

Moving Europe towards a sustainable and safe railway system without frontiers.

DECISION n° 308

of the Management Board of the European Union Agency for railways on the extension of the derogation from the application of Annex to the Decision n° 141 on the implementation of Telework and amending Decision n° 275

THE MANAGEMENT BOARD OF THE EUROPEAN UNION AGENCY FOR RAILWAYS,

Having regard to

- *Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways and repealing Regulation (EC) No 881/2004,*
- *the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union ('CEOS') laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68¹, and in particular Article 110(2),*
- *the communication C(2014)6543 final of 26 September 2014 from Vice-President Šefčovič to the Commission on the guidelines on the implementation of Article 110(2) of the Staff Regulations with regard to the implementing rules applicable in the agencies, and in particular point 3.2.1 thereof,*

Whereas

- 1) *On 24 March 2022 the authorities in DG HR notified the EU Agencies and Joint Undertakings of the adoption of Commission Decision C(2022)1788 final of 24 March 2022 on working time and hybrid working and on 1 April 2022 that decision entered into force in the Commission;*
- 2) *The Standing Working Party and the relevant actors in DG HR agreed this Commission Decision is incompatible with the needs of the EU Agencies and Joint Undertakings and is in the process of drafting a model decision on working time and hybrid working, specifically designed for agencies and joint undertakings;*
- 3) *The Agency would like to keep the current arrangement with staff as regards teleworking until new rules are put in place.*

HAS DECIDED AS FOLLOWS:

Article 1

To extend the derogation from the application of Annex to the Decision No. 141 of the Management Board of the European Union Agency for Railways on the application of the 'Commission Decision C(2015)9151 of 17.12.2015 on the implementation of Telework in the Commission Departments' (Annex) and:

1. to suspend until 31.12.2023 the application of the limit of 60 days foreseen in Article 4 (1) of Annex;

¹ OJ L 56, 4.3.1968, p. 1.

2. to replace Article 4 (3) of the aforementioned Annex by the following text: “4-weekly presence in the office may not, in principle, be less than 50%, to be applied pro-rata for staff working in a part-time regime; occasional teleworking may be granted in individual cases for a period of consecutive days which exceeds 50% on a 4-weekly basis”;

3. to empower the Executive Director to allow occasional telework for longer periods than the ones mentioned in Article 4(1) and (3) of the aforementioned Annex for all or part of the Agency staff, depending on the evolution of the disease and considering the recommendations or obligations adopted by the French national authorities.

Article 2

This decision shall enter into force on 1 January 2023 and it applies until 31 December 2023. It shall be published on the Agency’s website.

Done at Valenciennes, on 16th November 2022

Clio LIÉGEOIS
The Chairwoman