

DECISION OF THE EUROPEAN CENTRAL BANK

of 12 January 2016

delegating certain powers to the Chief Services Officer relating to the certain tasks set out in in the policy documents on mobility at the European Central Bank, criteria and procedure for the conversion of fixed-term contracts of staff members recruited for permanent positions, general guidelines for the development track, and the European Central Bank retirement plan and ECB pension scheme - Terms of reference of the Oversight Committee

(ECB/2016/NP3)

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Articles 11.6 and 36.1 thereof,

Having regard to the Rules of Procedure of the European Central Bank, and in particular Article 11.2 thereof,

Whereas:

- (1) The Executive Board is responsible for the current business of the European Central Bank (ECB), including the adoption of rules for the ECB's internal organisation and administration.
- (2) By Decision ECB/2015/NP17 of the European Central Bank¹ and Decision ECB/2015/NP18 of the European Central Bank², the European Central Bank (ECB) adapted its organisational set-up by creating the Chief Services Officer position in order to improve coordination across the support functions and facilitate the orientation of support services towards the needs of the institution as a whole. In particular, the Chief Services Officer is responsible for matters pertaining to administrative services, IT services, human resources, budget and finance. As a result, there is a need to simplify the decision-making process at the level of the Executive Board in those matters and, accordingly, certain Executive Board tasks in these areas should be delegated to the Chief Services Officer.

¹ Decision ECB/2015/NP17 of the European Central Bank of 4 August 2015 amending the Conditions of Employment for Staff of the European Central Bank as regards the selection and appointment of the Chief Services Officer.

² Decision ECB/2015/NP18 of the European Central Bank of 4 August 2015 amending the European Central Bank Staff Rules as regards the selection and appointment of the Chief Services Officer.

- (3) The Executive Board may delegate the authority to adopt measures of management or administration of an individual nature in the context of general rules set out in the ECB's statutory employment law framework. Such powers apply in particular as regards the management of ECB staff members.
- (4) The delegation of authority to the Chief Services Officer, acting on behalf of the Executive Board, to adopt specific measures of management or administration in the context of the ECB's statutory employment law framework should be limited to individual decisions in application of the relevant provisions of (a) the general principles for mobility at the ECB, general information on external mobility opportunity and the Temporary Internal Mobility (TIM) guidelines of 30 May 2006 (hereinafter the 'general principles for mobility'); (b) criteria and procedure for the conversion of fixed-term contracts of staff members recruited for permanent positions of 1 September 2004 (hereinafter the 'criteria and procedure for the conversion of fixed-term contracts'); (c) general guidelines for the development track of 28 October 2002 (hereinafter the 'general guidelines for the development track'); and (d) the ECB retirement plan and pension scheme - Terms of reference of the Oversight Committee of 12 June 2012 (hereinafter the 'Terms of reference of the Oversight Committee') and should not in any way cover measures of a general nature.
- (5) The Executive Board considers that the publication of the provisions contained in this Decision would undermine the protection of the public interest as regards the internal administration of the ECB and as a result this Decision should not be published,

HAS ADOPTED THIS DECISION:

Article 1

Delegated powers relating to the general principles for mobility

1. The power to give advice in case of doubts on the conditions for unpaid leave when an employee wishes to pursue employment in another organisation during a leave of absence, as laid down in paragraph 5 of Section II of the general principles for mobility, shall be delegated to the Chief Services Officer acting on behalf of the Executive Board.
2. The power to grant an exception to the three-year maximum term for unpaid leave, as laid down in paragraph 6 of Section II of the general principles for mobility, shall be delegated to the Chief Services Officer acting on behalf of the Executive Board.

Article 2

Delegated power relating to the criteria and procedure for the conversion of fixed-term contracts

The power to adopt decisions related to the conversion of fixed-term contracts for members of staff assigned to a post at the I band or above, as laid down in the last paragraph of point 4.3 of the criteria

and procedure for the conversion of fixed-term contracts, shall be delegated to the Chief Services Officer acting on behalf of the Executive Board.

Article 3

Delegated power relating to the general guidelines for the development track

The power to put a member of staff on a development track under specific circumstances after the position has been advertised internally, as laid down in the last paragraph of point 3.1 of the general guidelines for the development track, shall be delegated to the Chief Services Officer acting on behalf of the Executive Board.

Article 4

Delegated powers relating to the Terms of reference of the Oversight Committee

1. The power to appoint additional members, as necessary, if there are not enough Beneficiaries who are prepared to stand for election as members of the Oversight Committee, within a period of two weeks after consulting the Staff Committee, as laid down in point 14 of the Terms of reference of the Oversight Committee, shall be delegated to the Chief Services Officer acting on behalf of the Executive Board.
2. The power to deal with any disagreements arising between the Oversight Committee and the Administrator as to the interpretation and/or application of the Terms of reference or as to the action to be taken and for which a satisfactory solution has not been reached, as well as the power to issue its decision on the matter within a period of one month after being informed, as laid down in point 36 of the Terms of reference, shall be delegated to the Chief Services Officer acting on behalf of the Executive Board.

Article 5

Recording and reporting on delegated decisions

The Chief Services Officer shall keep a record of any delegated decisions taken in accordance with this Decision and keep the Executive Board informed on a quarterly basis. The Chief Services Officer shall submit a quarterly report on the exercise of delegated decision-making powers in relation to individual decisions in the context of the application of the: (a) the general principles for mobility; (b) the criteria and procedure for the conversion of fixed-term contracts; (c) the general guidelines for the development track; (d) the Terms of reference of the Oversight Committee to the Executive Board.

Article 6

Entry into force

This Decision shall enter into force on 12 January 2016.

Done at Frankfurt am Main, 12 January 2016.

A handwritten signature in black ink, appearing to read 'M. Draghi', written in a cursive style.

The President of the ECB

Mario DRAGHI