

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

## DECISION n° 309

of the Management Board of the European Union Agency authorising the Executive Director to request the European Commission's agreement on the opt-out of the application by analogy of Commission Decision C(2022) 1788 final of 24 March 2022 on working time and hybrid working

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 259/68<sup>1</sup>, 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.B. 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.*

HAS DECIDED AS FOLLOWS

### Article 1

The Management Board hereby empowers the Executive Director to request the Commission's agreement to the non-application by analogy of Commission Decision C(2022) 1788 final of 24 March 2022 pursuant to Art. 110(2), par. 3 of the Staff Regulations.

### Article 2

This Decision shall take effect on the day following its adoption. It shall be published on the Agency's website.

Done at Valenciennes, on 16<sup>th</sup> November 2022

Clio LIÉGEOIS  
The Chairwoman

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<sup>1</sup> OJ L 56, 4.3.1968, p. 1.