

ADMINISTRATIVE CIRCULAR 01/2008

RULES ON SECONDMENT OF MEMBERS OF STAFF FOR EXTERNAL WORK EXPERIENCE

1. Introduction and definition

This Administrative Circular sets out the rules pertaining to the secondment of ECB members of staff for external work experience on a temporary basis from the ECB to an organisation relevant to the ECB's business (hereinafter 'host organisation') to enable this member of staff (thereafter 'the secondee') to acquire relevant work experience in and knowledge of the structures and working methods of the host organisation while remaining on the payroll of the ECB.

2. Eligibility

Members of staff holding a contract of employment for an indefinite period are eligible for secondment.

3. Duration

The duration and the starting date of the secondment for external work experience shall be agreed upon by local management and the member of staff concerned with a view to delivering optimum value to the ECB, the host organisation and the secondee.

The period of external work experience shall normally last six months starting on the 1st or the 15th of a month. It may be extended to a maximum period of twelve months or reduced to a minimum period of two months.¹ The period shall not be interrupted by or combined with unpaid leave and only one external work experience assignment shall be allowed within a period of three years, unless the Director General Human Resources, Budget and Organisation grants an exception.

The secondment for external work experience shall be without prejudice to the ECB's right to call upon the secondee for temporary assistance during the duration of his/her secondment for external work experience, if necessary in the interest of the service.

In case of extended sick leave of more than six weeks, the ECB shall consider terminating the secondment and may call upon the secondee to return to the ECB. The ECB shall reimburse costs occurring in the context of the termination.

¹ Stays of less than two months shall be handled according to the Business Travel Rules.

4. Rules applying to secondees

The secondees remain subject to the Conditions of Employment, Staff Rules and all other ECB provisions, including the ECB's Code of Conduct, with the exception of the rules regarding working time and public holidays, which are laid down in the last two paragraphs of this Article.

Article 5.7 and Article 5.10 of the Staff Rules shall continue to apply and the secondee shall take such leave days in agreement with the host organisation and report them to the ECB accordingly.

In addition and to the extent that this does not create any conflicts of interest, the secondee shall also comply with all internal rules of the host organisation. Breach of such rules reported to the ECB by the host organisation may lead to termination of the secondment.

In case of conflicts between obligations arising from the employment with the ECB and the obligations imposed by the host organisation, the former shall prevail.

The following provisions shall apply in respect of working time:

The standard working week of forty hours according to Article 25 of the Conditions of Employment and Article 5.1 of the Staff Rules shall be replaced by the official full-time working hours at the host organisation. The secondee is not entitled to overtime compensation. During the secondment, the public holidays observed by the host organisation shall apply instead of those observed by the ECB.

External work experience shall usually imply full-time work. Exceptionally, if the host organisation can accommodate such a request, a member of staff who is employed on part-time contracts or who has been authorised to work part-time at the ECB, may continue to work part-time during an External Work Experience.

5. Salary

For the entire duration of the secondment for external work experience, the secondee shall remain on the ECB's payroll and shall receive the regular salary, including allowances, annual general salary increases and individual salary increases.

6. Travel, accommodation and compensation for other costs in connection with the secondment for external work experience

In addition to the regular salary, the ECB shall reimburse² the secondee for the following:

- a) Travel at the commencement and completion of the secondment, including out of pocket expenses, according to the Rules for Business Travel. In addition, fees for a maximum of 20 kg excess

² The extra costs listed under Article 6 will be funded from a central budget for secondment for external work experience managed by DG-H.

luggage will be paid by the ECB.

- b) A travel allowance for the secondee equivalent to the travel allowance according to Article 20 of the Conditions of Short-Term Employment.
- c) A daily subsistence allowance for the secondee of Euro 103 for the entire period of external work experience if members of staff evidence that he/she has moved into temporary residence at the place of secondment whilst maintaining his/her residence at the place of employment.³

The Directorate General Human Resources, Budget and Organisation (DG-H) shall adjust this allowance in case of secondment to non-EU countries with a significant difference in cost of living compared to the place of employment. In such instances, the allowance shall be adjusted by a correction factor based on the Euro cost index (cost of living) provided the difference in the cost of living between the two cities exceeds 5% (positive or negative).

In any event, no costs shall be reimbursed relating to accompanying spouses/recognised partners and/or dependants.

The secondee will be required to sign a pay back clause. In case of termination of employment with the ECB due to either resignation of the staff member or as the result of a disciplinary procedure by the ECB, the secondee shall reimburse the amounts received under Article 6 a) to c) above of this AC in accordance with the following schedule:

- 100% in case of such termination within six months,
- 75 % in case of such termination within twelve months,
- 50% in case of such termination within eighteen months, and
- 25% in case of such termination within twenty-four months

after completion of the external work experience.

7. Special Leave for travelling

The secondee will be entitled to one day of special leave in total for travelling time to and from the location of the host organisation if there is a difference of five hours or more between the time zone of the place of employment and the time zone of the host organisation.

8. Performance assessment

For the purpose of the appraisal, the secondment for external work experience shall be considered as working time at the ECB.

³ The member of staff shall have provided such evidence if he/she has completed and submitted the declaration of honour received from the ECB. Any false statement or omission in this respect may be subject to disciplinary measures for gross misconduct.

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The manager and the secondee shall discuss the achievements during the secondment for external work experience on the basis of the back-to-office report mentioned under Article 10.

On completion of the secondment, DG-H shall request the host organisation to supply the ECB with a report, assessing the work of the secondee.

9. Procedure

- a) A member of staff who wishes to benefit from a secondment for external work experience shall submit an expression of interest to his/her local management, indicating the preference concerning the nature of the relevant work experience as well as the name of the envisaged host organisation. The expression of interest of the member of staff shall also contain a reasoned explanation of how this work experience can support the current or future work at the ECB.
Local management may also identify suitable opportunities for external work experience.
- b) Having due regard to budgetary constraints and business needs, local management shall take into consideration the conclusions on staff development in the appraisal, the individual and divisional work plans as well as the business area's priorities when evaluating expressions of interest for secondment for external work experience.
- c) For each nomination, local management shall provide the following information to DG-H:
 - the name of the candidate secondee,
 - the description of the merits of the candidate secondee as well as a reference to the candidate secondee's past performance,
 - the target organisation and the names of contact persons, if available,
 - the description of the desired work opportunity as well as a description of how this work supports the work that the candidate secondee is currently performing at the ECB or will perform upon return to the ECB,
 - the duration and the envisaged date of commencement of secondment.
- d) After agreement with the host organisation, DG-H shall send a confirmation letter to the secondee. No secondment may be taken up before final clearance by the DG-H.
- e) The secondee shall claim the allowances and the reimbursement of incurred costs from DG-H against documentary evidence by using the appropriate claim form.
Articles 3.1 and 3.2 of the Staff Rules shall apply to payments affected under Article 6 of this AC. The allowances granted by Article 6 b) and c) of this AC shall be paid in Euro on a monthly basis into the indicated salary account. Bank fees incurred due to foreign transfers to the country of the external work experience shall be borne by the member of staff.

The secondee shall be responsible for ensuring that the funds can be accessed in the host country.

10. Report

Upon completion of their secondment, the member of staff shall submit a back-to-office report to local management and provide a copy to DG-H.

This report shall include a summary of the main responsibilities and accomplishments during the assignment, as well as a description of the relevant specific experience acquired in relation to the work at the ECB.

11. Exceptions

In exceptional circumstances and if justified by business needs, the Executive Board may grant exceptions allowing deviation from the provisions of this Administrative Circular.

12. Entry into force and replacement of Administrative Circular 02/2003

This Administrative Circular shall enter into force on 1 April 2008. It shall repeal and replace Administrative Circular 02/2003.

Done at Frankfurt am Main on 25 March 2008.

The President of the ECB
Jean-Claude Trichet