



EUROPEAN CENTRAL BANK

EUROSYSTEM

DECISION OF THE EUROPEAN CENTRAL BANK**of 24 August 2012****amending the European Central Bank Staff Rules****as regards support for a voluntary transition to a career outside the ECB****(ECB/2012/NP18)**

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

Having regard to the Rules of Procedure of the European Central Bank (ECB), and in particular Articles 21.1, 21.3 and 21.4 thereof,

Having regard to the Conditions of Employment for Staff of the European Central Bank (hereinafter the 'Conditions of Employment'), and in particular Article 11(e) thereof,

Having regard to the opinion of the Staff Committee,

Whereas:

- (1) The Staff Rules should define the eligibility, content and procedure for obtaining support for a voluntary transition to a career outside the ECB in accordance with Article 11(e) of the Conditions of Employment.
- (2) To reduce the operational impact on the ECB, support for a voluntary transition to a career outside the ECB should be limited to a maximum number of requests over an initial period of two years, at the end of which its success and adequateness will be assessed.
- (3) To reduce the financial impact on the ECB, financial support for a voluntary transition to a career outside the ECB should be limited to a maximum amount per member of staff,

HAS ADOPTED THIS DECISION:

Article 1

Amendments

1. The following Article 2.3 is added:

2.3 Support for a transition to a career outside the ECB

Article 11(e) of the Conditions of Employment is applied as follows:

2.3.1 Members of staff who, whilst holding an employment contract for an indefinite period, have remained at least eight consecutive years in the same single salary band, or at least 12 consecutive years in the same broadband, shall be eligible for support for a transition to a career outside the ECB.

For the purpose of the previous paragraph, changes in salary band on the basis of Decision ECB/2006/NP9 of 15 September 2006 on the implementing measures in connection with Article 1 of Annex II to the Conditions of Employment for Staff of the European Central Bank or of Decision ECB/1998/NP14 of 20 November 1998 laying down some specific rules applicable to staff of the European Central Bank who were previously employed by the European Monetary Institute shall not be considered as salary band changes and members of staff who have changed salary band solely on the basis of these Decisions shall be considered to have remained in the salary band in which they were before these Decisions entered into force.

The following periods shall not be considered as interrupting the periods of eight and 12 years, and shall not be deducted from the calculation of the total number of years:

- (a) any period of leave;
- (b) periods of promotions of less than one year;
- (c) employment contracts governed by the Conditions of the Graduate Programme of the European Central Bank;
- (d) periods during which the member of staff received a disability allowance.

During the period they receive a disability allowance, members of staff shall not be eligible for support for a transition to a career outside the ECB.

2.3.2 Subject to the procedure laid down in Article 2.3.8(b) and to the limit specified in Article 2.3.9, eligible members of staff resigning with effect at the latest on 1 January 2015 shall be entitled to financial support for a transition to a career outside the ECB. This financial support shall consist of:

- (a) a resignation payment;
- (b) reimbursement of expenses incurred for participating in activities to prepare for a transition to a career outside the ECB;
- (c) temporary cover under the medical benefits and dental plan;
- (d) a one-off payment per dependent child.

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2.3.3 The resignation payment shall be calculated as:

- (a) the monthly basic salary plus allowances, averaged for the last 12 months preceding the end of the employment contract during which the member of staff received a salary from the ECB, multiplied by
 - (b) the number of completed years of employment,
- up to a maximum of 15 times that average.

The term “basic salary” shall be replaced by the terms “full disability allowance” or “partial disability allowance combined with adjusted basic salary”, where appropriate.

The number of completed years of employment shall be computed from the start date of the employment contract referred to in Article 2.3.1.

2.3.4 The expenses incurred for participating in activities to prepare for a transition to a career outside the ECB shall be reimbursed up to a maximum of EUR 10 000. The reimbursement of the expenses shall be subject to a request in accordance with Article 2.3.8(a), the submission of supporting documentation and the approval of each activity by the Head of the HR Policies & Staff Relations Division or their Deputy.

2.3.5 Cover under the medical benefits and dental plan may continue for a maximum of 24 months from the end of the employment contract or during the unpaid leave on personal grounds after the member of staff's request for resignation payment has been accepted in accordance with Article 2.3.9. Cover shall continue beyond the first six months only on evidence that medical and dental expenses cannot be claimed under another insurance. Contributions to the medical benefits and dental plan shall be calculated on the basis of the monthly basic full-time salary paid or that would have been paid at the date immediately prior to the start of this cover and shall be shared equally between the member of staff and the ECB. At the end of the unpaid leave, Article 33 of the Conditions of Employment shall regulate cover under the medical benefits and dental plan.

2.3.6 The one-off payment per dependent child shall be paid where allowances for the dependent child form part of the calculation basis for the resignation payment. This one-off payment shall be equal to 12 times the maximum ceiling for the education allowance specified in the first paragraph of Article 19(i) of the Conditions of Employment, or, in the case of members of staff entitled to the education allowance on the basis of Article 19(i)(b) of the Conditions of Employment at the date on which their employment contract ends, equal to 12 times the maximum ceiling for the education allowance specified in the second paragraph of Article 19(i) of the Conditions of Employment. The one-off payment shall be paid only once for the same dependent child and shall be deducted from the child, pre-school and education allowances paid for the same dependent child to another member of staff at the date on which the employment contract of the resigning member of staff ends.

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2.3.7 The total financial support for a transition to a career outside the ECB per member of staff shall not exceed the overall limit of 1/4 of the amount obtained by multiplying the amount defined in Article 2.3.3(a) by the number of calendar months between the end of the employment contract and a member of staff's 65th birthday.

2.3.8 Eligible members of staff may submit to the Directorate General Human Resources, Budget and Organisation:

- (a) a request to participate in activities to prepare for a transition to a career outside the ECB; and/or
- (b) a notice of resignation in accordance with Article 11(c) of the Conditions of Employment and a request for resignation payment.

2.3.9 Financial support for a transition to a career outside the ECB shall be limited to the first 50 eligible members of staff who request it following the procedure in Article 2.3.8(b).

The Executive Board shall approve or reject all such requests from eligible members of staff submitted on one day if this submission leads to more than a total of 50 requests.

Requests for financial support for a transition to a career outside the ECB shall be accepted as long as the number of resignation payments remains below 50 or the limit specified in the second paragraph of this Article.

2.3.10 A resignation agreement between the ECB and the member of staff shall specify the end date of the employment contract and the precise amounts payable as financial support for a transition to a career outside the ECB.

2.3.11 Members of staff shall pay back the financial support for a transition to a career outside the ECB as follows:

- (a) 100% of the amount received if they do not resign in accordance with Article 2.3.2 or if they enter into a new employment relationship with the ECB within five years after the resignation in accordance with Article 2.3.2 takes effect;
- (b) the amount received reduced by 1/5 per complete year if they enter into a new employment relationship with the ECB five or more years after the resignation in accordance with Article 2.3.2 takes effect.'

2. The following Article 5.10.8 is added:

'On application via the member of staff's Director General/Director or their representative, the Director General Human Resources, Budget and Organisation or their Deputy shall grant special leave of up to 10 days for the period until 1 January 2015 to members of staff who requested participation in activities to prepare for a transition to a career outside the ECB. Special leave shall be granted subject to the approval of each activity by the Head of the HR Policies & Staff Relations

Division or their Deputy and for the days on which such activities take place, as evidenced by supporting documentation.’.

Article 2

Entry into force

This Decision shall enter into force on 2 January 2013.

Done at Frankfurt am Main, 24 August 2012.

[signed]

The President of the ECB

Mario DRAGHI

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