



DECISION OF EUROJUST

on General Implementing Provisions concerning the criteria applicable to classification in grade and step on appointment or engagement at Eurojust

Having regard to the Staff Regulations of Officials (hereinafter referred to as "Staff Regulations") and Conditions of Employment of Other Servants of the European Communities (hereinafter referred to as "CEOS"), laid down by Council Regulation (EEC, EURATOM, ECSC) No 259/68, and in particular to Articles 5, 29, 30, 31 and 32 of the Staff Regulations and Articles 10 and 15 of the CEOS,

Having regard to Council Decision of 28 February 2002 on the setting up of Eurojust with a view to reinforcing the fight against serious crime (2002/187/JHA) and in particular Article 30 thereof,

Having regard to the Rules of Procedure of Eurojust (2002/C 286/01) and in particular Article 25 thereof,

Having regard to the Decision of the College of Eurojust of 22 March 2005 on the delegation of powers to the Administrative Director for the approval of the necessary implementing rules to the Staff Regulations,

After consultation with the Staff Committee of Eurojust and in agreement with the European Commission pursuant to Article 110 of the Staff Regulations,

Whereas:

- (1)** Eurojust's recruitment policy constitutes an essential part of its staff policy,
- (2)** Pursuant to the second paragraph of Article 32 of the Staff Regulations and to Article 15 of the CEOS, the Appointing Authority may allow newly recruited staff additional seniority of step in grade up to a maximum of 24 months in order to take account their specific professional experience,

HAS DECIDED AS FOLLOWS:



Title I: General provisions

Article 1 – Definitions

For the purposes of this Decision:

“Temporary Agent” means the staff referred to in Article 2(a) and (b) of the CEOS.

“Official” means any person who has been appointed, as provided for the Staff Regulations, to an established post on the staff of one of the institutions of the Communities by an instrument issued by the Appointing Authority of that institution.

Article 2 – Scope

These rules shall apply to Eurojust staff as defined in Article 30(2) of the Eurojust Decision, who has been recruited as Temporary Agent or when any permanent official.

Title II: Procedures

Article 3 – Taking account of professional experience

- (1)** Any duly certified professional activity connected with one of Institution's areas of activity shall be taken into account.
- (2)** Where additional periods of training and study are accompanied by periods of professional activity, only the latter shall be considered as professional experience.
- (3)** Compulsory military service or equivalent civilian service shall be taken into consideration.
- (4)** For grading purposes, professional activities pursued part-time shall be calculated pro-rata, on the basis of the certified percentage of full-time hours worked.
 - (a)** In the case of freelance translators, the length of professional experience shall be calculated, over the period spent on such activities, on the basis of the number of pages translated.
 - (b)** In the case of freelance interpreters, the length of professional experience shall be based on both the number of days worked as an interpreter and the time spent on the necessary preparations.



- (5) Any given period may be counted only once.
- (6) According to Article 5(3) of the Staff Regulations, professional experience shall be counted as follows:

AST:	<p>From the time when a post-secondary education diploma was awarded: where the official duration of the course is less than three years, the difference shall be deducted from the professional experience;</p> <p>Where no such diploma has been awarded and a secondary-education certificate and three years' professional experience have been accepted as an alternative, those three years shall be deducted from the experience acquired;</p> <p>Where professional training of an equivalent level is accepted as an alternative, from the time when the diploma or certificate relating to this training was awarded;</p> <p>Where equivalent professional experience is accepted as an alternative, the duration of the professional experience within the meaning of this Article shall be reduced by the number of years of equivalent experience specified in the notice of competition or selection procedure; where no such number is specified, three years shall be deducted from the professional experience.</p>
AD5 and AD6:	<p>From the time when, on completion of a minimum of three years of study, the university degree giving access to these grades was awarded;</p> <p>Where no such degree has been awarded and "professional training of an equivalent level" has been accepted as an alternative in the competition or selection procedure, from the date when the diploma or certificate relating to this training was awarded.</p>
AD7 to AD16:	<p>From the time when a university degree was awarded on completion of a minimum of four years of study;</p> <p>Where a university degree has been awarded on completion of less than four years of study, the difference between the official duration of the course and four years shall be deducted from the professional experience;</p> <p>Where no such degree has been awarded and "professional training of an equivalent level" has been accepted as an alternative in the competition or selection procedure, from the date when the diploma or certificate relating to this training was awarded.</p>



Article 4 – Documentation

Candidates shall be responsible for providing documents evidencing:

- The official duration of their studies/training,
- The level of a degree or diploma/the equivalent level of a training period,
- The length of professional experience,
- Professional activity during periods of training and further study.

Article 5 – Additional seniority of step in grade

- (1)** For the purposes of determining professional experience, the Appointing Authority shall allow 24 months' additional seniority of step in grade for professional experience equal to or more than the number of years indicated below:
- For grades AD13 to AD16: 21 years
 - For grades AD11 and AD12: 18 years
 - For grades AD9 to AD 10: 15 years
 - For grade AD8: 12 years
 - For grade AD7: 9 years
 - For grade AD6: 6 years
 - For grade AD5: 3 years
 - For grade AST4: 12 years
 - For grade AST3: 9 years
 - For grade AST2: 6 years
 - For grade AST1 3 years
- (2)** By way of exception, where a Temporary Agent is hired at level AST 5, 6, 7, or 8, additional seniority of 24 months shall be granted in respect of professional experience of 15 years or more.
- (3)** The length of the professional experience to be counted shall be established at the time when the job offer is made. Where the period between this date and that on which the appointment is actually taken up has an impact on the classification in step, the Appointing Authority shall adopt a new decision in this regard.



Title III: Special cases

Article 6 – Temporary Agents appointed as officials

- (1)** Temporary Agents who are appointed as permanent officials to posts in the same grade immediately after their period of temporary employment shall maintain their seniority in step.
- (2)** Any Temporary Agent who is appointed as permanent official in a lower grade immediately after their period of temporary employment shall be classified according to one of the following options, whichever is most advantageous to the agent:
 - As a new recruit,
 - In the same step and with the same seniority in step in the grade acquired as a member of the temporary staff, or
 - With the same seniority in step, but in the step which they would have occupied had they been hired as Temporary Agent in the grade to which they are appointed as permanent officials.
- (3)** Any Temporary Agent who is appointed as permanent official in a higher grade immediately after their period of temporary employment shall be classified according to one of the following options, whichever is more advantageous to the agent:
 - In accordance with Article 46 of the Staff Regulations; or
 - As a new recruit.

Article 7 – Permanent Officials appointed at a higher grade after open competition

- (1)** Any permanent officials who are appointed at a higher grade as a result of an open competition shall be classified according to one of the following options, whichever is more advantageous to the official:
 - On the basis of Article 46 of the Staff Regulations;
 - As a new recruit.



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- (2) The same shall apply to any Temporary Agent who, immediately after a period of temporary employment, is hired in a higher grade as Temporary Agent following a selection procedure.

Title IV: Final Provision

Article 8 –Entry into force

These rules shall enter into force on the day following that of its adoption and shall apply to any official or Temporary Agent taking up employment from that date onwards.

Done at The Hague on 15 October 2008

For Eurojust

Jacques J.J.M.M. Vos
Acting Administrative Director