

2019-149

Decision No 2019-32 of 26 June 2019 of the Management Board of the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (hereinafter 'eu-LISA')

Subject: Types of post and post titles at eu-LISA

THE MANAGEMENT BOARD OF EU-LISA,

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

Having regard to the Staff Regulations of Officials of the European Union ('Staff Regulations') and the Conditions of Employment of Other Servants of the European Union ('CEOS'), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68¹, and in particular Articles 5, of the Staff Regulations and Annexes I and XIII thereto, and Article 10 of the CEOS,

Having regard to Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA) and amending Regulation (EC) 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) 1077/2011², (hereinafter referred to as 'Agency Regulation'), and in particular Article 19(n) thereof;

Having regard to the agreement of the European Commission pursuant to Article 110(2) of the Staff Regulations giving the Commission's ex ante agreement to the adoption by decentralised agencies and joint undertakings of implementing rules on types of post and post titles of 11 December 2018³;

Having regard to the Rules of Procedures of eu-LISA and in particular Article 8 thereof;

¹ OJ L 56, 4.3.1968, p. 1, as last amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013, OJ L 287, 29.10.2013, p.15.

² OJ L 295, 21.11.2018, p. 99.

³ C(2018)8800 final.

After consulting the Staff Committee⁴,

Whereas:

- 1) On 17 December 2013, the Commission informed eu-LISA that it adopted Decision C(2013)8979 of 16 December 2013 on types of post and post titles.
- 2) On 26 September 2014 Communication C(2014) 6543 from Vice-President Šefčovič to the Commission on the guidelines on the implementation of Article 110(2) of the Staff Regulations with regard to the implementing rules applicable in the agencies was adopted, and in particular Point 2.B thereof, where the Commission ex ante agreement is referred to.
- 3) Pursuant to Article 110(2) of the Staff Regulations, implementing rules such as those referred to in Recital 1 are to apply by analogy to eu-LISA. By way of derogation, an agency may request the Commission's agreement to the non-application of certain implementing rules. The Commission may, instead of accepting or rejecting the request, require the agency to submit for its agreement implementing rules, which are different from those adopted by the Commission.
- 4) Commission Decision C(2013)8979 is suitable to apply to eu-LISA provided that certain adjustments are made to take into account the peculiarities of the Agency. Those adjustments concern in particular the terminology established in the Agency to describe functions exercised, the range of grades of Head of Department post title of which the lower grade should respect the limitation referred to in Article 53 of the CEOS and the range of grades within other types of post.
- 5) For each of the three function groups (AD, AST and AST/SC), the types of post with the corresponding grade ranges are laid down in Annex I to the Staff Regulations. In addition, transitional rules on types of post are set out in Annex XIII for officials and temporary staff in service on 31 December 2013.
- 6) It is necessary to establish the equivalence between these types of post and the post titles which are used for eu-LISA temporary staff,
- 7) In the interests of clarity and legal certainty, Point 13 of the Annex to the Decision of the Management Board of eu-LISA No 2014-050 on the adoption of implementing rules to the Staff Regulations, by which Commission Decision C(2013)8979 of 16 December 2013 on types of post and post titles should be repealed and replaced by this Decision,

HAS DECIDED AS FOLLOWS:

⁴ The Staff Committee was consulted on 3.06.2016 and provided its opinion on 6.10.2016 and on 21.01.2019.

Article 1

In accordance with Article 5(4) of the Staff Regulations, the tables establishing the equivalence between the types of post and the post titles used for eu-LISA temporary staff, which are contained in the Annex to this Decision, are hereby approved.

Article 2

Commission Decision C(2013) 8979 of 16 December 2013 shall no longer apply by analogy to eu-LISA.

Article 3

This Decision shall take effect on the day following the date of adoption.

Done in Strasbourg on 26 June 2019.

For the Management Board of eu-LISA

Zsolt Szolnoki
Chairman

ANNEX**A. Types of post**

| Type of post | Function group / Grade | Post title |
|----------------------------|-------------------------------|---|
| Director ⁵ | AD 14 – AD 15 | Executive Director Principal Adviser |
| Adviser or equivalent | AD 13 – AD 14 | Adviser Senior Expert |
| Head of Unit or equivalent | AD 9 – AD 14 | Deputy Executive Director ⁶ Head of Department ⁷ Head of Unit Head of Task Force |
| Administrator | AD 5 – AD 12 | Senior Officer ⁸ , Officer ⁹ |
| Senior Assistant | AST 10 – AST 11 | Senior Assistant |
| Assistant | AST 1 – AST 9 | Assistant |
| Secretary/Clerk | SC 1 – SC 6 | Secretary, Junior Assistant |

⁵ This is without prejudice to a different classification of the head of the Agency according to the founding regulation and/or the establishment plan.

⁶ Post of Deputy Head of the Agency is filled from grades AD13 to AD 14.

⁷ Posts of Head of Department are filled from grades AD 12 to AD 14.

⁸ Posts of Senior Officer are filled from grades AD 7 to AD 12.

⁹ Posts of Officer are filled from grades AD 5 to AD 6.

B. Transitional types of post

| Type of post | Function group / Grade | Post title |
|--|-------------------------------|--|
| Assistant in transition | AST 1 – AST 9 | Assistant in transition |
| Administrative Assistant in transition | AST 1 – AST 7 | Administrative Assistant in transition |