



DECISION OF THE EUROPEAN CENTRAL BANK

of 30 August 2011

**amending the European Central Bank Staff Rules concerning the expiry of the term of office of
Staff Representatives**

(ECB/2011/NP14)

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

Having regard to the Rules of Procedure of the European Central Bank, and in particular Article 21 thereof,

Having regard to the Conditions of Employment for Staff of the European Central Bank, and in particular Articles 48 and 52 thereof,

Having regard to the opinion of the Staff Committee,

Whereas:

- (1) Dialogue with the Staff Committee is essential for the motivation of staff and the creation of harmonious labour relations.
- (2) Effective dialogue is facilitated by ensuring that the Staff Committee have available the requisite assistance for them to fulfil their duties.
- (3) The introduction of a mechanism enabling incapacitated Staff Representatives to be temporarily replaced, or their time dispensations to be temporarily reallocated, during periods of absence would allow it to ensure the continued representation of members of staff during periods of incapacity of elected Staff Representatives and therefore the Staff Rules should be amended accordingly,

HAS ADOPTED THIS DECISION:

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Article 1

Amendments

1. Article 9.1.2 is replaced by the following:

'9.1.2 The term of office of a Staff Representative shall expire prior to its normal expiry date:

- (a) in the event of the death of the Staff Representative;
- (b) if the Staff Representative ceases to be an employee of the ECB;
- (c) if the Staff Representative informs the Staff Committee that they are resigning from office;
- (d) in the event of the incapacity of the Staff Representative for a period longer than four months.

Any Staff Representative whose term of office has expired shall be replaced by another Staff Representative elected in accordance with the Election Rules.

The Staff Committee shall remain validly constituted notwithstanding the expiry of the term of office or resignation of one or more Staff Representatives. In order to ensure continued staff representation, resigning Staff Representatives who remain members of staff of the ECB shall continue to perform their functions until new Staff Representatives have been elected.

A Staff Representative shall be considered incapacitated if they are unable to perform their duties due to illness or accident within the meaning of Article 31 of the Conditions of Employment.'

2. The following Article 9.1.2bis is added:

'9.1.2 bis Without prejudice to Article 9.1.2 and in order to ensure continued staff representation in the event of the incapacity of a Staff Representative for a period of between one and four months, the incapacitated Staff Representative may reach agreement with the other Staff Representatives that his or her absence is covered through the temporary reallocation of his or her time dispensation to one or more of them. This agreement shall be communicated in writing by the Staff Committee to the Director General of DG/H, who will then discuss the operation of this reallocation with the Business Area Head(s) of the Staff Representative(s) whose time dispensation is to be extended. Afterwards, the Director General of DG/H will communicate the effective date of the temporary time reallocation to the Staff Committee.

Any agreed temporary reallocation shall continue until a new Staff Representative is appointed in accordance with the election rules, or until the date on which the incapacitated Staff Representative resumes their duties, whichever is earlier.

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Should an incapacitated Staff Representative return to work after being incapacitated for a period exceeding four months, they shall be included on the reserve list for the Staff Committee, with due regard being given to the votes they have received during the latest election.’.

Article 2

Entry into force

This Decision shall enter into force on the first day following the publication of the official results of the general election of the Staff Committee in 2012, pursuant to Article 9 of Administrative Circular 10/2003 on election rules for elected committees.

Done at Frankfurt am Main, 30 August 2011.

[signed]

The President of the ECB

Jean-Claude TRICHET