



Promotions Commission: words, words, words...

Luxembourg, le 12 November 2015

Dear Colleagues,

The promotion committees have finished their work. Following the decisions of the AIPN, the lists of promoted staff should soon appear in administrative information notices.

The fruits of this system: demotivation, frustration and anger.

Whether for ASTs or ADs, **Union Syndicale Fédérale Luxembourg's** conclusions about the 2015 promotion exercise are that it is a very mixed bag. Granted, there are a large number of promoted staff, but, because of an accumulated backlog of promotions which may amount to many hundreds and because it is impossible to identify those colleagues who should have been entitled to promotion in previous years (retirees, etc) and the refusal of the AIPN and to make good for the failures caused by not respecting Annex I of the staff regulations, this system, which has lasted years, has caused demotivation, frustration and anger.

Union Syndicale Fédérale Luxembourg asks that the commission re-inject these “savings” into the promotion system starting from next year.

At the European Commission, we have switched from various systems based on points to the current system based on prose comments which cause serious difficulties during the evaluation phase. This system is certainly less difficult to manage in administrative terms but only the evaluation report for the reference year including the three main criteria (the level of responsibility, the use of languages and efficiency) is taken into account in a meaningful way. Unlike in the previous system, the concept of merit over the years has disappeared from the framework used. Only since 2013, because of the insistence of staff representatives, has that concept being taken into account once more.

Meetings with the DGs: some listen, others...

Before they are published, proposals for promotion are presented to staff representative when they visit the DGs: some of them listen; others play deaf and change nothing in their proposals.

The work of the promotion committees is therefore to respond - within the limits of their quota of 5%- to the pleas from colleagues not proposed for promotion. Staff representatives have been able to respond, defend colleagues and obtain a complementary list without however being able to eliminate the injustices and discriminations mentioned above.

For 2016, staff representatives have requested that the 5% quota be maintained whereas the administration wants to reduce it.

A ruling which goes some way to meet the staff's needs?

A recent ruling by the Civil Service Tribunal (the Silvan case which was supported by the US <http://>) confirms the discretionary powers of the AIPN but notes that, in the absence of proof that there is no effective comparison of the merits of all the staff by the AIPN, the tribunal has to deem that the current promotion system appears to respect article 45 of the staff regulations.

Yet article 45 of the staff regulations assumes that there exists a system which compensates for the subjectivity inherent in the very heterogeneous assessments given by reporting officers. Whereas the current system which is based on prose comments which are not quantified or otherwise made objective does, in fact, have serious limits:

- comparisons are done at the level of the DG without further real comparison at the level of the institution;
- proposals are limited by quotas at the DG level which harm certain grades and groups of staff;
- DGs are free to decide their own promotion policy which may harm the bulk of colleagues; when will we get a “naming and shaming” system to avoid the rates of “rapid career” advancement which are close to 50% in certain DGs?

This system of filters and limits does not contribute to an efficient system and sometimes represents a genuine obstacle to equal opportunities and a major brake on staff mobility. Furthermore the repeated system of “kangaroo promotions” (every two years) and the large number of promotion proposals based on a seniority in the grade of sometimes less than two years further diminishes the credibility of the system.

Any colleague who is not on the list of promoted staff is entitled to proceed under article 90 paragraph 2 within three months and our lawyers are at their disposal to assist them in doing so.

Union Syndicale Fédérale Luxembourg will support those who feel that they are harmed by the current system.

Do not hesitate to contact us at the following address:

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The executive Committee

Union Syndicale Fédérale Luxembourg

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