



**DECISION OF THE GOVERNING BOARD**

**On types of post and post titles in the Shift2Rail Joint Undertaking**

**N° 05/2019**

THE GOVERNING BOARD OF THE SHIFT2RAIL JOINT UNDERTAKING (hereinafter “S2R JU”),

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

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, ECSC) No 259/68<sup>1</sup>, and in particular Article 5 of the Staff Regulations and Annexes I and XIII thereto, and Article 10 of the CEOS,

Having regard to Council Regulation (EU) No 642/2014 of 16 June 2014 establishing the S2R JU<sup>2</sup>, and in particular Article 6 (3) thereof,

Having regard to the agreement of the European Commission pursuant to Article 110(2) of the Staff Regulations C(2018) 8800 final of 11 December 2018,

After consulting the Staff Committee,

Whereas:

- 1) On 13 February 2015, the Commission informed S2R JU 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 S2R JU. 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 S2R JU provided that certain adjustments are made to take into account the peculiarities of the S2R JU. Those

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<sup>1</sup> OJ L 56, 4.3.1968, p. 1.  
<sup>2</sup> OJ L 177, 17.06.2014, p.9.

adjustments concern in particular the terminology established in S2R JU to describe functions exercised, the range of grades of Head of Unit post title of which the lower grade should respect the limitation referred to in Article 53 of the CEOS.

- 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.
- 6) It is necessary to establish the equivalence between these types of post and the post titles which are used for S2R JU temporary staff.
- 7) In the interests of clarity and legal certainty, Commission Decision C(2013)8979 of 16 December 2013 on types of post and post titles should no longer apply by analogy to S2R JU.

HAS DECIDED AS FOLLOWS:

*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 S2R JU 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 S2R JU.

*Article 3*

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

Done at Brussels, on 24 June 2019

For the Governing Board,

A handwritten signature in black ink, consisting of several vertical strokes followed by a large, sweeping horizontal stroke that curves upwards at the end.

Henrik HOLEI

*The Chairperson*

## ANNEX

### A. Types of post

Type of post	Function group / Grade	Post title
Director <sup>3</sup>	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	Head of Unit
Administrator	AD 5 – AD 12	Principal Administrator <sup>4</sup> Administrator <sup>5</sup>
Senior Assistant	AST 10 – AST 11	Senior Assistant
Assistant	AST 1 – AST 9	Assistant
Secretary/Clerk	SC 1 – SC 6	Secretary/Clerk

<sup>3</sup> This is without prejudice to a different classification of the head of the agency according to the founding regulation and/or the establishment plan.

<sup>4</sup> Posts of Principal Administrator are filled from grades AD 8 to AD 12.

<sup>5</sup> Posts of Administrator are filled from grades AD 5 to AD 7.