

## POLITICO

**About Cookies:** POLITICO uses cookies to personalize and improve your reader experience. By using our website or by closing this message box, you agree to our use of cookies as described in our [cookie policy](#). ✕

# EU agency staff who don't want to leave London set to miss out on benefits

Employees from countries staying in the EU will be potentially tens of thousands of pounds worse off than British nationals.

By **CAT CONTIGUGLIA** | 8/7/17, 4:51 PM CET | Updated 8/8/17, 2:25 PM CET



The staff have no say in where they end up, so many are biding their time | Leon Neal/Getty Images

LONDON — Non-British employees who opt to leave the two EU agencies relocating from London because of Brexit are set to miss out on financial settlements worth potentially tens of thousands of pounds.

Staff from the 27 countries remaining in the EU who do not wish to move from London with their agency will be forced to resign, meaning that they miss out on the severance payments. British workers, on the other hand, will have their contracts terminated, meaning they can receive the payments, which are intended to cover a period of unemployment.

The European Medicines Agency (EMA) and European Banking Authority (EBA), with their 890 and 184 staff respectively, will leave their current homes in London's Canary Wharf in March 2019. The end of July was the deadline for cities across the EU to submit bids to the European Commission to host the prestigious agencies. The final decision on a new location will be taken in November.

The staff have no say in where they end up, so many are biding their time and will only make a decision about whether to relocate with their agency once they know which European city will be its new host.

---

**“** According to documents seen by POLITICO, the agency warned that 75 percent of employees could quit.

---

Under current rules, U.K. employees of the agencies would have their contracts terminated because EU staff must be a national of a member country unless the agency employing them makes a specific exception. Meanwhile, employees from the countries remaining in the EU who do not wish to relocate will have to resign, meaning that they forfeit generous benefits.

“The staff representatives will follow closely all the consequences of Brexit for staff ... and we will endeavor to mitigate the negative consequences,” said Félix Gérardon, deputy secretary-general of Union Syndicale Bruxelles, the largest EU staff union.

According to the 2017 EBA expenditure report, 134 of the agency's staff are temporary, 33 are on full-time contracts and 17 are seconded national experts. Just 12 of the staff are U.K. citizens according to the EBA annual report. The EMA's annual report says in 2016 they had 587 temporary staff, and 143 contract staff. It employs around 60 U.K. nationals.



Most EBA earn a basic salary of €5,568.11 per month | European Banking Authority

At stake are severance benefits for staff whose contracts are terminated. These benefits cover up to three years after leaving the agency during which a former employee is out of work. (They lose the benefit if they find another job.) In the first year, the benefits are worth 60 percent of their basic salary, falling to 45 percent in the second year and 30 percent in the third year.

Most EBA staff are on the EU's so-called AD7 pay grade, meaning they earn a basic salary of €5,568.11 per month, so a terminated employee can claim over €90,000 in possible unemployment benefits over the three years if they do not find another job.

### **Budapest precedent**

There is a precedent for an agency relocation — in 2013, the EU decided to move its EU Agency for Law Enforcement Training (CEPOL) from Bramshill, west of London, to a new base in Budapest. CEPOL's director Ferenc Banfi at the time said all staff were expected to take up duties at the new location, and that “non-compliance with this instruction would be considered as resignation.”

The decision prompted a series of legal challenges from staff. One of these cases was dismissed by the European Union Civil Service Tribunal, others are still pending and two were settled out of court.

According to a spokeswoman for the EMA, staff measures as a result of Brexit will be shaped by the employment regulations, as well as consultation with the European Commission, and “past experience of other agencies relocating within the EU will also be taken into account.”



ALSO ON POLITICO

### Hosting the EMA: Who's dead serious, who's along for the ride

HELEN COLLIS and CARMEN PAUN

She said measures would be finalized once the decision on a future seat is taken. According to documents seen by POLITICO, the agency warned that 75 percent of employees could quit.

Meanwhile, the final decision on how to treat U.K. employees is still the “subject of ongoing discussions at the level of the European Commission,” she said.



The EMA's annual report says in 2016 they had 587 temporary staff, and 143 contract staff | Daniel Leal-Olivas/AFP via Getty Images

The EBA declined to comment.

At the moment, agencies have very limited room for maneuver as “it is impossible for the agencies to grant even one euro more” than regulations dictate, union representative Gérardon said. So although a private sector solution might be to provide

financial benefits either to incentivize staff to move, or to cushion the blow for those who resign, that isn't possible for the EBA and EMA.

The union has proposed that staffers who do not wish to relocate could have their contracts terminated instead of having to resign. Although it would be cheaper to force employees to resign without benefits, it could be seen as the agencies neglecting their "duty of care" to employees given the exceptional circumstances, Gérardon said. "[Brexit] is, of course, different from the reassignment of a few colleagues," he said.

---

“People are anxious, but they know that nobody knows anything” — Félix Gérardon, deputy secretary-general of Union Syndicale Bruxelles

---

Gérardon said he expects that come November, when it becomes clear where the agencies are moving to, staff members will start to decide whether they will follow. For now, though, there is still huge uncertainty.

“People are anxious,” he said, “but they know that nobody knows anything, so they don't ask too specific questions because nobody can answer.”

*Carmen Paun contributed reporting.*

— **Are you an EBA or EMA staff member?** If so POLITICO would like to talk to you about how the move is affecting you. EBA employees please email Cat Contiguglia ([ccontiguglia@politico.eu](mailto:ccontiguglia@politico.eu)). EMA employees please email Helen Collis ([hcollis@politico.eu](mailto:hcollis@politico.eu)). We will treat your email as strictly confidential.

**CORRECTION:** An earlier version of this article misstated the previous home of the EU Agency for Law Enforcement Training. It was located in Bramshill, west of London.