

Decision of the Management Board 12/2019/MB

ON THE IMPLEMENTATION OF TELEWORK

Adopted by the Management Board

On 22 May 2019

THE MANAGEMENT BOARD,

Having regard to the Staff Regulations of Officials (hereinafter 'Staff Regulations') and the Conditions of Employment of Other Servants of the European Union (hereinafter 'CEOS') laid down by Regulation (EEC, Euratom, ECSC) No 259/68 of the Council¹,

Having regard to Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA²,

After consulting the Staff Committee,

Whereas:

- 1) On 04 January 2016, the Commission informed CEPOL that it adopted Commission Decision C (2015)9151 on the implementation of telework in Commission Departments, with entry into force on 1st January 2016. According to the timelines provided for by Article 110(2) of the Staff Regulations this implementing rule would enter into force at CEPOL on 04 October 2016.
- 2) After having consulted the Staff Committee, and in line with the options provided for by Article 110(2) of the Staff Regulations, CEPOL submitted to the Commission on 03 March 2016 a request for derogation from the implementation of the above-mentioned implementing rule.
- 3) On 25 July 2017, the Commission issued its *ex ante* agreement on a model decision on the implementation of telework by the agencies.
- 4) The *ex ante* agreement on a model decision does not impact the fact that, by now, the Commission Decision C (2015)9151, applies by analogy to the Agency.
- 5) In the interest of clarity and legal certainty, it is important to formalise the by-analogy application via the means of a Management Board Decision. In addition, any past Decision of the Governing Board on the subject matter should be repealed by the present Decision. The entry into effect of such Decision can only be retroactive as of 25 April 2018,

¹ OJ L 56, 4.3.1968, p.1.

² OJ L319, 4.12.2015, p.1.

HAS DECIDED AS FOLLOWS:

Article 1

The Commission Decision C (2015)9151 on the implementation of telework in Commission Departments applies by analogy to CEPOL.

Article 2

Further guidance on the application of this Decision shall be given in the form of Administrative Notice(s).

Article 3

The following decision is hereby repealed:

Decision of the Governing Board 15/2014/GB on the adoption of implementing rule on amending Article 7(5) and (7) of the Commission Decision C (2009)10224 of 18 December 2009 concerning the implementation of teleworking in Commission Departments from 2010 to 2015.

The present Decision takes effect retroactively as of 25 April 2018.

Done at Bucharest, on 22 May 2019

For the Management Board

<< Signature on file >>

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Mr Kimmo Himberg

Chair of the Management Board