

From the “Salle des Pas Perdus” ... to the search for the lost office



The damage caused by the Covid-19 **pandemic** was not limited to public health and the global economy, but also accelerated a process of unravelling of labour relations.

By sleight of hand, the time spent on the institution's premises (as opposed to teleworking) is converted into office space. The "**real estate policy**" has offered an ideal way of cornering the staff without having to go through the cumbersome procedure of reforming the Staff Regulations.

In the history of the Community/European Union, the major labour disputes (including strikes) have mainly concerned pay and pension issues (method of adjusting remuneration, etc.). The two major reforms of the Staff Regulations (2004 and 2014) were aimed **directly** at staff.

Historically, efforts to make savings have focused mainly on the 'Persons working within the institution' Title of the [budget](#)¹, and more specifically on staff, as opposed to the 'Buildings, Furniture, Equipment' Title, which has not been sufficiently 'exploited'.

Now, the mantra of “downsizing the public sector” is **being applied to infrastructure**², by worsening the staff’s material **working conditions**.

By applying the **Shock Doctrine**, the employer points the finger at staff as being to blame for the institution's wasting of energy and office space and polluting the environment. The corollary is that staff don't care about ‘taxpayers' money’. As a result, they have to feel guilty about occupy-

¹ OJ L, 2024/207, 22.2.2024, p. 1713.

² [VOX N° 124 Didier Hespel Bureaux paysagers](#)

ing a “*bureau attribué*” (sic) (‘assigned office’) and give it up in order to discover the joys of a “**dynamic collective space**”³ in search of a place to work whenever they drop in on the institution's premises. All that, of course, ending up with the same old refrain of “well-being”!

○ At the Court of Justice of the EU, **social stratification** goes hand in hand with the **zoning of activities**. Seen from the outside and for its visitors, the institution is imposing, even dazzling. For the mass of employees, however, even if it is much less so, it is still compressible.

The institution inside is **divided up** in several ways: Between Members and staff. Between Chambers and Departments, between officials, temporary and contract staff, between steady and fixed-term jobs, different pay scales for the same tasks, not to mention outsourced activities and freelancers.

Moving staff out of their offices, thus creating a new category of ‘*sans bureau fixe*’ (*SBF*), will only widen the divide. It will prevent colleagues from concentrating, have a negative impact on their (mental) health, make office work very unattractive, alienate them from their institution and amplify their tendency to flee. Luxembourg's **lack of attractiveness** as a place of employment for institutions (particularly expensive housing) will be compounded by the institution's own lack of attractiveness.

The creeping process of **anonymising**⁴ and **dehumanising** the workplace will pass a point of no return, which will be fatal for the future of the public service in general and the European Public Service in particular. A **dematerialised workspace** leads to **virtual departments**, doomed to stagnation and liquefaction. Translation –once defended by the President of the Court as an integral part of judicial activity– is an area particularly vulnerable to freelancing. Recently, even “AI judges” have appeared on the scene.

○ The **real estate policy**, by supplanting the personnel policy, will end up undermining the institution's ability to **fulfil its mission**.

Such an attack on staff via infrastructure is, in more ways than one, **more dangerous** than a reform of the Staff Regulations. This is why:

A Staff Regulations’ reform	Infrastructure compression
➤ concerns all staff of EU institutions and agencies	➤ is decided institution by institution
➤ requires an ordinary legislative procedure (EP and Council Regulation)	➤ is simply a matter of administrative decisions within each institution
➤ involves consultation with representative trade unions in the institutions and agencies.	➤ circumvents social dialogue by attacking the weakest link in the chain.

³ The choice of words is by no means neutral ...

⁴ Cf. [Show your face!](#)

○ In this case, and despite the fact that many companies that have experimented with the "new ways of working" are now reversing course because of the harmful effects on companies themselves and their staff, the Court of Justice of the European Union has called in an external expert from a company specialising in office space design, who is playing a leading role in the talks with the departments, in which Staff-Committee representatives are granted a token role. A public institution has therefore turned to the enlightenment of the private sector, imbued with its own ideas.

The "negotiation" is asymmetrical, and the very composition of the forum is unnatural. A public institution –pursuing, by definition, the general interest– calls on a private company, whose goal is (classical theory) to maximise its profits.

Perhaps unconsciously, the administration has 'politicised' the debate: huge issues, such as energy, the environment, 'the taxpayer' (really, who has the legitimacy to speak on behalf of 'the taxpayer'?) One can't help glimpsing the spectre of the 'Eurocrat', privileged and wasteful, where, by a sleight of hand, the 'Eurocrat' is reduced to the staff and not the political decision-makers.

○ If this is so, let us then discuss these issues at the appropriate level. Who is responsible for budgetary waste and pollution, particularly digital pollution, and how can we curb it?







It's not just about health and safety and ergonomics. The very survival of the European Public Service is at stake. As for "well-being", it too will fall victim to ill-advised decisions. □

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The Court's real estate policy - A retrospective - Extracts from [EPSU-CJ](#) leaflets 2005-2010

A penetrating criticism of the design of the Court's buildings, which are far from corresponding to our wishes. A different kind of intervention is now being superimposed on this given framework, involving the internal layout of the workspace, which risks multiplying the defects in the design of the buildings by profoundly disrupting our working conditions.

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