

Information Meeting for UK Staff with Commissioners Gunther H Oettinger and Julian King

29 January 2018, 11.00 – 12.00

The meeting took place in the Charlemagne building with a video connection for staff in Luxembourg and at ISPRA. It was also accessible to Commission staff via webstreaming¹.

Commissioner King opened the meeting. He recalled last December's results on phase 1 of the Article 50 negotiations, the agreement expected today on the negotiating directives for the transitional period, and informed staff that he had written to Commissioner Oettinger last December on outstanding issues of concern to UK staff.

Commissioner Oettinger welcomed the staff of the Commission, other EU institutions, the regulatory and executive Agencies, the chair of the Central Staff Committee and the representatives of AIACE International.

He identified areas where there had been progress since his meeting with UK staff last July:

- He confirmed that there would be no discrimination as regards UK staff while the Treaty continues to apply to the UK (e.g. appointments and promotions). All new contracts or contract renewals signed before Brexit would be able to run beyond 29 March 2019 in line with the existing rules.
- The 8 December 2017 joint report commits the UK to contributing its share of pension and other staff costs. This will need to become a legally-binding withdrawal agreement covering i.a. continuation of privileges and immunities, avoidance of double taxation and payment of EU unemployment benefit. He noted that negotiations were "proceeding satisfactorily" but remained to be concluded.
- UK staff seeking a second nationality only appear to face systematic problems in Belgium. The Commission has intervened at several levels to discuss recognition of the special ID card for EU officials seeking Belgian nationality, so far without result, despite several court rulings supporting the Commission's position. President Juncker is now prepared to take up the matter directly with the Belgian Prime Minister with a view to reaching a speedy political agreement, based on facts².

He also addressed open issues:

- Last July, he had committed to bring UK staff concerns to the College and to clarify whether UK staff would be able to keep their jobs once the UK leaves the EU.

¹ Replay available internally at <https://webcast.ec.europa.eu/meeting-commissioners-oettinger-and-king-with-uk-staff>

² It was suggested that DG HR should conduct an official survey of the UK staff intending to seek Belgian nationality. The survey conducted recently by the informal UK staff network showed that under 200 Commission staff were seeking Belgian nationality.

- Before Easter 2018, he would propose to the College that the Commission (as appointing authority) would not use its discretionary power (under Article 49 of the Staff Regulations) asking UK officials to resign, unless justified under specific cases of conflict of interest or international commitments. He could not guarantee the result but was hopeful that the College would support his proposal which had the support of the President and Commissioner King. He stressed this was on the basis that British officials were loyal, European officials on whom the Commission wanted to count in the future.
- It was not possible to offer the same assurance to temporary and contract agents as the rules governing their employment (Article 47 of the conditions of employment) oblige the employer to terminate if staff cease to be citizens of an EU Member State. The Commissioner indicated that he would ask the College to treat temporary and contract agents with the greatest fairness that the rules allow, with case-by-case analysis of derogations in the interests of the service carried out in an objective and transparent manner.
- The Commissioner would organise a meeting with the other EU institutions and agencies to ensure consistency of approach.
- UK staff in delegations would not be able to represent the EU after Brexit. Staff would be transferred back to headquarters in consultation with the European External Action Service and the Commission services.
- The Representation Office to the UK would become an EU delegation after Brexit. The Commission was working with DG COMM and the EEAS to find the most beneficial solution for the staff concerned.
- Staff acquiring second nationality would receive case-by-case answers from the PMO on possible consequences for their expatriation allowance.
- The UK had not renounced the Convention on the European Schools but it would automatically cease to be a party on 29 March 2019 and this would take effect at the end of the 2018-2019 school year. Nevertheless, UK staff would be able to keep their children in the European schools. He would organise a schools summit this spring to discuss a long-term solution for the European schools.

The Commissioner answered questions from members of the staff covering the full range of issue that he had covered in his opening remarks.

In closing, the Commissioner suggested having another meeting in this format in the first half of July (or earlier if necessary).

Commissioner King thanked Commissioner Oettinger and everyone for coming to the meeting.

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