



**Decision No 19/2021  
of 10 November 2021  
of the Management Board**

**laying down rules on the secondment to the European Labour Authority of  
national experts, including national liaison officers and national experts in  
professional training**

THE MANAGEMENT BOARD OF THE EUROPEAN LABOUR AUTHORITY,

Having regard to Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority<sup>1</sup>, herein referred to as “the Authority”, and in particular Articles 32 and 33 therein,

Whereas:

- (1) Seconded national experts (SNEs) should enable the Authority to benefit from the high level of their professional knowledge and experience, in particular in areas where such expertise is not readily available.
- (2) National Liaison Officers (NLOs) are a specific category of SNEs who should contribute to executing the tasks of the Authority, including by facilitating the cooperation and exchange of information set out in Article 7 and the support and coordination of inspections set out in Article 8 of the Authority’s founding Regulation<sup>2</sup>. They should also act as national contact points for questions from their Member States and relating to their Member States, either by answering those questions directly or by liaising with their national administrations.
- (3) It is highly desirable to foster the exchange of professional experience in, and knowledge of, the Authority’s relevant areas by temporarily assigning experts/officers from the administrations of the Member States to the Authority. For the same reason, steps should also be taken to facilitate the use of experts drawn from the administrations of Member States of the European Free Trade Area (EFTA), candidate countries that have reached an agreement with the Authority on personnel matters, and public intergovernmental organisations (IGOs).

<sup>1</sup> OJ L 186, 11.7.2019, p.21 .

<sup>2</sup> Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344 (europa.eu)

- (4) To ensure that the Authority's independence is not compromised by private interests, SNEs should come from a national, regional or local public administration or an IGO. The secondment of an SNE by an employer other than a national, regional or local public administration or an IGO should be authorised only on a case-by-case basis, once it has been ascertained that the SNEs' employer is part of the public sector or is an independent university or research organisation that does not seek to make profits for redistribution.
- (5) To avoid any conflict of interests, the rights and obligations of SNEs, as set out in this Decision, should ensure that they carry out their duties solely in the interests of the Authority.
- (6) In view of their special status, when acting alone, SNEs, should not exercise any of the responsibilities that belong to the Authority by virtue of the powers conferred upon it, unless specially empowered to do so in writing by the Executive Director of the Authority.
- (7) Considering the unique staffing structure of the Authority, as provided by its founding Regulation and establishment plan, it is important that the most effective functioning of SNEs, and especially also NLOs is facilitated by this Decision.
- (8) It is desirable to consolidate the rules applicable to SNEs including NLOs in a single text, preserving their specific features while also simplifying them and, in the case of working conditions and the granting of subsistence allowances, by bringing them as much as possible into line with the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union, but without actually assimilating SNEs and NLOs to these categories.

HAS ADOPTED THIS DECISION:

## **TITLE I**

### **SECONDED NATIONAL EXPERTS INCLUDING NATIONAL LIAISON OFFICERS**

#### **Chapter I General provisions**

##### ***Article 1 Scope and definitions***

1. These Rules shall apply to national experts seconded to the Authority (hereinafter referred to as SNEs or seconded national experts), as well as to the National Liaison Officers (hereinafter referred to as NLOs).
2. All provisions shall apply to NLOs under Article 32 of the founding Regulation and to SNEs under Article 33 of the founding Regulation equally, unless indicated otherwise. Hereinafter, all reference to "SNEs" should be construed as including

NLOs, unless otherwise stated.

3. SNEs are staff employed by the public administration in a:

- a) Member State of the EU;
- b) country with which the Council has decided to open accession negotiations and which has concluded a specific agreement on staff secondments for participation in the Authority's work;
- c) public IGO,

who are seconded to the Authority so that it can use their expertise in a particular field related to the tasks of the Authority.

For the purposes of this Decision, the public administration means all State administrative services at central, federal and regional level, comprising ministries, government and parliament services, the courts, central banks, and the administrative services of local authorities, as well as the decentralised administrative services of the State and of such authorities.

The persons covered by these Rules must have worked for their employer on a permanent or contract basis for at least 12 months before their secondment and shall remain in the service of that employer throughout the period of secondment.

The SNEs' employer shall thus undertake to continue to pay their salary, to maintain their administrative status (permanent official or contract staff member) throughout the period of secondment and to inform the Authority of any change in the SNE's situation in this regard. The SNEs' employer shall also continue to be responsible for all his social rights, particularly their social security insurability and pension rights.

The termination of or change in the SNEs' administrative status (permanent official or contract staff member) will be notified by the SNEs' employer immediately and may lead to the termination of their secondment by the Authority, without notice, in accordance with Article 10(2)(c).

4. Notwithstanding paragraph 3, the Executive Director may, on a case-by-case basis, authorise the secondment of an SNE from an employer other than a State public administration or an IGO if the interests of the Authority warrant bringing in specific expertise as a temporary measure, provided that the SNE's employer:

- is an independent university or research organisation which does not set out to make profits for redistribution; or
- is in fact part of the public sector.

For the purposes of this Decision, to qualify as being part of the public sector the SNE's employer must meet all the following conditions:

- it must be attached to a public administration, as defined in paragraph 3, and specifically it must have been created by legislation or regulation;
- its resources must come primarily from public funding;

- any activities in which it competes against other private or public entities on the market must represent less than half of its activities.
5. Except where the Executive Director grants a derogation, SNEs must be nationals of an EU or EFTA Member State or a country with which the Council of the European Union has decided to open accession negotiations.
  6. When a secondment is being planned, the Authority shall ensure the geographical and gender balance and compliance with the principle of equal opportunities, in accordance with the principles set out in Article 1d and Article 27 of the Staff Regulations.

## **Article 2**

### ***Cost-free seconded national experts***

1. For the purposes of this Decision, “cost-free SNEs” means SNEs for whom the Authority does not pay any of the allowances provided for in Chapter III or cover any of the expenses provided for in this Decision, other than those related to the performance of their duties during their secondment.
2. Cost-free SNEs may be seconded from the public administration, as defined in Article 1, subject to the same requirements for authorisation by the Executive Director where appropriate.
3. Cost-free SNEs shall be taken into account in the Authority's final allocation of human resources and on its budget.

## **Article 3**

### ***Selection procedure***

1. SNEs (not including NLOs) under Article 33 of the founding Regulation shall be selected according to an open and transparent procedure organised by the Authority.
2. NLOs under Article 32 of the founding Regulation, shall be designated by each Member State. For this purpose, each Member State administration shall organise its own NLO selection procedure based on a call for expression of interest launched by the Authority. Once completed, each Member State will forward to the Authority the proposed designated NLO for administrative procedural check and completion of the secondment letters. Details will be specified in the call.
3. The secondment shall be authorised by the Authority's Executive Director and effected by an exchange of letters between the Authority's Executive Director and the SNE's employer.

**Article 4**  
**Period of secondment**

1. The initial period of secondment for SNEs may not be less than two years or more than four years. The secondment may be renewed once or more, up to a total period not exceeding six years.
2. The initial duration of the secondment shall be specified in the exchange of letters referred to in Article 3. Any extension of the period of secondment shall be the subject of a new exchange of letters.

**Article 5**  
**Place of secondment**

1. SNEs (not including NLOs) under Article 33 of the founding Regulation are seconded to the seat of the Authority unless decided otherwise by the Executive Director and subject to the conditions under Article 22(5) of the founding Regulation<sup>3</sup>.
2. NLOs under Article 32 of the founding Regulation shall be seconded to the seat of the Authority.

**Article 6**  
**Tasks**

1. As provided in Article 32(1) of the founding Regulation, NLOs shall contribute to executing the tasks of the Authority, including by facilitating the cooperation and exchange of information set out in Article 7 and the support and coordination of inspections set out in Article 8 of the Authority's founding Regulation<sup>4</sup>. They shall also act as national contact points for questions from their Member States and relating to their Member States, either by answering those questions directly or by liaising with their national administrations.
2. As provided by Article 33 of the founding Regulation, SNEs shall assist the Authority in any area of its work.
3. SNEs may not perform middle or senior management duties, even when deputising for their immediate superior.
4. SNEs shall take part in missions or external meetings. The Executive Director or Head of Unit may give mandate to SNEs to participate on their own in missions or external meetings, after having ensured that there is no potential conflict of interest.

<sup>3</sup> Article 22(5) of ELA founding regulation lays down the rules applicable to the establishment of liaison and local offices.

<sup>4</sup> Regulation (EU) 2019/ of the European Parliament and of the Council of 20 June 2019 establishing a European Labour Authority, amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344 (europa.eu).

5. Under no circumstances may SNEs on their own represent the Authority with a view to entering into commitments, whether financial or otherwise, or negotiating on its behalf.
6. SNEs may represent the Authority in legal proceedings as co-agent with a statutory staff member.
7. The Authority shall remain solely responsible for approving the results of any tasks performed by SNEs and for signing any official documents arising from them.
8. The Unit concerned, the SNE's employer and the SNE shall ensure that there is no conflict of interest in relation to the SNE's duties whilst seconded to the Authority.
  - a) For this purpose, the Unit to which the SNE is to be seconded shall inform the SNE and their employer before the start of the secondment about the intended duties and ask them to confirm in writing that they do not know of any reason why the SNE should not be assigned to those duties.
  - b) The employer and the SNE shall also undertake to inform the Head of Unit to which the SNE is seconded of any change of circumstances during the secondment which could give rise to any such conflict.
  - c) The Unit to which the SNE is seconded shall keep a copy of all such exchanges of correspondence in its records and shall hand it over to the Executive Director on request.
9. In cases where the Unit to which an SNE is to be seconded considers that the nature of its activities requires particular security precautions, security clearance shall be obtained prior to recruitment.
10. Failure on the part of the SNE to comply with their obligations arising from this Decision shall entitle the Authority, if it sees fit, to terminate the secondment of the SNE pursuant to Article 10(2)(c).

## ***Article 7***

### ***Rights and obligations***

1. During the period of secondment:
  - a) SNEs shall carry out their duties and conduct themselves solely with the interests of the European Union in mind. They shall neither seek nor take instructions from any government, authority, organisation or person outside the Authority. They shall carry out the duties assigned to them objectively, impartially and in keeping with their duties of loyalty to the European Union.
  - b) SNEs wishing to engage in an outside activity, whether paid or unpaid, or to carry out any assignment outside the Authority shall be subject to the Authority's rules on prior authorisation for staff members<sup>5</sup>. The unit concerned

<sup>5</sup> Article 12b of the Staff Regulations and the provisions implementing this Article shall apply mutatis mutandis

shall consult the SNE's employer before issuing an authorisation.

- c) SNEs shall refrain from any action or behaviour which might reflect adversely upon their position and from any form of psychological or sexual harassment<sup>6</sup>.
  - d) SNEs shall not, in the performance of their duties, deal with a matter in which, directly or indirectly, they have any personal interests such as to impair their independence, and, in particular, family and financial interests. If they have occasion in the performance of their duties to deal with such a matter, they shall immediately inform their Head of Unit, who will take any appropriate measure and may, in particular, relieve the SNE of responsibility in this matter.
  - e) SNEs may neither keep nor acquire, either directly or indirectly, in undertakings which are subject to the remit of the Authority or which have dealings with the Authority, any interests of such kind or magnitude as might impair their independence in the performance of their duties.
  - f) SNEs shall declare any gainful activity performed in a professional capacity by their spouse, as defined by the Staff Regulations and the conditions of Employment of Other Servants of the European Union.
  - g) SNEs shall refrain from any unauthorised disclosure of information received in the line of duty unless that information has already been made public or is accessible to the public.
  - h) SNEs has the right to freedom of expression, with due regard for the principles of loyalty and impartiality.
  - i) SNEs who intends to publish or cause to be published, whether alone or with others, any text on a matter relating to the work of the European Union shall inform their Head of Unit in advance. Where the Head of Unit is able to demonstrate that the publication is liable seriously to prejudice the legitimate interests of the Authority, they shall inform the SNE of their decision in writing within 30 working days of receipt of the information. If no such decision is notified within the specified period, the Head of Unit shall be deemed to have had no objections.
  - j) All rights in any work done by SNEs in the performance of their duties shall be the property of the Authority.
  - k) SNEs shall reside at the place of secondment or at no greater distance therefrom as is compatible with the proper performance of their activities.
  - l) Based on their professional knowledge and experience, SNEs shall assist and tender advice to the superiors in the Authority to whom they are assigned and shall be responsible to their superiors for performance of the tasks entrusted to them.
2. Failure to comply with any of the provisions of paragraph 1 during the period of secondment shall entitle the Authority, if it sees fit, to terminate the SNE's secondment pursuant to Article 10(2)(c).
3. At the end of the secondment SNEs shall continue to have a duty of loyalty to the Authority and be bound by the obligation to act with integrity and discretion

<sup>6</sup> Article 12a of the Staff Regulations and the provisions implementing this Article shall apply mutatis mutandis

in the exercise of them and in accepting certain posts or advantages.

## **Article 8**

### ***Professional experience and knowledge of languages***

1. To qualify for secondment to the Authority an SNE must have at least three years of professional experience in administrative, legal, scientific, technical, advisory or supervisory functions which can be regarded as equivalent to those of function group AD as defined in the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union.
2. SNEs must produce evidence of a thorough knowledge of one of the European Union languages and a satisfactory knowledge of another EU language to the extent necessary for the performance of their duties. An SNE from a non-member country must produce evidence of a thorough knowledge of one European Union language necessary for the performance of their duties.

## **Article 9**

### ***Suspension of secondment***

1. At the written request of the SNE or their employer, and with the latter's agreement, the Authority may authorise suspensions of periods of secondment and specify the terms applicable. During such suspensions:
  - a) the subsistence allowances referred to in Article 17 shall not be payable.
  - b) the travel expenses referred to in Article 19 shall be payable only if the suspension is at the Authority's request.
2. The period of suspension shall not be counted in the period of secondment as defined in Article 4.

## **Article 10**

### ***Termination of periods of secondment***

1. Subject to paragraph 2, the secondment may be terminated at the request of the Authority or the SNE's employer, subject to three months' notice, or at the SNE's request, subject to the same period of notice and with the agreement of the Authority and the SNE's employer.
2. In exceptional circumstances the secondment may be terminated without notice:
  - a) by the SNE's employer, if the employer's essential interests so require.
  - b) by the Authority and the employer acting jointly, at the request of the SNE addressed to both parties, if the SNE's personal or professional interests so require.
  - c) by the Authority in the event of failure by the SNE or their employer to respect their obligations under this Decision; the Authority shall immediately inform the

SNE and their employer accordingly.

## **Chapter II**

### **Working conditions**

#### ***Article 11***

##### ***Social security***

1. Before the period of secondment begins, the national public administration or IGO from which the SNE is to be seconded shall certify that the SNE will remain, throughout the period of secondment, subject to the social security legislation applicable to the public administration that employs them and is responsible for expenses incurred abroad. To this end, the SNE's employer shall provide the Authority with the certificate referred to in Article 19(2) of Regulation (EC) No 987/2009<sup>7</sup>.
2. From the day on which their secondment begins, SNEs shall be covered by the Authority against the risk of accident.
3. SNEs who cannot be covered by a public sickness insurance scheme may apply to have this risk insured by the Authority. The SNE shall pay half the relevant insurance premium and their contribution shall be deducted monthly from the subsistence allowances referred to in Article 17.

#### ***Article 12***

##### ***Working hours***

1. The working hours for SNEs shall be the same as those in force at the Authority.
2. SNEs shall serve on a full-time basis throughout the period of secondment. Following a duly justified request originating from the SNE and approved by the Unit concerned, the Executive Director may allow the SNE to work part time, provided the SNE's employer agrees, and the arrangement is compatible with the smooth running of the service. In this case the SNE shall be entitled, during the period of secondment, to a percentage of the daily subsistence allowance corresponding to the percentage of the time worked, as laid out in Article 17. The annual leave shall be reduced in accordance with the principles as applicable at the Commission.

#### ***Article 13***

##### ***Sick leave***

1. The rules in force at the Authority on absence due to sickness or accident shall

<sup>7</sup> OJ L 284, 30.10.2009, p. 1–42

apply to SNEs<sup>8</sup>.

2. Where the period of sick leave exceeds three months or the length of time worked by the SNE, whichever is longer, the subsistence allowances referred to in Article 17 shall be automatically suspended.
3. Sick leave may not extend beyond the duration of the secondment of the person concerned.
4. SNEs who are the victim of a work-related injury which occurs during the secondment shall continue to receive the subsistence allowances in full throughout the period during which they are unfit for work. These allowances shall not, however, be paid beyond the end of the period of secondment.

#### **Article 14** **Annual and special leave**

1. With exception of the provisions relating to grade, the rules in force at the Authority on annual and special leave, applicable to staff, shall apply to SNEs<sup>9</sup>.
2. Leave shall be subject to prior authorisation by the respective service to which the SNE is seconded. In the event of unauthorised absence within the meaning of Article 60 of the Staff Regulations, subsistence allowances shall not be paid.
3. Upon a duly justified request from the SNE's employer, the SNE may be granted up to two days of special leave by the Authority in a 12-month period to visit their employer.
4. Days of annual leave not taken by the end of the period of secondment shall be forfeited.

#### **Article 15** **Maternity leave**

1. The rules in force at the Authority on maternity leave shall apply to SNEs<sup>10</sup>. While on maternity leave the SNE shall receive the subsistence allowances referred to in Article 17.
2. Where the rules that are binding upon the SNE's employer provide for a period of maternity leave longer than that granted by the Authority, the secondment may, at the SNE's request, be interrupted for the period by which that leave exceeds the leave granted by the Authority.
3. A period equivalent to the break may be added to the end of the secondment if

<sup>8</sup> Articles 59 and 60 of the Staff Regulations and the provisions implementing these Articles shall apply mutatis mutandis

<sup>9</sup> Articles 57 and 59a of and Annex V to the Staff Regulations and the provisions implementing these Articles shall apply mutatis mutandis.

<sup>10</sup> Article 58 of the Staff Regulations and the provisions implementing this Article shall apply mutatis mutandis

the interests of the Authority warrant it.

4. An SNE may, as an alternative, apply for a break in the secondment to cover the sum of the periods allowed for maternity leave. In that case, the second subparagraph of paragraph 2 shall apply.

### ***Article 16***

#### ***Management and control***

Day-to-day administrative and financial management, such as the payment of subsistence allowances and travel allowances, shall be the responsibility of the Authority.

### **Chapter III**

#### **Allowances and expenses**

### ***Article 17***

#### ***Subsistence allowances***

1. SNEs shall be entitled, throughout the period of secondment, to a daily subsistence allowance and a monthly subsistence allowance equal to the amount established by the Commission each year.
2. These subsistence allowances shall be granted under the same conditions as the expatriation allowance for the Authority's staff members<sup>11</sup>.
3. In the case of cost-free SNEs, the exchange of letters referred to in Article 3(4) shall stipulate that these allowances will not be paid.
4. The subsistence allowances shall be subject to the correction coefficient of the place of secondment, e.g. Slovakia pursuant to Article 64 of the Staff Regulations.
5. The adjustments to remuneration provided under Article 65 of the Staff Regulations shall apply automatically to the subsistence allowances starting from the month following their adoption.
6. These allowances are intended to cover SNEs' living expenses in the place of secondment on a flat-rate basis and shall in no circumstances be construed as remuneration paid by the Authority.
7. Before the secondment, the SNE's employer shall certify to the Authority that during the secondment it will maintain the level of remuneration the SNE was receiving at the time of their secondment.

<sup>11</sup> Article 4 of Annex VII to the Staff Regulations and the provisions implementing this Article shall apply mutatis mutandis.

8. The SNE shall inform the Authority of any allowance similar to the subsistence allowance received from other sources. This amount shall be deducted from the subsistence allowances. Following a duly justified request from the employer, the Authority may decide not to make this deduction.
9. Subsistence allowances shall be payable for every day of the week, including during periods of mission, annual leave, special leave and holidays granted by the Authority.
10. Subsistence allowances shall be paid no later than the 25th day of each month.

### ***Article 18***

#### ***Place of origin***

1. For the purposes of this Decision, "place of origin" means the place where the SNE performed their duties for their employer at the time of their secondment. The place of secondment shall be the place where the Authority to which the SNE is seconded is located. Both places shall be identified in the exchange of letters referred to in Article 3(3).
2. If, six months before their secondment to the Authority, the SNE already has their main residence in a place other than that defined in paragraph 1, the place of origin shall be deemed to be whichever of the places is closer to the place of secondment.
3. Circumstances arising from work done by the SNE at the place of secondment for a State other than that of the place of secondment, or for an international organization, shall not be taken into account for the purpose of the Article.

### ***Article 19***

#### ***Travel expenses***

1. SNEs, if not seconded on a cost-free basis, shall be entitled to the reimbursement of the cost of their travel between their place of origin and the place of secondment, as defined in Article 18, at the beginning and end of their secondment.
2. Travel expenses shall be reimbursed in accordance with the relevant rules and conditions in force at the Authority.
3. By way of derogation from paragraph 1, an SNE who proves that they will be assigned to a place other than their place of origin at the end of the secondment shall be entitled to reimbursement of the travel expenses to that new place under the conditions laid down in paragraph 2. However, this reimbursement may not be more than the amount that would have been paid considering the SNE would have returned to their place of origin.
4. The Authority shall not reimburse any expenses referred to in the preceding paragraphs if they have been met by the employer or any other body. The Permanent Representation concerned or, as the case may be, the EFTA

Secretariat, or IGOs concerned shall inform the Human Resources Unit of the Authority to this effect.

## ***Article 20***

### ***Missions and mission expenses***

1. SNEs may be sent on mission subject to Article 6.
2. Mission expenses shall be reimbursed in accordance with the relevant rules and conditions in force at the Authority<sup>12</sup>.

## ***Article 21***

### ***Training***

SNEs shall be entitled to attend training courses organised by the Authority if the interests of the Authority warrant it. The interests of the SNE, in particular with a view to their reinstatement into their original administration after the secondment, may be considered when a decision is taken on whether to allow them to attend a training course.

## ***Article 22***

### ***Appraisal***

The appraisal procedure applicable to staff members of the Authority shall apply by analogy. The SNE's employer may request to receive the appraisal report either through the SNE or through ELA's Human Resources.

## ***Article 23***

### ***Administrative provisions***

SNEs shall report to the Human Resources service on the first day of secondment to complete the requisite administrative formalities. They shall take up duty on either the first or the sixteenth day of the month.

## **Chapter IV**

### **Complaints**

## ***Article 24***

### ***Complaints***

Without prejudice to the possibilities for instituting proceedings after taking up their position, under the conditions and time limits laid down in Article 263 of the Treaty on

<sup>12</sup> Articles 11 and 12 of Annex VII to the Staff Regulations and the provisions implementing these Articles shall apply *mutatis mutandis*

the Functioning of the European Union, any SNE may submit a complaint to the Executive Director about an act adopted by the Authority services under this Decision which adversely affects them, with the exception of decisions which are direct consequences of decisions taken by their employer.

The complaint must be lodged within three months. The period shall start to run on the date of notification of the decision to the person concerned, but in no case later than the date on which the latter received such notification. The Executive Director shall notify the person concerned of his/her reasoned decision within four months from the date on which the complaint was lodged. If at the end of that period no reply to the complaint has been received, this shall be deemed to constitute an implied decision rejecting it.

## **TITLE II**

### **NATIONAL EXPERTS IN PROFESSIONAL TRAINING**

#### ***Article 25***

##### ***General provisions and definitions***

1. National experts in professional training (hereinafter referred to as NEPTs) are staff from the public administrations of EU or EFTA Member States or from IGOs, who are admitted to the Authority units for professional training purposes.
2. The provisions of Article 1(1), 3 (1), 3(3), and 5(1) shall apply by analogy to NEPTs.

#### ***Article 26***

##### ***Purpose of the professional training***

1. The purpose of the professional training is:
  - to give NEPTs experience of the Authority's working methods and policies;
  - to enable them to gain practical experience and understanding of the day-to-day work of the Authority units and to give them the opportunity to work in a multicultural, multilingual environment;
  - to enable staff of national administrations to put into practice the knowledge they have acquired in their studies, particularly in their respective areas of responsibility.
2. For its part, the Authority:
  - benefits from the input of people who can offer a new point of view and up-to-date knowledge which will enrich the daily work of the institution;

- builds up a network of people with direct experience of its procedures.

### ***Article 27***

#### ***Eligibility***

1. The provisions of Article 8 on professional experience and knowledge of languages shall apply by analogy to NEPTs.
2. People who have already been seconded as an SNE or worked under an employment contract in one of the Community institutions or bodies shall not be eligible for traineeships.

### ***Article 28***

#### ***Selection of candidates***

1. Applications shall be forwarded by the Permanent Representations of the Member States concerned or, as the case may be, the EFTA Secretariat, administrations of non-member countries or IGOs to the Human Resources service of the Authority in accordance with the procedure and methods decided by that unit.
2. After consulting the units concerned and considering the situation, the Executive Director shall decide how many NEPTs are to be admitted to the Authority for each period.

### ***Article 29***

#### ***Duration of the professional training***

1. The professional traineeships shall last between three and five months. The duration shall be fixed at the outset and may not be changed or extended. A NEPT may complete only one professional traineeship.
2. The professional traineeships are organised twice a year, usually starting on the 1st or 16th of the months of March and October.

### ***Article 30***

#### ***Organisation of the professional training***

1. Throughout the professional traineeship NEPTs shall be supervised by a training advisor. The training advisor must inform the Human Resources Sector of the Authority of any significant incidents during the professional traineeship (in particular absences, illness, accidents or interruption) which he knows of or has been informed of by the NEPT.
2. NEPTs must obey instructions given by their training advisor, their superiors in the unit or service to which they are seconded and the Human Resources Sector of the Authority.

3. NEPTs shall be allowed to attend meetings, unless they are restricted or confidential, to receive documentation and to participate in the activities of the unit to which they are seconded.

### ***Article 31***

#### **Suspension of the professional traineeship**

At the written request of the NEPT or his employer, and with the latter's prior agreement, the Head of Unit concerned may authorise a very brief suspension of the professional traineeship or its early termination. The NEPT may return to complete the remaining period of the professional traineeship, but only up until the end of that period. Under no circumstances may the traineeship be extended.

### ***Article 32***

#### **Tasks, working conditions and remuneration**

1. The following Articles shall apply by analogy to NEPTs:
  - Article 6 (2), 6(3), 6(5), 6(6), 6(7), 6(8), 6(9), 6(10) on tasks;
  - Article 7 on rights and obligations;
  - Article 11(1) and (2) on social security;
  - Article 12(1) on working hours;
  - Article 13 on sick leave;
  - Article 14 on annual leave and special leave;
2. NEPTs shall be regarded as cost-free SNEs within the meaning of Article 2. They shall continue to be paid by their employer without any financial compensation being paid by the Authority. The Authority will accept no requests for grants or fees or the reimbursement of travel or other expenses.

### ***Article 33***

#### ***Reports and certificate of attendance***

1. NEPTs who have completed the stipulated professional training period shall complete the evaluation reports requested by the Human Resources service of the Authority at the end of their traineeship. Training advisors must also complete the relevant evaluation report.
2. Subject to the completion of these reports, NEPTs who have completed their professional traineeships shall receive a certificate showing the dates of the professional training and the unit in which it took place.

**TITLE III**  
**FINAL PROVISIONS**

***Article 34***  
***Delegation***

1. The Executive Director may delegate the powers devolved to him/her pursuant to this Decision to one or more middle managers of his/her choice.
2. The employer concerned shall enjoy a close working relationship with the Authority throughout the SNEs' secondment. All correspondence and contacts between the SNE's employer and the Authority shall be directed to the Authority's Human Resources Sector.

***Article 35***  
***Entry into force***

1. This Decision shall take effect on the day following its adoption by the Management Board of the Authority.
2. From the date of this Decision taking effect, the ELA Management Board Decision N 3/2019 of 17.10.2019 laying down rules on the secondment to the European Labour Authority of national experts and national experts in professional training is repealed and replaced by this Decision.

Done at Bratislava, 10.11.2021

*For the Management Board*

*(e-signed)*

*Tom Bevers*

*Chair of the Management Board*