



Europäisches
Patentamt
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des brevets

Personalausschuss
Staff Committee
Le Comité du Personnel

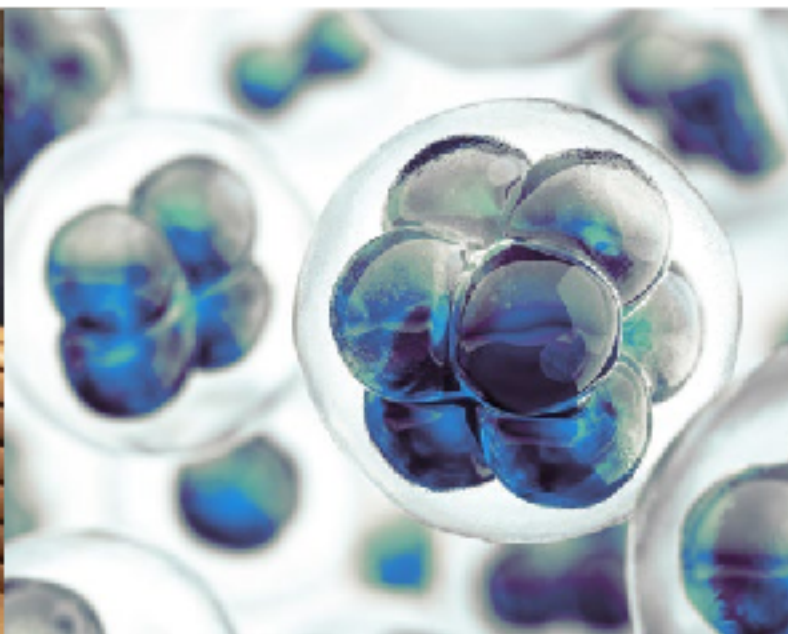
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The “Mobility” Package

*These are the slides as presented by the Local Staff Committee of Munich
in a General Assembly of all Staff in Munich on May 18th, 2022*



Staff Committee



General Assembly of Staff Representation



18-05-2022

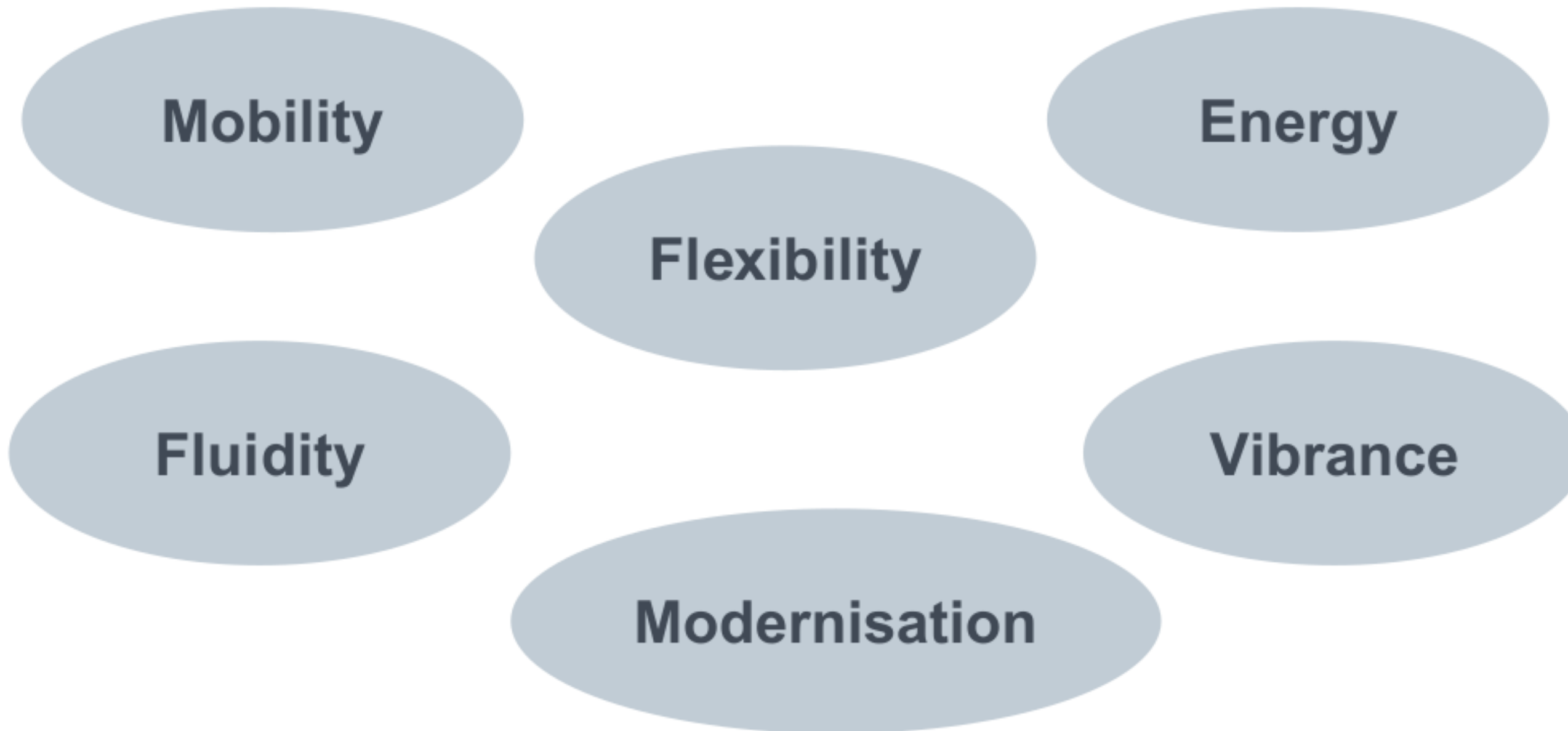
The “Mobility” Package

Decentralising, subsidising and self-service
A re-election package



“Mobility” Package

- 6 May 2022: Professional “mobility” ([CA/32/22](#))



“Mobility” Package

- 6 May 2022: Professional “mobility” ([CA/32/22](#))



Sustainability

Young Professionals

- A new sub-category of staff: Low rights and low costs
 - 3 year program with a selection of partner universities (undisclosed agreements)
 - Probation period of 3 months: extension or dismissal,
 - After Year 1, **70% ejected from the program**



- Participation in patent search and examination, but work signed by another EPO employee (no credit for it, covert violation of the EPC)
- No right to part-time, no special leave or family leave

Young Professionals

- A new sub-category of staff: Low rights and low costs
 - no allowance except for dependent and travel allowance
 - no right to pension transfer, no salary savings plan
 - terms and conditions for granting them rewards undisclosed: blanket clause
 - Year 1 salary: **67% of G1(4)** = 2.205 € + 92€ (lump sum)
 - Job Group 6 employees start at least in G2: **virtual Job Group 7**
 - Equivalent of **G(-2)(3)**: **virtual off-scale negative Grade**
 - Year 2 and 3 salary: G1(4) = 3.291,01 € + 92 € (lump sum)
 - Social minimum pension after 25 years at the EPO (Art. 10(3) Pension Regs)
 - Career opportunity? 1 y + 2 y + 5 y + 5 y + permanent?

Sustainability? Cheap disposable workforce

Young Professionals

▪ How will it affect you?

Recruitment policy replacement rate of retirees ([CA/100/21](#), §32, 33)

- 64%-72% in DG1 (only for examiners, no formalities officers)
- 50% in DG0, 4 and 5
- inflation of managers, PDs and Directors in non-core areas

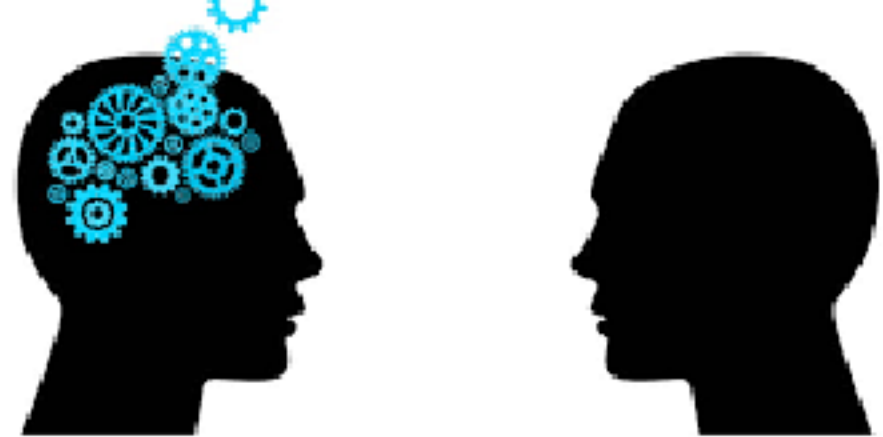
WHILE, patent applications at record high +4,5% from 2020 ([Patent Index 2021](#))

- more productivity stress, undercapacity in teams
- Young Professionals to cover recruitment gap
- Experienced staff requested to coach them (10 M€ per year program)
- Disposable and unpredictable workforce going elsewhere

EPO employees forced to make the program sustainable

Secondment Policy: Inbound

▪ National employees at EPO: Knowledge transfer to them

- from any country in the world, any public or private body (e.g. national patent office, EUIPO in Alicante)
 - up to 5 consecutive years (more if interruption)
 - no selection procedure
- 
- ServRegs replaced by Contract Law with seconding body (undisclosed agreement)
 - specific teleworking arrangements (allows no presence on EPO premises)
 - Participation in patent search and examination, but work signed by another EPO employee (no credit for it, covert violation of the EPC)

Long-term decentralisation of EPO core tasks

Secondment Policy: Inbound

- **National employees at EPO: A generous package**

- national salary **paid by the EPO**

+

monthly subsistence allowance, **paid by the EPO**

= 60% of daily subsistence allowance multiplied by 30

= for Germany **+4.842 €** and Netherlands **+5.148 €**



IF total < G7(1), THEN additional differential amount (for lower income delegations)

- even if no presence in the country of secondment (residence in home country)
- Tabled in the Administrative Council meeting of 29 June during which re-election of Mr Campinos will be discussed: a **re-election package**

Some can be less sustainable than others

Secondment Policy: Outbound

- **EPO employees in other bodies: Outsourcing EPO core tasks**
 - to any public or private body (e.g. national patent offices, EUIPO in Alicante)
 - no specific limit in duration

- EPO employees performing EPO core tasks for another body (e.g. treating PCT searches for a national patent office)

- Knowledge transfer to national patent offices

Long-term decentralisation of EPO core tasks

Secondment Policy: Outbound

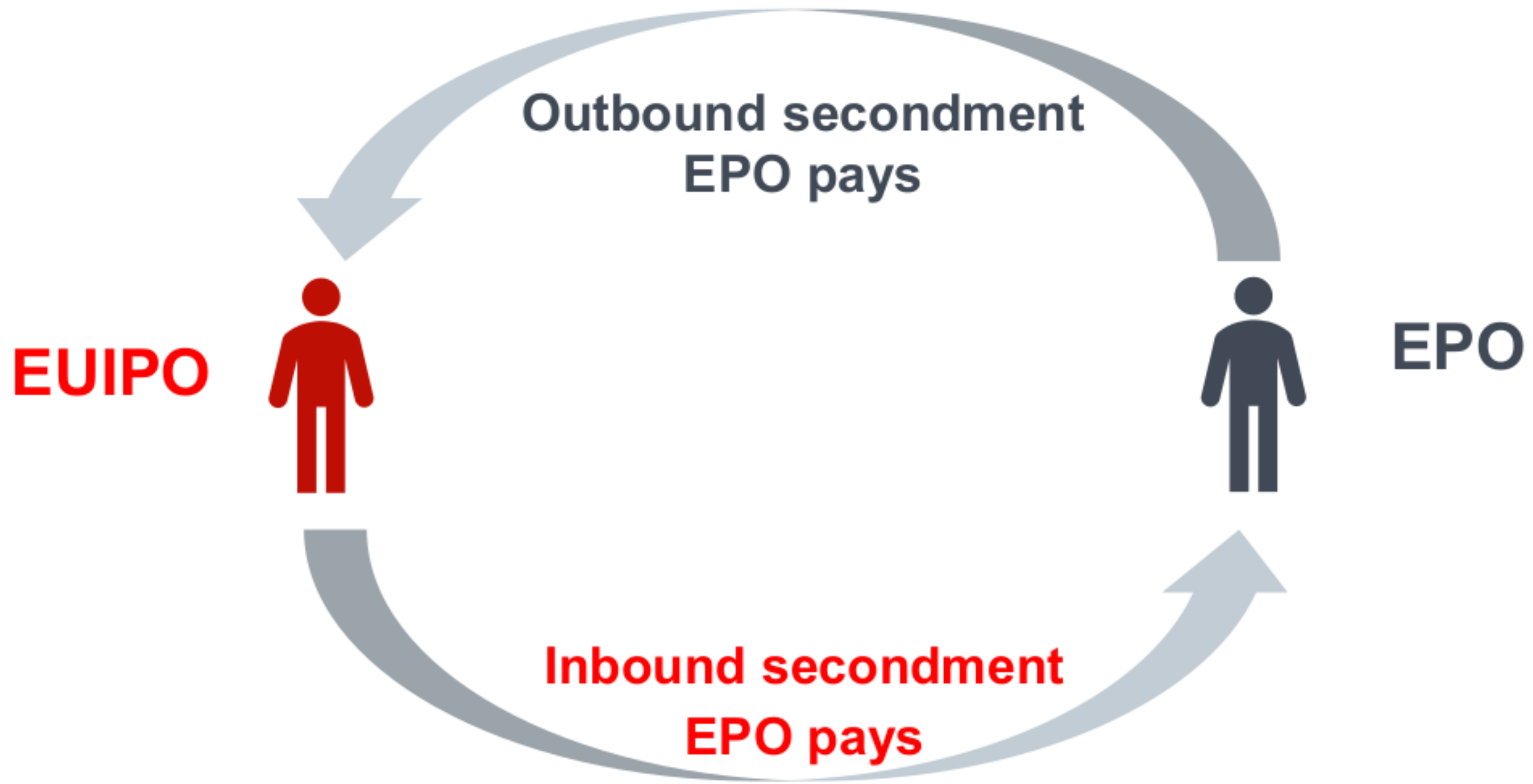
- **EPO employees in other bodies: A generous package**

- remain in active status (previously non-active)
- remain entitled to their full EPO remuneration **paid by the EPO**
- remain members of EPO social security and pension scheme
- reimbursement of additional expenses **paid by the EPO**
- performing no work for the EPO
- A new EPO administration may attribute itself new EPO posts while keeping the former administration quiet elsewhere with a generous package
“PD / Director Ghosting”

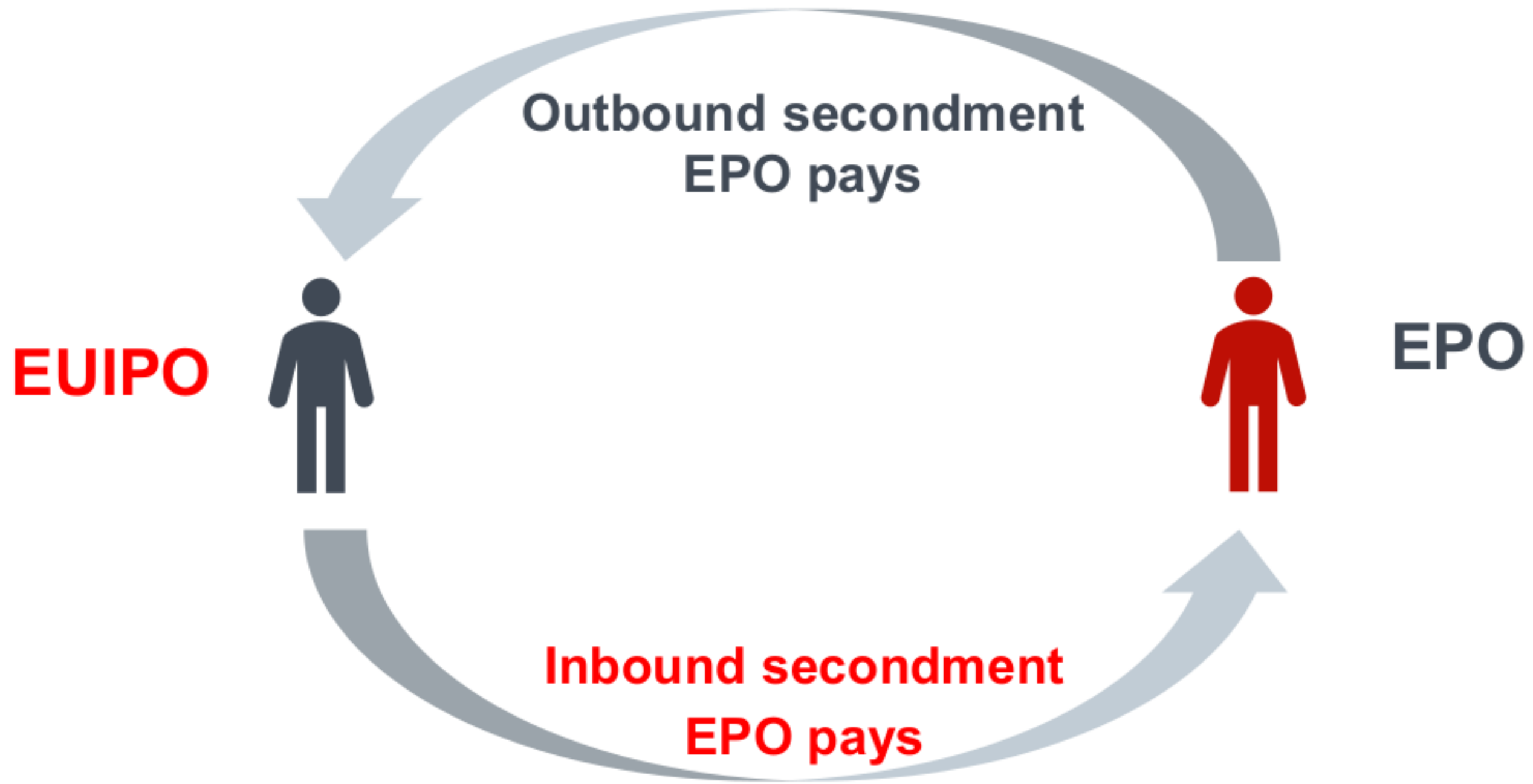


Some can be less sustainable than others

Secondment Policy: Inbound / Outbound



Secondment Policy: Inbound / Outbound



For one post, the EPO pays two and subsidises EUIPO

Consultation with staff representation

▪ 26 April 2022: General Consultative Committee (GCC)

- “The atmosphere of the GCC meeting was abysmal. The President used foul language throughout, using expletives in various languages, and insulted most of the speakers.”

(see CSC [report](#) of 29 April 2022)

“It’s about your _____ entitlement?”

“You will never have such a nice person being the _____ President for the next fifty _____ years. So you wake up and make agreements with me, or you never will for your _____ life.”

- **Agreements?**

- Draft updated Circular 347 on strikes (15 October 2019): illegal ([J4430](#))
- Draft agreement on communication means (30 August 2021): institutionalised censorship
- Mobility package: against the interests of the EPO

Consultation with staff representation

- **26 April 2022: General Consultative Committee (GCC)**
 - **Leading by example?**

*“We need to accept diversity and it starts with us. Diversity comes with divergence in opinions. **So as a manager as you might have heard, you either lead by example or you don’t lead at all.**”*

(Ms Simon (VP4), [interview](#) of 2018 after election [@4:28](#))

*“**I don’t believe in “Café para todos”**: that every year, everybody gets a bit [...] because we all were there [...] The extraordinary mile, the high performance team, **the ones that 24/7 worked day and night. Those are the guys that will get the pensionable reward or the cash bonus. Not everybody just for showing up.**”*

(Ms Simon (VP4), [“DG4 All-Together”](#) 30 March 2022 [@1:23:30](#))

Consultation with staff representation

- **26 April 2022: General Consultative Committee (GCC)**

- **Transparency in social dialogue**

“With time, we observe that the level of disrespect towards us has been growing. We cannot continue to allow this escalation. According to Article 38(5) Service Regulations, the GCC discussions are recorded, and as such we request that this recording be made available to allow full transparency.”

(see CSC [report](#) of 29 April 2022)

- [Opinion](#) of the CSC on the Intranet
- CSC letter of 17 May to Administrative Council + Copy to Directorate Ethics and Compliance

What next?

- **24 May 2022** **Budget and Finance Committee**
- **29 June 2022** **Administrative Council**

- Unprecedented deterioration of working conditions for younger employees

- “Work more for less”: higher productivity targets, cuts on career and cuts on purchasing power (“**sustainability**”)

- Decentralising (selling?) core EPO tasks, subsidising national offices, seconded posts for AC delegations and self-service of seconded posts for EPO management (less sustainable than others)

The President’s re-election package