



Decision No 9/2022
of 15 June 2022
of the Management Board
On the application by analogy of the Commission Decision on working time and hybrid working

THE MANAGEMENT BOARD OF THE EUROPEAN LABOUR AUTHORITY,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing the European Labour Authority amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344¹, and in particular Articles 30, 32 and 33 thereof,

Having regard to the Staff Regulations of Officials ('Staff Regulations') and the Conditions of Employment of Other Servants of the European Union ('CEOS'), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68², and in particular Article 1e(1) and (2), Article 55 and Article 110(2) of the Staff Regulations, and Articles 10, 16, 80 and 91 of the CEOS,

Having regard to communication C(2014)6543 final of 26 September 2014 from Vice-President Šefčovič to the Commission on the guidelines on the implementation of Article 110(2) of the Staff Regulations with regard to the implementing rules applicable in the agencies, and in particular section 3.1 thereof,

Having regard to the information pursuant to Article 110(2) of the Staff Regulations from the Commission on 24 March 2022 regarding the adoption of implementing rule giving effect to the Staff Regulations, i.e. Commission Decision C(2022)1788 of 24 March 2022 on working time and hybrid working,

Having regard to the fact that the Staff Committee of the European Labour Authority, which is to be consulted pursuant to Article 110(2) of the Staff Regulations, has not yet been constituted, it is impossible at the present to comply with the requirements of that provision. The Staff Committee will be invited to give its opinion on these implementing rules when it has been constituted and due consideration will be given to its opinion. The Management Board is entitled in such circumstances to approve the rules forthwith,

Whereas:

- (1) In application of Article 110(2) of the Staff Regulations, implementing rules adopted by the Commission to give effect to the Staff Regulations shall apply by analogy to the

¹ OJ L 186, 11.7.2019, p.21 .

² OJ L 56, 4.3.1968, p. 1, as last amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013, OJ L 287, 29.10.2013, p.15.

agencies nine months after the date of the notification from the Commission or enter into force at an earlier date as per subparagraph 2 of Article 110(2) of the Staff Regulations,

- (2) The Standing Working Party (SWP) has informed the agencies that a specific model decision more adapted to the agencies will be developed. ELA should evaluate this decision once adopted and make appropriate follow up, as necessary. In the meantime, it is recommended that the Commission Decision C(2022)1788 of 24 March 2022 on working time and hybrid working enters into force.

HAS DECIDED AS FOLLOWS:

Article 1

The Commission Decision (2022)1788 of 24 March 2022 on working time and hybrid working, annexed to this Decision, shall apply by analogy to ELA.

Article 2

This Decision shall take effect on 1 September 2022.

Done at Bratislava, 15 June 2022.

For the Management Board

Tom BEVERS
Chair