this Decision.
2. To be taken into account for grading purposes, professional experience must be duly substantiated and be related to one of the Commission's areas of activity.

3. Compulsory military service or equivalent civilian service shall be taken into account on the basis of its actual duration (this will also apply if this period of service took place before the conditions giving access were met). A recall shall be taken into account only if it is for a period of one year or more.
4. In the case of freelance interpreters, the length of professional experience shall be based on the number of days worked as an interpreter (130 days of actual work as an interpreter shall be considered to be equivalent to one year's professional experience).
5. 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 converted into days worked. (Eight pages translated shall be equated to one day's work; 220 days worked shall be considered to be equivalent to one year's professional experience.)
6. Periods of paid in-service training, or in-service training for which an indemnity is paid, shall be regarded as professional experience.
7. By way of an exception, voluntary activities may be taken into account provided that they were carried out with a body recognised by an EU Member State and are related to the duties to be performed.
8. Non-salaried professional activities (e.g. self-employed, liberal professions) shall be considered on a case-by-case basis, taking into account their nature and duration. Such consideration shall be based on formal data such as tax returns, statements of fees from national bodies, or any other supporting document of an official nature.
9. Professional activities carried out on a part-time basis shall be calculated pro rata according to the hours worked.
10. Members of the contract staff shall be graded as follows:
 - a. in function group I: at grade 1,
 - b. in function group II in accordance with the table below:

Length of experience	Grade
Less than 7 years	4
7 years or more	5

- c. in function group III in accordance with the table below:

Length of experience	Grade
Less than 7 years	8
Between 7 years and 15 years	9
15 years or more	10

- d. in function group IV in accordance with the table below:

Length of experience	Grade
Less than 8 years	13
Between 8 years and 21 years	14
21 years or more	16

11. Members of the auxiliary contract staff shall be graded as follows:

a. in function group II in accordance with the table below:

Length of experience	Grade
Less than 5 years	4
Between 5 years and 10 years	5
Between 10 years and 20 years	6
20 years or more	7

b. in function group III in accordance with the table below:

Length of experience	Grade
Less than 5 years	8
Between 5 years and 10 years	9
Between 10 years and 15 years	10
Between 15 years and 20 years	11
20 years or more	12

c. in function group IV in accordance with the table below:

Length of experience	Grade
Less than 5 years	13
Between 5 years and 9 years	14
Between 9 years and 13 years	15
Between 13 years and 17 years	16
Between 17 years and 21 years	17
21 years or more	18

ANNEX V – Procedure governing probationary period for contract staff and auxiliary contract staff

1. The procedure governing the probationary period of a member of the contract staff is as follows:
 - a. The reporting officer and the countersigning officer shall be decided upon in accordance with the provisions of Article 2 of Annex VI to this Decision.
 - b. Not less than two months before the end of the probationary period, the reporting officer shall ask the contract staff member to draw up a self-assessment. The staff member shall have eight working days in which to do so. If the staff member does not finalise his or her self-assessment within the above time limit, the reporting officer may decide to hold the dialogue referred to at (c) in the absence of a self-assessment.
 - c. The reporting officer and the staff member shall then engage in a formal dialogue. The dialogue shall cover the ability of the contract staff member to perform his or her duties and his or her efficiency and conduct in the service.
 - d. No later than ten working days after the formal dialogue, the reporting officer shall draw up the probation report and send it to the countersigning officer. The report shall indicate whether the work of the staff member has proved adequate to justify retention in his or her post, whether it is recommended that he or she should be dismissed, or whether, by way of exception, it is recommended that the probationary period be extended in accordance with Article 84(3) of the CEOS.
 - e. The countersigning officer shall have five working days in which to comment and to countersign the report, which is sent to the staff member.
 - f. The staff member shall then have eight working days in which to make known any comments. Once this period has elapsed, the probation report shall be closed.
 - g. Where the probation report recommends dismissal or the extension of the probationary period, the countersigning officer shall hold a dialogue with the contract staff member within ten working days. The staff member and the countersigning officer may be assisted during the dialogue by another person provided that that person is an official or other servant within the meaning of the CEOS.

Not less than five days after this dialogue the countersigning officer shall transmit an opinion to the authority authorised to conclude contracts of employment.

Except in the case of auxiliary contract staff, the authority shall obtain the opinion of the Joint Reports Committee provided for in Article 34 of the Staff Regulations before deciding on the action to be taken with regard to the probationary period.

ANNEX VI – Procedures for the appraisal of contract staff

Article 1

Scope

The provisions of this Annex shall apply to the contract staff referred to in Article 3a of the Conditions of Employment of Other Servants ('contract staff'), referred to below as 'jobholders'.

Article 2

Roles and ranks of the various persons involved

1. The reporting officer shall be the jobholder's direct superior and, as a general rule, the jobholder's Head of Unit on the last day of the reporting period.

The Director, Chief Adviser, Adviser hors classe, Deputy Director-General or Director-General⁵ shall assume the role of the reporting officer for jobholders of whom they are the direct superior.

2. The countersigning officer shall be a direct superior of the Head of Unit at the moment of his or her first intervention in the appraisal procedure as laid down in Article 6 of this Annex.

If the role of reporting officer is performed by the Director, Chief Adviser, Adviser hors classe, or Deputy Director-General, the Director-General shall act as countersigning officer. The Director-General may delegate this role to the Deputy Director-General in the case of reports for which a Director takes on the role of reporting officer. If the Director-General is the reporting officer, he or she shall also be the countersigning officer.

3. The appeal assessor shall be the Director-General carrying out this duty at the moment of his or her first intervention in the appraisal procedure. He may delegate the role of appeal assessor to a member of senior management.
4. In the event of a change in the organisation chart of a service or Directorate-General, the Director-General may derogate from paragraphs 2 and 3 above to take account of the specific context arising from that change.
5. With the agreement of the countersigning officer, the Head of Unit may delegate the role of reporting officer to officials or temporary staff members who manage and supervise the jobholders concerned and whom he or she considers to be able to take on this role in the light of the posts they occupy within the unit and their abilities. In that case, the countersigning officer shall be the Head of Unit or the Director. Heads of Unit may, without relinquishing their role as reporting officer, delegate the work

⁵ For the purposes of this Decision, 'Director-General' also covers the position of Director of an office.

preparatory to the appraisal of jobholders in their Unit to the officials or temporary staff referred to above.

6. Where a report must be drawn up that relates to a reporting period before the one covered by the current exercise, in particular following a Court decision,
 - and the reporting officer, as defined in paragraph 1, has in the meantime left the Commission, the Head of Unit responsible for human resources in the Directorate-General concerned shall act as reporting officer;
 - and the countersigning officer, as defined in paragraph 2, has in the meantime left the Commission, the Director responsible for human resources in the Directorate-General concerned shall act as countersigning officer;
 - and the appeal assessor, as defined in paragraph 3, has in the meantime left the Commission, the Director-General of the Directorate-General for Human Resources shall act as appeal assessor.

Article 3

Joint Appraisal and Reclassification Committee

A Joint Appraisal and Reclassification Committee shall be created. This Committee shall analyse the breakdown into performance levels during the appraisal procedure. If an appeal is lodged with the Committee it shall deliver an opinion on that appeal. The composition and operating procedures of this Committee shall be defined by the rules set out in Annex VIII to this Decision.

Article 4

Basis of appraisal

1. The jobholder's efficiency shall be assessed on the basis of the objectives set according to Article 6(4) of this Annex or when he or she entered into service. The assessment of the jobholder's efficiency shall be based on the extent to which the objectives have been achieved and on the quality of the work carried out, mindful of the conditions in which the jobholder has performed his or her duties.

The objectives shall form an integral part of the report. They shall be defined on the basis of normal working conditions and be consistent with the priorities of the Commission and the objectives of the work programme of the Directorate-General and the Unit, as outlined in the Annual Management Plan.

The extent to which the objectives have been achieved and the quality of the work carried out, as well as the actual conditions in which the jobholder has performed his or her duties, must be assessed in the light of the common standards published by the Directorate-General for Human Resources.

2. The jobholder's ability and conduct in the service must be assessed in relation to the common standards published by the Directorate-General for Human Resources.

Article 5

Synthesis of performance appraisal

1. Each report shall include an individual qualitative appraisal of the jobholder's efficiency, ability and conduct in the service. Based on this qualitative appraisal, the performance of each jobholder over the reporting period is summarised on the basis of one of the following four performance levels:
 - Performance level I: the jobholder's performance exceeded expectations with regard to efficiency, ability and conduct in the service;
 - Performance level II: the jobholder's performance fully met expectations with regard to efficiency, ability and conduct in the service;
 - Performance level III: the jobholder's performance partly met expectations with regard to efficiency, ability and conduct in the service;
 - Performance level IV: the jobholder's performance failed to meet expectations with regard to efficiency, ability and conduct in the service.
2. A report shall indicate the appraisal of the performance over the given reporting period only. A performance level shall not therefore confer any legitimate expectations on the jobholder regarding the performance assessment for the following reporting period.
3. A maximum of 25% of performances shall correspond to performance level I.

The results of the application of this percentage shall be rounded up to the nearest whole number.
4. In each Directorate-General, the maximum percentage indicated in paragraph 3 must be complied with for each grade. If, as a result of the rounding-up rule, this percentage is exceeded at the level of the function group concerned, the maximum number of performances corresponding to the performance level in question must be reduced proportionately.

Article 6

Appraisal procedure

1. The appraisal exercise shall be launched by the Directorate-General for Human Resources by publication of an administrative notice. It shall be administered by means of a secure electronic system.
2. At the start of each appraisal exercise, a general discussion shall be held in each Directorate-General involving members of senior management and the reporting officers and countersigning officers concerned to discuss performances within the Directorate-General, in each grade, over the reporting period.
3. For each jobholder, the appraisal report is launched electronically. Once the report has been launched, a request to produce a self-assessment shall automatically be sent

to the jobholder. Within eight working days of receiving this request, the jobholder shall submit a self-assessment, which will be entered in the appropriate heading of the report.

If the jobholder does not submit a self-assessment within the time allowed, without having been prevented from doing so by a period of justified absence, the reporting officer may proceed immediately to the formal dialogue as provided for in paragraph 4.

4. The reporting officer shall then hold a formal dialogue with the jobholder.

This dialogue is one of the reporting officer's basic management tasks. In the course of this dialogue, the reporting officer shall, jointly with the jobholder:

- (1) assess the jobholder's performance during the reporting period, taking into account the self-assessment referred to in paragraph 3. The reporting officer shall, jointly with the jobholder, consider the latter's efficiency, the competencies he or she has demonstrated and his or her conduct in the service during the reporting period;
- (2) set objectives for the year following the reporting period. The reporting officer and the jobholder shall agree on objectives to be achieved in the context of the post, together with the criteria on which the results are to be assessed and the conditions in which they are to be achieved.

If the reporting officer and the jobholder cannot agree on the objectives, the final decision shall be taken by the countersigning officer after hearing the jobholder's views.

No report may be finalised without confirming objectives for the following reporting period unless, as a result of mobility, the reporting officer is no longer the jobholder's direct superior during the following reporting period;

- (3) update the training map drawn up at the end of the reporting period which takes account of the objectives linked to the jobholder's work programme, personal development goals and career development.
5. If the jobholder does not act on the invitation to take part in the formal dialogue, without having been prevented from doing so by a justified absence, the reporting officer may immediately draw up an individual qualitative appraisal as provided for in paragraph 6.
 6. Within ten working days following the formal dialogue, the reporting officer shall draw up an individual qualitative appraisal of the jobholder's efficiency, ability and conduct in the service. No reference must be made in this context to the jobholder's justified absences. The individual qualitative appraisal shall be transmitted to the countersigning officer.

The countersigning officer shall check that the appraisal standards established in accordance with Article 4 have been applied consistently and, after comparing merit, shall confirm, add to or modify the jobholder's individual qualitative appraisal.

This individual qualitative appraisal shall then be communicated to the jobholder who shall have five working days to make any comments to the countersigning officer.

In the light of any comments made by the jobholder, the countersigning officer shall confirm, add to or modify the individual qualitative appraisal.

7. On the basis of the individual qualitative appraisals, the Directorate-General shall identify, in consultation with the countersigning officers, for each grade, the jobholders whose performance over the reporting period corresponds to level I. The countersigning officer shall keep the reporting officer duly informed.
8. Before the reports are finalised in the individual Directorates-General, the Directorate-General for Human Resources shall transmit to the Joint Appraisal and Reclassification Committee the statistics for each Directorate-General, by function group and by grade, on the appraisal and on the general breakdown between the performance levels. The Joint Appraisal and Reclassification Committee shall have eight working days in which to make recommendations to the Directorates-General and to the Directorate-General for Human Resources. The analysis carried out by the Joint Appraisal and Reclassification Committee shall be made known to staff.

The countersigning officer shall then finalise each report and in particular shall determine the performance level that corresponds to the performance of the jobholder.

9. The report shall then be communicated to the jobholder. To this end, all jobholders in a given Directorate-General and function group shall be invited collectively to consult their report electronically.
10. Within 15 working days from the date on which the jobholder was invited to consult his or her report, he or she shall accept the report without adding comments, accept the report whilst adding comments to the appropriate section, or refuse to accept the report, stating the reasons for refusal.

If the report is accepted it shall become final. A jobholder who does not react within the time limits referred to in the previous paragraph shall be considered to have accepted the report.

Article 7

Appeal procedure

1. After receiving the report the jobholder may request a dialogue with the countersigning officer within 12 days from the date on which he or she was invited to consult the report. Once a dialogue has been requested it must take place. It is for information purposes only and must enable the jobholder to obtain an explanation of the performance level specified in the appraisal report. If the countersigning officer is unable to conduct this dialogue with the jobholder the reporting officer may perform this task. Neither the request by the jobholder for a dialogue nor the dialogue itself shall have the effect of suspending the period referred to in Article 6(10) for accepting or refusing the report.

If the jobholder so requests, the reporting officer shall take part in the dialogue. The jobholder may arrange for an official or other servant within the meaning of the CEOS to assist him or her during the dialogue.

2. The jobholder's reasoned refusal to accept the report under Article 6(10) of this Annex shall automatically result in the matter being referred to the competent Joint Appraisal and Reclassification Committee, referred to in Article 3. The jobholder may withdraw his or her reasoned refusal to accept the report at any time.
3. The Joint Appraisal and Reclassification Committee shall examine the reasoned refusal to accept the report and issue an opinion on the contested report. The Committee's opinion shall comprise:
 - an operational conclusion recommending either that the report be confirmed or that it (and where appropriate the performance level) be amended;
 - a statement of the reasons underlying the operational conclusion;
 - the minority opinions expressed, if the opinion was not adopted unanimously.

The Committee shall not take the place of the reporting officer or the countersigning officer as regards appraising the jobholder's performance. It shall verify that reports have been drawn up fairly and objectively, i.e. where possible on a factual basis and in accordance with these general implementing provisions. It shall verify in particular that the procedure laid down in Article 6 of this Annex has been followed. To this end, the Committee shall carry out the necessary consultations and shall have at its disposal any working documents which may assist it in carrying out its work.

4. The opinion of the Joint Appraisal and Reclassification Committee shall be transmitted to the appeal assessor.
5. The appeal assessor shall confirm or amend the report within five working days. In doing so, he or she shall, in particular, take account of the Joint Appraisal and Reclassification Committee's opinion.

The decision of the appeal assessor may not be based on facts which the jobholder has not previously had an opportunity to comment upon in the course of the appraisal or the appeal procedure, unless he or she is given an opportunity to do so by the appeal assessor.

Where the appeal assessor does not follow the recommendation of the Joint Appraisal and Reclassification Committee he or she shall provide substantive reasons for his or her decision.

Where the appeal assessor decides to amend the report and the amendment affects the performance level, his or her decision does not have to comply with the maximum percentage referred to in Article 5(3) of this Annex.

6. The report shall become final by decision of the appeal assessor. The jobholder shall be notified, by e-mail or other means, that the decision rendering the report final has been adopted, pursuant to this Article or Article 6 of this Annex, and that it may be consulted in the electronic system. If the decision rendering the report final was

adopted under this Article, the jobholder shall at this point also have access to the appeal assessor's decision and the opinion of the Joint Appraisal and Reclassification Committee. Such notification shall constitute communication within the meaning of Article 25 of the Staff Regulations.

Article 8

Specific situations

1. If
 - (a) during the reporting period, the jobholder's engagement ended under the terms of Articles 119 and 47-50 of the CEOS,
 - (b) at the time when the appraisal exercise is launched, a final decision has been taken which will lead to the termination of the jobholder's engagement under the terms of Articles 119 and 47-50 of the CEOS and will take effect in the course of the year following the end of the reporting period,

a report need be drawn up only if the jobholder submits an express request to that effect, in writing, to the reporting officer referred to in Article 2 of this Annex, in the three weeks following the launch of the appraisal exercise.

If, at the time when the appraisal exercise is launched, a decision in relation to subparagraph (b) has been adopted but has not become final, the appraisal procedure shall be suspended for the jobholder concerned. Once this decision becomes final, a report need be drawn up only if the jobholder submits an express request to that effect, in writing, to the reporting officer referred to in Article 2 of this Annex, within three weeks following the adoption of the decision. If such a decision is withdrawn or cancelled, the appraisal procedure shall resume for the jobholder concerned.

2. Where a jobholder was unable to carry out his or her duties by reason of illness, accident, parental leave or family leave for at least 8 months during the reporting period, the preceding report shall automatically be carried over, without it being necessary to obtain the consent of the jobholder and to follow the procedure in Article 6 of this Annex (long-term absence carryover). The maximum percentage referred to in Article 5(3) of this Annex shall not apply to such reports.

If the jobholder concerned has never been the subject of a report established according to the procedure referred to in Article 6 of this Annex, his or her performance shall be considered to correspond to level II, and he or she shall not be able to obtain an individual qualitative appraisal.

Article 9 - Mobility

3. If, during the reporting period but not less than four months after the period covered by the previous report, the jobholder is moved or transferred to another post within the Commission, his or her direct superior who would on that date have been required to act as reporting officer shall write the comments on the jobholder's

efficiency, abilities and conduct in the service. He or she shall make no reference to performance level. The comments shall be sent via the electronic system to the jobholder who may make known his or her remarks. These comments shall be taken into account by the reporting officer when drawing up the individual qualitative appraisal.

4. If, during the reporting period but not less than four months after the period covered by the previous report, an official or member of the temporary staff leaves a post by virtue of which he or she would have been required to act as reporting officer for a jobholder, he or she shall write the comments on the jobholder's efficiency, abilities and conduct in the service. The second and third sentences of paragraph 1 shall apply.
5. If, during the reporting period but not less than four months after the end of the period covered by the previous report, the jobholder is transferred to another European Union institution, a report must be drawn up covering the period up to the date on which the transfer takes effect. If the transfer takes place less than four months after the end of the period covered by the previous report, the previous report shall be carried over automatically without it being necessary to obtain the consent of the jobholder and to follow the procedure in Article 6 of this Annex. The maximum percentage referred to in Article 5(3) of this Annex shall not apply to reports that have been carried over.

Article 10

Carryover

1. A report is said to be carried over if it is identical in content to the preceding report.
2. A carryover may be allowed if there has been no significant change in the jobholder's efficiency, ability or conduct in the service and if, according to the preceding report, the jobholder's performance corresponds to level II. A carryover for two consecutive years is not allowed.
3. If the conditions in paragraph 2 are met, the jobholder will be asked to indicate in his or her self-assessment whether he or she would be willing to accept a carryover. Based on the jobholder's self-assessment, and following the dialogue referred to in Article 6(4), the reporting officer may recommend a carryover. Article 6(5) shall apply *mutatis mutandis*. The decision to carry over the preceding report shall be taken by the countersigning officer following the consultation referred to in Article 6(7).
4. The report shall then be communicated to the jobholder in accordance with Article 6(9) of this Annex. From that point it becomes definitive with immediate effect.

Article 11

Probationary staff

1. Probation reports shall be drawn up in accordance with the provisions of Article 84 of the CEOS.
2. Notwithstanding the probation report, the performance of probationary jobholders shall be appraised for the first time following their engagement in application of these provisions, for the reporting period during which the probationary period ends. The report shall then cover the entire reporting period up to 31 December. If the probationary period ends during the year in which the jobholder was engaged, the report shall cover the period between the date of engagement and 31 December.

Article 12 – Staff representatives

1. Where a jobholder, at the end of the reporting period, is exempted, for all of his or her working time, from performing his or her duties in a Commission department in order to take up a position as a member of the Central Staff Committee or to act as Chair of a local section of the Staff Committee, the jobholder's reporting officer shall be the Chair of the Central Staff Committee. Where a jobholder, at the end of the reporting period, is exempted, for all of his or her working time, from performing his or her duties in a Commission department in order to take up a position as a member of a local section of the Staff Committee, the jobholder's reporting officer shall be the Chair of the local section.

Where a jobholder, at the end of the reporting period, is exempted, for all of his or her working time, from performing his or her duties in a Commission department in order to take up the position of Chair of the Central Staff Committee, the jobholder's reporting officer shall be appointed at a Plenary Meeting of the Central Staff Committee by secret ballot and acting on the authority of the Central Staff Committee.

When drafting the report, the reporting officer shall take account, where appropriate, of the opinion of the governing body of the representative trade union or professional organisation (hereinafter referred to as 'representative trade union organisation') to which the jobholder concerned belongs.

2. Where a jobholder, at the end of the reporting period, is exempted, for all of his or her working time, from performing his or her duties in a Commission department in order to take up a position with a representative trade union organisation, the jobholder's reporting officer shall be the governing body of that organisation.
3. In all the cases referred to in paragraphs 1 and 2, the countersigning officer shall be the Chair of the ad hoc Group for the appraisal and promotion of staff representatives (hereinafter 'the ad hoc Group'⁶) who shall act on the authority of the group. In cases where the Chair of the ad hoc Group is himself/herself a jobholder who has been exempted, for all of his or her working time, from performing his or her duties in a Commission department in order to take up duties as referred to in paragraphs 1 and

⁶ The ad hoc Group is composed of 16 members, five designated by the Central Staff Committee and 11 designated by the representative trade union organisations. The ad hoc Group draws up its rules of procedure and a code of conduct.

2, the countersigning officer shall be designated at a plenary session of the ad hoc Group by secret ballot and acting on the authority of the ad hoc Group.

4. For the cases referred to in paragraphs 1 and 2, the appeal assessor shall be the ad hoc Group meeting in plenary session, represented by an official or member of the temporary staff designated for the purpose.
5. No jobholder may act as his or her own reporting officer, countersigning officer or appeal assessor. A member of a body which, under the terms of paragraphs 1 to 4, is consulted or called upon to designate a reporting officer or countersigning officer or to act as appeal assessor, may not play any part in the discussions or the vote relating to a report concerning him or her. The duties of reporting officer, countersigning officer, appeal assessor and body to be consulted shall, moreover, be mutually exclusive in respect of a person. Any conflict of interest arising in applying these provisions shall be reported without delay by the jobholder or any other person concerned to the Chair of the ad hoc Group, who shall remedy the situation immediately.
6. A jobholder who, at the end of the reporting period, is exempted, for part of his or her working time, from performing his or her duties in a Commission department in order to carry out one of the activities referred to in paragraphs 1 and 2, shall receive a report covering the activity concerned and a report covering the duties performed in the Commission department to which he or she is assigned. Paragraphs 1 to 5 shall apply to the report covering the activities referred to in paragraphs 1 and 2. Each of these reports shall be taken into account for the application of the maximum percentage referred to in Article 5(3) of this Annex.
7. For the purposes of the reports covering the activities referred to in paragraphs 1 and 2, all the jobholders who, at the end of the reporting period, are exempted from performing their duties in a Commission department for all or part of their working time, shall be considered to be a Directorate-General.
8. The reports relating to jobholders who have been elected or designated shall be drawn up by the reporting officer and the countersigning officer in the department to which the jobholders were assigned in accordance with the procedure laid down in Article 6 of this Annex. After receiving the jobholder's self-assessment, the reporting officer concerned shall consult the ad hoc Group. The ad hoc Group's opinion shall be taken into account before the report is finalised and shall be attached to the report.

If the jobholder concerned is also exempted, for part of his or her working time, from performing his or her duties in a Commission department in order to carry out one of the activities referred to in paragraphs 1 and 2, the ad hoc Group must be consulted on each of the two reports referred to in paragraph 6.

For the purposes of this paragraph:

- an elected jobholder is a jobholder who, without having been exempted from performing his or her duties in a Commission department in order to carry out one of the activities referred to in paragraphs 1 and 2, has been elected to represent the staff, on an occasional basis, on the Staff Committee, these tasks being considered to form part of the normal service he or she is required to provide to the Commission;

- a designated jobholder is a jobholder who, without having been exempted from performing his or her duties in a Commission department in order to carry out one of the activities referred to in paragraphs 1 and 2, has been designated by the Staff Committee as a member representing the staff on a body set up by the Staff Regulations or by the institution, or has been designated by a representative trade union or professional organisation to take part in consultations organised by the administration, these tasks being considered to form part of the normal service he or she is required to provide to the Commission.
9. A jobholder who has been elected, designated or exempted from performing his or her duties in a Commission department for part of his or her working time in order to carry out one of the activities referred to in paragraphs 1 and 2, must mention this fact in his or her self-assessment.

Article 13

Time limits

1. The time limits referred to Articles 6 and 7 of this Annex as they concern the jobholder shall be calculated only from the time when the relevant decision has been notified to the person concerned or, at the latest, when the latter, as a diligent member of staff, may be expected to be aware of the content of this decision and the reasons for it.
2. These time limits will be suspended, however, if and for as long as the jobholder is unable to use the electronic system because of a justified absence.

Article 14

Evaluation of the appraisal exercise

1. A Joint Monitoring Committee shall be responsible for evaluating the management of the appraisal exercise. To this end, Directorates-General shall make the relevant information available to the Committee. On this basis, the Committee shall transmit a report to the Directorate-General for Human Resources, the Directorates-General and the Central Staff Committee.
2. The Joint Monitoring Committee shall consist of two members designated by the Director-General for Human Resources from among the members of the Joint Appraisal and Reclassification Committee, and two members designated by the Staff Committee from among the members of the Joint Appraisal and Reclassification Committee. It shall be chaired by a member of the management of the Directorate-General for Human Resources appointed by the Director-General for Human Resources.
3. The Monitoring Committee shall meet twice, once at the start of the appraisal exercise and once at the end of the reclassification exercise.

Article 15

Transitional provision

With regard to the 2011 appraisal exercise, by derogation from the provisions of Article 2(2) and (3) of this Annex, the countersigning officer and the appeal assessor for jobholders assigned during the reporting period to the Directorate-General for External Relations, including staff serving in delegations, and the Directorate-General for Development and Relations with African, Caribbean and Pacific States shall be those in post on the last day of the reporting period.

ANNEX VII - System for the reclassification of contract staff

Article 1

Reclassification file

1. Each jobholder shall have a reclassification file administered by means of a secure electronic system.
2. The reclassification file shall form an integral part of the jobholder's individual file. Jobholders shall have individual access to their reclassification files by means of a personal secret password. The reclassification file shall include, inter alia, information on the number of reclassification points awarded in the course of the current reclassification exercise and the total number of reclassification points accumulated.

Article 2

Annual reclassification exercise

1. A reclassification exercise shall be held each year. It shall entail awarding reclassification points and drawing up a list of the jobholders reclassified.
2. It shall be launched by the Directorate-General for Human Resources by means of an Administrative Notice and shall be administered by a secure electronic system.

Article 3

Allocation of reclassification points

1. Jobholders who, during the reporting period referred to in Article 1 of Annex VI to this Decision, namely the year preceding the reclassification exercise (hereinafter referred to as the 'reporting period'), were in active employment or on parental or family leave shall be eligible for the allocation of reclassification points.
2. Subject to paragraphs 3 to 6, reclassification points shall be allocated on the basis of the report drawn up for the reporting period (hereinafter referred to as 'the report'), in accordance with the provisions of Annex VI and in particular on the basis of the performance level referred to in Article 5 of Annex VI to this Decision.
3. A jobholder shall be awarded
 - (a) 5 or 6 reclassification points if his or her performance corresponds to performance level I;
 - (b) 3 or 4 reclassification points if his or her performance corresponds to performance level II;
 - (c) 1 or 2 reclassification points if his or her performance corresponds to performance level III;

- (d) no reclassification points if his or her performance corresponds to performance level IV.
4. The total number of reclassification points available for each Directorate-General for each grade and performance level is as follows:
 - for performance level I: 5.5 multiplied by the number of contract staff whose performance corresponds to that level;
 - for performance level II: 3.5 multiplied by the number of contract staff whose performance corresponds to that level;
 - for performance level III: 1.5 multiplied by the number of contract staff whose performance corresponds to that level.

The results shall be rounded up to the nearest whole number.

5. Each Director-General shall decide, following a consultation with Heads of Unit, organised in the most appropriate manner, and with Directors and Deputy Directors-General, the criteria according to which the reclassification points shall be allocated within each performance level.
6. In this context account shall, in particular, be taken of
 - (a) the individual qualitative appraisal contained in the report;
 - (b) the use by the jobholder in the performance of his or her duties of languages other than the language for which he/she has produced evidence of thorough knowledge in accordance with Article 82(3)(e) of the CEOS as attested in the annex to the report;
 - (c) the level of responsibilities exercised during the reporting period preceding the reclassification round, as attested in the annex to the report.
7. At the start of the reclassification exercise, the criteria laid down in accordance with paragraphs 5 and 6 shall be made known to the staff concerned in each Directorate-General and to the Directorate-General for Human Resources, which shall send a copy thereof to the Central Staff Committee.

Article 4

The Directorate-General's formal intentions

1. In each Directorate-General, the Directors and Deputy Directors-General, after consulting the Heads of Unit, on the basis of the criteria referred to in Article 3(5) and (6) of this Annex, shall submit to the Director-General for each performance group, grade by grade, a proposal regarding the formal intentions for the allocation of reclassification points.
2. On the basis of these proposals, the Director-General shall, in the course of the consultation provided for in Article 6(7) of Annex VI to this Decision, draw up provisional formal intentions regarding the allocation of reclassification points. In

doing so, he or she must take account of the criteria in Article 3(5) and (6) of this Annex.

3. Statistics on the distribution of the provisional formal intentions shall then be submitted to the Joint Appraisal and Reclassification Committee together with and at the same time as the information referred to in Article 6(8) of Annex VI to this Decision. The Joint Appraisal and Reclassification Committee may make recommendations to the Directorates-General and to the Directorate-General for Human Resources within eight working days. The analysis carried out by the Joint Appraisal and Reclassification Committee shall be communicated to staff.
4. The Director-General shall then draw up final formal intentions regarding the allocation of reclassification points on the basis of the performance level determined in accordance with Article 6(8) of Annex VI and the criteria set out in Article 3(5) and (6) of this Annex.
5. The final formal intentions shall be communicated to the Directorate-General for Human Resources.
6. Individual jobholders shall be informed of the final formal intentions with regard to them when they are sent the appraisal report, in accordance with Article 6(9) of Annex VI. To this end, each jobholder is invited to consult his or her reclassification file.

Article 5

Appeal procedure

1. Jobholders may request a dialogue with the countersigning officer within 12 working days from the date on which they were invited to consult their reclassification file or, at the very most, from the time at which they could, as diligent members of staff, have known of the proposal concerning them. Once a dialogue has been requested it must take place. It is for information purposes only and must enable the jobholder to obtain an explanation of the reclassification points allocated in the reclassification file. If the countersigning officer is unable to conduct this dialogue with the jobholder the reporting officer may perform this task. Neither the request by the jobholder for a dialogue nor the dialogue itself shall have the effect of suspending the periods referred to in paragraph 2 of this Article and in Article 6(10) of Annex VI to this Decision.

If the jobholder so requests, the reporting officer shall take part in the dialogue. The jobholder may arrange for an official or other servant within the meaning of the CEOS to assist him or her during the dialogue.

2. Within 15 working days from the date on which all jobholders were invited to consult their reclassification file or, at the very most, from the time at which they could, as diligent members of staff, have known of the proposal concerning them, the jobholder may lodge an appeal against the formal intentions for the allocation of reclassification points with the Joint Appraisal and Reclassification Committee provided for in Article 3 of Annex VI. The jobholder may withdraw the appeal at any time.

3. The jobholder concerned shall state the reasons for the appeal and indicate the goal he or she is pursuing with the appeal.
4. Appeals under paragraph 2 shall be submitted using the secure electronic system. Where a jobholder is prevented from using the secure system, he or she may submit an appeal by means of a note addressed to the Head of the Unit in the Directorate-General for Human Relations which provides the secretariat of the Joint Appraisal and Reclassification Committee.
5. After examining each appeal, the Joint Appraisal and Reclassification Committee shall deliver a reasoned opinion, taking into account the criteria in Article 3(5) and (6) of this Annex, either dismissing the appeal or recommending to the authority authorised to conclude contracts of employment that a higher number of reclassification points be allocated within the range of points for the jobholder's performance level, as defined in Article 3(3) of this Annex.
6. If the jobholder has also lodged a reasoned refusal to accept the report drawn up according to the provisions of Annex VI, the Joint Appraisal and Reclassification Committee shall wait until the report becomes final, in accordance with Article 7(6) of Annex VI to this Decision, before issuing its opinion on the appeal referred to in the present Article.

The first subparagraph shall not apply if the time limit referred to in Article 7(5) of Annex VI has been exceeded.

7. The opinions of the Joint Appraisal and Reclassification Committee referred to in this Article may be prepared by a central joint working group made up of three members designated by the Director-General of the Directorate-General for Human Resources and three members designated by the Central Staff Committee. The Chair of the central joint working group shall be designated by the Director-General of the Directorate-General for Human Resources. The Chair and full members shall each have at least one alternate.

Meetings of the central joint working group shall be convened by the Chair. The quorum required for central joint working group meetings shall be six full or alternate members, of whom three must have been designated by the Director-General of the Directorate-General for Human Resources and three by the Central Staff Committee. Draft opinions shall be adopted by simple majority of the members entitled to vote. When a draft opinion is adopted following a vote, the minority position shall be recorded in the draft. The Chair shall vote only in the case of a tied vote.

If necessary, the number of central working groups may be adjusted by decision of the Joint Appraisal and Reclassification Committee.

Article 6

Final allocation of reclassification points

Once the Joint Appraisal and Reclassification Committee has completed its work, the authority authorised to conclude contracts of employment shall allocate the final number of

reclassification points to each jobholder, regardless of whether or not they have introduced an appeal. The authority authorised to conclude contracts of employment shall take account of the final formal intentions of the Director-General referred to in Article 4(6) of this Annex and of the opinion of the Joint Appraisal and Reclassification Committee under Article 5(5) of this Annex.

Article 7

Reclassification thresholds and reclassification decision

1. Reclassification thresholds are laid down for each grade by the authority authorised to conclude contracts of employment at the end of each reclassification exercise depending on the availability of funds. The threshold corresponds to the total number of points accumulated by the last jobholder for whom a reclassification in the next higher grade is possible.
2. A jobholder may be the subject of a reclassification decision if
 - he or she has accumulated a number of reclassification points which is equal to or above the relevant reclassification threshold,
 - by 31 December of the year of the reclassification exercise at the latest, he or she has achieved the minimum seniority in the grade required by Article 87(3) of the CEOS,
 - he or she is in active employment or on parental or family leave on the date on which the reclassification decisions are adopted by the authority authorised to conclude contracts of employment, and
 - according to his or her report for the reporting period, his or her performance does not correspond to performance level IV.
3. If the number of jobholders with a number of reclassification points which is equal to or above the relevant reclassification threshold exceeds the number of jobholders who can actually be reclassified as a result of the reclassification exercise in the light of the funds available, the Joint Appraisal and Reclassification Committee shall adopt a substantiated proposal aimed at deciding between the jobholders with a number of accumulated points equal to the threshold (*ex aequo* jobholders), taking into account factors such as, in particular, seniority in the grade.
4. The authority authorised to conclude contracts of employment shall adopt the list of staff reclassified. The list shall be published for the attention of staff. Each jobholder is invited to consult his or her reclassification file.
5. Reclassification will take effect on 1 January of the year of the reclassification exercise. If the jobholder does not have the seniority in the grade required under Article 87(3) of the CEOS, the reclassification shall take effect on the first day of the month following that in which he or she attains the necessary seniority.

Article 8

Link between the successive reclassification exercises

1. Reclassification points shall be accumulated over successive reclassification exercises.
2. After reclassification, the number of points corresponding to the reclassification threshold is deducted from the total number of points accumulated. The balance, if any, is carried over to the next reclassification exercise.

Article 9

Average time spent in the grade

The authority authorised to conclude contracts of employment shall take account of the following table, which shows for each grade separately the desired average reclassification period.

Function groups	Grade	Average number of years spent in the grade before reclassification into the next grade
IV	18	-
	17	between 6 and 10
	16	between 5 and 7
	15	between 4 and 6
	14	between 3 and 5
	13	between 3 and 5
III	12	-
	11	between 6 and 10
	10	between 5 and 7
	9	between 4 and 6
	8	between 3 and 5
II	7	-
	6	between 6 and 10
	5	between 5 and 7
	4	between 3 and 5

I	3	-
	2	between 6 and 10
	1	between 3 and 5

Statistics on the actual reclassification period for each grade shall be provided annually to the Joint Monitoring Committee referred to in Article 14 of Annex VI to this Decision. In the event of a significant and sustained discrepancy between the average reclassification period and the actual period for a given grade, the Joint Monitoring Committee may include this point in the report referred to in Article 12 of this Annex.

Article 10

Allocation of reclassification points in certain specific situations

1. If the appraisal report covers only part of the reporting period, reclassification points shall be awarded on a pro rata basis taking into account the number of days during which the jobholder was in active employment⁷ in the reporting period. The results shall be rounded up to the nearest whole number.
2. Probationary staff recruited in the course of year N who obtain a report under Article 11(2) of Annex VI only for year N + 1 shall be awarded a number of reclassification points for year N calculated on a pro rata basis taking into account the number of months served in year N and the reclassification points awarded for year N + 1 in accordance with the following formula:

$$\frac{\text{months worked in year N} \times \text{reclassification points awarded for the year (N + 1)}}{12}$$

The result of this calculation shall be rounded up to the nearest whole number.

3. Staff transferred to the Commission from another Community institution or agency shall be awarded reclassification points on a pro rata basis taking into account the number of days during which they were in active employment at the Commission. The results shall be rounded up to the nearest whole number.

In addition, to take account of the merit in the grade accumulated by the jobholder within the Community institution or agency from which he or she came, he or she shall be awarded four extra reclassification points on a flat-rate basis for each reporting period spent in the grade.

Article 11

Disciplinary proceedings

⁷ NB: jobholders on sick leave are still in active employment.

Any decision on the reclassification of a jobholder who is the subject of disciplinary proceedings shall be suspended until the results of those proceedings are known.

Article 12

Monitoring of the reclassification exercise

Each reclassification exercise shall be assessed by the Joint Monitoring Committee referred to in Article 14 of Annex VI. To this end, the minutes of the Joint Appraisal and Reclassification Committee and the statistics giving a breakdown of the allocation of reclassification points and of reclassified jobholders by seniority in the grade, seniority in the service and place of employment shall accordingly be made available to the Monitoring Committee. After each reclassification exercise, the Committee shall draw up a report which may contain recommendations. This report shall be sent to the Director-General of the Directorate-General for Human Resources, the Directors-General and the Central Staff Committee.

ANNEX VIII – JOINT APPRAISAL AND RECLASSIFICATION COMMITTEE

Article 1

Composition of the Joint Appraisal and Reclassification Committee

1. The Joint Appraisal and Reclassification Committee shall be chaired by an AD category official or temporary staff member appointed by the Director-General of the Directorate-General for Human Resources. It shall be composed of five officials, temporary staff members or contract staff members appointed by the Director-General of the Directorate-General for Human Resources, and five officials, temporary staff members or contract staff members designated by the Central Staff Committee. The Chair and full members shall each have at least one alternate.
2. In the absence of the Chair, one of his or her alternates shall preside. Alternate members may take part in meetings even when the full members concerned are present. An alternate member shall automatically be entitled to vote if the full member whom he or she represents is absent.
3. Where, for one of the groups of members designated by the Director-General of the Directorate-General for Human Resources or by the Central Staff Committee, the number of full members present is less than five, a number of alternate members equal to the difference between five and the number of full members present who represent that group shall be entitled to vote.
4. The Joint Appraisal and Reclassification Committee shall be convened by the Chair. The quorum required for meetings of the Joint Appraisal and Reclassification Committee shall be ten full or alternate members, of whom five must have been designated by the Director-General of the Directorate-General for Human Resources and five by the Central Staff Committee. Opinions shall be adopted by simple majority of the members entitled to vote. The Chair shall vote only in the case of a tied vote.
5. It must be established at the beginning of each meeting that the necessary quorum has been reached.
6. The Joint Appraisal and Reclassification Committee shall adopt its own rules of procedure and those of the joint working groups referred to in Article 2 and shall adopt its working methods and those of the joint working groups by a two-thirds majority of the members entitled to vote.

Article 2

Joint working groups

1. A joint working group may be set up to prepare the deliberations of the Joint Appraisal and Reclassification Committee. To this end, the joint working group shall issue a draft opinion to the Joint Appraisal and Reclassification Committee on the appeals lodged.

If necessary, the number of joint working groups may be adjusted by decision of the Joint Appraisal and Reclassification Committee.

2. The Chair of each joint working group shall be designated by the Director-General of the Directorate-General for Human Resources. Each joint working group shall consist of two full members designated by the Director-General of the Directorate-General for Human Resources and two members designated by the Central Staff Committee. The Chair and full members shall each have at least one alternate.
3. Meetings of each joint working group shall be convened by the Chair. The quorum required for joint working group meetings shall be four full or alternate members, of whom two must have been designated by the Director-General of the Directorate-General for Human Resources and two by the Central Staff Committee. Draft opinions shall be adopted by simple majority of the members entitled to vote. When a draft opinion is adopted following a vote, the minority position shall be recorded in the draft. The Chair shall vote only in the case of a tied vote.

Article 3

Conflicts of interest

1. If the Chair or a member of the Committee or working group has a personal interest in a matter such as to impair his or her independence in the handling of that matter, he or she shall be replaced by the appropriate alternate member and shall refrain from participating in the work of the Joint Appraisal and Reclassification Committee or the working group.
2. A conflict of interest is deemed to arise in particular where, with respect to an appeal to the Joint Appraisal and Reclassification Committee, the Chair or member has been involved in the appraisal or appeal procedure as reporting officer, countersigning officer or appeal assessor for the jobholder who has appealed, or where the jobholder has been in contact with the Chair or one of the members on matters of personnel management during the reporting period.
3. For the purposes of Article 1(5), the quorum remains in place when the Chair or a member is asked not take part in the work of the Joint Appraisal and Reclassification Committee or working group because of a conflict of interests.

Article 4

Principle of confidentiality and secretariat

The deliberations and documents of the Joint Appraisal and Reclassification Committee and the joint working groups shall be confidential.

The unit responsible for the appraisal and reclassification exercise within the Directorate-General for Human Resources shall provide the secretariat of the Joint Appraisal and Reclassification Committee and joint working groups, with the help of the human resources units in the DGs and services.

**ANNEX IX: CONVERSION OF OVERALL ASSESSMENTS OBTAINED BEFORE
THE 2010 RECLASSIFICATION EXERCISE**

Sole Article

Conversion method

1. The overall assessments obtained by jobholders before the 2010 reclassification exercise under the general provisions for implementing Article 87(3) of the Conditions of Employment of Other Servants of the European Communities adopted by the Commission on 29 July 2008 and 8 August 2007 which were not converted into reclassification points during the 2010 reclassification exercise shall be converted into reclassification points in accordance with the following table:

2007 exercise	Reclassification points	2008 exercise	Reclassification points
Outstanding	6	Outstanding	6
Very good	5	Very good	5
Good	4	Good	4
Sufficient	2		
Poor	1	Poor	1
Insufficient	0	Insufficient	0

2. Four extra reclassification points shall be awarded to the jobholder on a flat-rate basis for each year of seniority in the grade on 31 December 2006, to take account of the merit in the grade accumulated by him or her for the period covered by a contract staff member contract under Article 3a of the CEOS before 1 January 2007.

The jobholder shall be awarded reclassification points on a pro-rata basis for the number of days covered by a contract staff member contract under Article 3a of the CEOS. The results shall be rounded up to the nearest whole number.

The same applies to the periods after 1 January 2007 not covered by an appraisal report.