

Sharing experience  
Building solidarity

## Staff Committee elections 2019 The staff at a crossroads



Dear colleagues,

On 4 December, you will be called upon to elect a Staff Committee (StaffComm) for a three-year term : 2019-2022 !

To avoid falling into the ballot box yourself ... read this brochure, think ... and [re-act!](#)



### What is at stake in these elections?

It is, of course, the composition of the Staff Committee.

But, although the vote is personal, what matters at the end of the day is how the seats will be distributed among the different 'lists' or groups that run for election.

There will be union and non-union candidates.

⇒ Further consequence: confirming the **representativeness** of a **trade union**, in other words its legitimacy to represent you, both within the institution and at the interinstitutional level.

**!** In a deteriorating political and social environment, the European Public Service, which guarantees European integration, will be under attack by the employer/legislator. We must be prepared to defend our status, while maintaining our cohesion and solidarity.

These attacks will not affect everyone in the same manner. This may create new divisions among us ... This risk will make it all the more necessary for you :



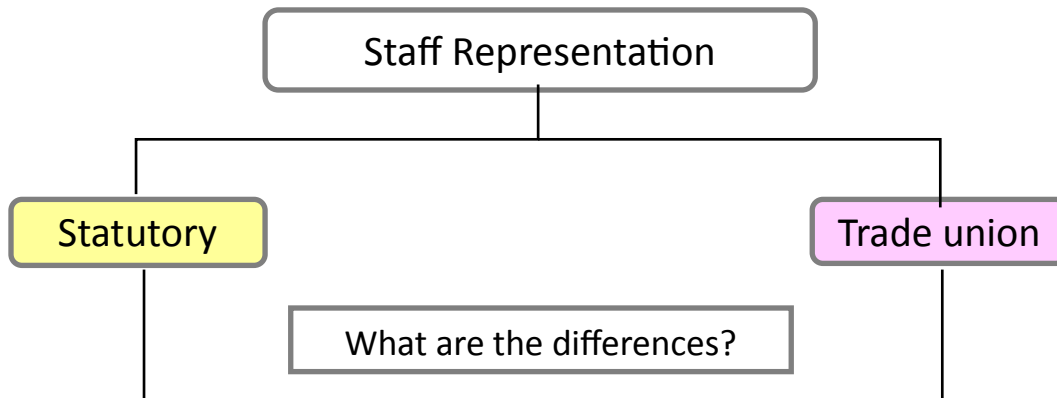
to contribute to shaping common positions, which your representatives will have to defend;



to give your representatives a strong mandate, so that they can stand up against all odds in negotiations.

## A Staff Committee: what's it all about?

EU-institutions have a “double channel” system of staff representation



### A Staff Committee ...

### A trade union ...

... **is set up** in each institution ([Article 9\(1\) of the Staff Regulations](#)).

... is an **association** whose purpose is to defend professional interests ...

The Staff Committee of the Court of Justice **is set up** by a **Decision** of the Court of Justice.

... formed by the will of its founding members who file its statutes with the competent national body (e.g., [EPSU CJ](#)).

The StaffComm is an **internal** body within the institution. The institution provides it with **all** the means necessary for its operation.

A trade union is **independent** of the institution. Its **independence** is one of the criteria required for it to be recognized by the institution (e.g. [France, Court of Justice](#)).

So, can't a StaffComm be independent of the institution ?

What a StaffComm *can* do is to act **in a spirit of** independence in relation to the institution. But this can only happen if it is backed by a trade-union that **is** independent. It's only then that it can counterbalance any arbitrary action by the administration or the hierarchy, which becomes more likely if they know that the StaffComm consists of individual staff members without union support. **A strong and competent union is therefore a guarantee of good administration.**

Contrary to a Staff Committee, →

→ a trade union can organize and fund **legal proceedings**. This risk may serve as a check to arbitrariness.

The StaffRegs set the limits between a StaffComm and a trade union

A StaffComm “shall represent the interests of the staff **vis-à-vis their institution**” (Article 9(3) of the StaffRegs).

A trade union “shall act in **the general interest of the staff**” (Art. 10b of the StaffRegs).

## A Staff Committee

## A trade-union

Who can vote ?

### For a Staff Committee:

**Every official** and, in principle, other servants of the institution are entitled –**as of right**– to vote and stand for election.

### For union bodies (e.g., Executive Committee):

**Registered and paid up union members.**

Court of Justice - **EPSU CJ** Framework-Agreement

An institution makes no “agreements” with its Staff Committee. It asks the StaffComm for its opinion and then decides. If the StaffComm has convincing arguments, it may influence the Institution’s decision.

Each institution may conclude **agreements** with its representative trade unions (Article 10c of the StaffRegs).



The Court of Justice, having recognised **EPSU CJ** as a **representative trade union**, has concluded with it a **framework-agreement**.

On this legal basis, the Court has held with **EPSU CJ consultations** which resulted in adopting

- ◇ the **pro rata temporis** mechanism for promotions,
- ◇ the **pay supplement** linked to the Luxembourg Minimum Social Wage.

Would you buy half a car\* ?




**2 for 1**


That’s what risks to happen to you if you elect candidates with no union ties. You are “buying” half a staff representation...


By contrast, by voting for the **EPSU CJ** candidates, you get a “full” staff representation, both at the statutory **and** at the trade-union level.

▶ ▶ A strong Staff Committee is one backed by a strong trade union! ▶ ▶


## USF is present at the Court of Justice via **EPSU CJ**

 **EPSU CJ** is part of the leading trade union, [Union Syndicale Fédérale](#), which in turn is affiliated to the European and International trade-union movement. In this way we get an **overall view** over what's going on beyond the Court of Justice and beyond Luxembourg.

 At the same time, **EPSU CJ** has a thorough knowledge of our workplace, fixing its lines of action on the ground through **democratic dialog**.


 Its **finances**, which are [transparent](#), come from its members' subscriptions, a fact which guarantees its **independence**.

 By participating in the civil society, **EPSU CJ** interacts with the country in which we work.

 When it will come to **negotiate** on our working conditions, only **representative trade unions** will be admitted to the negotiations with the Commission, the Parliament, the Council. **EPSU CJ** will be there as part of the **USF** team. As we have done before, we will ensure the link between the negotiations and you, the Court staff.


Yes, but, to do all that, you need human resources, too!


In **EU-institutions** with staff more than 1000, staff representatives are exempted from other duties to be allowed to work either for the Staff Committee or for their trade union (see [table](#)). Besides, elected representatives made available to the StaffComm are at the same time union representatives.


 **At the Court of Justice**, with staff levels above 2000 people,

- ◇ **Only the Staff Committee** receives human resources from the institution: **3 elected representatives + 2 officials** posted to the **secretariat**. This is without counting the technical means of communication lavishly granted by the institution.
- ◇ **Zero for the representative trade union**. So, it is only indirectly that **EPSU CJ** can benefit from human resources, if it gets a good result in Staff Committee elections.

Why should this be *your* business ?

 Because **EPSU CJ** deals with issues that are not very suitable for media coverage, much less for entertainment, but require specialized skills, serious work, and often discreet work. Without fuss, **EPSU CJ** takes care of things that matter!

 Because you have every interest in the two branches of staff representation, statutory and trade union, acting together, with mutual respect for each other's competences. Rivalry between the two can only weaken your position.

 Because the threats to our conditions of employment are coming closer. And here you will need effective defence of your position and not just a treatment of the symptoms of discomfort.

▶ ▶ ▶ Vote for the whole team of **EPSU CJ** candidates! ▶ ▶ ▶