SHIFT2RAIL JOINT UNDERTAKING

DECISION OF THE GOVERNING BOARD

on the Staff Regulation and the Conditions of Employment of Other Servants of the European Union (CEOS) implementing rules

N° 6 /2015

THE GOVERNING BOARD OF THE SHIFT2RAIL JOINT UNDERTAKING,

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

Having regard to Council Regulation (EU) No 642/2014 ¹ of 16 June 2014 establishing the Shift2Rail Joint Undertaking, and in particular Article 6 paragraph 3 thereof;

Having regard to the Staff Regulations of Officials (‘Staff Regulations’) and the Conditions of Employment of Other Servants of the European Union (‘CEOS’), laid down by Council Regulation (EEC, EURATOM, ESCS) No 259/68 ², and in particular to Article 110 of the Staff Regulations;

Having regard to Article 110(2) of the Staff Regulations and in compliance with Point 2.B of the Commission Guidelines on the implementation of Article 110(2) of the Staff Regulations ³;

Having regard to the fact that the Staff Committee of the Joint Undertaking, which is to be consulted pursuant to Article 110(2) of the Staff Regulations, has not yet been constituted and it is therefore impossible at the present to comply with the requirements of that provision. The Staff Committee will be invited to give its opinion on the relevant implementing rules when it has been constituted and due consideration will be given to its opinion;

¹ OJ L 177, 17.06.2014, p. 9.
³ Communication C (2014)6543 final of 26 September 2014 from Vice-President ŠEFČOVIČ to the Commission on the guidelines on the implementation of Article 110, paragraph 2, of the Staff Regulations.
Whereas it is necessary and opportune for the Shift2Rail Governing Board to adopt the appropriate implementing measures for giving effect to the Staff Regulations and the CEOS, 

HAS DECIDED AS FOLLOWS:

Article 1
The Commission Decisions giving effect to the Staff Regulations and CEOS, as listed in Annex I to the present Decision, shall apply by analogy to the Shift2Rail Joint Undertaking as from the day following that of the adoption of the present Decision.

Article 2
The Shift2Rail Governing Board shall request the Commission agreement to the non-application by analogy of the Commission Decisions listed in Annex II to the present Decision in view to adapt them to the S2R peculiarities.

Article 3
The Shift2Rail Governing Board shall request the Commission agreement to the non-application by analogy of the Commission Decisions listed in Annex III to the present Decision.

Article 4
The Decision shall take effect on the day following that of its adoption.

Done at Brussels, on 16 July 2015

João AGUIAR MACHADO
The Chairperson
ANNEX 1

Commission Decisions implementing Staff Regulations and CEOS

3. Commission decision laying down general implementing provisions concerning the criteria applicable to classification in step on appointment or engagement (C(2013) 8970 of 16/12/2013).
5. Commission decision on Article 55a of the Staff Regulations and Annex IVa thereto concerning part-time work (C(2013) 9046 of 16/12/2013).
7. Commission decision on general implementing provisions on granting the education allowance (Article 3 of Annex VII to the Staff Regulations) (C(2013) 8971 of 16/12/2013).
8. Commission decision laying down general implementing provisions to Article 7 (4) of Annex VII to the Staff Regulations on determining the place of origin (C(2013) 8982 of 16/12/2013).
9. Commission decision on laying down general provisions giving effect to Article 8 of Annex VII to the Staff Regulations (C(2013) 8987 of 16/12/2013).
11. Commission decision on maternity leave and maternity pay for women whose maternity leave begins before the end of their contract (Articles 17 and 91 of CEOS) (C(2013) 9020 of 16/12/2013).


20. Commission decision on general implementing provisions for giving effect to articles 67 and 68 of the staff regulations and articles 1, 2 and 3 of annexe VII thereto (C(2004) 1364/4 of 15/04/2004).


22. Commission decision on general implementing provisions for Article 4 of Annex VIII to the Staff Regulations concerning the taking into account, for purposes of calculating pension rights, of periods of activity previously completed by staff before they resume active employment (C(2004) 1364 of 15/04/2004).


ANNEX II

Commission Decisions implementing Staff Regulations and CEOS

25. Commission decision 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 (C(2011) 1264 of 02.03.2011) and Commission decision amending Commission Decision of 2 March 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 (C(2013) 8967 of 16/12/2013).


32. Establishment of a Staff Committee (Decision of 23/12/1997).

ANNEX III

Commission Decisions implementing Staff Regulations and CEOS


36. Commission decision on reimbursements due to officials assigned to non-member countries (C(2013) 8990 of 16/12/2013).

37. Commission decision on rules for the implementation of housing policy in EU delegations (C(2013) 8965 of 16/12/2013).

38. Commission decision on the living conditions allowance and the additional allowance referred to in Article 10 of Annex X to the Staff Regulations (C(2013) 9032 of 16/12/2013).


40. Commission decision on management of rest leaves pursuant to Article 8 of Annex X to the Staff Regulations (C(2013) 9027 of 16/12/2013).