



## **Report of the 239th meeting of the GAC on 24.04.2012 in The Hague**

### **Summary**

The 239<sup>th</sup> meeting of the GAC (General Advisory Committee) was the second GAC meeting of 2012. The agenda comprised a document concerning the final 2012 PRED and CRED values and a document comprising Guidelines for overtime, shift work and on-call duty.

### **Introduction**

As reported in our report of the 238th GAC, in order to "strengthen" the GAC in 2012 the President has decided to nominate members of the MAC, and in particular, the vice-Presidents, as members of the GAC.

As set out in the above report, we feared that this was not wise (let alone legal) because the senior managers of the Office also tend to have the busiest agendas. We thus feared that they would find it difficult to attend the meetings regularly. This was again confirmed. From the three vice-Presidents nominated as members of the GAC, only one (VP1) attended the current meeting. The other two had to be deputised by non MAC members.

Again, as with the first meeting of the year, the current meeting was originally scheduled to last two days. However, since the agenda was again extremely short, the first day of the meeting was cancelled. The meeting was thus, as with the first meeting of the year, a one day meeting.

We have now received the agenda for the next GAC in May. This comprises precisely one document for opinion - albeit an important one concerning reform of the internal appeal system. It has again been proposed that this meeting, originally scheduled for two days, should also be held on a single day.

For 2012, the administration actually has a very long list of topics which it would like to (or

should) attend to. If the next meetings continue the current trend, there are three possibilities:

1. The President won't conclude all the topics which are currently planned; or
2. A number of additional "ad hoc" meetings will have to be arranged (indeed, an additional meeting has already been pencilled in for the 25th June); or
3. Later meetings will have such full agendas that we will be expected to discuss and give an opinion on (for example) a new pension system in half an hour.

None of the above possibilities is optimal. We will have to see how the administration intends to proceed.

### **Final 2012 PRED / CRED values**

In conformance with recent practice, following discussions in the PAX Implementation Board, the administration presented the final PRED and CRED values for 2012 to the GAC for opinion.

Concerning the actual figures, we were satisfied that the calculations leading to the values presented in the document were performed in accordance with the relevant provisions in the PAX Implementation Handbook.

However, in 2011 the cluster Electricity and Semiconductor Technology was split up and the directorates assigned to clusters now named "Applied Physics" and "Electrical and Electronic Technology".

A management decision was taken not to define additional Peer Reference Examiners for these new Joint Clusters. This decision was taken without any consultation with the PAX Implementation Board. In the meeting, we set out that we believe that, in such situations, proper statutory consultation can only take place after the PAX Implementation Board has had an opportunity to carry out a technical analysis of the calculations leading to the PRED/CRED values. The fact that the PAX Implementation Board has not been consulted on this decision implies that the GAC has also not been consulted on this particular point.

The members nominated by the President gave a positive opinion on the proposal. In addition, VP1 undertook to reconsider the issue of whether to consult the PAX Implementation Board before deciding on whether or not new or additional PRED values are required in particular technical areas in the future.

#### **Guidelines for overtime, shift work and on-call duty**

The administration presented to the GAC a document setting out guidelines for overtime, shift work and on-call duty. The administration's expert explained to the GAC that in two audits, the auditors had complained that, for these items, the Office had no regulated practice. In particular, there was neither a documented authorisation process nor harmonisation between Office departments. The aim of the proposal was thus to overcome these deficiencies so as better to control overtime, shift work and on-call duties. There is also an e-tool in MyFips order to help managers administering this. The e-tool will be discussed in a meeting of the COHSEC in May.

It is, of course, in principle a good thing to have such Guidelines. They bring transparency and consistency in the administration of (in the current case) overtime, shift work and on-call duty. This is beneficial both to the staff and managers affected, who then know their rights and their obligations.

In the GAC, there was, however, agreement that working overtime should only be requested in cases of urgency, exceptional pressure of work or particular circumstances. It should not be used to solve structural problems stemming from understaffing in a given department. This could be evidenced, for

example, by staff in particular departments consistently being around the maximum of 150 hours in any six month period. Understaffing should be addressed by recruitment, and not overtime. Moreover, there was agreement that, for health reasons, if at all possible, overtime should be compensated by time off, and not by money.

However, in most respects the proposed guidelines were reasonable. During the discussions, the GAC suggested a number of (mainly minor) amendments to the text and gave a positive opinion on the proposal with the amendments suggested. We assume that these will be accepted by the President when he considers the GAC's opinion.

The members of the GAC nominated by the CSC.