



EUROPEAN CENTRAL BANK
EUROSYSTEM

DECISION OF THE EUROPEAN CENTRAL BANK

of 19 September 2013

setting the date on which Decision ECB/2013/NP11 amending the European Central Bank Staff Rules as regards underperformance procedures shall enter into force (ECB/2013/NP14)

THE MEMBER OF THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK TO WHOM THE DIRECTORATE GENERAL HUMAN RESOURCES, BUDGET AND ORGANISATION REPORTS,

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 Article 11 thereof,

Having regard to the Decision ECB/2013/NP11 of 25 July 2013 amending the European Central Bank Staff Rules as regards underperformance procedures, and in particular Article 3 thereof,

Having regard to the opinion of the European Data Protection Supervisor of 30 August 2013,

Having regard to the opinion of the Staff Committee,

Whereas:

- (1) The European Central Bank (ECB) promotes a working culture of sustained high performance and continuous professional development in line with its values. It is therefore committed to encouraging its members of staff to at least perform satisfactorily and to supporting members of staff who underperform in reverting to at least satisfactory performance.
- (2) The underperformance procedure needs to be conducted in a fair, equitable, reasonable and non-discriminatory manner and mindful of the principle of proportionality.
- (3) Managers play a crucial role in maintaining high performance standards. They are expected to promptly and adequately signal, document and manage cases of underperformance.
- (4) The ECB's underperformance procedure was notified to the European Data Protection Supervisor (EDPS) for prior checking as required under Article 27 of Regulation (EC) No 45/2001 of the European Parliament and the Council¹.

¹ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free

- (5) The EDPS concludes that as long as the ECB takes full account of the observations of the EDPS before launching its underperformance procedure, that procedure will not violate Regulation (EC) No 45/2011.
- (6) The ECB aims to take full account of the observations of the EDPS before launching the underperformance procedure,

HAS ADOPTED THIS DECISION:

Article 1

Entry into force

Decision ECB/2013/NP11 of 25 July 2013 amending the European Central Bank Staff Rules as regards underperformance procedures shall enter into force on 20 September 2013.

Done at Frankfurt am Main, 19 September 2013.

[signed]

The Member of the Executive Board of the ECB to whom DG/H reports

Peter PRAET