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PRECARITY IN EU PUBLIC SERVICE

The Precariousness of the EU Civil Service

A Historical Perspective
and Its Growing
Consequences

Pensions Minimum Vital

Comment transformer
un filet de sécurité
en piège

Uberisation Spreads To Public Services

A Prediction
We Made Years Ago



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Editorial



Defence of the European borders opening a new era for the EU Civil Service?

The European Union is entering a new phase of strategic transformation, marked by a significant shift in budgetary priorities. The latest move—€800 billion earmarked for defence with “ReArm Europe Plan/Readiness 2030”—shadows the future Multiannual Financial Framework (MFF). Last time EU invested just €8 billion for security and defence. This represents a hundredfold increase, amounting to 44% of the current MFF. It is clear that this shift in spending priorities will inevitably have repercussions for other areas, including the EU civil service.

The recently unveiled “[White Paper for European Defence – Readiness 2030](#)” highlights the urgency of rearming Europe in response to proliferating threats to European security and its way of life. According to Commission President Ursula von der Leyen “The era of the peace dividend is long gone. The security architecture that we relied on can no longer be taken for granted...”

The paper outlines a large-scale effort to strengthen European defence capacities, increase military support to Ukraine, and consolidate the European military industry. While these measures address pressing geopolitical challenges, they also introduce financial pressures that will probably impact the EU’s administrative structure and workforce also in terms of new professional profiles needed in the defence area.

Past budget cycles have already seen considerable cuts in administrative expenditure, with a growing dependence on interim staff, temporary agents, contract agents, and local employees and contractors. If this trend continues, further budgetary restrictions could affect the stability and working conditions of EU staff, particularly those in non-permanent positions. The increased focus on defence spending raises concerns about whether administrative costs will be further reduced, potentially limiting the EU’s ability to deliver its policies effectively.

Ensuring an efficient and well-functioning civil service is essential for managing EU programs, policies, and strategic initiatives—including those related to defence

and security, but also for everything else the EU does, from climate action to health and economic development of less developed areas of the continent.

As discussions on future budgets advance, a key challenge will be how to balance new defensive priorities while maintaining a strong institutional foundation and maintaining the EU values of transparency, professionalism, integrity, stable and fair employment and equal pay for equal work for its own Staff. The question now is whether policymakers will acknowledge this growing imbalance—or whether the erosion of a stable, professional civil service is the price they are willing to pay for a more secure European Union.

As the EU Civil Service faces these mounting challenges, it is crucial to consider the broader implications of these shifts. From the precariousness of employment within EU institutions to the evolution of staff mobility and changes in pension systems, the consequences of these budgetary and policy shifts are far-reaching.

In this edition of AGORA #94, we explore a range of perspectives and offer deeper insights into these complex issues through a series of in-depth articles that examine both the current state and future of the EU workforce.



ALEKSANDRA FALCONE

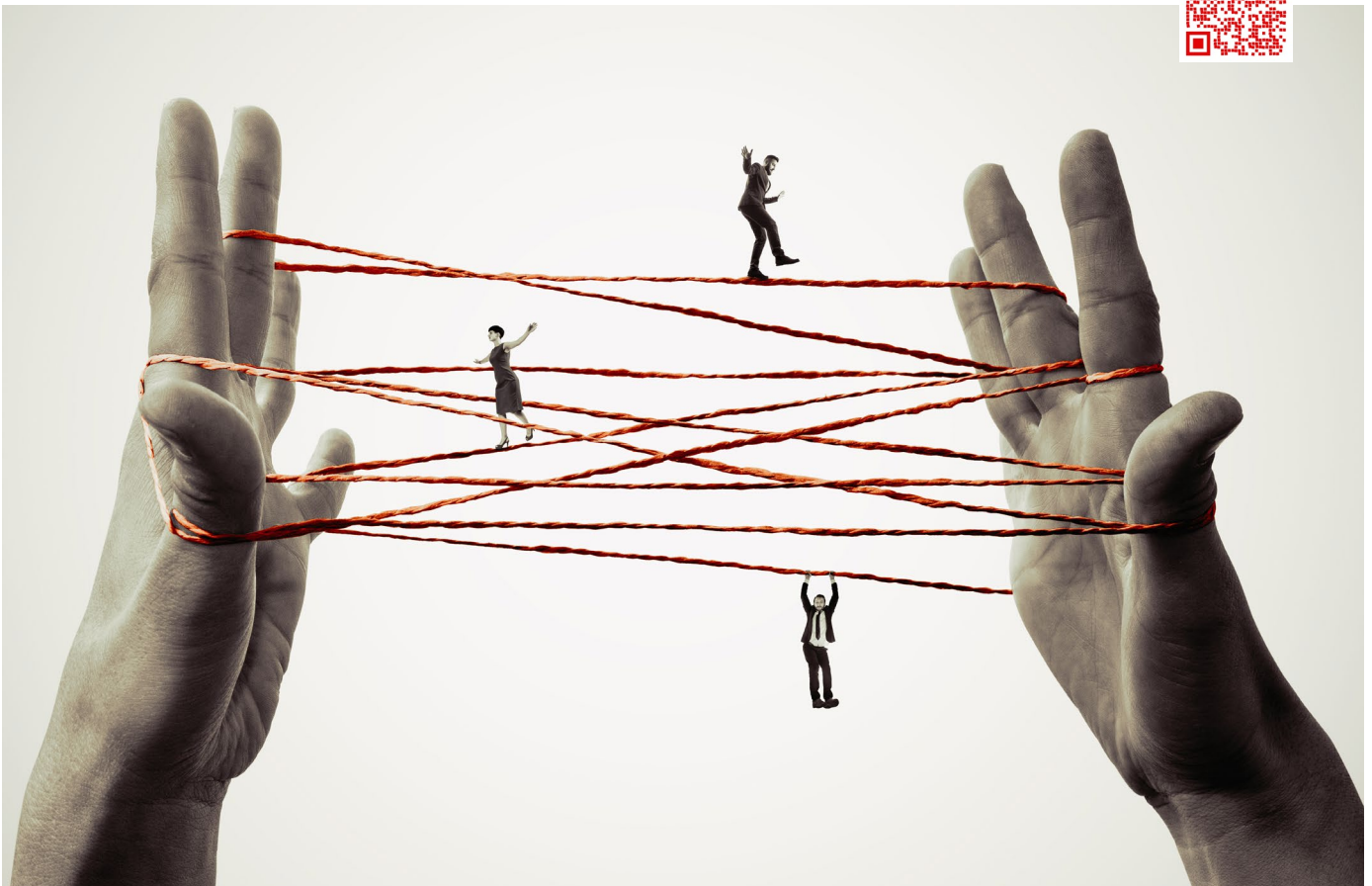
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THE PRECARIOUSNESS OF THE EU CIVIL SERVICE

A HISTORICAL PERSPECTIVE AND ITS GROWING CONSEQUENCES

By Aleksandra Falcone, Arty Kyramarios, Ricardo da Costa Barata

The precariousness of the EU civil service, characterised by the systematic reliance on non-permanent, insecure contracts, has emerged as a critical challenge for European institutions. This trend reflects a tension between short-term operational efficiency and long-term sustainability, with profound consequences for institutional stability, policy coherence, and the EU's capacity to deliver on its strategic objectives. Limited career progression, wage disparities (not the same wage for the same jobs/tasks), and reduced social protections for non-permanent staff erode the EU's credibility as an employer and risk undermining its global influence. Furthermore, high turnover of staff leads to an inefficient public service.



The Looming Closure of European Union Delegations (EUDs): Impacts and Implications

Recent reports reveal that the European Union is considering closing approximately 100 EUDs- worldwide, alongside a significant reduction of its development offices. [According to Euronews](#), this move reflects a shift in strategy, driven by budgetary constraints and geopolitical recalibrations. Approximately 80 development offices are set to close, reflecting a broader restructuring aimed at aligning with the EU's financial priorities and strategic agenda.

The immediate fallout of these closures is alarming. On the one hand, these closures risk severing critical connections with countries that supply essential raw materials, undermining the EU's strategic autonomy in sectors dependent on these imports, while allowing other forces to capitalise on local sympathies. On the other hand, local staff, such as guards, administrative assistants, and externalised personnel, face imminent unemployment, further exposing the fragile employment dynamics surrounding EU operations. These measures reveal a systemic issue: **the institutionalisation of precariousness** and lack of strategic thinking across the EU civil service. The roots of this phenomenon are evident in the historical trajectory of EUDs and the broader practices of the EU's external action.

Historical Timeline on the Precariousness of EU Civil Service in the European External Action Service (EEAS) and EUDs

The precariousness of the EU civil service is deeply rooted in its institutional evolution. A historical perspective provides insight into the structural dynamics that have shaped the current workforce model.

- **From DG Development to the Formation of EUDs**

The origins of EUDs trace back to various Directorates-General of the Commission, including the Directorate General for Development, which merged to become the EEAS. Initially, EUDs were minimal in structure, lacking the formal status of embassies. Delegations operated with only two officials responsible for confidential matters, while other tasks were delegated to non-profit organisations created by the Commission, avoiding the need for permanent institutional roles.

- **Expansion in the 1980s: Rapid Growth and Informal Practices**

The 1980s witnessed a rapid expansion in EUDs as the EU broadened its development and external relations portfolio. This period saw the employment of internal experts specialising in technical areas such as agriculture, infrastructure, and economic development. While

some were hired locally on flexible terms, informal practices like “forged” internal competitions enabled many to transition into permanent roles. These questionable methods bypassed formal recruitment requirements, embedding individuals into institutional structures.

- **The 2004 Staff Regulations Reform: Institutionalising Precariousness**

The 2004 reform of the EU Staff Regulations marked a turning point. It introduced contract agents (CAs) as a workforce solution, allowing the EU to address thematic and technical needs without increasing permanent officials. CAs became pivotal, especially in technical and operational domains, while permanent staff focused on strategic and policy-related roles. This dual workforce structure institutionalised precariousness as a systemic issue. It should be noted that the same dual workforce also exists widely within the Commission Directorates-General and to a lesser extent in other EU Institutions.



“These measures reveal a systemic issue: the institutionalisation of precariousness and lack of strategic thinking across the EU civil service.”

EU Agencies and the Rise of the “Third Way”

As EUDs evolved, EU agencies emerged to fulfil specific policy mandates, often relying heavily on non-permanent staff. While these agencies contributed to specialised policymaking, their staffing practices mirrored the precariousness trend, increasingly favouring short-term contracts over permanent roles. They also embed the dual workforce expressed above.

Technical Assistance and Executive Agencies

The 1990s saw a reliance on Technical Assistance Bureaus, some of which were later replaced by Executive Agencies. These entities, focal in implementing EU-funded programs, employed external consultants and contractors. By the late 1990s, consultants were paid approximately 4,000 ECUs (*European currency unit*) monthly, highlighting a growing reliance on external expertise. This model allowed the EU to meet operational demands without increasing permanent positions but created a precarious workforce dependent on private contractors.

The Risks of Contract Agents

Contract agents became a cost-efficient solution for staffing flexibility, but their role introduced significant risks on:

1. Security concerns: Former CAs often transition to external entities with sensitive institutional knowledge, posing risks to EU integrity.
2. Loss of expertise: Institutions invest in training CAs, only to lose them to external organisations, resulting in wasted resources and diminished institutional capacity.

The Systemic Challenges of Precariousness

The historical trajectory of precariousness within the EU civil service reveals recurring patterns:

Flexible workforce dependence: The systematic reduction of permanent roles has left institutions reliant on non-permanent staff, increasing turnover and operational inefficiencies.

Strategic vulnerabilities: The externalisation of critical functions (i.e. non-permanent staff in management functions) exposes the EU to security risks and reduces its policy coherence.

Erosion of institutional sustainability: The increasing reliance on precarious roles undermines the stability, expertise, and long-term capacity of EU institutions.





Global Gateway and Its Flawed Premises

The EU's strategic shift towards the "Global Gateway" mirrors the precariousness trends but introduces additional complexities. Unlike development cooperation that emphasises poverty reduction and international solidarity, the Global Gateway emphasises supporting the private sector with public funds. This paradigm risks:

- Amplifying inequality: In beneficiary countries, only those aligned with the private sector may benefit, widening social disparities.
- Weakening EU credibility: By prioritising corporate interests over development, the EU risks alienating partner countries and undermining its global influence.

This shift also moves away from the principles that historically guided EU cooperation, replacing partnerships with transactional relationships.

The Rise Of A Fourth Way?

Amid ongoing geopolitical challenges and the shaping of the post-2027 Multiannual Financial Framework (MFF), European institutions find themselves grappling with issues that could further erode the stability of an already weakened civil service. These discussions, including early discussions on new staff regulations, risk accelerating troubling patterns within the EU civil service. One begs to question, if we are standing at the precipice of a new phase of the precariousness of the EU civil service. Below, we explore these trends and their implications for the workforce.

Increasing number of temporary contracts

One of the most alarming trends is the rising prevalence of temporary contracts across EU institutions. Some of the examples below are the evidence of this trend.

Currently, 30% of Eurostat's workforce is employed on temporary contracts (temporary agents and contract agents), highlighting a systemic issue. In many European Commission services, temporary contracts are often terminated before the six-year limit. This happens by a combination of claims that the position is no longer necessary and an increase in negative probation period reporting.

The European Parliament and the Court of Justice are also seeing a marked rise in reliance on temporary contracts. In the Commission, the percentage of Temporary Agents has doubled since January 2022, at the expense of Officials.

Mobility and Career Challenges

The EU civil service is facing significant barriers to mobility and career advancement. For staff in EU agencies, mobility between agencies is often the only avenue for career progression. However, each move requires a new contract, creating additional insecurity. A This is something that also affects the Commission. At the Joint Research Centre (JRC), internal mobility can also come with a removal from country for the staff member and their family. Particularly, increasing internal mobility can act as a tool to lead to the closure of smaller sites. While the risk has not been seen at EU agencies level, probably due to the absolute lack of real mobility for Temporary Agents and Contract agents. Finally, the recent decisions concerning the EUDs take the shape of a very visible writing on the wall.

Outsourcing and Inequality

The outsourcing of tasks has widened the disparity between different types of contracts, further complicating career development. Outsourcing of tasks increases the disparity between contract types.

This is particularly toxic when the outsourcing is done as a means to avoid hiring replacement staff, or even worse, the growing trend of outsourcing to former CAs. These former colleagues become service providers, doing the same tasks with less accountability and under worsened contractual conditions.

Probation and Job Security

Probation rules and temporary employment limits are being applied stringently, adding to job insecurity:

Strict probation practices: Particularly in workplaces like Luxembourg, probationary periods are being used as a tool for dismissals, compounding instability for new hires.

Expansion of temporary positions: Despite staff regulations limiting the use of temporary agents in institutions proper to 3% of the establishment plan, this ceiling is widely disregarded in the European Commission. Temporary and contract agents now form a significant proportion of the workforce, with employment typically capped at seven years (the 6 years rules for contract agents can be complemented by one extra year as temporary agent).

Working Conditions and Health Concerns

The precariousness of work has also led to troubling working conditions:

Health impacts: Stress and pressure to adopt unsafe work practices, in several institutions, caused significant side effects including burnout or cancer.

Toxic work environments: Agencies, often described as “golden cages,” are notorious for fostering unhealthy workplaces.

Structural and Systemic Issues

The current system which perpetuates instability through structural inefficiencies can be seen as a [Legacy of the 2004 Kinnock Reform](#). This reform introduced the contractual agents (CAs) job type. The untold underlying wish was to create a set of Institutions similar to the UN agencies with 85% of precarious jobs (with contracts without term). But this creates another problem.

Officials, Temporary and Contract Agents - whether they work for Institutions, Agencies and other EU bodies - contribute to the same EU pension fund. As highlighted in reports of this fund, the sharp increase of temporary and contract agent positions, in particular in Agencies and Joint Undertakings, poses a risk to the balance of this pension system.

Union Efforts and Prevention

Unions are starting to address issues earlier, especially concerning probation and dismissals. They also voice the need to keep a permanent and independent civil service which should be made of a vast majority of Officials with undetermined duration contracts and job security.

There are also regular calls for better measures to prevent illness and improve working conditions, particularly aimed at non-permanent staff who potentially suffer the most (incorrect behaviours, harassment, mobbing, etc).

The new “uber” civil service

A shift towards what some term the “Uberisation” of the civil service is evident:



Policy-making gig work: Temporary agents increasingly resemble “Uber drivers of policy-making,” lacking long-term expert positions. The use of outsourced contracts is the latest hype in this shift.

Intra-mural inequality: Disparities between intra-mural staff (e.g., IT contractors, guards, and receptionists) and other contract types are growing, namely with the rise of the false “*intra-muros*”.

Per task Kleenex approach

The rise of agencies has led to a “per-task” approach to employment and precariousness. Agencies were established to execute specific tasks, with the assumption that once the task is completed, the budget line and workforce could be dissolved.

This “Kleenex” approach undermines workforce stability. The tasks given to the Institutions are carried out by the agencies despite the limited establishment plan (officials and temporary positions, the latter being initially limited to 3% of the total).



a) effectively generates diseconomies of scale (all agencies have their own administration and administrative costs);

b) invests in the training of people who either leave due to dissatisfaction or reaching the time limit.

Spillover to the private sector: Surely a huge spill of public money. The human resource investment also eventually feeds external/private employers and lobbies, constituting a risk to the integrity of the Institutions.

Conclusion: Precariousness as a Strategic Challenge

The precariousness of the EU civil service reflects a broader tension between operational flexibility and institutional sustainability. This systemic shift towards a reliance on non-permanent staff not only threatens workforce stability but also undermines policy coherence and weakens the EU's strategic autonomy.

The historical trajectory of precariousness—from the early days of EUDs to the growing prevalence of temporary contracts—highlights a long-standing issue that is increasingly compromising the EU's capacity to deliver on its strategic objectives and maintain its global influence.

Addressing this challenge requires a revaluation of staffing practices and a renewed commitment to building a resilient, well-supported workforce capable of upholding the EU's values. Without this commitment, the EU risks further erosion of its institutional integrity, limiting its ability to act as a credible and effective global actor.

A stable, permanent workforce is essential to ensure that the EU remains both competitive and influential in the face of evolving geopolitical and economic challenges.

Lost human resource investment and high costs

Lost investment: even if Agencies can offer undetermined term contracts, it is not automatic or systematic. In Institutions, the use of contracts and temporary agents is limited to a maximum 7 years. In all these situations, there is a significant and continuous public money investment that:



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CONTRACT AGENTS (CA) and TEMPORARY AGENTS (TA)

The EU offers employment in [various staff categories](#): permanent officials, contract and temporary staff, seconded national experts, trainees and others. Permanent staff are members of the EU civil service appointed for an indefinite time. They constitute the core working force. There are **three categories for permanent EU officials: Administrators (AD), Assistants (AST) and Secretaries/Clerks (AST/SC)**.

In the context of European Union (EU) institutions and agencies, Contract Agents and Temporary Agents are two distinct categories of staff employed under different types of contracts. Here's an overview of each type:

1. Contract Agents (CA):

Contract Agents are hired on fixed-term contracts to perform specific tasks for EU institutions or agencies. They do not have the same status as officials but still work for the EU under certain conditions.

- **Types of contracts:** The contracts for Contract Agents are typically limited to a duration (from 1 month to 5 years) and are renewable under specific conditions. They are usually hired for a fixed period to meet temporary or short-term needs.
- **Main tasks:** Contract Agents are often employed to carry out technical, administrative, or support tasks in various sectors such as research, law, translation, communication, or IT.
- **Pay and benefits:** Contract Agents have a salary based on the EU's salary scale but typically lower than that of Temporary Agents. They also receive certain benefits (e.g., pension, health insurance), but these might be less comprehensive compared to those for Temporary Agents or Officials.
- **Recruitment process:** Recruitment is generally done through public competitions or selection procedures. A key difference between CAs and other staff categories is that Contract Agents usually don't have permanent positions and are not part of the core administrative structure of EU institutions.
- **End of contract:** When a Contract Agent's contract expires, they are not automatically entitled to a renewal or permanent position, and the contract can be terminated.

2. Temporary Agents (TA):

Temporary Agents are employed for a specific, limited period to fulfill a variety of roles within the EU institutions or agencies. The difference between Temporary Agents and Contract Agents lies primarily in their roles, level of responsibility, and longer-term career prospects.

- **Types of contracts:** Temporary Agents are typically employed on contracts of varying length (1 year to 6 years,

with the possibility of extension). They can have a longer tenure compared to Contract Agents, but their employment is still temporary in nature.

- **Main tasks:** TAs usually carry out more senior or complex tasks in areas like policy-making, law, management, and administration. They might be involved in higher-level decision-making or specialized technical tasks that require a higher degree of expertise.
- **Pay and benefits:** Temporary Agents are compensated at a higher level than Contract Agents. Their salary depends on their grade and step within the EU salary scale, which reflects their level of responsibility. They are also entitled to a broader range of benefits, including more extensive pension and social security provisions.
- **Recruitment process:** TAs are recruited through selection procedures, which may involve written exams, interviews, or assessments. While the process can be competitive, it tends to be less rigid than the procedures for permanent EU officials.
- **Career path:** Temporary Agents can be reappointed or re-contracted after their current contracts end, but they do not have the same career stability or permanent status as officials. However, TAs can transition to permanent positions through internal competition, depending on the needs of the institution and the specific job they occupy.
- **End of contract:** Like Contract Agents, Temporary Agents are not guaranteed permanent employment. Once their contract ends, they may leave the institution, though there may be opportunities for renewal or reappointment, subject to the institution's needs.

Key Differences:

Employment status:

- Temporary Agents can be employed for longer periods and have higher-level roles, but their contracts are still time-limited.
- Contract Agents are typically employed for shorter-term tasks and have more administrative or technical functions.

Salary and benefits:

Temporary Agents have higher pay and more comprehensive benefits compared to Contract Agents.

Job security:

Neither category enjoys the same permanent status as EU Officials, but Temporary Agents generally have more opportunities for reappointment and professional growth.



UBERISATION SPREADS TO PUBLIC SERVICES: A PREDICTION WE MADE YEARS AGO

By Félix Gérardon

In 2019, our trade union sounded the alarm about the spread of Uberisation—the shift towards flexible, gig-style employment—affecting not just private industries but eventually public services as well. At the time, we warned that this trend would inevitably reach EU institutions which would radically shake up labour relations. Now, as we see Contract Agents and Temporary Agents becoming more prevalent in EU administrations, our early concerns have proven to be justified.

The growing reliance on short-term, flexible labour in place of permanent civil service positions is a clear example of the Uberisation of the public sector. This model, which has already revolutionized industries like transportation, hospitality, and legal services, is now seeping into the EU's policy-making and administrative bodies, creating a workforce that mirrors the gig economy in many ways. It is essential that workers and their representatives be involved from the outset in the digital revolution so that workers can be granted effective protection from its consequences.

What is Uberisation?

In 2016, [a thesis](#) from the Université Catholique de Louvain¹ identified and compared seven different definitions, which examine uberisation from five different perspectives (making our under-used assets available for a fee, peer-to-peer exchanges, an online platform, a rating system, and the transformation of traditional business models through innovation). None of the definitions covered all five perspectives and none of the perspectives were present in all the definitions.

A French online dictionary ([lintern@ute](#)) gives a fairly general definition:

‘Uberisation refers to a business model whereby professionals and customers are put in contact with each other directly, even instantaneously, through the use of technology. This model has the advantage of being much less expensive for the customer than the conventional business model.’

This was, in fact, the model adopted in 2009 by UberCab (which became Uber in 2010) for its transport services. Less than ten years later, this business model has taken root throughout the world in a wide range of economic sectors. It is to be found in sectors such as hospitality (Airbnb, Booking.com), transport (Uber, Blablacar, Drivy), home improvements, renovation and odd jobs (Lulu dans ma rue, Hellocasa, Mesdépanneurs, Amazon Home Services, etc.), legal services (Cma-Justice), and even in the fight against terrorism with initiatives such hackathons ~~or non~~-profit incubators.

¹ Uberisation : définition, impacts et perspectives, R. Lechien et L. Tinel.

While many of us will have cause to use their services in our daily lives, the break with the traditional model of economic activity that these firms represent raises a number of important questions and poses a serious threat to companies in the sectors concerned - as well as to their employees.

‘Being ubered’ and ‘uberisation’ are notions that elicit apprehension and fear. In an interview with [the Financial Times](#), the advertiser Maurice Lévy said: ‘Everyone is starting to worry about being ubered. It’s the idea that you suddenly wake up to find your legacy business gone...’.

At its core, Uberisation refers to a business model where workers are treated as independent contractors rather than employees, often working on-demand and without long-term job security or benefits. This model allows employers to hire labor as needed, while workers enjoy (at least theoretically) more flexibility. However, the reality often involves a lack of protections, job instability, and minimal benefits.

The term itself, which was coined after the business model popularized by Uber, has come to signify the disruption of traditional work structures across various sectors. As our trade union highlighted back in 2019, Uberisation wasn’t just a passing trend; it was a growing threat to the stability of the workforce across the public and private sectors alike.

A Predictive Warning from Our Trade Union

For years, Union Syndicale has warned that Uberisation would invade the public sector, even in areas traditionally resistant to such changes. The phenomenon began to creep in through outsourcing and contract work, but in recent times, it has become more explicit as we witness



an increase in the use of Contract Agents and Temporary Agents within EU institutions. These roles, often viewed as “on-demand” policy-making positions, reflect a gig economy model that puts pressure on permanent staff structures and erodes job security.

Our concerns were not unfounded. When the EU began expanding its reliance on temporary workers for specific projects, we knew this could erode long-term planning, decrease institutional memory, and put workers at a disadvantage. Now, this trend is becoming increasingly apparent in the day-to-day operations of EU bodies, as more and more policy advisors and administrators are brought in on short-term contracts instead of as permanent civil servants.

The Rise of Temporary and Contract Agents

The EU institutions have been shifting towards a workforce made up of Contract Agents and Temporary Agents to carry out essential functions such as policy development and implementation. These workers are often brought in to handle specific tasks without the long-term commitment required of permanent staff. While this might be seen as a cost-saving measure, it risks undermining the quality and continuity of public services.

For example, rather than relying on permanent civil servants who understand the long-term trajectory of EU policy, temporary agents are hired for specific tasks with an expiration date. This trend mimics the way Uber relies on independent contractors instead of full-time employees, who have more job stability and benefits.

While this model may offer flexibility to employers and quick access to expertise, it also raises serious concerns

about the future of public service. As more and more Contract and Temporary Agents replace permanent employees, we risk creating a public service system that lacks institutional continuity, reduces long-term policy expertise, and increasingly treats workers as disposable, short-term resources rather than valued public servants.

The Threat to Worker Rights and Public Service Quality

As our union predicted, the increasing reliance on temporary contracts within EU institutions is not just an administrative shift; As we mentioned several times, this trend directly mirrors the Uberisation of labor, where workers are seen as interchangeable, and their role in the larger organizational structure is minimized.

Moreover, the quality of public service could suffer as institutions become more reliant on temporary staff who may not have the long-term commitment or institutional knowledge necessary to drive consistent, effective policy.

The Increasing Impact of Digitalisation

Technological developments and the computerisation or digitalisation of a range of activities have had a considerable impact on the public sector for many years, with consequences for work organisation, the balance between work and family life, and the physical and mental health of workers.

In June 2018, the European Federation of Public Service Unions (EPSU) organised a seminar on issues relating to collective bargaining in the Member States, and in particular the impact of digitalisation in public services. Researchers from the European Social Observatory took this opportunity to present the results of a study commissioned by the EPSU entitled Impact of digitalisation on [job quality in public services](#).

Basing themselves on two sectors (home care and employment services), the researchers highlighted the consequences for workers of the digital transformation. It should be noted that digitalisation has not affected these two sectors in the same way: employment services have been computerised for many years whereas, in the case of home care, only the planning of work has been computerised through the recent introduction of smartphones and tablets.

Workers in both sectors have experienced a heavier workload and a more intense rhythm of work, as well as increased monitoring of their activities, with a gradual move towards ‘performance-based’ management. The requirement (whether real or imagined) to be permanently ‘connected’ makes them view the right to disconnect as necessary and welcome protection. However, most workers do not consider that digitalisation has had a significant influence on their salary or on their social protection.

In general, workers in the public employment services feel a greater impact of digital transformation on all aspects of





their jobs: the actual content of their work has changed and workers no longer feel in control; the line between working time and family life has become blurred; social relations with the public or among colleagues have been reduced or have become perfunctory; and the digital divide has created an ever-greater gulf between colleagues who are at ease with the new technologies and those who are not.

As regards health, employees in both sectors consider that the digital revolution has had, or could have, adverse effects: vision problems as a result of working on screen, musculoskeletal - or even cardiovascular - disorders related to immobility, fatigue, and an increased risk of road accidents owing to more frequent use of mobile telephones and tablets, without even taking into account the stress caused by an excessive workload and the need to respond immediately, whether by telephone or email, to the public, colleagues and superiors. This stress entails a marked increase in psychosocial risks (depression, burnout, etc...).

Despite the implications of the digital revolution for the future of work and for workers, the latter admit that its consequences are ignored or minimised in collective bargaining and in public policies at all levels.

The researchers recommend:

- that the impact of the digital transformation on the quality of work in all its aspects be integrated horizontally into the framework of social dialogue at all levels (inter-professional, sectoral or within companies);
- that the potential negative effects of the digital transformation be taken into account and be addressed by legal provisions that protect workers;

- that the public authorities (local, regional or national) and other stakeholders conduct detailed studies of the consequences of the digital revolution in all sectors;
- that measures be taken to ensure, within the framework of this integrated approach, that neither service users nor workers become victims of the inevitable advance of digitalisation.

At European level, the consequences of the digital transformation should be integrated into an overall strategy that is not confined to promoting economic growth and gains in productivity, but that also seeks to protect workers and citizens. The social dialogue structures should, from the very beginning, be stakeholders in this revolution. The European Union and its Member States need to reinforce existing rights, such as the right to the protection of personal data and workers' rights, and to establish new rights, in particular by opening a debate on the right to disconnect, which is destined to become a new fundamental right for workers.

The rise of Contract and Temporary Agents also correlates with the broader impact of digitalisation within EU institutions. As public services undergo digital transformations, workers are faced with new challenges: increased surveillance, data-driven performance metrics, and blurred boundaries between work and personal life. These pressures are felt most acutely by temporary agents, who may be asked to perform under intense scrutiny without the same support structures or protections as their permanent counterparts.

The move towards digital tools and platforms in public service only amplifies the risks of Uberisation. With increased reliance on temporary, on-demand labor, the EU risks undermining its capacity to provide equitable, high-quality public services in the long run.

A Call for Stronger Worker Protections

As we continue to see Uberisation spread across EU institutions, it is more important than ever for trade unions to advocate for stronger worker protections. Union Syndicale has long fought for a more equitable work environment within the public sector, and the growing reliance on temporary agents underscores the urgent need for better job security, fairer wages, and improved working conditions for all employees.

The EU must not sacrifice the quality of public service and the well-being of workers in the name of efficiency and cost-cutting. Instead, it should invest in permanent, skilled workers who can ensure continuity, protect institutional memory, and uphold the values of public service.

Conclusion: Protecting Workers in the Age of Uberisation

The prediction we made years ago about Uberisation in the public sector has sadly become a reality. Uberisation is but one aspect of the digital revolution confronting society as a whole. Despite the convenience offered by Uber, Airbnb and Amazon, we need to be aware of the potentially disastrous consequences of this new economy for the social rights of workers, who will have to devise and put into place new forms of social dialogue and social protection. Even in the public sector, where social rights are better protected, the digital revolution has had a significant negative impact on the nature of work itself and on the physical and psychological well-being of workers, and this needs to be taken into account in the existing social dialogue structures.

As EU institutions increasingly turn to temporary agents and contract workers to fill key roles, the risks to both workers and public service quality are becoming more apparent. It is essential that we continue to fight for workers' rights, advocate for permanent positions, and push for greater protection in the face of this new model of labor.

The digital revolution and Uberisation is here to stay, and it is up to us to ensure that workers are not left behind in the rush for efficiency and flexibility. Only through strong social dialogue and robust labor protections can we ensure that public services remain fair, effective, and accessible for all.



FÉLIX GÉRADON

Félix Gérardon is a member of USF Federal Committee as well as a member of Executive Committee of USB



THE STORY OF INÈS*,

The Story of Some of Us, and It Could be The Story of You

WORKING AND LIVING IN THE CONTRACT AGENTS CAREER FRAMEWORK

* Anonymous testimony from one of our colleagues

I arrived at the agency 15 years ago as a Contract Agent (CA) Function Group (FG) III. At that time, other colleagues were working as project consultants who now are senior experts and managers. What were the reasons for their success up the career ladder and my humbler crawl?

For a start, they managed to secure Temporary Agent (TA) positions, and secondly (and possibly relatedly) they had informal sponsorship within the institution. From my side, I focused on hard work and continued learning with an expectation that validation and recognition would come, eventually.

When you enter an institution in a lower-level position there are greater obstacles to job opportunities. The cliché of working your way up the ladder only works for some. If someone has a generalist profile, it can be harder to find an entry point into the workforce and women usually will resign to doing so at a lower grade, at their professional peril.

After joining the institution, I experienced both ups and downs. At the time there were two vacancies open, a CA FG III or a TA AST 1. I was overqualified for each of them, but I thought at least the CA FGIII was a higher level, so it was a better option. How wrong I was.

Initially, the work was interesting, and I was allowed to take on responsibilities beyond my grade but opportunities to apply for higher positions were rare in a small and specialised agency. Promotions of CAs take five, six, or more years to materialise. Those colleagues who entered at AST¹ 1 level, however, were promoted very quickly and frequently (every 2 to 3 years) and soon became AST 5 or 6 and their career prospects blossomed with little, or no distinction made between AST and AD levels' duties.

They also moved quickly to the latter. Previously, there was discrimination between AD and ASTs but after the creation of the CA role, the discrimination shifted to being between CAs and TAs with the introduction of separate job families to reinforce the distinction.

Not only is the promotion process for CAs so slow, but even when it happens, the FG remains the same. Usually, only external recruitment offers the possibility to move to a higher level. The only alternative to career progression within the institutions and agencies is to leave to another one, which often means moving to another country.

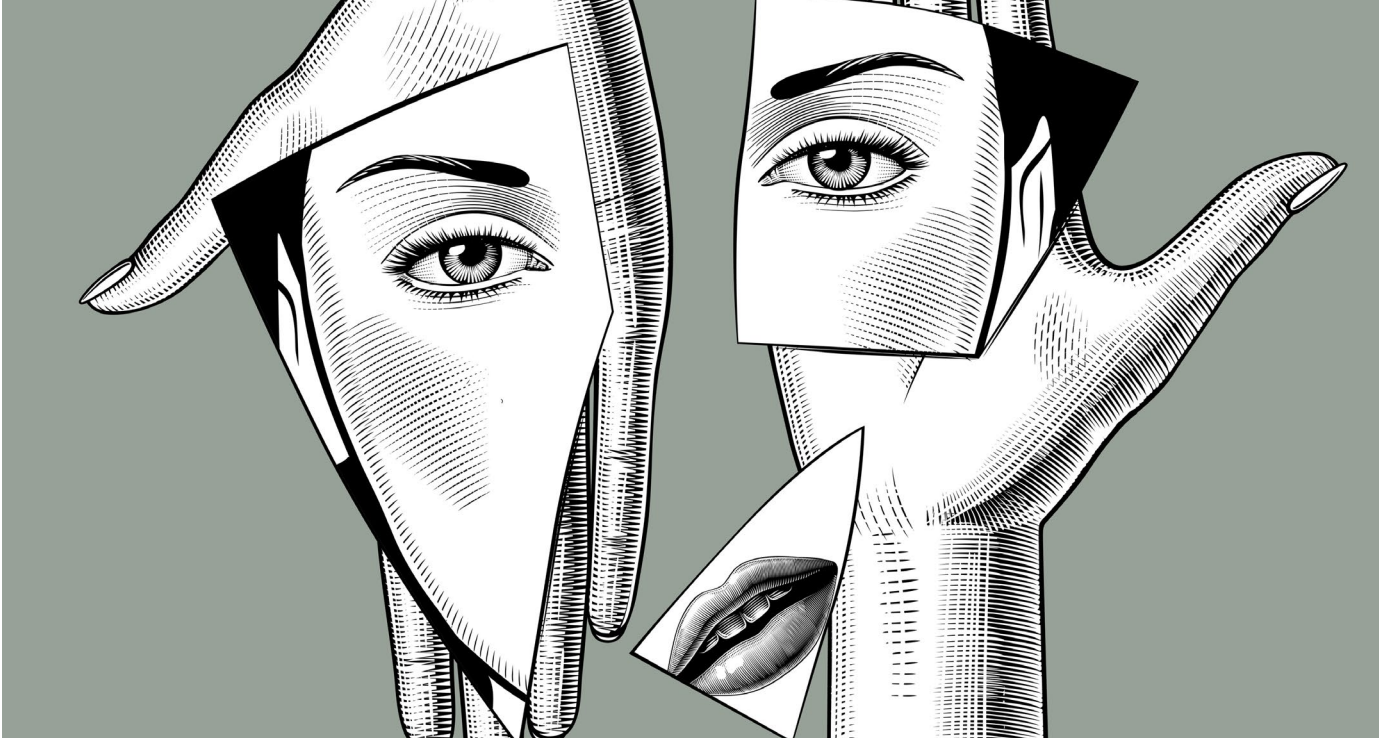
However, the positions with the best chance of being secured tend to be those within the same grade group, or just above (i.e. from FGIII to FGIV). When you apply externally for a position, the experience valued is only that which fits your grade. In some cases, you are offered the same contract you already have, making relocation both pointless and risky. (You don't move to another country just for a 10% salary increase and you still have the probationary period.)

A lot of attention is given to gender parity for TAs and experts, but at the assistant level it is neglected. Of course, there are more women for a variety of reasons, but the disparity is that any men who enter the FGIII function group don't stay there for long. They quickly move upwards to higher positions. They don't belong there. Perhaps it's because when you join as an assistant, there's a level of camaraderie that's expected from women in the same category that's not required from women at senior levels (to the same degree at least) or from men at any level. If you don't subscribe to this groupthink, all together modus operandi, you will suffer for it. No room for individualism here because it is the antithesis of teamwork.

In higher roles (e.g., expert positions), being independent is tolerated, and embraced even, but as an assistant, you must conform. Remaining silent and hiding thinking can at times receive more credit than those who express themselves and are then deemed disloyal to the pack. Organising gifts, helping others, and complying with expectations are, of course, positive attributes, but they are often some of the only attributes which get recognised, reinforcing the gender stereotype of the grade and professional pigeon-holing. Being outspoken is a form of self-sabotage although if someone more senior repeats your same views they could become insightful.

1. To learn more about various staff categories please see [page 10](#)





Fortunately, after 10 years I managed to achieve a FGIV level within the same organisation via external recruitment and (as I learnt through the grapevine) an anonymously marked test placing me on the reserve list. Why should this matter? Because an internal candidate going through external selection is usually the least desired recruit, otherwise it could have been done internally. Or, if it's the test that makes the difference for selection then there was no one routing for this candidate in the interview, and no sponsor pushing internally, or none worth their weight.

There is even a bad practice of not informing internal candidates of the outcome of their interviews. You receive no feedback on what went wrong or how to improve for the future. No acknowledgement that you even tried and were offering to do more. Skills and knowledge developed in-house are the least appreciated. Anyone from anywhere else is surely more capable or deserving. And still, loyalty, growth, and trust are some of the most frequently cited corporate values but sadly they don't seem to work both ways.

The satisfaction from my achievement overrode my disappointment in the organisation. I had become a warrior. Although, even after making that step up to FGIV a lot of effort is required to change how you are perceived, and some people's minds never change, and they will consistently seek to downgrade you one way or another. I used to seek institutional validation, but it never came although thankfully I have received it on a human colleague-to-colleague level and from external counterparts.

Indeed, I have found there is an inverse relationship between how we are valued externally and internally. If anything, the more I sought to express myself and show what I could do, the more I felt resented.

The prize comes from being great within your box, from conforming. That comes easier for some compared to others. There is a strong group dynamic—you either belong,

or you don't. If you think for yourself and challenge the status quo you are seen as a threat although there are some rewards. You will most probably form good friendships with other independent thinkers across your institution working in any area!

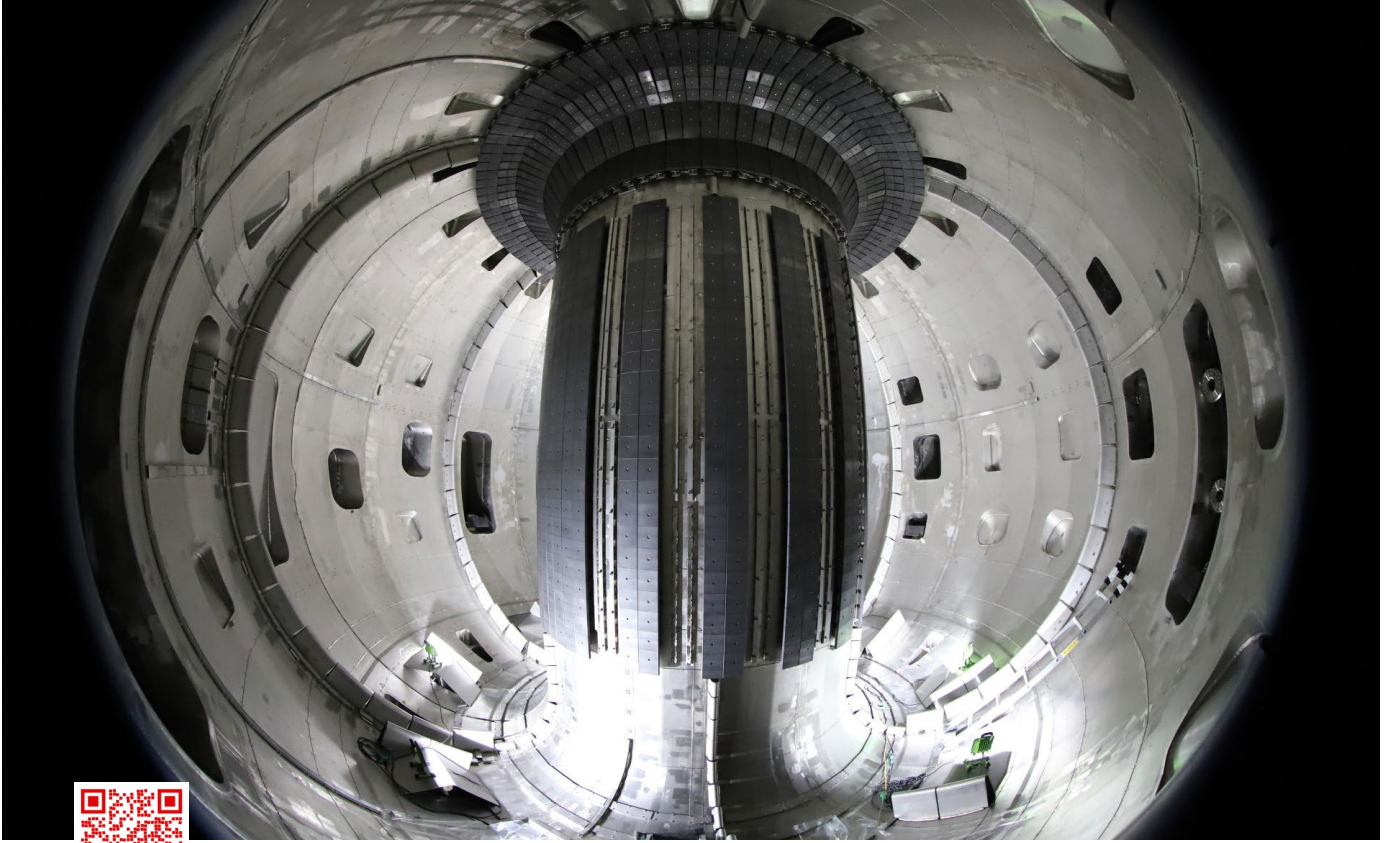
Looking back, I once believed my time to realise myself professionally would come, but there is little to achieve in an agency dominated by closed groups (oldcomers, TAs, etc.).

Now, I no longer see opportunities for advancement here but perhaps elsewhere. Retirement has entered the horizon, and I see it as a chance to achieve what I had hoped for in my career by doing something else. Satisfaction comes in different ways; in writing an article like this for instance or advising junior colleagues that remind me of myself, in keeping abreast of developments in my professional area.

In those moments I recognise my seniority exists in more ways than having gone up the ladder. To have weathered the storm. To have managed to preserve my integrity, to have kept my job and my career, however humble. To have dreams for the future.

“It is never too late to become what you might have been.”

(Quote attributed to George Eliot, sometimes misattributed to Barnett.)



Interior of JT-60SA Tokamak. Courtesy: the National Institutes for Quantum Science and Technology (QST), Japan

THE BALANCE BETWEEN CONTRACT AGENTS AND TEMPORARY AGENTS AT FUSION FOR ENERGY

By Brian Macklin

Background

Fusion for Energy (F4E) is the European Union organisation managing Europe's contribution to [ITER](#) — the biggest scientific experiment on the path to fusion energy. ITER is currently under construction in Cadarache in the south of France. ITER has seven partners (China, Europe, Japan, India, the Republic of Korea, the Russian Federation and the USA), together representing half of the world's population and 80% of the global GDP. Each partner has a corresponding Domestic Agency (of which F4E is one) responsible for providing buildings, equipment, components and tools to ITER. Europe is responsible for nearly half of the project, while the other six parties contribute equally to the rest.

F4E's mission is to bring fusion, the energy of the Sun and the stars, to Earth. To do so, F4E works closely with industry, national laboratories and research organisations to provide the infrastructure and the components of the ITER fusion device. In parallel, F4E is involved in three major fusion R&D projects, stemming from the Broader Approach Agreement signed between Europe and Japan (*JT-60SA*, *IFMIF/EVEDA* and *IFERC projects*). Ultimately, F4E will contribute to the development of demonstration fusion reactors by offering technical know-how and expertise.

F4E was established on 19 April 2007 for a period of 35 years. Its headquarters are in Barcelona (Spain) and it has offices at the ITER site in Cadarache (France) as well as in Garching (Germany). F4E’s mission is executed by a highly-qualified team of project managers, engineers, physicists, procurement, contract, legal, financial experts and administrators, working at the frontiers of science and technology. EPSU-Fusion is proud to represent a significant number of F4E staff. EPSU-Fusion is the only union dedicated to staff of the European institutions working in the field of nuclear fusion.

F4E Staff

As of 31 December 2024, the total occupied staff posts at F4E amounted to 438, including 37 Officials, 246 Temporary Agents and 155 Contract Agents. Amongst the agencies, F4E is unusual in having Officials in addition to TAs and CAs.

The staff evolution since 2008 to the end of 2024 can be seen in the following table 1.

Allocation of CAs & TAs

Core technical and management positions are allocated as TA or FO positions in the F4E Establishment Plan, while CA positions are used as a more flexible resource. Even though it is not necessary for CAs to be identified in the Establishment Pan, nevertheless the number of CAs needed to be foresee around 2 years in advance to ensure the approval of the necessary budget.

CA / TA positions are governed by different rules and procedures e.g. for recruitment, promotion etc. This means

that the additional flexibility and reactivity associated with CA positions is countered by the additional administrative load associated with parallel workflows.

Balance between CAs & TAs

In 2024, around 35% of F4E positions were filled by CAs, with about 57% by TAs and the remainder by a decreasing number of Officials. For the remainder of this article we will focus on CAs and TAs only.

The breakdown of CAs and TAs, including gender balance is shown in the table 2.

Observations

- Overall, the number of males (245) is significantly higher than the number of females (149).
- The total number of female TAs is coincidentally the same as the total number of male CAs.
- The total number of male CAs and TAs is coincidentally the same as the total number of TAs, while the total number of females is the same as the total number of CAs.
- Overall, the majority of CAs are female, with the majority of these being Function Group (FG) III.
- The majority (58) of male CAs are FGIV, compared with only 28 female FGIV.

CA FGIII colleagues tend to cover tasks equivalent to an AD5 level, while FGIV colleagues cover tasks of an AD6/ AD7 level. CA FGIII contracts are common for support and administrative roles. CA FGIV opportunities and AD posts are unusual for support and administrative roles. As the FGIV CAs and AD TAs at F4E are in general in more scientific

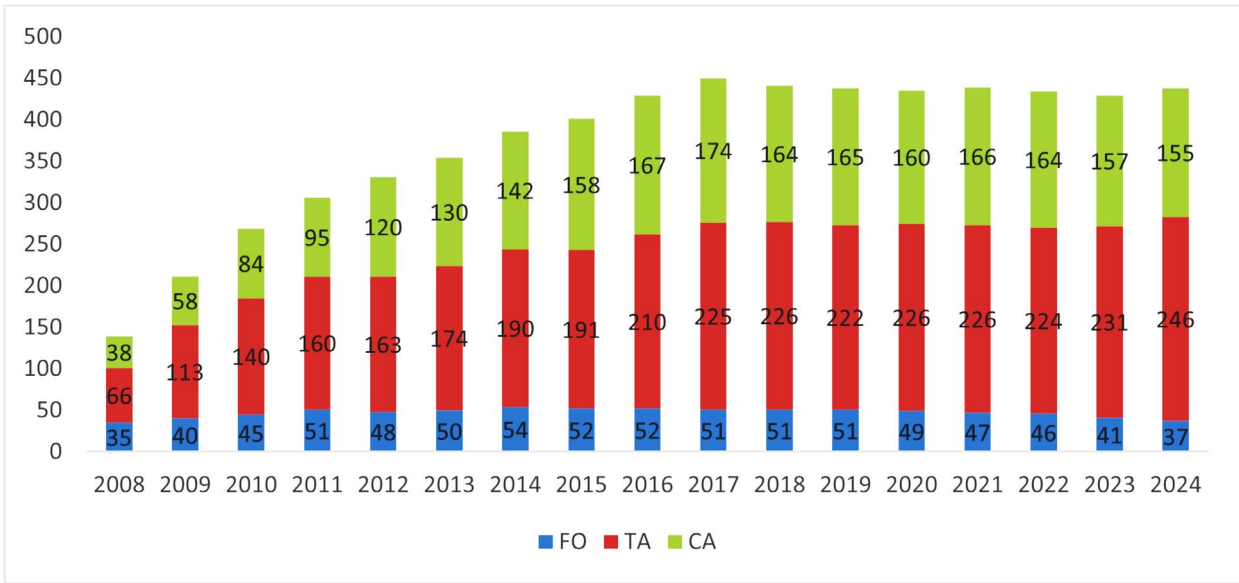


Table 1: Staff evolution from 2008 to 2024 where FO stands for Officials, TA for Temporary Agents and CA for Contract Agents.

/ technical (including legal, financial, procurement and HR professionals) rather than administrative roles, this indicates that the males dominate the scientific / technical roles.

According to F4E, the ratio of males and females in FGIII and FGIV, as well as for TA positions is broadly in line with the ratio of applicants.

F4E notes some difficulty in managing CA roles. Formally, CAs are not supposed to take on the same level of responsibility as their TA colleagues, reflecting the salary difference between the 2 categories.

This is reflected in Job Descriptions for the different categories. However, F4E finds that many CA colleagues, given the possibility, tend to want to take more responsibility. This could be due to the generally high level of motivation, or due to other factors such as CAs trying to gain maximum relevant experience in order to be qualified for suitable TA positions which may arise.

Related to this, F4E noted that while there is a process to transition from CA to Official, there is no process to transition from CA to TA. Nevertheless, CAs are often the best-qualified candidates for TA roles and and a non-negligible number of transitions come about naturally as a result.

Feedback from EPSU-Fusion Members at F4E

There is a perception among CAs that AD staff members often look down on colleagues with CA FGIII and lower grades. Some managers are left with no choice but to require more from CA FGIII colleagues simply because they form the majority of the work force in certain fields.

In addition, there is some evidence that candidates turn down CA FGIII posts and lower at F4E because the salary is not sufficient to meet the cost of living in Barcelona.

Gender / Category	CA			TA			Number of CA & TA
	Number	% of CA	% of CA & TA	Number	% of TA	% of CA & TA	
Female	83	55.7	21.1	66	26.9	16.7	149
AD	N/A			56	22.9	14.2	
AST				10	4.1	2.5	
FGII	11	7	2.9	N/A			
FGIII	44	29.5	11.2				
FGIV	28	18.8	7.1				
Male	66	44.3	16.8	179	73.1	45.4	245
AD	N/A			157	64.1	39.8	
AST				22	9.0	5.6	
FGII	2	1.3	0.5	N/A			
FGIII	6	4.0	1.5				
FGIV	58	38.9	14.7				
Total	149	100.0	37.8	245	100.0	62.2	394

Table 2: Comparison between CA & TA by gender and category
 Note: FO numbers (total 37) are excluded from this analysis.

“Some managers are left with no choice but to require more from CA FGIII colleagues simply because they form the majority of the work force in certain fields.”



Construction in progress at the ITER site, Cadarache, France October 2024. Photo courtesy of ITER Organization

Conclusion

From a management point of view, CAs are an essential resource, representing some 38% of the total complement of CAs and TAs at F4E. Of this 38%, 11.2% are females at FGIII, compared with 14.7% males on FGIV. The remaining 62.2% of the total of CA and TA is split between 45.4% males and only 16.7% females.

F4E management is rightly focused on diversity and gender equality, but so far attention is on gender equality in management roles in line with EC metrics. Clearly, this focus needs to be applied consistently through CAs and TAs at all levels in the organisation. Considering F4E's observation that the ratio of females to males in CA and TA positions is broadly in line with the ratio of the applicants, let us hope that F4E's internship programme and similar activities where efforts are made to encourage female applicants will help to ensure improved gender equality in the pool of applicants in the medium term.

In practice, the tasks performed by CAs in F4E, are often above their pay-grade. This raises potential issues on the chain of formal responsibility. It can also skew the appraisal process. While it is good to note the high level of over-performing CAs, it is an issue that requires more proactive management. It also highlights the need for a formal process to transition from CA to TA.

The author gratefully acknowledges the support of F4E with the preparation of this article.



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President of EPSU-Fusion since 2014. Although retired from the EC and ITER since the end of 2024, he remains committed to Nuclear Fusion and to the ITER project. He is particularly motivated to ensure a structured career path in the field of nuclear fusion for young European professionals and in fostering long-term collaboration between ITER, F4E, Eurofusion and the private sector.

FROM FRAGMENTATION TO INTEGRATION: THE FUTURE OF EU STAFF MOBILITY

By Isidoros Tsouros

This article explores the current state of mobility, recent initiatives, the challenges identified in staff mobility, and recommendations for an improved framework while drawing comparative insights from international institutions such as the United Nations (UN), the International Monetary Fund (IMF), the European Central Bank (ECB), and the World Bank.



Career mobility within the European Union (EU) institutions is essential for fostering professional growth, enhancing skills, and ensuring institutional efficiency. Mobility allows staff to gain diverse experiences, expand their professional networks, and contribute to different aspects of EU governance.

However, staff working in decentralized agencies often face significant challenges. While officials in central bodies like the European Commission benefit from established mobility frameworks that enable career progression and knowledge exchange, Temporary Agents (TAs) and Contract Agents (CAs) in agencies encounter limited opportunities for mobility, resulting in stagnation and inefficiencies in human resource allocation.

The Assembly of the Agencies Staff Committees (AASC) has raised concerns over systematic barriers preventing agency staff from accessing career mobility pathways. These challenges not only restrict individual career development but also limit the effective circulation of expertise within EU institutions.

The lack of harmonized secondment and transfer mechanisms creates a fragmented system, where agency staff often struggle to transition into new roles within the broader EU framework. Without institutional support for mobility, agencies risk high turnover, talent drain, and reduced motivation among employees.

The Current Landscape of Staff Mobility

The European Personnel Selection Office (EPSO) is responsible for selecting staff for EU institutions and agencies. While EPSO manages open competitions for

permanent positions, the selection of temporary agents is handled by individual institutions, leading to inconsistencies in mobility opportunities. Contract Agents, often recruited for specific tasks with limited contract durations, have even fewer career development prospects (EPSO).

Despite representing approximately 22% of total EU institutional staff, employees in decentralized agencies do not benefit from a structured mobility framework. The lack of interinstitutional coordination means that valuable expertise is often underutilized, and career stagnation is a significant risk for agency employees.

The absence of a clear reintegration strategy after a secondment or transfer further discourages participation in mobility programs. In contrast, within the European Commission, officials have access to structured mobility frameworks that provide rotational opportunities and cross-departmental transfers. This gap in opportunity highlights a fundamental imbalance that needs to be addressed to ensure equal career prospects across EU institutions.

Other global institutions, such as the UN and IMF, have dedicated inter-agency mobility policies that allow staff to transition seamlessly between positions within their respective organizations, ensuring continuity of expertise. The UN's Managed Mobility Framework, for instance, establishes systematic staff rotations across different duty stations, fostering career progression and institutional knowledge-sharing. Similarly, the IMF has adopted a structured approach to mobility, recognizing that internal career shifts strengthen workforce adaptability and reduce turnover.



CHALLENGES IN MOBILITY FOR AGENCY STAFF

Legal and Administrative Constraints

Legal and administrative constraints significantly impact the ability of agency staff to move across EU institutions. Article 50c of the Staff Regulations establishes a secondment framework, but it applies exclusively to Temporary Agents, leaving Contract Agents without structured mobility opportunities.

This differentiation creates an uneven playing field, where a significant portion of agency staff is denied access to career-enhancing opportunities. Agencies operate under varying legal and contractual frameworks, which complicates inter-agency transfers and results in inconsistent application of mobility policies. Unlike permanent officials in the European Commission, TAs and CAs do not have an automatic right to move between institutions, making career advancement within the EU framework more challenging.

In contrast, the World Bank's Talent Mobility Framework integrates short-term assignments, job swaps, and career rotations as part of its workforce development strategy, ensuring career progression without bureaucratic roadblocks. The ECB also has cross-functional mobility programs, where employees can apply for temporary positions in different departments or agencies, thus broadening their expertise and career prospects.

Lack of a Coordinated Mobility System

The absence of a coordinated mobility system is another major obstacle. There is currently no centralized platform that facilitates secondments and short-term transfers between agencies and institutions. As a result, mobility is often handled independently by each agency, creating bureaucratic inefficiencies and limiting transparency. Since there are no common selection criteria for mobility programs, staff members may find themselves at a disadvantage depending on the policies of their agency of employment.

Reintegration Challenges and Institutional Reluctance

Reintegration after a secondment remains a persistent issue. Many staff members who take part in secondments struggle to return to their home institutions due to a lack of structured reintegration pathways. Agencies may be reluctant to approve secondments in the first place, fearing the loss of experienced personnel without a guarantee of return.

Consequently, many seconded staff choose to pursue external opportunities rather than reintegrate, leading to an institutional brain drain and a loss of valuable expertise. A lack of incentives for reintegration further compounds the issue, as agencies fail to prioritize welcoming back employees with enhanced skills and experience.

By contrast, the UN has a well-defined reintegration mechanism, ensuring that seconded staff have clear career pathways when returning from temporary assignments. The IMF similarly encourages internal mobility while safeguarding staff continuity through structured transition plans.

Recommendations for an Improved Mobility Framework

To create a fairer and more structured mobility system, a centralized reserve list database should be established to track eligible staff for secondments and short-term transfers. This database would improve transparency and efficiency by allowing decentralized agencies to better manage mobility applications.

By consolidating existing mobility initiatives under one structured system, the EU could enhance coordination and accessibility for all staff members. The integration of mobility features into Sysper would modernize the EU's HR management system by enabling staff to indicate mobility preferences, apply for opportunities, and track assignments digitally. This enhancement would streamline mobility processes, improve transparency, and ensure faster, more efficient responses to workforce needs across EU institutions.

Additionally, the Staff Regulations should be revised to extend Article 50c beyond Temporary Agents and allow Contract Agents access to secondment opportunities. Clear reintegration mechanisms should be established to ensure that staff returning from secondments can seamlessly transition back into their home institutions.

A unified mobility portal should be created to serve as a single access point for internal job postings and secondment opportunities across all EU institutions. Learning from mobility models in institutions such as the World Bank, which has established a structured mobility and reintegration framework, could serve as a valuable reference for EU agencies.

The ECB's cross-functional career pathways should also serve as a template for the EU. Encouraging structured job rotations across agencies, rather than limiting them to individual departments, would not only enhance career mobility but also improve cross-agency collaboration and institutional efficiency.

Bringing It All Together: A Vision for EU Staff Mobility

The lack of structured mobility for agency staff is a pressing concern that affects workforce motivation, retention, and institutional efficiency. Without immediate action, EU institutions risk losing valuable talent to external organizations while failing to utilize existing expertise effectively.

Structured secondments and short-term transfers should be prioritized as a right rather than a privilege, ensuring fair career progression across EU institutions.

By implementing these measures, EU agencies can cultivate a workforce that is both dynamic and well-integrated, ultimately contributing to the efficiency and credibility of the European Union as a whole. Adopting best practices from institutions like the UN, IMF, ECB, and World Bank can serve as a guiding framework to improve internal career mobility within EU agencies.

Further Reading

- European Court of Auditors Report on Workforce Planning: [ECA Report on A flexible employment framework, insufficiently used to improve workforce management](#).
- EURACTIV: Internal Mobility in EU Institutions: [EURACTIV Article on EU Agency Staff Mobility](#).

Existing Initiatives to Promote Inter-Agency Mobility in EU Institutions

Overview of existing programs designed to facilitate staff mobility, highlighting their scope, effectiveness, and areas for improvement:

Inter-Agency Job Market

The Inter-Agency Job Market is a dedicated platform that enables agency staff to explore and apply for vacant positions across different EU agencies. This initiative was designed to facilitate career development, support knowledge transfer, and increase collaboration among institutions. However, despite its potential, the platform lacks mandatory participation from all agencies, resulting in inconsistent adoption. Staff members often find limited opportunities listed, as not all agencies actively contribute to the system. A stronger commitment from EU institutions to expand this job market could significantly enhance mobility for agency employees.

Contract Agent 3a Job Market

The Contract Agent 3a Job Market specifically facilitates mobility between Executive Agencies and the European Commission. This initiative allows contractual employees to explore and transition into new roles without requiring an external hiring process. While this system is beneficial, it remains restricted to Executive Agencies, leaving many Contract Agents in decentralized agencies with no structured pathway to career advancement.



Moreover, the effectiveness of this initiative has been questioned, as a recent assessment revealed that only four job openings were available on the platform, raising concerns about its reach and practicality. Additionally, the platform primarily caters to Brussels-based positions, potentially limiting accessibility for Contract Agents stationed in other locations.

Marie Skłodowska-Curie Actions – Staff Exchanges

The Marie Skłodowska-Curie Actions – Staff Exchanges program is a well-established initiative within the EU's research framework. It funds temporary mobility for seconded staff for periods ranging from one month to one year, facilitating skill development and collaboration among researchers across EU institutions. While fostering international collaboration, the program faces criticism for its limited funding, resulting in a low success rate (16%), and a complex application process that challenges smaller institutions.

Additionally, administrative hurdles in managing secondments and reintegration disrupt career continuity. Its narrow focus on research personnel excludes administrative and policy professionals who could also benefit.

Internal Mobility Programs in the European Commission

The European Commission offers structured internal mobility programs that allow permanent officials to rotate across departments and services. This system ensures

that staff members gain diverse experience and that institutional knowledge is shared efficiently.

However, these programs do not extend to Temporary Agents and Contract Agents in decentralized agencies, creating a disparity in career development opportunities. Integrating agency staff into these internal mobility programs could address this gap and provide equal career progression opportunities.

While several initiatives exist to support inter-agency mobility within EU institutions, many of them remain restricted in scope, participation, and accessibility. The Inter-Agency Job Market and Contract Agent 3a Job Market provide some career mobility options, but they are not universally adopted across all EU agencies. The Marie Skłodowska-Curie Actions – Staff Exchanges program serves as an effective mobility model, but it is currently limited to research personnel.

Lastly, the European Commission's internal mobility programs offer valuable opportunities, but they remain inaccessible to Temporary and Contract Agents in decentralized agencies. A more inclusive and structured mobility framework would strengthen workforce retention, institutional efficiency, and career development across the EU's decentralized agencies.



ISIDOROS TSOUROS

With over 25 years of experience as a legal professional, he has had a distinguished career, being elected as the President of a Greek Law Bar Association on two occasions. In 2022, he was elected to the USB Executive Committee as a representative from the Agencies Section. Since May 2024 he is the Chair of the EUAA Staff Committee.

This article reflects his trade-union perspective and is written in that capacity.



TELEWORKING OUTSIDE THE PLACE OF EMPLOYMENT:

AN OPPORTUNITY FOR CHANGE?

By Union Syndicale Bruxelles

Teleworking Rules and the Need for Change

Teleworking has reshaped the modern workplace, providing employees with greater flexibility while simultaneously raising concerns about fairness, accessibility, and the structure of professional environments. Within the European Union institutions, however, teleworking outside the designated place of employment remains a contentious issue.

[The 2022 Commission Decision on working time and hybrid work](#) allows up to three days of telework per week at the place of employment but restricts remote work outside this location to a mere ten days per year, with only a few exceptions. This limitation has led to frustration and dissatisfaction among staff, particularly those with long-term family and personal obligations outside the place of employment.

Union Syndicale, in response to these concerns, has gathered insights from nearly 200 affiliates, conducted extensive staff consultations, and carried out an internal survey. The findings underscore both the advantages and challenges of teleworking, highlighting an urgent need for policy reform.

The Benefits and Challenges of Teleworking

Based on our internal survey, employees value the autonomy that remote work provides, allowing them to better manage daily responsibilities such as childcare, personal errands, and home maintenance. The reduction in commuting time enhances focus and efficiency, and many find it beneficial to be able to work during mild illnesses without taking sick leave. Additionally, telework offers an escape from open-plan offices and hot-desking, which many find disruptive to their productivity.

Despite these benefits, teleworking presents certain drawbacks. Many employees report experiencing social isolation due to a lack of daily interaction with colleagues, which can weaken team cohesion and make the integration of new staff more difficult.

Another common issue is the blurring of professional and personal time, with work frequently extending into evenings and weekends. Additionally, employees bear the financial burden of increased household costs such as electricity, heating, and internet, without reimbursement.

Challenges in online collaboration also persist, as hybrid meetings are sometimes regarded as less effective than in-person discussions. Yet, despite these concerns, most employees support maintaining and improving telework arrangements, particularly in relation to working from locations outside the place of employment.

Teleworking Outside the Duty Station

The restrictions on teleworking outside the duty station disproportionately impact staff with cross-border family obligations. The personal sacrifices required under the existing rules force many employees into difficult choices between uprooting their families or enduring costly and exhausting travel between countries.

In the agencies, for example, contracts are generally temporary, leaving hard choices between relocating children in the short term to a new school at the place of employment or keeping them where they are. This situation can be even more challenging in the absence of a European school or suitable school places.

For some staff, the unfortunate reality of family separation can lead to lives being spent between different countries. This situation can be further compounded for women as traditional norms continue to place a disproportionate burden of caregiving responsibilities on their shoulders.

Consequently, tight limitations on telework outside the place of employment make a career in the EU less appealing to parents, especially those who cannot, for whatever reason, bring their family with them. Many staff members are left torn between two countries, frequently traveling on weekends at significant financial and environmental costs.

For [women in particular](#), greater flexibility to telework outside the place of employment could support them to



balance work and personal obligations more effectively, and subsequently [improve opportunities for career progression](#).

Moreover, existing staff may find themselves in equally challenging circumstances. Some employees posted in geographically remote locations find these limitations particularly challenging due to the lack of suitable transport options and distances involved.

Furthermore, younger generations are more discerning in their choice of employer, seeking attractive workplace arrangements over other priorities, which may have been of greater importance to older generations when teleworking was simply not available. Again, restrictive conditions for telework outside the place of employment make a career in the EU less appealing, especially when better conditions can be found elsewhere.

For all the reasons outlined above, the current approach which limits telework outside the place of employment to 10 days per annum lacks the compassion and flexibility necessary to accommodate these realities. The rigid policy dissuades potential candidates from seeking employment in EU institutions, especially those applying from Member States which are geographically distant from the place of employment. Ultimately, the current framework risks undermining workforce diversity, potentially leading to underrepresentation of certain nationalities.

Union Syndicale Position for Greater Flexibility of Teleworking

Union Syndicale is advocating for a fairer and more adaptable telework policy that reflects the realities of the modern workforce. Survey results indicate strong support for increasing the number of allowable telework days outside the place of employment, expanding the criteria for exceptions to better accommodate personal and family obligations, reducing bureaucratic hurdles in obtaining telework approval, and ensuring financial fairness by considering support for increased home office costs.

To maintain a productive and diverse workforce while ensuring institutional efficiency, several key reforms should be considered. Policies should be aligned with contemporary workforce expectations, allowing more remote work opportunities outside the primary place of employment.

Telework policies should also be designed to accommodate diverse needs, including those of working parents and expatriate employees. To address social and professional isolation, structured in-person collaboration days should be introduced, along with improved digital communication tools. Additionally, reimbursement for home office costs would help distribute financial burdens more equitably.

Regular monitoring and evaluation of policy effectiveness through continued engagement with staff and trade unions will be essential to refining telework regulations over time.

The landscape of work has fundamentally changed, and EU institutions must recognize this shift by adopting policies that promote fairness, inclusivity, and efficiency. Greater flexibility in teleworking outside the duty station will ensure a diverse, motivated, and productive workforce while upholding the EU's commitment to equitable employment practices.

Union Syndicale remains committed to advocating for these necessary reforms and engaging with the administration to achieve meaningful change. The future of work is here—now is the time to shape it to benefit all employees.

“Union Syndicale remains committed to advocating for these necessary reforms and engaging with the administration to achieve meaningful change. The future of work is here—now is the time to shape it to benefit all employees.”

PENSIONS – MINIMUM VITAL

COMMENT TRANSFORMER UN FILET DE SÉCURITÉ EN PIÈGE

Par Vassilis Sklias et Michel Weiser

La **pension d'ancienneté** est une des branches de la Sécurité sociale, qui vise à permettre aux gens de récolter les fruits de leur travail une fois qu'ils ne seront plus en activité. En guise de « filet de sécurité », elle comporte aussi un mécanisme conçu pour garantir, le cas échéant, une pension meilleure que celle calculée sur le parcours de carrière du travailleur et visant à prémunir les plus faibles contre le risque de se retrouver dans le besoin : il s'agit de la **règle du minimum vital**.



Le régime de pensions des institutions de l'UE (RPIUE) trouve sa base juridique dans le statut des fonctionnaires. Pour la pension d'ancienneté, la porte d'entrée **incontournable** est **l'article 77** du statut. Celui-ci prévoit deux modes alternatifs de calcul de la pension :

- l'un (2e alinéa) fondé sur l'accumulation des annuités (y compris celles provenant d'un transfert) et le dernier traitement de base ;
- l'autre (4e alinéa), avec comme unique variable les années de service : $4\% \times [\text{minimum vital}] \times [\text{années de service}]$, le minimum vital étant défini comme le traitement de base d'un AST 1/1.

Les deux calculs seront faits obligatoirement lors de la liquidation des droits à pension en vue de la mise à la retraite, même si le 4e alinéa affecte seulement les bas salaires et les courtes carrières AST. C'est le meilleur des deux résultats qui définira le montant de la pension.

Or, au moment critique, où l'intéressé doit décider **de transférer ou pas** ses droits acquis sous un régime national vers le RPIUE, **l'article 77 a été contourné** ! Son 4e alinéa a été perdu de vue. Transférer ou pas est une « **faculté** » que le statut réserve à l'intéressé. Or, l'administration s'est placée uniquement dans l'hypothèse du 2e alinéa en atterrissant directement sur les modalités du transfert. Dans certains cas, elle a même explicitement conseillé le transfert. Ce qui a entraîné illico la perte de la pension nationale.

Ici commence le calvaire pour tous ceux qui n'ont pas été informés en temps utile par le service compétent de **l'existence** de la règle du minimum vital. « En temps utile » signifie : avant de signer « pour accord » la proposition de transfert IN qui leur était adressée par l'administration.

Le nouvel arrivant, souvent d'un niveau d'enseignement modeste dans les cas qui nous intéressent, aurait dû connaître le statut, contrairement aux fonctionnaires du service compétent, qui, sous le poids de leur charge de travail, n'ont pas ... trouvé le temps de les informer de **l'existence** même de la règle du minimum vital.

Comme si l'ignorance de l'existence de la règle du minimum vital ne suffisait pas, le libellé des lettres officielles de l'administration venait enfoncer le clou de la confusion : « **la bonification en annuités de pension à laquelle ce transfert vous donnerait droit** » ou encore : « Ces annuités de pension seront **portées au crédit de votre compte auprès du régime de pension de l'Union** ».

Le lecteur de ces lettres pouvait-il en déduire que cette « bonification » a existé au moment du transfert, sans aucune garantie qu'elle se reflète aussi sur sa pension au moment de sa liquidation ? En réalité, il existe bien des « annuités bonifiées » (à l'entrée) « non prises en compte » (lors de la liquidation).

Il s'agit d'un cas flagrant de **faute de service** et d'**engagement de la responsabilité de l'Union** : un chemin semé d'embûches procédurales et déshonorant pour l'institution. La recherche de remèdes s'est néanmoins orientée vers une voie de recours – en théorie du moins

– non conflictuelle et non liée à une illégalité ou à une faute dans le comportement de l'institution, mais à l'idée que l'Union s'est **enrichie sans cause** au détriment du patrimoine de celui qui a transféré. À savoir que, puisque l'Union s'était approprié le capital que les intéressés avaient transféré IN sans fournir de contre-prestation, elle devait restituer ce capital.

La jurisprudence en la matière **a connu une éclaircie, pour se replonger immédiatement après dans le noir.**

L'arrêt Barroso Truta, un grand bond en avant, resté isolé

Dans notre publication **Transfert des droits à pension : explications** (<https://unionsyndicale.eu/transfert-des-droits-a-pension-explications/>) du 8 janvier 2019, nous avons présenté l'évolution jusqu'à l'arrêt du Tribunal (chambre des pourvois) du 18 septembre 2018, [affaire T-702/16 P](#), Barroso Truta e.a. / Cour de justice.

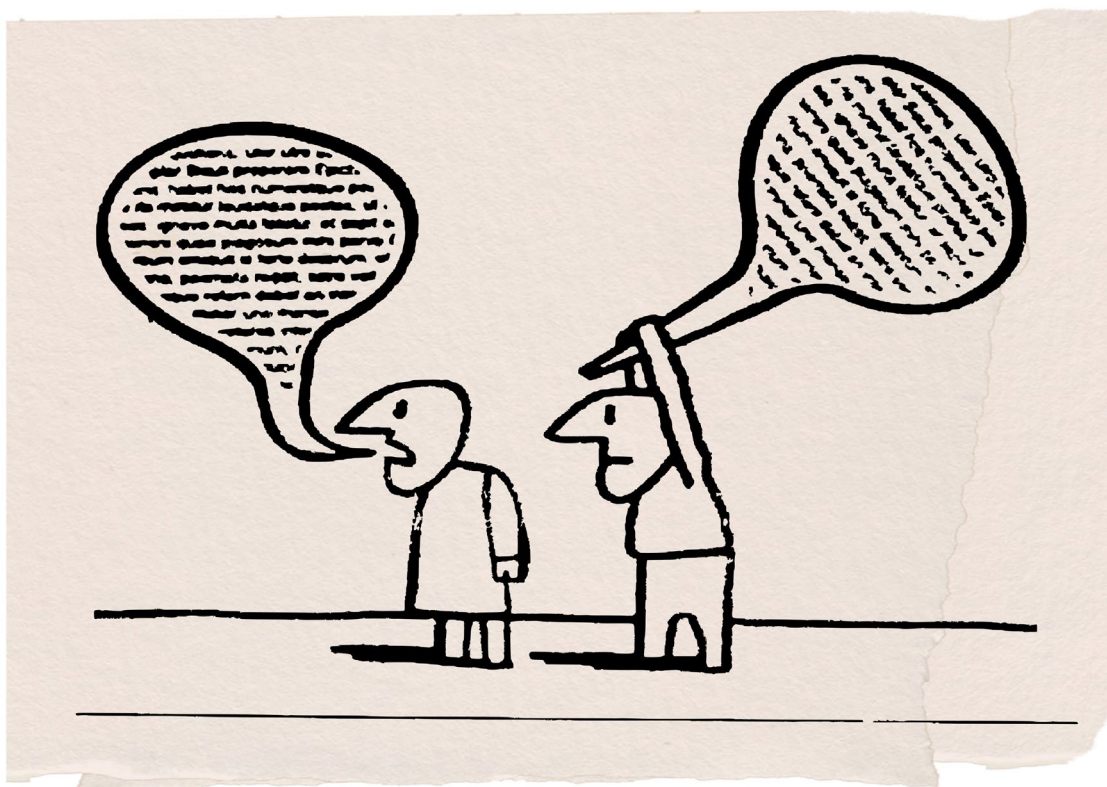
Un arrêt de principe, un arrêt qui a défriché le terrain. Hélas! le terrain défriché est retombé par la suite en friche.

Deux philosophies diamétralement opposées

Pour comprendre la nature de cette saga judiciaire, il faut remonter aux principes et aux valeurs qui sous-tendent les deux tendances en présence.

A. Une filière de la jurisprudence converge dans le sens de garantir que les droits à pension acquis tout au long du parcours professionnel, dans le système de l'UE et dans des régimes nationaux, **de la personne se reflètent dans sa (ou ses) pension(s).**

1. Le système de transfert des droits à pension a été instauré en faveur des fonctionnaires ou agents, afin de garantir ainsi à l'UE les meilleures possibilités de choix d'un personnel qualifié ([arrêt Commission / Belgique, 137/80](#)). Un transfert voué à se retourner en défaveur de l'intéressé est contraire à la finalité du système.
2. En l'absence de transfert, les années de travail accomplies dans une institution européenne sont ajoutées aux annuités acquises dans un régime national, afin **d'ouvrir le droit** à une pension nationale, qui sera calculée au prorata de la période d'affiliation au régime national ([arrêt My / ONP, C-293/03, ordonnance Ricci et Pisaneschi / INPS, C 286/09 e.a.](#)). Donc, les annuités non transférées ne sont jamais perdues.
3. [Dans l'arrêt Kristensen / Conseil, aff. jointes T-103/98 e.a.](#), étant donné que les annuités bonifiées lors d'un transfert IN ont été plafonnées sur la période d'affiliation effective, la partie du capital non bonifiée devait être reversée à l'intéressé sous forme d'excédent pécuniaire. À la différence de cette affaire, où l'enrichissement sans cause en faveur de l'Union est immédiatement quantifié



et remboursé, dans les affaires Barroso Truta et suivantes, l'enrichissement ne peut être quantifié avec précision que lors de la liquidation des droits à pension de l'intéressé. En réalité, un simple décalage dans le *timing*.

La règle instaurée par l'arrêt Kristensen, fondée sur **le principe commun aux ordres juridiques des États membres d'interdiction de l'enrichissement sans cause**, qui est applicable même sans être prévu aux traités, s'est par la suite cristallisée dans les Dispositions générales d'exécution (DGE) des institutions. L'arrêt Barroso Truta a suggéré qu'une disposition dans le même esprit soit adoptée pour couvrir des cas comme ceux en litige.

B. Le courant opposé est celui qui nie la vision globale des droits à pension et se cantonne dans l'enceinte de la défense du budget de l'UE.

Alarmisme budgétaire, brandissant entre autres le risque d'ouvrir la boîte de Pandore à ceux dont les droits à pension ont dépassé 70% de leur traitement de base. Une revendication hypothétique non défendable, puisqu'aucune erreur ne saurait être excusée quant à la connaissance de l'existence du plafond de 70%.

La devise *DON'T PAY* s'est érigée en principe pseudo-juridique et ceux qui revendiquent leurs droits ont été vus comme des profiteurs. Les victimes de l'incompétence, parfois même de la malveillance, des responsables, ne se

remettront jamais du traumatisme de la spoliation subie en donnant une signature par laquelle le produit de leur travail est parti en fumée.

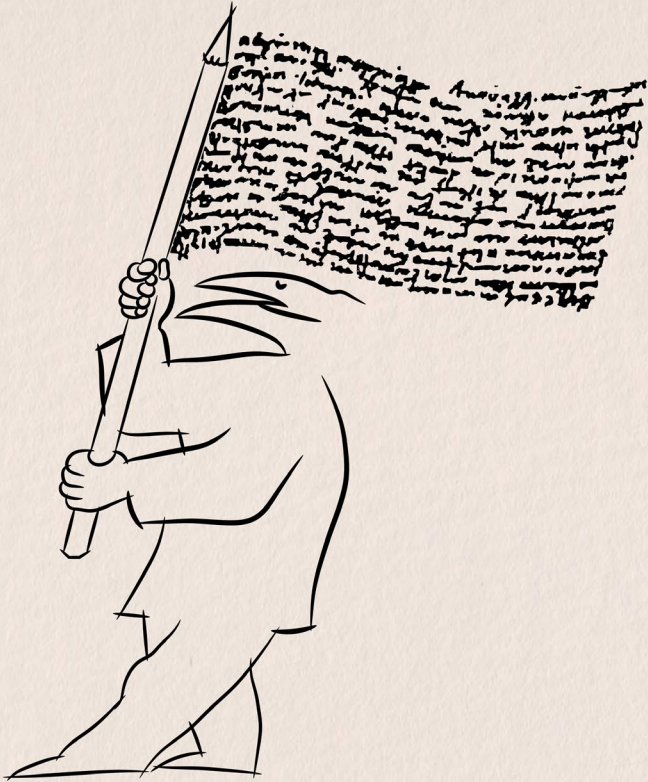
Si les intentions des cerbères du budget sont ostensibles, c'est **la méthode** de démolition de l'arrêt Barroso Truta qui est la plus pernicieuse. Il ne s'agit pas là d'un simple revirement de jurisprudence. Le changement du sens des mots **sape** l'arrêt lui-même et d'autres affaires de la jurisprudence, en court-circuitant, en plus, l'interprétation et l'application de dispositions du statut et des DGE, de façon à priver le cadre juridique de sa clarté pour devenir une Tour de Babel.

Le passage « la **partie** du capital de ses droits à pension nationaux transféré vers le régime de pensions de l'Union dont **il ne sera pas tenu compte** lors de la liquidation des droits à pension » a, paraît-il, pris le sens de 'morceaux' de droits à pension qui, lors du transfert, sont tombés à la trappe.

Or, si jamais il y avait eu une erreur ou une omission, les pensions peuvent être révisées à tout moment d'office (art. 41, annexe VIII). Une fois qu'il n'y a pas eu d'erreur ou d'omission, l'école *DON'T PAY* considère que tout est en ordre et qu'il n'y a rien à rembourser. Si les calculs ont été faits conformément aux règles en vigueur, le montant transféré IN a, selon eux, bien été « pris en compte » au titre du 2e alinéa, même sans avoir eu aucun effet sur la pension, qui a été fixée sur la base du 4e alinéa.

La saga des transferts à fonds perdu n'est pas terminée. Des victimes de l'incurie de l'administration découvrent, parfois avec un grand retard, la spoliation qu'ils ont subie. Les institutions doivent payer !

Avec retard, la Commission a attiré, sur son site My IntraComm, l'attention sur l'existence de la règle du minimum vital. Si la règle du minimum vital est inspirée de nobles intentions, le mécanisme de sa mise en œuvre appelle une réflexion à la même hauteur.



La devise *DON'T PAY* s'est érigée en principe pseudo-juridique et ceux qui revendiquent leurs droits ont été vus comme des profiteurs.



VASSILIS SKLIAS

Secrétaire-général EPSU-CJ et
membre du comité fédéral USF



MICHEL WEISER

Membre d'EPSU-CJ



LA PRÉCARITÉ À L'OFFICE EUROPÉEN DES BREVETS (OEB) : UNE MISE À JOUR

Par Roberto Righetti

Développements récents à l'OEB: La précarité semble être là pour durer !

En 2022, j'ai écrit un article pour Agora 87 sur [la précarité de l'emploi à l'OEB](#), soulignant les préoccupations et les problèmes auxquels le personnel était confronté. Après plus de deux ans, il est temps de voir comment les choses ont évolué à l'OEB et comment la direction a répondu à ces préoccupations et à ces problèmes. Des contrats à durée déterminée ont été introduits pour tous les nouveaux membres du personnel qui rejoignent l'OEB depuis le 1er avril 2018. Les données citées ci-dessous proviennent des rapports sociaux accessibles au public, dont l'édition la plus récente comprend des données exactes au 31 décembre 2023.

Comment les choses ont-elles évolué depuis 2022 ?

Avec le niveau réduit de recrutement actuellement en vigueur, ce qui signifie que le taux de remplacement est inférieur à 1:1, il est difficile de quantifier l'impact sur la capacité de l'OEB à recruter depuis l'introduction des contrats à durée déterminée. Les données disponibles (voir le graphique 1 ci-dessous) montrent clairement que l'âge moyen des recrues augmente, ce qui peut avoir un certain impact sur le passage aux contrats à durée déterminée. En outre, le nombre de nouvelles recrues titulaires d'un doctorat reste élevé (plus de 60 %).

Récemment, l'Office a également modifié sa politique linguistique en n'exigeant plus que la connaissance d'une des trois langues officielles lors du recrutement, afin d'augmenter le nombre de candidats potentiels. Toutefois, il semble que les collègues qui ne connaissent qu'une seule langue officielle ne soient que rarement recrutés.

Quel est actuellement le pourcentage de personnel non permanent à l'OEB ?

Le pourcentage de personnel non permanent par rapport aux postes budgétés est passé de 5,44% en 2022 à 7,14% en 2023, et devrait encore augmenter en 2024.

Ce chiffre ne tient pas compte des jeunes professionnels, car le Bureau ne les comptabilise pas dans la limite de 20 % du personnel non permanent par rapport aux postes budgétisés. Le nombre de postes budgétisés est de 7075 depuis 2018, bien que le nombre réel d'agents ait chuté à 6275 en 2023. Par conséquent, le pourcentage de personnel

non permanent par rapport au personnel (c'est-à-dire les postes pourvus) est nettement plus élevé, à savoir 10,5 % à la fin de 2023.

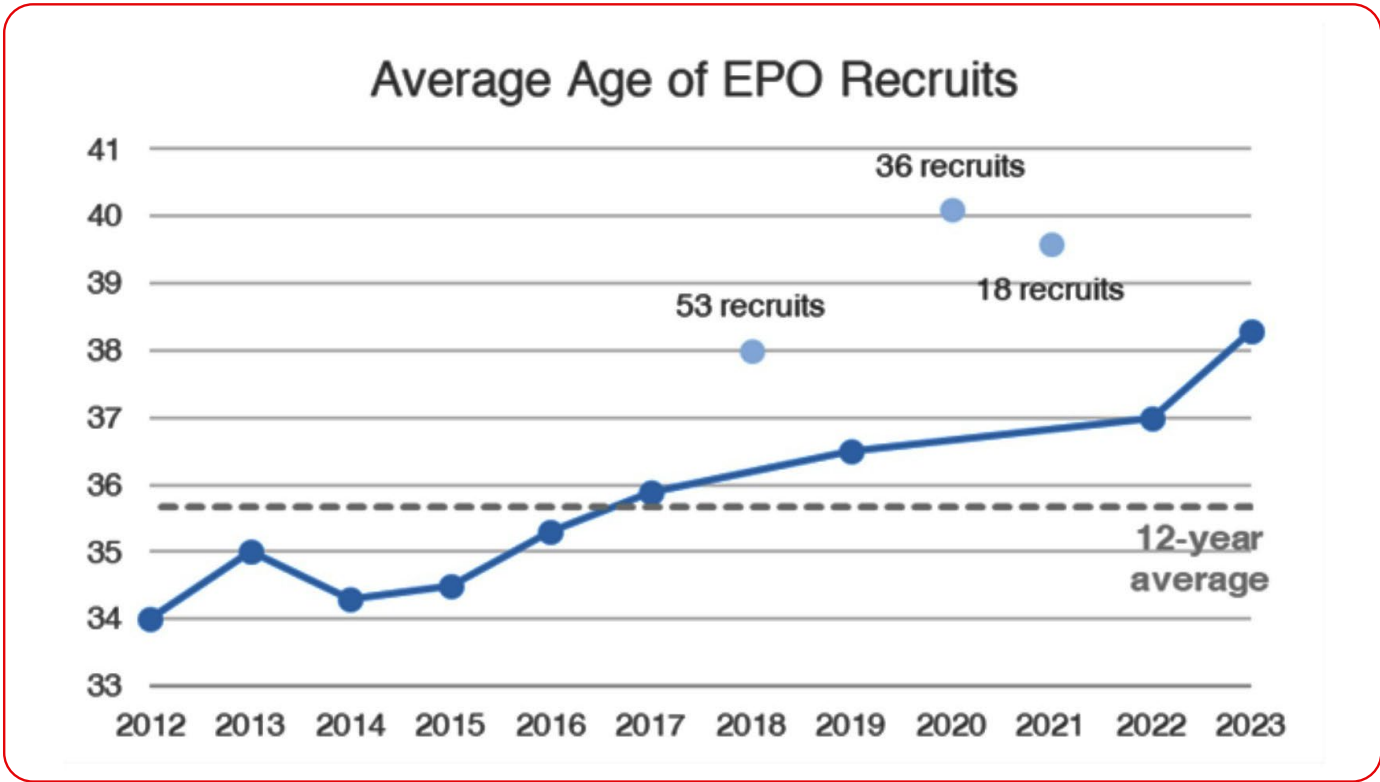
Qu'est-il advenu des propositions faites par la Représentation du personnel en 2022/2023 ?

(Limitation de la durée maximale des contrats de 10 à 5 ans, délai de préavis d'un an, critères clairs de prolongation et de conversion, équilibre entre les intérêts du personnel et ceux de l'OEB, égalité de traitement).

Le président de l'OEB a accepté de mettre en œuvre la période de préavis d'un an, mais a refusé de réduire la durée maximale des contrats de 10 à 5 ans, malgré les arguments liés aux limites légales nationales des contrats à durée déterminée dans les États d'accueil, ou le fait que dans des conditions de recrutement 1:1, la limite de 20 % du personnel sous contrat à durée déterminée serait atteinte avant la période de 10 ans. Aucun progrès n'a été réalisé en ce qui concerne l'équilibre entre les intérêts du personnel et ceux de l'OEB ou l'égalité de traitement.

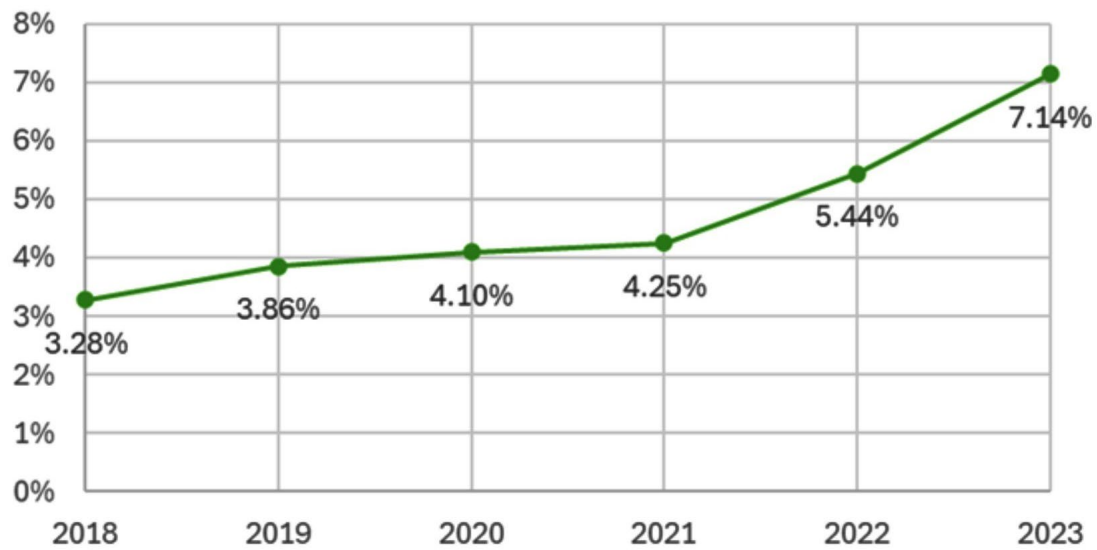
Les critères d'extension et de conversion des contrats étaient censés être améliorés par l'introduction d'une nouvelle circulaire 405, mais on peut se demander si cette circulaire a clarifié davantage les choses.

Le groupe de travail comprenant la direction et la représentation du personnel sur les conditions d'emploi n'est plus actif, mais il y a un intérêt à relancer le sujet et à maintenir la question d'actualité.



Graphique 1

Non-permanent staff/budgeted posts



Graphique 2

Qu'en est-il des autres membres du personnel non permanent ?

(Jeunes professionnels, personnel informatique, externes)

Il n'y a pas de données accessibles pour le personnel externe tel que les informaticiens, et nous ne pouvons donc pas suivre l'évolution des chiffres. En ce qui concerne le nouveau programme des jeunes professionnels, un type de programme de stage/formation pour les jeunes diplômés, l'Office tire pleinement parti de cette possibilité.

Plus de 100 personnes sont recrutées chaque année, et environ 2/3 du groupe voient leur contrat prolongé de la première année à la deuxième et à la troisième année, alors que l'Office estimait initialement ce chiffre à 30 %.

Ces membres du personnel ont souvent le niveau d'éducation requis pour être recrutés en tant qu'examineurs ou autres membres du personnel et, à ce titre, la possibilité pour l'Office de les recruter dans ces fonctions, avant d'attendre l'achèvement du programme de formation complet de trois ans, devrait être envisagé.

Le taux de conversion des jeunes professionnels en employés sous contrat à durée déterminée est encore assez faible, seule une poignée des quelque 100 personnes qui entrent à l'Office chaque année effectuant la transition.

Défis actuels et futurs pour le personnel

Comme c'est le cas dans d'autres organisations, le personnel non permanent de l'OEB est confronté à des problèmes supplémentaires par rapport à ses collègues permanents.

Il s'agit notamment de la difficulté de fonder une famille avec un avenir inconnu, en particulier pour les femmes qui devraient prendre un congé de maternité prolongé qui pourrait être considéré comme ayant un impact sur leurs chances d'obtenir un contrat renouvelé ; une pression de production supplémentaire est exercée sur ces collègues qui ne se préoccupent plus principalement de leur capacité à progresser dans leur carrière, mais plutôt de s'assurer qu'ils conservent leur emploi avec une prolongation de contrat et une conversion éventuelle en contrat permanent.

La direction dispose ainsi d'un levier de pression beaucoup plus important que l'exercice de récompense ; difficulté pour ces collègues de s'exprimer, c'est-à-dire de faire appel, de rejoindre la représentation du personnel, d'adhérer à des syndicats et de participer à des actions, ou même de dénoncer le harcèlement managérial ou un comportement inapproprié.



Conclusions

Par rapport à il y a deux ans, la situation de l'insécurité de l'emploi à l'OEB a peu évolué. D'une part, des progrès mineurs ont été réalisés en ce qui concerne la période de préavis et les critères de prolongation/conversion des contrats, tandis que d'autre part, aucun progrès n'a été enregistré en ce qui concerne la limitation de la durée maximale des contrats à durée déterminée, l'équilibre entre les intérêts du personnel et ceux de l'OEB et l'égalité de traitement. Le personnel non permanent est toujours confronté aux mêmes problèmes et défis qu'en 2022. Le nombre d'agents sous contrat à durée déterminée est passé d'environ 5 % à 7 %, et il est supposé continuer à augmenter sans avoir créé de problème évident de recrutement jusqu'à présent. L'expansion rapide actuelle de l'utilisation de l'intelligence artificielle à l'OEB peut représenter un défi qui aura peut-être un impact important sur l'insécurité de l'emploi à l'OEB et, en fin de compte, sur le personnel.

SUEPO et la représentation du personnel suivent de très près l'évolution de la situation, afin d'aider le personnel non permanent à relever les défis auxquels il est confronté, et s'efforcent activement de rétablir un dialogue constructif avec la direction pour résoudre ce problème récurrent.



ROBERTO RIGHETTI

Membre du Bureau Fédéral USF et ancien
Membre du Bureau SUEPO-TH.



“WE DESERVE MORE STABILITY AND OPPORTUNITY”

A CONTRACT AGENT’S STORY

By Aleksandra Falcone

It all started when a friend casually suggested, “Why don’t you apply for a job in Torino? Check out the EPSO website!” At that moment, I had never even heard of an EU agency in Italy, and I certainly didn’t know what an agency was.

Even though I have experience working for EU services in the past, but it was not in Italy, and not with any agency. When I was called for my first interview, I felt a wave of scepticism. I caught the train to Torino with little hope, thinking, “There’s no way I’ll make it.”

The most unforgettable moment came during my second interview when I had been shortlisted. I had to beg my boss for half a day off, leaving Milan at 12:30 for a 14:00 interview. I was 15 minutes late. To my surprise, I was selected and the offer came on the very same day. And to add another twist, I also received news that my company was relocating to an Italian region bordering Slovenia.

By that time, I was faced with a life-changing choice: take a risk on a three-year contract with a nine-month probation period in EU Agency or stay in my-then-company. I chose the path of uncertainty, and it was one of the best decisions I've made. It felt like a new chapter. I was finally working for the European Union.

Fast-forward to my current role as a Contract Agent within an EU agency, it feels like it has always been part of me. Here I manage projects, oversee procurement, handle budget and data management, as well as support reporting and planning. Collaborating with teams from across the EU, its Member States, partner countries in the EU Neighborhoods, and international organizations has been a deeply enriching experience.

What I value most about my role is the supportive, multicultural environment. I work alongside people from diverse backgrounds, which fuels creativity and makes our shared commitment to the agency's goals feel even more

impactful. Despite being a Contract Agent, my contributions are valued, and I feel included in the team.

However, the limitations of my contract prevent me from being fully integrated, especially when it comes to long-term opportunities.

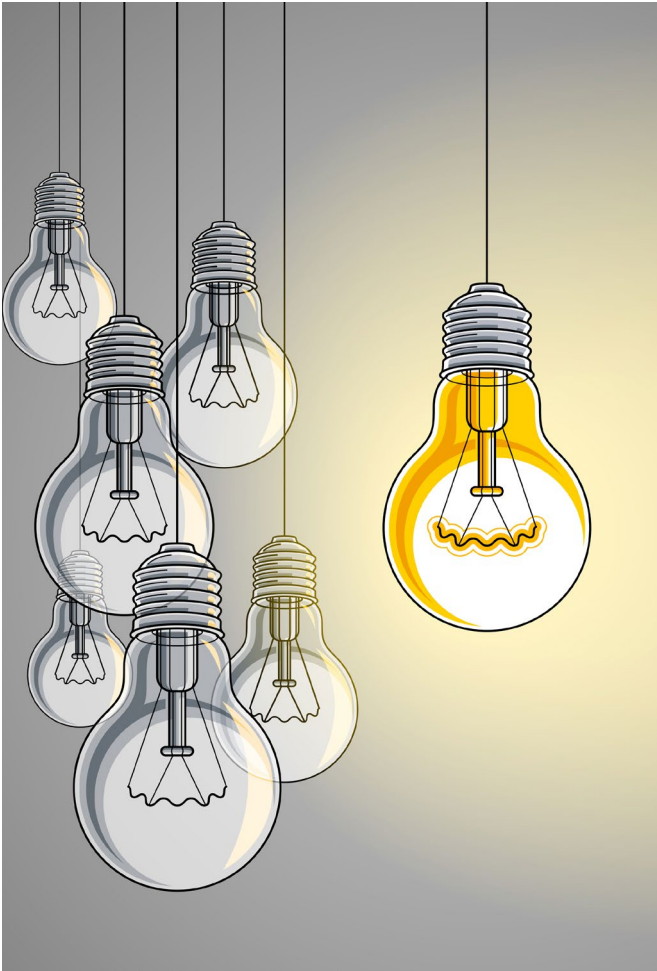
As much as I'm passionate about my work, the uncertainty of my temporary position has affected my personal life. The first six years of my contract were fixed-term, which created a lot of challenges, especially since I live far from my family.

Like many Contract Agents, I find myself struggling with job security and the lack of career progression. While I enjoy the work itself, it's hard to plan for the future when there's little assurance of long-term stability. The system only offers horizontal moves, with very few chances for higher positions like coordination or management roles.

To cope with the uncertainty, I've focused on continuous learning and adaptability. I've developed a plan for both my current role and potential options outside the EU framework, which helps to ease the stress. Still, the lack of long-term prospects makes personal milestones like buying a home or starting a family feel out of reach.

While there are some opportunities for Contract Agents to transition into permanent positions, the current system





should be significantly improved. If there were clearer pathways and less restrictive criteria for moving through the ranks, it would encourage greater job satisfaction and retention. For instance, removing function group restrictions and shortening the time required for promotion would help foster a sense of progress for people like me, who have years of experience and expertise. It's a frustrating reality that CAs can face years of stagnation despite their dedication.

Looking ahead, I'm still hopeful for the future, but the lack of internal and external career prospects has left me feeling less motivated. As time goes by, I see fewer and fewer opportunities for growth. Although I once felt optimistic about contract renewal, I now recognize the limitations that come with it.

I've always been interested in transitioning to a permanent role, ideally as a Temporary Agent, and I'm actively working to strengthen my skills and expand my network. However, the resources available for professional development are limited, especially when it comes to securing external missions, which would help in building the necessary experience. The system could benefit from more mentorship, clearer career advancement strategies, and additional networking opportunities to help Contract Agents make that leap.

In terms of advice for others considering a path like mine, I'd encourage them to invest in their professional

development, network widely, and get involved in cross-departmental projects. While the challenges are real, the work is impactful and offers the chance to contribute to a greater cause. But be prepared for the uncertainty and lack of long-term stability—this is a crucial aspect of the role that should not be overlooked. I would advise them to be fully aware of the temporary nature of the contract and the limited career prospects, as staying within the same agency for an extended period without sacrificing career progression is very difficult.

When I reflect on my own journey, I wish I had been better prepared for the limitations of temporary contracts. If I could go back, I would have sought more training and mentorship to help me navigate the complexities of the EU system, especially when it comes to competing for Official and Temporary Agent roles.

I continue to hold out hope for improvements, but I'm also exploring other career options that offer more stability and clearer progression, such as roles in the private sector, academia, or international organisations. Ultimately, it's about finding the right balance between personal aspirations and professional goals.

For those contemplating a similar path, I'd say this work is rewarding but comes with significant challenges. If you're willing to embrace the uncertainty and invest in your skills, it can be an enriching experience. But be realistic about the limited career advancement and be prepared to weigh your options for the future.

As for the new Commission, I'm not particularly hopeful that it will address the career progression challenges faced by Contract and Temporary Agents. However, I do hope that the Trade Unions and the EC Staff Committee will advocate for change. CAs shouldn't be the ones bearing the brunt of budgetary constraints due to geopolitical crises. We deserve more stability and opportunity.

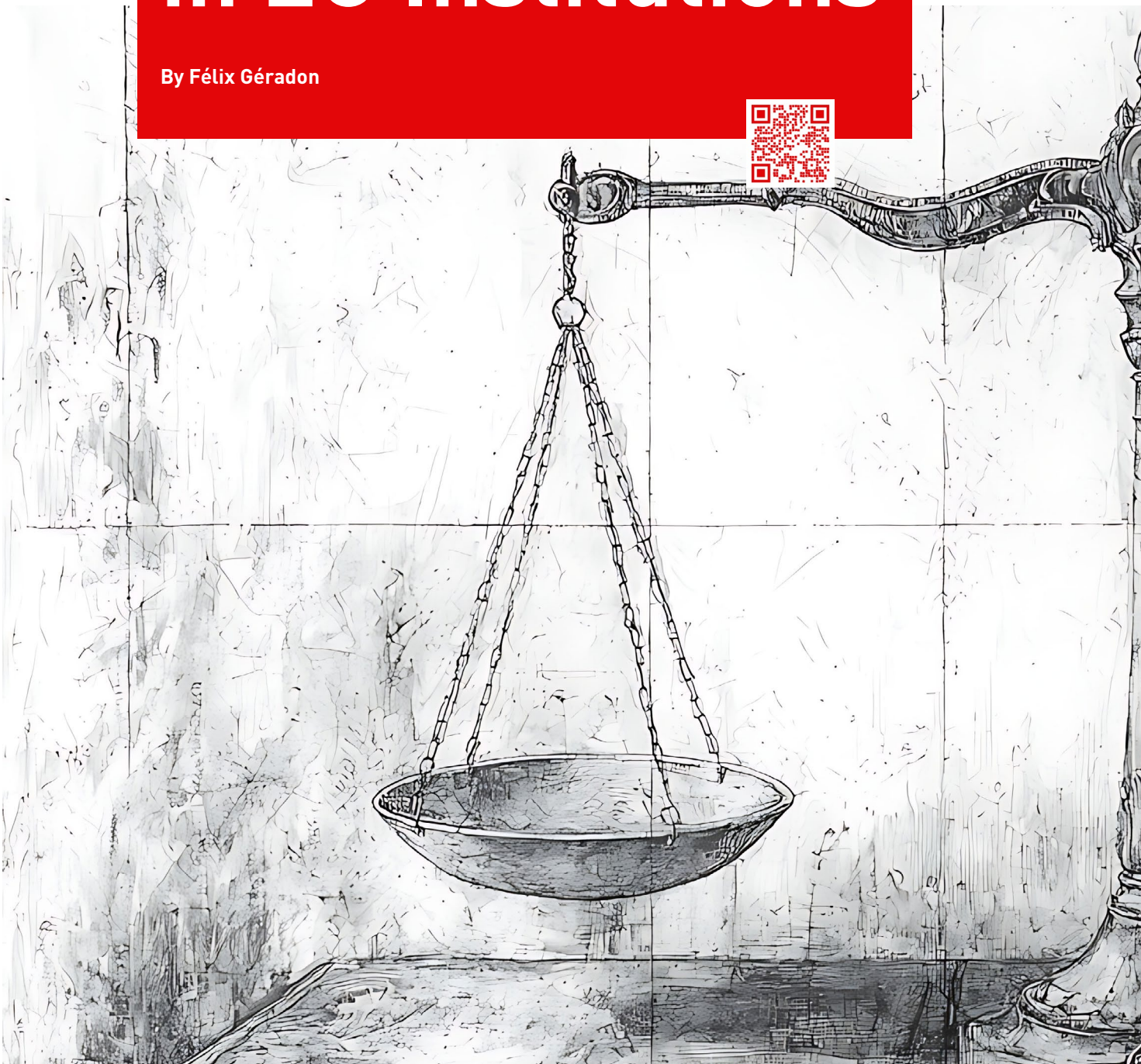


ALEKSANDRA FALCONE

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Impartiality in the Context of Precariousness in EU Institutions

By Félix Gérardon



In recent years, the issue of precarious employment within European Union institutions has garnered increasing attention. From contract agents and temporary staff to internal and external consultants, a growing share of the EU workforce operates under conditions of uncertainty, limited job security, and constrained career prospects. While much of the conversation around precariousness rightly focuses on the socioeconomic vulnerabilities it creates, an equally vital—yet often overlooked—dimension is its impact on the principle of impartiality.

Often viewed as a technical or procedural matter, impartiality takes on a far deeper significance when considered alongside the growing precariousness affecting many EU staff—be they contract agents, temporary staff, or officials facing unequal treatment. In this article¹, we return to a theme that is central not only to staff rights but to the very credibility of the EU institutions: **impartiality**.

As the cases presented in this issue clearly demonstrate, **impartiality is not always assured**. Whether in disciplinary proceedings, appraisal systems, or invalidity decisions, **the lack of structural safeguards and unequal power dynamics can undermine the fairness of internal processes**. And for those in more vulnerable positions, the consequences can be especially severe.

Union Syndicale has consistently raised these concerns—not only in legal terms, but in relation to the experiences of our colleagues. Impartiality is not just a principle written into the Charter of Fundamental Rights or the Staff Regulations. **It is a concrete obligation—a rule the institutions have set for themselves, and one they must uphold with consistency and accountability.**

Highlighting this theme now serves as a timely reminder to the institutions of their own commitments. The rule of law, ethics, and transparency must apply equally, regardless of contract type or status. **In a public administration, impartiality shall never be treated as a privilege; it is, and must remain, a foundational pillar of the European civil service.**

Through the legal rulings explored in this issue, we shed light on an essential truth: precariousness in EU institutions does not only concern contracts or job security—it has a direct impact on how justice is delivered, rights are protected, and trust in internal systems is maintained.

Impartiality is not separate from precariousness. It is one of its clearest—and most urgent—tests.

1. First published in Staff Matters Newsletter n° 25 in 2022



Impartiality and Staff Regulations

Art. 11 SR stipulates: “An official shall carry out his duties and conduct himself solely with the interests of the Union in mind. He shall neither seek nor take instructions from any government, authority, organisation or person outside his institution. He shall carry out the duties assigned to him objectively, impartially and in keeping with his duty of loyalty to the Union.”

Impartiality and Charter of Fundamental Rights

At the same time, every civil servant can rely on Art. 41 of the Charter of Fundamental Rights (Charter), because the institutions, bodies, offices and agencies of the Union are required to respect the right to good administration enshrined in Art. 41 of the Charter. According to Art. 41(1) of the Charter, each person has a right to have their affairs handled **impartially** (...) by the institutions, bodies, offices and agencies of the Union, including in matters relating to the management of civil service, such as the appointment, assessment, promotion and disciplining of staff.

What is Impartiality ?

Impartiality is a principle of general application in all administrative procedures. An infringement of the principle of impartiality is treated as an **infringement of the fundamental rights of the defence** and can lead to annulment of the administrative decision taken in breach of the right.

Impartiality extends to all areas of activity of the EU administration, including management of the civil service. The Court describes the content of impartiality in two manifestations: on the one hand a **subjective impartiality**, according to which no member of the institution concerned may show bias or personal prejudice, and, on the other hand an **objective impartiality** in the sense that the institution must provide sufficient guarantees to rule out any legitimate doubt as to any prejudice.

As the Court stated in Case *Wolff/Commission* the institutions have to comply with both components of the requirement of impartiality: subjective and objective. Whereas the Court of Justice applies a rather general concept of impartiality which is open to interpretation in its case-law, the Code of Good Administrative Behaviour of the European Ombudsman displays specific and particularly serious cases of lack of impartiality, such as conflicts of interest for personal, family, political or financial reasons.

The requirement of impartiality imposed on the institutions, bodies, offices and agencies in the exercise of their functions seeks to ensure the equal treatment. That requirement is intended, in particular, to avoid any conflict of interests of officials and other servants acting on behalf of the institutions, bodies, offices and agencies.

Given the fundamental importance of ensuring independence and integrity, both for the internal functioning and the outward appearance of the institutions, the requirement of impartiality



covers all circumstances in which the official or servant must reasonably see that, in the eyes of third parties, they may appear to be capable of impairing his/ her independence in that area. Where a number of EU institutions, bodies, offices or agencies are given separate responsibilities of their own in the context of a procedure that is liable to result in a decision adversely affecting an individual, each of those entities is required, in respect of its own activities, to comply with the requirement of objective impartiality.

Consequently, even where only one of them has breached that requirement, such a breach is liable to render the decision adopted by the other at the end of the procedure at issue unlawful. The general lines of this concept shall be illustrated by examples of impartiality in disciplinary proceedings, in proceedings of the invalidity committee and in the appeal procedure against an appraisal report.

Impartiality in Disciplinary Proceedings

The applicant in Case *UZ/Parliament*, a head of unit, filed an application against the disciplinary decision to downgrade her and to reset the promotion points to zero, for reason of alleged harassment. Several of her colleagues had filed complaints against her. She challenged the disciplinary decision on the basis of an infringement of her right of impartiality. A disciplinary procedure is divided in two distinct stages.

The first stage consists in an impartial administrative investigation followed by the drafting of an investigation report, and closed, after the person concerned has been heard on the facts alleged against him or her, by conclusions drawn from that report. The second stage consists in the disciplinary proceedings proper, initiated by the Appointing Authority on the basis of that investigation report, and consists either in the initiation of disciplinary proceedings without consultation of the Disciplinary Board, or in the matter being referred to that board, on the basis of a report drawn up by the Appointing Authority in the light of the conclusions of the investigation and of the comments submitted by the person concerned in relation to that investigation.

The Court found in that case that at the time of his appointment, an investigator had already met one of the complainants and could already have held a negative opinion of the applicant. This called into question the objective impartiality of the investigator.

Lack of impartiality is a procedural irregularity that can justify the annulment of a measure only if, had it not been for such an irregularity, the outcome of the procedure might have been different. Yet, no strict evidence is required here: the Court applies this criterion in the sense that **it cannot be ruled out** that, if the administrative investigation had been conducted with care and impartiality, that investigation might have resulted in a different initial assessment of the facts and, thus, led to different consequences. Particularly, an infringement of objective impartiality cannot be easily remedied, as

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it is likely to undermine the legality of the administrative procedure as a whole. Case *Wolff/Commission* was about the role of a rapporteur in an assessment committee. In its judgment, the Court refrained from examining whether or not the participation of a certain expert had influenced the decision adopted and instead confined itself to finding that there was a legitimate doubt as to objective impartiality, which could not be dispelled.

Similarly, in Case *Kerstens/Commission* an investigation leading to the disciplinary sanction of a reprimand was organised by a person who had already knowledge about the facts underlying the investigation before the procedure commenced. This raised legitimate doubts as to the objective impartiality of the investigation.

Impartiality in Proceedings of an Invalidity Committee

Case *McCoy* related to the decision-making of an invalidity committee. The applicant had doubts about the impartiality of the doctor appointed by the institution. These doubts were based on the fact that this doctor had already expressed an opinion unfavourable to him at a meeting of the invalidity committee at a time when no medical examination, much less the 'in-depth' medical examination could have been carried out. In addition, in this Case, the institution did not consult the summary medical report and the opinions of the three doctors on the invalidity committee in order to have a fuller picture of the file. The institution's decision (based on the

conclusions of the invalidity committee), which refused to recognise the occupational origin of the applicant's disease, had to be annulled by the Court.

Impartiality in The Appeal Procedure Against an Appraisal Report

In Case *Pethke/EUIPO* the Court treated the question whether a superior was an impartial appeal body for review of the appraisal report of a staff member, where the same superior had played an important role in setting up the respective appraisal report before, as of reporting officer. Prior knowledge of facts alone does not make a person partial. For example, reporting officers cannot be regarded as being biased and non-objective solely because as superiors they are involved in the professional activities of their staff. Quite the opposite, it is rather that involvement that enables them to give the most appropriate assessment of the activities of the staff member.

Here, however, the applicant's former superior, in charge during three quarters of the period in question, was instrumental for drawing up the respective assessment. The fact that he decided again in the internal appeal procedure raised doubts as to his impartiality as appeal assessor.

The Court decided on this that the obligation of impartiality constitutes a fundamental guarantee which must be respected, since otherwise the staff member would be deprived of his effective right to a genuine review. This is also important with a view to the functionality



of an institution: an internal appraisal review procedure can contribute to the objectivity of the assessment and thus prevent litigation.

In more general terms, the Court held in Case CJ/ECDC that an appeal assessment must not be entrusted to a hierarchical subordinate of the reporting officer. The staff member who challenges his appraisal report must be sure that a genuine review will be carried out. That presupposes that the appeal assessor is able to assess freely the merits of the staff member's complaint and, where appropriate, uphold it by calling into question the reporting officer's appraisal. It is doubtful whether that would be the case where an appeal assessor who is hierarchically subordinate to the reporting officer and who is, therefore, himself assessed by the reporting officer conducts the appeal.

Impartiality as a Charter Right that also Obliges Staff

The Court regularly bases the right to an impartial procedure on both the obligation of officials to act impartially (Art. 11(1) SR) and on the fundamental right to Good Administration stipulated in Art. 41 of the EU Charter of Fundamental Rights. That deduction is of special importance because it implies the obligation of the superior of the staff member towards his colleague as bearer of the right. The superior is bound by and the staff member can rely on the Charter right despite the internal administrative nature of the dispute.

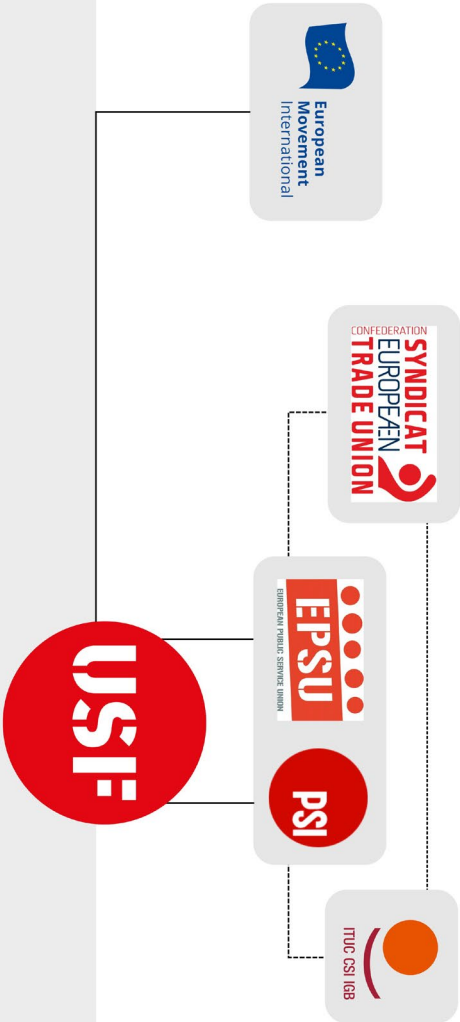
Procedural Guarantees and The Margin of Discretion

As mentioned in the beginning of this article, **the impartiality in a procedure belongs to the fundamental rights of the defence.** The wide margin of discretion enjoyed by the employing institutions in many areas of civil service law must be counterbalanced by a particular attention given to the course of the procedure for that purpose (cf. judgments in Case T-92/01, Girardot / Commission, para. 24; T-336/02, Christensen / Commission, para. 38). Case-law stipulates that where an EU institution has wide discretionary powers, compliance with the procedural safeguards provided for in the EU legal order is even more fundamental (Case C-269/90, Technische Universität München, para. 14).

Those guarantees include, in particular, the duty of the institution to examine carefully and impartially all the relevant aspects of the case. In other words, an infringement of procedural rules (including impartiality) in administrative areas granting wide discretion to decision-makers is scrutinized by the Union judge with particular attention.



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