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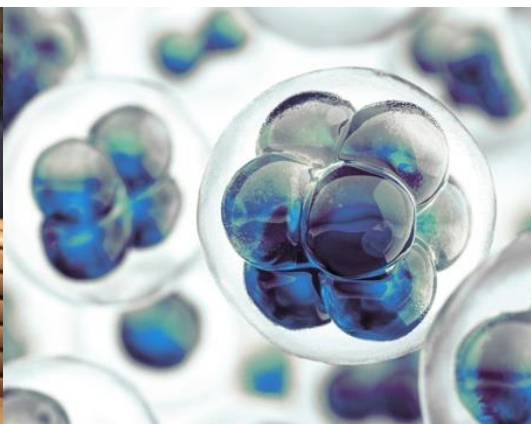
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Unattainable targets and appraisal reports: Demystifying the Office's dogmas



Local Staff Committee Munich



LSCM



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Observations in past appraisal reports



“Your performance is very disappointing for one in your grade”

“You are not worth the money paid to you by the Office”

“If your performance does not improve this will have severe repercussions”

“Accomplishing 88% of your production objectives is far below the expected level; you are professionally incompetent”

“Accomplishing 75% of your production objectives is “not met” the objective”

The Office's misleading information

**“Appraisal reports must not be arbitrary
nor discriminatory”**



Telling not even half of the truth ?

The complete information: part 1

Article 110a (4) ServRegs:

«The Appraisals Committee shall review whether the appraisal report was arbitrary or discriminatory»

No proper substantiation based on clear rules:
assessment is arbitrary

The complete information: part 2

Article 47 ServRegs (Fairness, objectivity):

”The assessment of performance and competencies...shall be conducted in a **fair and objective** manner”.

Fair: approximately 70% of production targets accomplished is “partially met”.

Objective: you must **not** be assessed based on additional, not agreed-upon targets.

The complete information: part 3

Circular 397 (Professional incompetence):

“An employee’s overall performance must fall to an unacceptable level with regard to the achievement of their objectives and/or the competencies requirements of the job profiles”

Good quality = professionally competent

The complete information: part 4

According to ILOAT case law an appraisal report is a discretionary decision subject to limited review.

Grounds for overturning a discretionary decision are:

- a) Abuse of power
- b) Flawed procedure
- c) Error of law
- d) Error of material fact
- e) Manifestly erroneous conclusion from a correct material fact
- f) Consideration of an irrelevant fact, or non-consideration of a relevant fact

The complete information: part 5

General principles in (case) law such as:

- 1) exercise of discretion under the *legal principle of proportionality*
- 2) in dubio pro reo / presumption of innocence
- 3) burden of proof for wrongdoing on the Office (ILOAT j4491, cons. 19)
- 4) Performance assessment “not a purely mathematical exercise”

(ILOAT j3268, cons. 12)

Requests to the President and the Vice-Presidents

“Guidelines on ~~rewards~~ appraisal reports”

- 1) Instruct the subordinated line managers to draft appraisal reports in a **benevolent manner**, in particular:
- 2) Instruct the subordinated line managers to assess a production/productivity target accomplished by 65% or more as “partially met” objective



Your sound arguments have fallen on deaf ears ?



AppraisalCommitteeTemplate



ComplaintAppraisalReportTemplate