

Mr B. Battistelli
President of the EPO

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Zentraler Personalausschuss
Central Staff Committee
Le Comité Central du Personnel

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Dear Mr Battistelli,

The Central Staff Committee takes note of your public invitation to meet a CSC delegation and deplores that you remain silent on the ongoing social disputes, and that you have once again decided on who can attend the meeting instead of leaving it up to the CSC to choose the best people to represent staff's interest.

For the sake of transparency, the CSC will inform staff in this open letter that the meeting you propose, does not, under the current circumstances, allow for a real social dialogue.

The CSC is puzzled by your Communiqué No. 33, which seems to portray a "*business as usual*" situation. As you know, the EPO has been in a state of social unrest with industrial actions since March this year. You have, so far, not responded to [the concerns expressed in our letter](#) dated 24 June 2013. Accordingly, we did not attend the meeting in June to avoid that our presence be used as a fig leaf for an effectively non-existing dialogue.

Since June, the Office has enforced an embargo on swift communication through emails. This makes the organisation of a healthy debate and gathering of feedback extremely difficult as well as time- and resource-consuming. Further, these measures are contrary to fundamental principles of law and in clear violation the national law of host countries (e.g. Germany).

Furthermore, your administration has issued letters to hundreds of staff members threatening them with disciplinary measures. Most of the CSC members are now subjected to threats of disciplinary measures for communicating with their constituencies via email. This makes any meaningful discussion impossible, since any concession on their part can be interpreted as having been made under duress. Not only do these measures undermine our ability to represent staff's interests and endanger the smooth running of the Office, they also blatantly disregard the legitimate concerns of staff and feed further escalation of the conflict.

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We request that, prior to any formal meeting, steps of de-escalation are undertaken.

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To that end, we request:

- 1. The withdrawal of all the above mentioned letters of threat sent to staff and their representatives by your administration;**
- 2. The termination of the censorship: removing the technical restrictions preventing staff representation bodies to communicate by email with their constituencies and amongst themselves.**

Further to these measures, it is necessary to

- 3. jointly develop a framework for a meaningful dialogue between all social partners before addressing any other specific issue.**

The agenda you propose is both vague and incomplete. Given that "wellbeing" so far mostly relates to sick leave control we are wary of what "social democracy" might mean. Also, your agenda fails to address two concrete points that are both urgent and important to staff: the 2013 and 2014 promotions (including the instructions to the promotion boards) and the planned increase of pension contributions.

Since the beginning of your Presidency your administration has failed to answer virtually all letters from the Central Staff Committee, including approximately 30 letters¹ sent to you personally. We consider that this is not conducive to effective social dialogue and displays contempt for staff.

Please confirm that the above measures will be implemented before the meeting and that the agenda is amended as proposed. We will then inform you of the constitution of the CSC delegation. Failing to answer the present letter and to address the issues it raises **by 12 September 2013 would demonstrate that you are not willing to enter into a genuine social dialogue with the legitimate social partners.**

Yours sincerely,



Desmond Radford
Chairman
Central Staff Committee

¹ referring to Central Staff Committee letters alone: sc13006cl, sc13022cl, sc13028cl, sc13032cl, sc13033cl, sc13049cl, sc13090cl, sc12017cl, sc12018cl, sc12026cl, sc12030cl, sc12033cl, sc12048cl, sc12056cl, sc12076cl, sc12077cl, sc12089cl, sc12097cl, sc12126cl, sc12135cl, sc12138cl, sc11037cl, sc11049cl, sc11068cl, sc11084cl, sc11086cl, sc11089cl, sc11106cl and sc10126cl