



U4U analysis and proposals

***The challenges of mobility within the
Commission to promote jobs, growth,
fairness and democratic change***

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The challenges of mobility within the Commission to promote jobs, growth, fairness and democratic change

U4U's analyses and proposals for the debate

Mobility is obviously a forced freedom, but it remains fundamentally a matter of balance: it attempts to make adjustments to achieve a balance between the aspirations of individuals and collective objectives. It is shaped by two principles.

First, mobility needs to be understood in the context of a project and therefore as part of a forward-looking approach: what do we want to do, how, with whom? It is therefore linked to a fundamental element of political vision (what do the objectives of “jobs, growth, fairness and democratic change” mean in terms of political choice?) and scope (is mobility considered at the level of the Commission as a whole or “separately” by DG?).

Secondly, mobility is not a policy in its own right. It is rather a means of implementing various aspects of staff policy intended, for example, to develop human resources, motivate staff, prepare them for managerial tasks, combat gender inequality, plan skills, organise and support career pathways, reduce job insecurity and prevent incompetence, etc. It therefore needs to be seen in the context of recruitment, careers, promotions and training, which will entail a significant core investment in its development within any organisation. In other words, mobility must be seen as an opportunity to develop the professional competencies of each individual and at the same time as a way of planning the organisation's skill requirements. However, even if measures exist (automatic rotation of AD staff every four years at the EEAS, rotation of sensitive managerial posts, rotation of CA in delegations, listening rooms, advertising job vacancies in SYSPER), the Commission has not really analysed mobility or developed a true mobility policy.

This situation is particularly regrettable at a time when the new Commission has launched the idea of policy clusters at the level of the structure of the College of Commissioners. This welcome initiative, which should help to streamline the Commission's policy programme (and not stifle it completely, we hope), means finding the right balance between the need to promote non-specialised staff (via mobility) and that of retaining specialised staff.

Elements of analysis

U4U wishes to make the following observations:

1) The internal job market organised in SYSPER2 does not take account of the specific interests of the individuals who apply and the services where jobs are available. The concept of collective interest remains very vague. In a period of staff reductions under the Juncker Commission, the need to discuss which skills are required for which services has been more or less ignored. This weakness has been exacerbated by the fact that the Commission's

knowledge of the skills at its disposal remains approximate (for example, the e-CV is under-used).

2) Transfers "in the interest of the service" at the Commission are increasingly perceived by staff, albeit to different extents depending on the DG, as an unwanted change which has not been discussed with them, but imposed by a non-transparent, improvised and even arbitrary decision-making process, leading to sometimes pointless transfers. Far from seeing mobility as a career opportunity, the individuals transferred frequently find themselves assigned to posts that neither correspond to their skills nor further the development of their existing skills and knowledge. As the Commission's role involves highly technical areas (agricultural markets, environmental regulations, competition law, etc.) poorly thought out mobility decisions can have disastrous effects on the Commission's technical and policy-making capabilities.

3) Gender equality policy remains inadequate because it does not take account of talent screening requirements and therefore does not integrate the mobility aspect which would significantly facilitate, inter alia, promotions of men and women in sectors and/or policies where they are under-represented.

4) For budgetary reasons, the Commission has recruited over the past few years an increasing number of contract staff (6,500 at the Commission alone). The legal and practical situation of this sizeable category of staff has become inextricable. The fact that there are two types of contract staff (3a and 3b), working in different organisations (Commission, delegations, offices, executive agencies) and subject to different recruitment procedures (complete or incomplete CAST exams, calls for expressions of interest) has led to the "compartmentalization" of staff. Combined with an almost total lack of career prospects, this situation causes such staff to feel very frustrated and demotivated and leads to inefficiency.

5) There are increasingly frequent reorganisations at the Commission, but the mobility support measures at the time of such reorganisations seem to be left to the discretion of the services. This tends to result in a spate of forced transfers (affecting both officials and contract staff) and a decline in best practices (such as needs analysis, consultation of the services and individuals, listening rooms acting as the interface between services and individual mobility candidates).

6) Officials on assignment are still too often penalised by the host DG at promotion time, thereby making mobility a career disadvantage rather than a motivation to gain experience in new areas and acquire new skills.

7) For demographic and legal reasons, a large number of officials aged 55+ find themselves "blocked" at the end of their career (AST9, AD 12 and AD13), while still having 10 or even 15 years left to work until retirement. However, the mobility of these experienced colleagues is a notorious problem, which leads de facto to a significant waste of the skills available within the institution.

U4U's proposals

For officials

- 1) U4U wants the establishment of a true mobility policy which would strengthen a Commission culture rather than a DG culture, while maintaining adequate specialised capabilities (policy of a balance between non-specialised and specialised staff). U4U considers that 10% of posts should be open to colleagues from other DGs, as part of a mobility programme, in order to make careers more varied and develop a common culture within the institution. This mobility, which must not challenge the areas of specialisation of the DGs, will be facilitated by opening the specific training programmes of each DG to all staff.
- 2) U4U suggests the creation of specific career "pathways" for end-of-career staff from grades AST 9 and AD12 in order to capitalise on their experience.
- 3) U4U calls for any mobility policy to be explicitly linked to a gender mainstreaming policy in order to support the careers of the least represented gender and to achieve true gender parity within a reasonable period of time.
- 4) U4U suggests that heads of unit should be appointed after a) a successful mobility experience in at least two DGs; b) managerial experience of at least three years acquired either within the Commission, or outside the Commission, in particular in public sector posts. These appointments must be based on a talent screening policy, include a training period and take account of gender mainstreaming. The policy for "management" must be intelligent and avoid the rigid application of mobility rules, while respecting the need to maintain high levels of specialisation within the Commission. It must therefore enable heads of unit to remain in their current post if required by the needs of the service. It must also provide a framework for horizontal mobility opportunities to senior expert or equivalent posts (and vice versa), without being automatic, but as part of a true policy of skills utilisation and career planning in the interests of both individuals and the institution.
- 5) U4U calls for mobility in the interest of the service to be better managed in order to coordinate more closely the interests of the individual and the skills needs of the services. Any mobility of this type should be justified by the appointing authority (AIPN).
- 6) Given the high level of qualifications and experience of a large number of AST colleagues, U4U proposes that full use should be made of the number of posts available for the certification procedure. To that end, it is important to better identify potential candidates and provide them with readiness training, while making candidate selection criteria and practices more transparent.
- 7) U4U suggests the establishment of a true policy to capitalise on the skills of officials in the 55+ age category, including in particular a skills-based mobility programme and the creation of a "jobs exchange" for posts available in SCOP or its equivalent at DG HR, for this category of staff.

8) U4U calls for the adoption of measures to protect the interests of officials on assignment, as part of the mobility policy, during the promotion procedure in order to ensure that they receive equal treatment.

9) U4U advocates inter-institutional mobility for 2% of staff per year. This will facilitate the development of skills, build on a wide range of experiences and strengthen the feeling of belonging to a unified civil service.

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10) U4U supports increased mobility between the institutions and national civil services for 2% of staff per year, via the development of exchanges of officials, which would strengthen the Commission's awareness of the European situation at the coal face.

For contract staff

11) U4U wants an internal mobility market to be established in SYSPER for all contract staff working at the Commission, in offices, delegations and executive agencies.

12) U4U wants precise and fair rules to be established for the transition from one type of contract to another and also calls for a solution to be found to tackle the obstacles to mobility created by differences in recruitment procedures.

13) U4U calls for the executive agencies to provide for a system of horizontal mobility between agencies in order to vary the careers and work environment of agency contract staff.

14) U4U calls for internal competitions to be organised as quickly as possible for the permanent positions for contract staff provided for under the new Staff Regulations in order to facilitate transfers to permanent civil service positions for the best contract staff and to combat disparities.

15) U4U wants negotiations to be opened rapidly on contract staff promotions and changes of category linked as far as possible to mobility between posts in order to sustain the motivation of such staff.

For all staff

16) U4U considers that any reorganisation, even limited, requires a listening room system to be put in place systematically. This should be composed of at least three members, one representing the DG's personnel unit, the second representing the DG's services and the third representing the DG's staff. It should present a short mobility review report after each reorganisation.

17) U4U considers that the scope of the task with regard to the mobility of Commission staff is such that it is important to promote a change of culture within the Commission and, first of all, within DG HR. The latter must switch from a simply legalistic vision of the application of the Staff Regulations to a broader vision of skills planning. U4U suggests the creation within DG HR of a unit to define and support mobility policy. This unit would

support the implementation of efficient, rational management of resources/talent screening, the planned use of training to favour career planning, the establishment of a unified framework for the management of reorganisations, etc.

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Annexes

Compulsory mobility? Poor practices at the EEAS and the Commission

Mobility must only be compulsory for certain staff categories and must be part of a policy for the use and recognition of skills. **The mobility policy must 1) consult and explain; 2) take account of individual choices.**

The European External Action Service is a textbook case. The rotation of AD staff at the EEAS is compulsory every four years. But at the same time, as everyone knows, career planning and the use of skills are poor. Result: uncertainty regarding careers pathways, the system lacks legitimacy, poor use of skills.

It is easy to talk about Europe's role in the world, but we still need to streamline the staff mobility system at the EES. There are also increasingly frequent cases of compulsory mobility as a result of numerous reorganisations. It is increasingly evident that these reorganisations are implemented at the last minute, without proper consideration of the use of skills and without taking account of individual wishes. **Moreover, it would appear that a certain institutional violence regularly encourages forced mobility.** The systematic use of listening chambers, although they have the disadvantage of requiring more time, would be an effective way of resolving these problems of skills needs and job satisfaction while taking account of the two aforementioned principles: 1) consult and explain; 2) take account of individual choices.

The clustering of European policies, a missed opportunity to rethink mobility?

The current idea of clustering the activities of the College of Commissioners has led the Secretariat-General to recruit an additional 80 officials by way of mobility within the Commission. However, this should not mean that the other DGs should not also choose to encourage inter-DG mobility in order to prepare policies outside their silo as upstream as possible. **Making clustering the monopoly of the SG is, in our opinion, a simplistic choice and is indicative of the fact that clustering has been decided without giving proper consideration to staff mobility within the Commission.**

As an additional irony, the SG has recruited these 80 colleagues without disclosing any information whatsoever on the nature of the posts and tasks. **There is therefore zero transparency as regards the recruitment criteria applied for the 80 officials recruited via a mobility process by the SG and, more seriously, no shared understanding of what clustering means for the Commission's staff as a whole.** That is unfortunately a missed opportunity to rethink mobility at the highest level of the Commission. **For reasons of transparency it would be desirable for the DG HR to publish a review of this mobility by analysing the transfer to the SG of these 80 officials, focusing on their age, gender, grade, nationality, skills, original DG and, if possible, providing information on the candidates not selected.** This would enable DG HR to obtain useful data on the mobility wishes of certain staff members with a view to shaping its mobility policy.

Contract staff: no mobility, no policy

Everything conspires at the Commission to block the mobility of contract staff (apart from the good example, albeit in limited numbers, of mobility in delegations). First, they are subject to different regulatory provisions and, secondly, they have been recruited under different conditions and, lastly, they are compartmentalized in different services. **This results in absurd legal and practical situations.** For example, a contract agent with an incomplete CAST who is good enough for the Commission cannot be recruited by an executive agency. Does that mean that the Commission is satisfied with lower quality candidates? Or that the rules governing contract staff have become too complicated and incompatible with the use of skills and, therefore, a well thought out mobility approach? **As a result of this disastrous policy, contract staff have very few career progression and skill acquisition opportunities, while the new provisions of their Staff Regulations enable them to stay at least six years (instead of three) at the Commission (except for function I group) and for an indefinite period in offices and executive agencies.** It is important therefore to rethink in detail the contract staff policy, from their recruitment on the basis of planned, regular EPSO competitions, by including a skills development policy which involves mobility for the benefit of individuals and the Commission as a whole, thanks in particular to a **true job market for contract staff in SYSPER.**

"Workplace treatment of seniors" or how to use the skills of those in the 55+ age category

The Commission has been aware for several years of the issue of the inadequate or non-utilisation of its staff in the 55+ age category. Nevertheless it continues to ignore the problem, by telling itself that these staff must simply wait five or ten years, as applicable, before drawing their pension. As a result, these staff members are also often managed without due consideration during reorganisations: the absence of a policy for this category encourages violent practices of forced mobility which may result in such officials no longer having any duties to perform. Aside from the sometimes dramatic human consequences of such a situation, it goes without saying that **from a financial perspective, such staff management practices are particularly wasteful since staff aged 55+ are often in high grades.**

If we combine this initial observation with the fact that the last reform of the Staff Regulations blocked the end of careers of AST 9 and AD 12 and 13 staff, the Commission is faced with a problem of how to motivate and use the skills of such officials. This concerns some 3,500 officials, i.e. around 15% of the total number of officials. Such a situation cannot be addressed solely at local level by the DGs and services concerned. Furthermore, “good intentions” are also no longer enough. It requires a precise analysis and the implementation of an intra and/or inter-service mobility policy based on the two principles, namely: 1) consult and explain; 2) take account of individual choices. Consideration should therefore be given to creating a jobs exchange for this category of staff, managed by SCOP at DG HR.

Moreover, we must not forget that today’s young people are tomorrow’s seniors, which is something a lot of people forget. This policy affects us all....

Mobility: what not to do

Mobility at the Commission is officially based on the functioning of a job market organised in SYSPER2. This market is intended to match supply and demand, and the institution trusts the recruiter, generally heads of unit, to guarantee efficient and satisfactory mobility for everyone.

A major problem at the Commission is that the mobility market is to a fairly large extent fictitious: many of the posts are already earmarked, which implies in fact uncertainty and necessarily poor information on the reality of the skills market.

Mobility must not be skewed or become a game of chance.

Mobility at the Commission also involves compulsory rotation for managerial staff.

Everyone is aware of incomprehensible cases of mobility, which have dramatic consequences for both the individuals concerned and the Commission itself, and which are counter-productive and result in serious losses of skills. **It goes without saying that the interests of the Commission require it not to apply the rotation policy or to apply it in a measured way in certain areas, in order to retain specialised skills that are difficult to acquire and retain.** Mobility must not be a fetish. Mobility at the Commission must also take account of the interests of the service (article 7 of the Staff Regulations). This practice, which is, in principle, completely legitimate, is sometimes misused by certain Directors-General. Without even taking account of individual cases which often reflect interpersonal conflicts, **it is nevertheless worrying to note that most personnel and communication heads of unit are appointed not for their professional skills in these areas, but because of their loyalty to the Director-General who appoints them.** Should loyalty take precedence over skills? Is there not a better way of combining these two principles of action? Loyalty, although it is an important factor, must not lead to the first principle being completely disregarded, as it is crucial for the management of human resources, namely the good use of skills. Mobility must not be an arbitrary act of those in authority.

Mobility to promote gender equality

The Juncker Commission policy of giving greater prominence to gender equality, setting a target of 40% of women in managerial posts, is highly desirable, even if it

would have been more logical to set a target of 52%. However, how many times have we heard this refrain? It will therefore be important to check whether the Commission keeps its promises, since this ambition, in order to be realistic, must be driven not by the tactical choices of Directors-General who want to ingratiate themselves with Mrs Georgieva, but by a true mobility policy based on the identification of talent. **Appointing more women to managerial posts implies putting in place as rapidly as possible an inter-service mobility policy under the responsibility of DG HR. It is also obvious that the equal opportunities policy must concern not only managerial posts, but all posts.** Moreover, to have a better chance of success, it must be based on an active mobility policy within and between services, **which will again require DG HR to play a key role in ensuring better use of skills.**

Mobility as a means of combatting incompetence

U4U strongly believes that incompetence is a crucial, delicate debate. First, scientific theories tell us that there is always organisational slack; but they also tell us that this organisational slack is unavoidable at the risk of being inhumane. Secondly, practitioners tell us that there are always abuses in permanent civil service systems, i.e. what economists call free riding.

Under the provisions of the new Staff Regulations, which entered into force in 2014, officials can be dismissed relatively rapidly, on the basis of flimsy incompetence procedures, without any guarantee of an objective debate of the staff member's incompetence. The problem is not that a handful of colleagues are incompetent. The problem is that, on the one hand, the necessary resources are not dedicated to the issues of incompetence and, on the other hand, there is a risk of developing a policy of targets intended to “get rid” of officials in order to deliver performance, notably to the Council. **Incompetence must be the subject of an objective debate based on rules of law and clearly established procedures and in which mobility must play a full role in developing skills.** Unfortunately, practice shows us that incompetence procedures can encourage arbitrary decisions and undermine the independence of the civil service. In fact, many colleagues who are considered “incompetent” are suffering from illnesses (which fall within the scope of other procedures) or should be the subject of disciplinary procedures, for example.

To combat these dangerous authoritarian abuses, it is important to address incompetence as soon as possible via clear rules, concerning in particular appropriate mobility measures which match skills and posts either within the same DG or between DGs.

Become a policy DG then consider mobility? Or ensure mobility or eventually become a policy DG?

Research policy has become an interesting case of the lack of a mobility policy within the Commission. The new Horizon 2020 Framework Programme has decreed that the management of research projects would be more efficient if it was entrusted to executive

agencies. This would have two consequences: 1) the competent research policy staff would remain at DG RTD or other policy DGs (AGRI, MOVE, SANCO, etc.); 2) the “executants” would go to the agencies.

The reality differs in two ways. First, competent policy staff are tending to leave the DGs of the research family because of the uncertainty regarding the Commission's research policy profile. Secondly, competent Commission staff with no career prospects within research policy, including both officials and contract staff, the latter being lower paid and without any possibility of career advancement, are going to the agencies.

It is obvious that there is a need to rethink mobility between the Commission and executive agencies in order to redefine in a balanced way the skills pathways in favour of the Commission and agencies. Unfortunately, the fact that the DGs of the research family are currently considering policy perspectives whereas the outsourcing to the agencies started one year ago shows that the **mobility policies applied at Commission lack legitimacy as they are considered in isolation of the future of policies. This is a regrettable drift with regard to the use of staff skills.**

Towards a smart approach to the mobility of heads of units

As the Commission is above all involved in issue policies where the quality of European regulations is fundamental, it is essential that it prepare and retain the necessary technical expertise in the fields where it operates. One immediate consequence of this observation is that **there should not be automatic rotation of heads of unit in specialised posts after four or five years.** The succession of heads of units in these specialised posts should be carefully planned.

Access to the other “non-specialised” head of unit posts should be subject to stricter and more transparent conditions, namely: a) successful mobility within at least 2 DGs; b) minimum managerial experience of at least three years acquired either within the Commission, or outside it, in particular in public sector posts. These appointments must be based on a talent screening policy and training pathways, and must take account of gender mainstreaming. Mobility between head of unit posts should be planned and include compulsory training and mobility pathways. Here again, **because of the new policy of clusters under the responsibility of Vice-Presidents, mobility between families of DGs at the level of heads of unit should be encouraged, while always complying with the two key guiding principles: 1) consult and explain; 2) take account of individual choices.**

It is also clear that it is not desirable for heads of unit to stay in their post throughout their career if they want to change posts or if their performance, skills or conduct are a cause for concern to the extent that it would be advisable to find them other responsibilities.

Spending 20 or 25 years as a head of unit is perhaps not a desirable solution either for all heads of unit themselves or for the institution. It is preferable therefore to find intelligent career monitoring systems for heads of unit (in particular by using the 360° principle) which means providing mobility opportunities between managerial posts and other posts (advisers, heads of ad hoc task forces, senior experts) and vice versa. #