



DECISION OF THE GOVERNING BOARD

on the application by analogy of the implementing rules on telework

N° 10/2016

THE GOVERNING BOARD OF THE SHIFT2RAIL JOINT UNDERTAKING,

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 Article 110(2) of the Staff Regulations;

Having regard to Council Regulation (EU) No 642/2014 of 16 June 2014 establishing the Shift2Rail Joint Undertaking², and in particular Article 6 (3) thereof,

Having regard to the 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(2) of the Staff Regulations with regard to the implementing rules applicable in the agencies, and in particular Point 2.B thereof,

Having regard to the rules of procedure of the Governing Board of Shift2Rail JU and in particular Article 8 thereof,

Having regard to the fact that the staff Committee of the Shift2Rail JU, which is to be consulted pursuant to article 110(2) of the Staff Regulations of Officials, has not yet been constituted and it is therefore impossible at present to comply with the requirements of that provision, the staff of Shift2Rail Joint Undertaking has been informed of the present implementing provisions,

Whereas:

- (1) It is necessary to adopt implementing rules for giving effect to the Staff Regulations;
- (2) The Commission informed the JU in written on 4 January 2016, of the adoption on 17 December 2015 of the Commission Decision C(2015)9151 on the implementation of telework in Commission Departments;
- (3) In application of Article 110(2) of the Staff Regulations, the above-mentioned Decision shall apply by analogy to the agencies either nine months after the date of its adoption or by decision of the Governing Board, at an earlier date;

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 177, 17.06.2014, p.9.

- (4) It is considered appropriate to ensure a timely entry into force and application to the Shift2Rail Joint Undertaking staff of the framework concerning telework;
- (5) For the sake of clarity and legal certainty, the Commission Decisions on telework C(2009)10224 of 18 December 2009 and C(2013) 9045 of 16 December 2013 should not be applicable by analogy any more at Shift2Rail JU;

HAS ADOPTED THE FOLLOWING DECISION:

Article 1

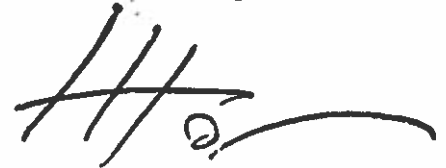
The Commission Decision C(2015) 9151 of 17 December 2015 on the implementation of telework in Commission Departments as annexed to the present Decision shall apply by analogy to the staff of the Shift2Rail Joint Undertaking.

Article 2

This Decision shall enter into force on the day following that of its adoption.

Done at Brussels, on 18 March 2016.

For the Governing Board



Henrik HOLELEI
The Chairperson

Annex: Commission Decision C(2015) 9151 on the implementation of telework in the Commission departments adopted on 17 December 2015.