

0178/2017

***Please stop Automatically Firing 3b
Contract Agents after Six Years***



Good Afternoon and Thank You for the Invitation

*Madame Chair, Honourable Members,
professional Media Representatives, Citizens, and
last, not least, my dear Precarious Friends*

End Needless Waste

Eliminating the "six-years-you're-out" rule will end the needless waste of accumulated work experience. Recall that the EU has its own sui generis law and its particular procedures and conventions. Therefore newly recruited Contract Agents will always have to start climbing a long learning curve at its very bottom. How many thousands of EUROS do you think six years of learning by doing are worth?

A Court of Justice Ruling

In C 579/12 RX-II Strack versus Commission the Court ruled that the Charter of Fundamental Rights applies to officials, at least. (By the way, the Commission dragged Mr Strack through two rounds of appeals before finally losing. Do you understand why they fought so hard keep the Charter from being applied to their own employees?)

How can the six year rule be reconciled with Article 1 of the Charter of Fundamental Rights?

The Fixed Term Work Directive

Consider Directive 1999/70/EC (<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31999L0070&from=EN>). The burden of proof that the rights and principles of the Fixed Term Work Directive do not apply to the Commission falls on its legal service. Can you understand why Commission, which enjoys a monopoly as a governmental body, should be exempt, while enterprises exposed to fierce competition must comply?

Purpose (clause 1)

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The purpose of this framework agreement is to:

(a) improve the quality of fixed-term work by ensuring the application of the principle of non-discrimination;

...

Principle of non-discrimination (clause 4)

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- 1. In respect of employment conditions, fixed-term workers shall not be treated in a less favourable manner than comparable permanent workers solely because they have a fixed-term contract or relation unless different treatment is justified on objective grounds.*
- 2. Where appropriate, the principle of pro rata temporis shall apply.*

Information and employment opportunities (clause 6)

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1. Employers shall inform fixed-term workers about vacancies which become available in the undertaking or establishment to ensure that they have the same opportunity to secure permanent positions as other workers. ...

Opening Internal Competitions Wider

In 2011 PETI supported Petition 192/2009 and forwarded it to JURI. In 2013 The European Parliament graciously included it in the new Staff Regulation. In late 2016 a few Contract Agents were admitted. In Luxembourg five of them passed. So far, none of these successful candidates has been offered a post. Can you imagine their distress? (<http://sidtu.org/v2/tiki-index.php?page=Permanent+Posts+for+Successful+Contract+Agents>).

External versus Internal Competitions

Upwards of 25% of the candidates pass the Internal Competitions. For External Competitions the success rate is in the low 1%.

Which odds do you like better?

The Bigger Picture

Precarious employment has spread through European society. In many Member States only a fortunate minority retain steady jobs. Very, very few of the temporary work contracts can be justified on objective grounds. But their effectiveness in undermining unions and staff representations may explain their popularity among employers. 0178/2017 is an attempt to partially reverse this trend. Will you please help to bring back some of the good, old-fashioned steady employment?

Summary

What are our colleagues in non-permanent staff asking for in 0178/2017?

- 1) More respect.*
- 2) More kindness.*
- 3) Just a little more fairness.*

Thank you for your attention.

The Threat of Precariousness

How is a precarious worker different from a chattel slave? S/he is less secure. This neo-slavery is undermining the rule of law, of fundamental rights and democracy itself. Act now.

Please Contact

*Best Regards,
Michael Ashbrook*

*Solidarity
Independence
Democracy*

*with those who work for their money
from the others
in all decisions taken by groups of
sane, adult humans*

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Two Cool Cats



SID and NPS





Here are links

To the **video**

<https://www.youtube.com/watch?v=KXjAOPh9GoY&t=343s>

To petition **178/2017**

<https://petiport.secure.europarl.europa.eu/petitions/en/petition/content/0178%252F2017/html/Petition-No-0178%252F2017-by-Michael-Ashbrook-%2528German%2529-on-behalf-of-Non-permanent-Staff-Forum%252C-bearing-108-signatures%252C-on-the-implementation-of-non-discriminatory-employment-conditions-and-career-prospects-for-the-non-permanent-employees-and-contractual-agents-at-the-European-institutions>

To Petition **729/2017**

<https://petiport.secure.europarl.europa.eu/petitions/en/petition/view/11484>