

2014 Staff Regulations – Promotions beyond grades AD 12 and AST 9: Start-up difficulties...

How the career structure was modified in 2014

The Staff Regulations, in the version which took effect on 1 January 2014, separated the upper tier of the administrators' function group (AD 13 – AD 14) from the tiers below (Annex I, section A, StaffRegs).

Similarly, the upper tier of the assistants' function group (AST 10 – AST 11) was also separated from the tiers below.

At the same time, year-on-year **rates of promotion** to the upper tiers were reduced to **15 %** for ADs and **8 %** for ASTs, respectively (Annex I, section B, StaffRegs).

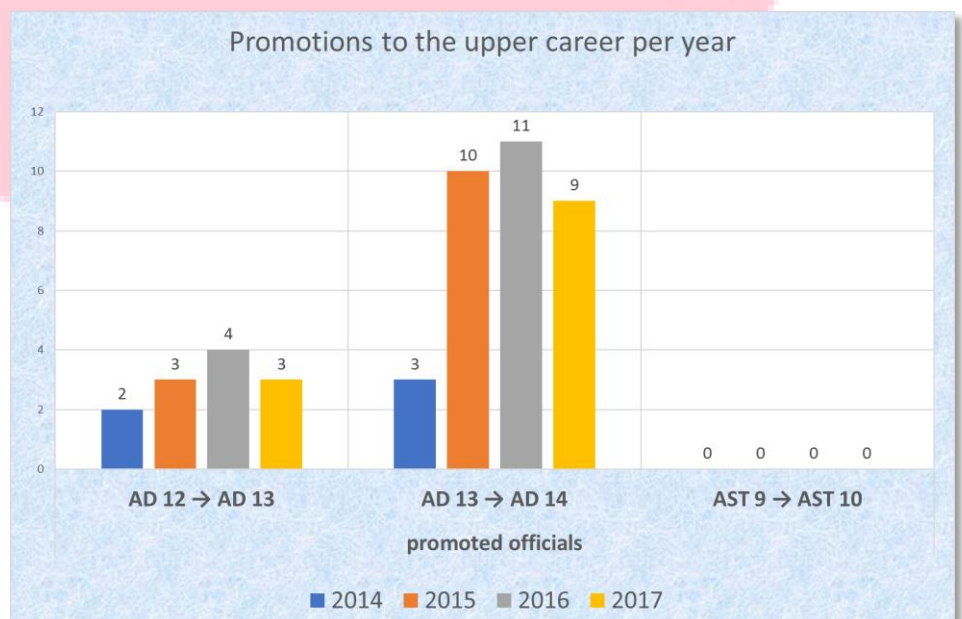
Figures in the establishment plan must be fixed so as to let these promotion rates work (Article 6 StaffRegs). This is a **collective guarantee**, which serves as a target for the appointing authority to achieve. The same article states that *"Those rates shall be applied on a five-year average basis as from 1 January 2014"*.

This is the final year in the current five-year cycle. And, the situation needs to be dealt with urgently. How have we gotten to this point?

A huge promotions deficit

The number of promotions granted over the first 4 years of the 2014 - 2018 period has lagged far behind the figure arrived at by applying the StaffRegs rates of promotion. And, amongst senior assistants (AST 9 → AST 10), **there have been zero promotions.**

Promotions are granted when a number of conditions have been met: i) a candidate has



reached the 12-point threshold for promotion; ii) a post is available in the budget (in principle, this is guaranteed); and, iii) a candidate's "comparative merits" have been assessed, which, in the case of promotion to the highest tiers, is a more demanding process than that required for promotions within the same type of post, such as for AD 5 - AD 12 or AST 1 - AST 9.

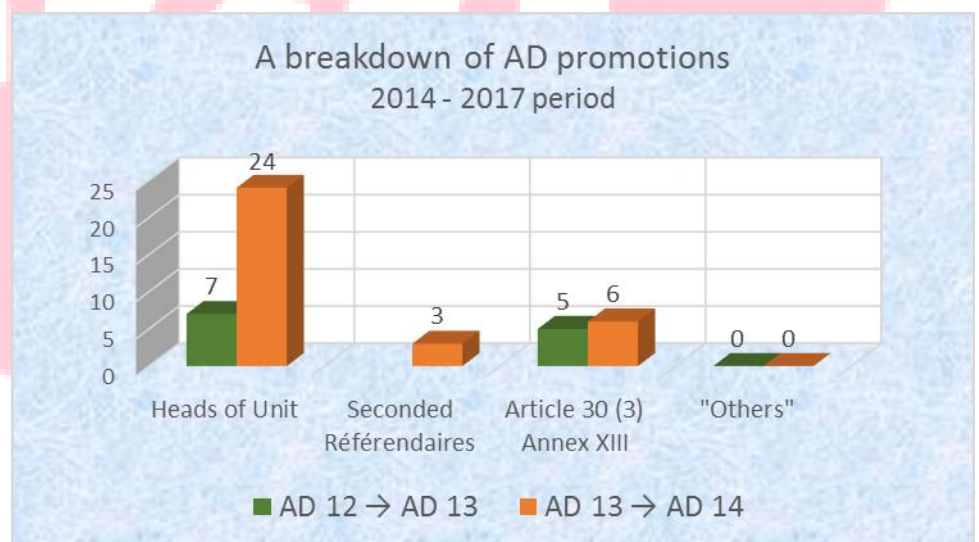


But this is where the problem arises. The Court did comply with the [transitional provision](#) in Article 30 (3), Annex XIII of the StaffRegs, by drawing up a list of AD officials who could potentially reach the AD 13 - AD 14 tier. However, to date, it has not implemented the permanent rules that establish the criteria neither for these promotions (by

defining who holds "special responsibilities") nor for promotions to the 'senior assistant' tier.

Article 30 (3), Annex XIII of the StaffRegs, is only a transitional instrument designed to kick start the new system, it was not meant to justify foot-dragging with regard to setting permanent rules.

In the diagram to the right→, "Others" are those still waiting for the adoption of the said implementing provisions. These colleagues have already suffered prejudice due to the delay of the Court in complying with its obligation to adopt the GIPs laying down the criteria for their promotion.



EPSU CJ is looking forward to a rapid adoption of such rules that will allow for making up, in 2018 – last year of the 5-year period – for a promotions deficit that has accumulated since 2014, both for ADs and ASTs.