



EUROPEAN CENTRAL BANK
EUROSYSTEM

SEC/EB/14/863/22a

DECISION OF THE EUROPEAN CENTRAL BANK

of 28 January 2014

**amending the European Central Bank Staff Rules as regards teleworking and the publication of
vacancy notices**

(ECB/2014/NP1)

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Article 11.6 thereof,

Having regard to the Rules of Procedure of the European Central Bank¹, and in particular Article 21 thereof,

Having regard to the Conditions of Employment for Staff of the European Central Bank, and in particular Article 10(a) and Article 25 thereof,

Having regard to the Conditions of Short-Term Employment, and in particular Articles 17 and 23 thereof,

Having regard to the opinion of the Staff Committee,

Whereas:

- (1) On 4 June 2013 the Executive Board approved the objectives outlined in a memo entitled Action Plan on Gender Diversity which established the ECB-wide gender targets for managerial positions. The Action Plan also provided for the consideration and the implementation of measures to assist the achievement of those targets. Some of those measures require amendment to the Staff Rules.
- (2) Positions in salary bands I and above shall be immediately advertised externally to increase the probability of a higher number of female candidates.
- (3) As part of the Action Plan on Gender Diversity, an extension in the maximum number of teleworking hours per month was deemed useful.
- (4) After completion of the pilot project on telework carried out from January 2012 to September 2013, teleworking was assessed to benefit both management and staff of the ECB. The provisions on teleworking at the ECB should be incorporated into the Staff Rules.

¹ OJ L 80, 18.3.2004, p. 33.

- (5) Teleworking is a modern form of work that allows greater flexibility in the organisation of work by making use of new information technology. The flexibility offered by teleworking can improve the productivity, the organisational resilience of the ECB and the work-life balance of ECB staff.
- (6) Teleworking requires teleworkers to be highly autonomous and committed, to be well-organised and to observe deadlines. For the manager, it requires results-oriented steering and monitoring of the teleworker.
- (7) To avoid a loss of team work and to allow for internal relationship-building, teleworking may be offered on a structural, but not full-time basis,

HAS ADOPTED THIS DECISION:

Article 1

Amendments to the Staff Rules

1. Article 1a.2.2 is replaced by the following:

‘1a.2.2 Positions shall be filled by external recruitment in any of the following cases:

- (a) if the position is part of the Graduate Programme;
- (b) if the position is allocated to salary band I or above;
- (c) if, on the advice of the business area concerned, the Director General of the Directorate General Human Resources, Budget and Organisation or their Deputy Director General agrees
 - (i) that it is unlikely that there will be suitable internal candidates; or
 - (ii) that there is an extraordinary urgency to fill a particular position;
- (d) if authorised by the Executive Board.’.

2. The following Article 5.1bis is inserted:

‘5.1bis Teleworking

The provisions of Article 25 of the Conditions of Employment are applied as follows:

5.1bis.1 Teleworking means the performance of work during working hours at a location other than ECB premises by using information technology and the ECB security token to remotely access the ECB’s internal network.

Teleworking shall be voluntary and reversible.

Teleworking may be carried out on a recurring or occasional basis.

Teleworking is carried out on a recurring basis if it follows a predetermined schedule agreed in advance for a period of at least three, but not more than 12 months, and which may be extended subject to the same minimum and maximum periods.

Teleworking is carried out on an occasional basis if it does not follow a predetermined schedule.

- 5.1bis.2 Members of staff may at their request be authorised to telework if:
- (a) their duties are suitable for teleworking;
 - (b) their place of teleworking is organised in a manner such that the member of staff can work without undue distraction, in a safe and secure environment that complies in particular with minimum safety and health requirements, and with all necessary equipment that meets the technical standards established by the ECB;
 - (c) they have completed the training preparing for teleworking;
 - (d) during their teleworking they are promptly reachable, by phone and by e-mail, for their line manager, colleagues at the office, and, where necessary, external counterparts;
 - (e) the teleworker's absence from the office is compatible with the interest of the service;
 - (f) sufficient technical capacity for teleworking is ensured.

Members of staff shall submit their request to their line manager, after having obtained confirmation from the Directorate General Human Resources, Budget and Organisation that requirements (b), (c) and (f) above are satisfied.

Teleworking on a recurring basis shall require authorisation from the line manager and the business area head; teleworking on an occasional basis shall require authorisation from the line manager.

If their request is rejected, the line manager shall state the reasons for rejection.

- 5.1bis.3 In the interest of the service, a teleworker may be recalled to the office while teleworking or have approved teleworking cancelled.

Unavoidable costs incurred by the teleworker because of a recall to the office or cancellation of telework shall be reimbursed by the ECB.

Teleworking on a recurring basis may be suspended or terminated by the ECB or terminated by the member of staff with two weeks' notice. In exceptional circumstances, an immediate suspension or termination of teleworking may be imposed in the interest of the service.

- 5.1bis.4 Teleworking may be performed for a maximum of 40 hours per calendar month. This applies whether the teleworker works full-time or part-time. Teleworking shall last at least four working hours, but not exceed two consecutive working days. In exceptional circumstances and on recommendation of the business area head, the Director General Human Resources, Budget and Organisation or their Deputy may grant exceptions.

- 5.1bis.5 Unless otherwise agreed, teleworkers shall use their own computer and internet access infrastructure to remotely access the ECB's internal network.

Teleworkers shall inform their line managers of their usual place of telework and of any changes.

Teleworkers shall be responsible for ensuring that their place of telework complies with the minimum safety and health requirements and the technical standards established by the ECB.

In doing so, they may seek advice from the ECB Medical Advisers, the ECB Occupational Safety and Health Adviser or, following prior authorisation by the Head of the Recruitment and Compensation Division, the Head of the HR Services Section or the Head of the Recruitment and Operations Section, from a local occupational safety and health practitioner. Costs incurred as a result of the latter shall be reimbursed if reasonable, and evidenced by a detailed invoice and proof of payment.

Teleworkers shall check regularly the advice on safety and health provided by the ECB and, following any update to minimum safety and health requirements or IT security requirements, shall ensure that they continue to comply.

- 5.1bis.6 Unless decided otherwise by the Executive Board and without prejudice to the third subparagraph of paragraph 5, the ECB shall not reimburse expenses in relation to teleworking.’.

Article 2

Amendments to the Rules for Short-term Employment

The following Article 5.1bis is inserted:

‘5.1bis Teleworking

The provisions of Article 23 of the Conditions of Short-Term Employment are applied as follows:

Under the conditions laid down in the Staff Rules, short-term contract employees may be allowed to telework.’.

Article 3

Repeal

1. This Decision shall repeal Administrative Circular 1/2012 of 10 January 2012 on teleworking.
2. References to Administrative Circular 1/2012 of 10 January 2012 on teleworking shall be construed as references to Article 5.1bis of the Staff Rules, or, where applicable, to Article 5.1bis of the Rules for Short-term Employment.

Article 4

Entry into force

This Decision shall enter into force on 1 February 2014.

Done at Frankfurt am Main, 28 January 2014.

The President of the ECB

Mario DRAGHI