

## MB DECISION

---

**Decision n°:** 2017/01

**Subject:** Rules on the secondment to FRA of national experts and national experts in professional training

---

### THE MANAGEMENT BOARD OF THE EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS

HAVING REGARD to the Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights (hereinafter "FRA") and in particular Article 24.4;

TAKING INTO ACCOUNT the Commission Decision of 12.11.2008 laying down rules on the secondment to the Commission of national experts and national experts in professional training (C(2008) 6866 final),

#### WHEREAS:

- (1) Seconded national experts (hereinafter "SNEs") should enable FRA to benefit from the high level of their professional knowledge and experience, in particular in areas where such expertise is not readily available.
- (2) It is highly desirable to foster the exchange of professional experience in, and knowledge of, European policies by temporarily assigning experts from the administrations of the EU Member States as well as from the Member States of the European Free Trade Area (EFTA), countries with which the Council has decided to open accession negotiations and public intergovernmental organisations (IGOs) to FRA.
- (3) In order to ensure that FRA's independence is not compromised by private interests, it should be stipulated that SNEs must come from a national, regional or local public administration or an IGO. The secondment of an SNE by an employer other than a national, regional or local public administration or an IGO should be authorised only on a case-by-case basis, once it has been ascertained that the SNE's employer is part of the public sector or is an independent university or research organisation that does not seek to make profits for redistribution.
- (4) In order to avoid any conflict of interests, the rights and obligations of SNEs, as set out in this Decision, should ensure that they carry out their duties solely in the interests of FRA.
- (5) In view of their special status, it should be stipulated that SNEs acting alone will not exercise any of the responsibilities that belong to FRA by virtue of the powers conferred upon it.

## MB DECISION

- (6) It is desirable to consolidate the rules applicable to SNEs in a single text, preserving their specific features while also simplifying them and, in the case of working conditions and the granting of subsistence allowances, by bringing them as much as possible in line with the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities, but without actually assimilating SNEs to these categories.
- (7) In view of the importance of training officials of the Member States – and, where appropriate, of EFTA countries, candidate countries and IGOs – in FRA policies and the FRA's working methods, a specific legal and administrative framework for the induction and professional training of these officials, to be known as national experts in professional training (NEPTs), should be set up.

HAS DECIDED AS FOLLOWS:

### **TITLE I** **SECONDED NATIONAL EXPERTS**

#### **Chapter I** **General provisions**

##### *Article 1*

##### *Scope and definitions*

1. These Rules shall apply to national experts seconded to FRA (hereinafter referred to as SNEs or seconded national experts).

Seconded national experts are staff employed by a national, regional or local public administration or an IGO, who are seconded to FRA so that it can use their expertise in a particular field.

For the purposes of this Decision, the public administration means all State administrative services at central, federal and regional level, comprising ministries, government and parliament services, the courts, central banks, and the administrative services of local authorities, as well as the decentralised administrative services of the State and of such authorities.

The persons covered by these Rules must have worked for their employer on a permanent or contract basis for at least 12 months before their secondment and shall remain in the service of that employer throughout the period of secondment.

The SNE's employer shall thus undertake to continue to pay his salary, to maintain his administrative status (permanent official or contract staff member) throughout the period of secondment and to inform the Corporate Services (CS) of FRA of any change in the SNE's situation in this regard. The SNE's employer shall also continue to be responsible for all his social rights, particularly social security and pension. The termination of, or change in, the SNE's administrative status (permanent official or contract staff member) may lead to the termination of his secondment by FRA, without notice, in accordance with Article 10(2)(c).



## MB DECISION

2. Notwithstanding the second subparagraph of paragraph 1, the Director may, on a case-by-case basis, authorise the secondment of an SNE from an employer other than a State public administration or an IGO if the interests of FRA warrant bringing in specific expertise as a temporary measure, provided that the SNE's employer:
  - o is an independent university or research organisation which does not set out to make profits for redistribution; or
  - o is in fact part of the public sector.

For the purposes of this Decision, to qualify as being part of the public sector the SNE's employer must meet all the following conditions:

- o it must be attached to a public administration, as defined in paragraph 1, and specifically it must have been created by legislation or regulation;
  - o its resources must come primarily from public funding;
  - o any activities in which it competes against other private or public entities on the market must represent less than half of its activities.
3. Except where the Director grants a derogation, an SNE must be a national of an EU or EFTA Member State or a country with which the Council has decided to open accession negotiations.
  4. When a secondment is being planned, FRA will also consider as appropriate the geographical and gender balance and compliance with the principle of equal opportunities, in accordance with the principles set out in Article 1d and Article 27 of the Staff Regulations.
  5. Any reference in these Rules to a person of the male sex shall be deemed also to constitute a reference to a person of the female sex, and vice-versa, unless the context clearly indicates otherwise.

### *Article 2*

#### *Cost-free seconded national experts*

1. For the purposes of this Decision, "cost-free SNEs" means SNEs for whom FRA does not pay any of the allowances provided for in Chapter III or cover any of the expenses provided for in this Decision, other than those related to the performance of their duties during their secondment (e.g. missions).
2. Cost-free SNEs may be seconded from the public administration, as defined in Article 1(1), of an EU or EFTA Member State or a country with which the Council has decided to open accession negotiations, or from an IGO, as part of an agreement and/or exchange programme with FRA.
3. Cost-free SNEs shall be taken into account in FRA's annual decision on the final allocation of human resources and decentralised administrative expenditure.

### *Article 3*

#### *Selection procedure*

1. SNEs shall be selected according to an open and transparent procedure the practical details of which shall be stated in the SNEs call published in the FRA website.
2. Before the secondment, the Director must have been authorised to use SNEs under the Annual Policy Strategy/Preliminary Draft Budget procedure and FRA's annual decision on the final allocation of human resources and administrative expenditure.

## MB DECISION

3. The secondment is effected by an exchange of letters between the Director and the representative from the sending employer.

### *Article 4*

#### *Period of secondment*

The initial period of secondment may not be less than six months or more than two years. It may be renewed once or more, up to a total period not exceeding four years. Exceptionally, at the request of the Department / Director's office concerned and where the interests of the service warrant it, the Director may authorise one or more extensions of the secondment for a maximum of two more years at the end of the four-year period.

In cases where an SNE has been seconded as a national expert in professional training within the meaning of Article 24 during the six years preceding his secondment as an SNE, the period of the traineeship shall be deducted from the maximum period of six years provided for in the previous paragraph.

1. The initial duration of the secondment shall be specified in the exchange of letters referred to in Article 3(2). Any extension of the period of secondment shall be the subject of a new exchange of letters.
2. An SNE who has already been seconded to FRA may be seconded to it another time subject to the internal rules governing the maximum length of time such persons may spend in FRA, and subject further to the following conditions:
  - a) the SNE must continue to meet the conditions for secondment;
  - b) a period of at least six years must have elapsed between the end of the previous period of secondment and the new secondment; if at the end of the previous secondment the SNE received an employment contract with FRA, the duration of that contract or secondment shall be taken into account when calculating the six-year period referred to above.
  - c) The minimum period of six years referred to at b) shall not be required if the previous secondments lasted for less than four years, but in that case the new secondment shall not exceed the unexpired part of the four-year period, without prejudice to the possibility of extending it by up to two more years, as provided for in paragraph 1.

### *Article 5*

#### *Place of secondment*

The place of secondment is Vienna.

### *Article 6*

#### *Tasks*

1. SNEs shall assist FRA temporary staff. They may not perform middle or senior management duties, even when deputising for their immediate superior.



## MB DECISION

2. The Head of Department may authorise an SNE to participate on his own in one or more missions or external meetings, after having ensured that there is no potential conflict of interest.

Under no circumstances may an SNE on his own represent FRA with a view to entering into commitments, whether financial or otherwise, or negotiating on its behalf.

3. FRA shall remain solely responsible for approving the results of any tasks performed by an SNE and for signing any official documents arising from them.
4. The FRA departments concerned, the SNE's employer and the SNE must ensure that there is no conflict of interest in relation to the SNE's duties while seconded to FRA.

For this purpose, the Head of department to which the SNE is to be seconded shall inform the SNE and his employer - via the Corporate Services of FRA - before the start of the secondment about the intended duties and ask them to confirm in writing that they do not know of any reason why the SNE should not be assigned to those duties.

The employer and the SNE shall also undertake to inform the Corporate Services of FRA of any change of circumstances during the secondment which could give rise to any such conflict.

The Corporate Services shall keep the originals of all such exchanges of correspondence in their records.

5. Failure on the part of the SNE to comply with his obligations arising from paragraphs 2, 3 or 4 shall entitle FRA, if it sees fit, to terminate the secondment of the SNE pursuant to Article 10(2)(c).

### *Article 7*

#### *Rights and obligations*

1. During the period of secondment:
  - a) The SNE shall carry out his duties and conduct himself solely with the interests of FRA in mind. He shall neither seek nor take instructions from any government, authority, organisation or person outside FRA. He shall carry out the duties assigned to him objectively, impartially and in keeping with his duties of loyalty to FRA.
  - b) An SNE wishing to engage in an outside activity, whether paid or unpaid, or to carry out any assignment outside FRA shall be subject to FRA's rules on prior authorisation for FRA staff<sup>1</sup>. The Corporate Services shall consult the SNE's employer before issuing an authorisation.
  - c) The SNE shall refrain from any action or behaviour which might reflect adversely upon his position and from any form of psychological or sexual harassment<sup>2</sup>.

---

<sup>1</sup> Article 12b of the Staff Regulations and the provisions implementing this Article shall apply mutatis mutandis.

<sup>2</sup> Article 12a of the Staff Regulations and the provisions implementing this Article shall apply mutatis mutandis.

## MB DECISION

- d) The SNE shall not, in the performance of his duties, deal with a matter in which, directly or indirectly, he has any personal interests such as to impair his independence, and, in particular, family and financial interests. If he has occasion in the performance of his duties to deal with such a matter, he shall immediately inform his Head of Department and the Corporate Services so that appropriate measures can be taken.

The SNE may neither keep nor acquire, either directly or indirectly, in undertakings which are subject to the authority of FRA or which have dealings with FRA, any interests of such kind or magnitude as might impair his independence in the performance of his duties.

The SNE shall declare any gainful activity performed in a professional capacity by his spouse, as defined by the Staff Regulations.

- e) The SNE shall refrain from any unauthorised disclosure of information received in the line of duty, unless that information has already been made public or is accessible to the public.
- f) The SNE has the right to freedom of expression, with due regard for the principles of loyalty and impartiality.

The SNE who intends to publish or cause to be published, whether alone or with others, any text on a matter relating to the work of FRA shall seek prior authorisation from the Director in line with the applicable FRA rules.

- g) All rights in any work done by the SNE in the performance of his duties shall be the property of FRA.
- h) The SNE shall reside at the place of secondment or at no greater distance therefrom as is compatible with the proper performance of his activities.
- i) Based on his professional knowledge and experience, the SNE shall assist and tender advice to the superiors in FRA to whom he is assigned and shall be responsible to his superiors for performance of the tasks entrusted to him.
2. Failure to comply with any of the provisions of paragraph 1 during the period of secondment shall entitle FRA, if it sees fit, to terminate the SNE's secondment pursuant to Article 10(2)(c).
3. At the end of the secondment the SNE shall continue to have a duty of loyalty to FRA and be bound by the obligation to act with integrity and discretion in the exercise of new duties assigned to him and in accepting certain posts or advantages.

### *Article 8*

#### *Professional experience and knowledge of languages*

1. To qualify for secondment to FRA a national expert must have at least three years' experience of administrative, legal, scientific, technical, advisory or supervisory functions which can be regarded as equivalent to those of function groups AD or AST – this latter function group being taken into consideration only for highly specialised job profiles – as defined in the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union.



## MB DECISION

2. The SNE must produce evidence of a thorough knowledge of one of the EU languages and a satisfactory knowledge of another EU language to the extent necessary for the performance of his duties. An SNE from a non-member country must produce evidence of a thorough knowledge of one EU language necessary for the performance of his duties.

### *Article 9*

#### *Suspension of secondment*

1. At the written request of the SNE or his employer, and with the latter's agreement, FRA may authorise suspensions of periods of secondment and specify the terms applicable. During such suspensions:
  - a) the subsistence allowances referred to in Article 16 shall not be payable;
  - b) the travel expenses referred to in Article 18 shall not be payable only if the suspension is at the FRA's request.
2. The period of suspension shall not be counted in the period of secondment as defined in Article 4.

### *Article 10*

#### *Termination of periods of secondment*

1. Subject to paragraph 2, the expert's secondment may be terminated at the request of FRA or the SNE's employer, subject to three months' notice, or at the SNE's request, subject to the same period of notice and with the agreement of FRA and the SNE's employer.
2. In exceptional circumstances the secondment may be terminated without notice:
  - a) by the SNE's employer, if the employer's essential interests so require;
  - b) by FRA and the employer acting jointly, at the request of the SNE addressed to both parties, if the SNE's personal or professional interests so require;
  - c) by FRA in the event of failure by the SNE or his employer to respect their obligations under this Decision. FRA shall immediately inform the SNE and his employer accordingly.

## **Chapter II**

### **Working conditions**

#### *Article 11*

##### *Social security*

1. Before the period of secondment begins, the employer of the SNE shall certify that the SNE will remain, throughout the period of secondment, subject to the applicable social security legislation including for expenses incurred abroad. To this end, the

## MB DECISION

SNE's employer shall provide FRA with the certificate referred to in Article 11(1) of Council Regulation (EEC) No 574/72<sup>3</sup>.

2. From the day on which their secondment begins, SNEs shall be covered by FRA against the risk of accident. FRA shall provide them with a copy of the terms of this cover on the day on which they report to the Corporate Services to complete the administrative formalities related to the secondment.
3. An SNE who cannot be covered by a public sickness insurance scheme must ensure the risk privately.

### *Article 12*

#### *Working hours*

1. The working hours for SNEs shall be the same as those in force at FRA.
2. An SNE shall serve on a full-time basis throughout the period of secondment. Following a duly justified request submitted by the SNE and endorsed by the Head of Department, the Director may allow an SNE to work part time, provided the SNE's employer agrees and the arrangement is compatible with the smooth running of the Department to which the SNE is allocated. In such cases the allowances shall be paid pro-rata.
3. Articles 55, 56 and 56c of the Staff Regulations and the FRA provisions implementing these Articles shall apply mutatis mutandis.

### *Article 13*

#### *Sick leave*

1. The rules in force at FRA on absence due to sickness or accident shall apply to SNEs<sup>4</sup>.
2. Where the period of sick leave exceeds three months or the length of time worked by the SNE, whichever is longer, the subsistence allowances referred to in Article 16 shall be automatically suspended.

Sick leave may not extend beyond the duration of the secondment of the person concerned.

3. SNEs who are the victim of a work-related injury which occurs during the secondment shall continue to receive the subsistence allowances in full throughout the period during which they are unfit for work. These allowances shall not, however, be paid beyond the end of the period of secondment.

---

<sup>3</sup> OJ L 74, 27.3.1972, p. 1.

<sup>4</sup> Articles 59 and 60 of the Staff Regulations and the provisions implementing these Articles shall apply mutatis mutandis.



## *Article 14*

### *Annual and special leave*

1. With the exception of the provisions relating to grade, the rules in force at FRA on annual and special leave, applicable to officials, shall apply to SNEs<sup>5</sup>.
2. Leave shall be subject to prior authorisation by the Department to which the SNE is seconded. In the event of unauthorised absence within the meaning of Article 60 of the Staff Regulations, subsistence allowances shall not be paid.
3. Upon a duly justified request from the SNE's employer, the SNE may be granted up to two days of special leave by FRA in a 12-month period to visit his employer.
4. Days of annual leave not taken by the end of the period of secondment shall be forfeited.

## *Article 15*

### *Maternity leave*

1. The rules in force at FRA on maternity leave shall apply to SNEs<sup>6</sup>. While on maternity leave the SNE shall receive the subsistence allowances referred to in Article 16.
2. Where the rules that are binding upon the SNE's employer provide for a period of maternity leave longer than that granted by FRA, the secondment may, at the SNE's request, be interrupted for the period by which that leave exceeds the leave granted by FRA.

A period equivalent to the break may be added to the end of the secondment if the interests of FRA warrant it.

3. An SNE may, as an alternative, apply for a break in the secondment to cover the sum of the periods allowed for maternity leave. In that case, the second subparagraph of paragraph 2 shall apply.

## **Chapter III**

### **Allowances and expenses**

## *Article 16*

### *Subsistence allowances*

1. SNEs shall be entitled, throughout the period of secondment, to a daily subsistence allowance and a monthly subsistence allowance, subject to the application of the weighting for Austria.

Daily and monthly allowances shall be adapted each year, without retroactive effect,

---

<sup>5</sup> Articles 57 and 59a of and Annex V to the Staff Regulations and the provisions implementing these Articles shall apply *mutatis mutandis*.

<sup>6</sup> Article 58 of the Staff Regulations and the provisions implementing this Article shall apply *mutatis mutandis*.

## MB DECISION

in accordance with the adaptation of the basic salaries of officials of the European Union in Brussels and Luxembourg.

On the date of entry into force of this Decision:

- the daily subsistence allowance shall be €136,10 subject to the weighting factor for Austria as mentioned above;
- the monthly subsistence allowance shall be paid in accordance with the following table subject to the weighting factor for Austria as mentioned above:

Distance between place of origin and place of secondment (km)	Amount in €
0 – 150	0
> 150	87,48
> 300	155,52
> 500	252,75
> 800	408,29
> 1300	641,60
> 2000	768,00

2. These subsistence allowances shall be granted under the same conditions as the expatriation allowance for statutory staff members<sup>7</sup>.
3. In the case of cost-free SNEs, the exchange of letters referred to in Article 3(2) shall stipulate that these allowances will not be paid.
4. The adjustments to remuneration adopted by the Council pursuant to Article 65 of the Staff Regulations shall apply automatically to the subsistence allowances in the month following their adoption. The Corporate Services shall be responsible for implementing this provision.
5. These allowances are intended to cover SNEs' living expenses in the place of secondment on a flat-rate basis and shall in no circumstances be construed as remuneration paid by FRA.

Before the secondment, the SNE's employer shall certify to the Corporate Services that during the secondment it will maintain the level of remuneration the SNE was receiving at the time of his secondment.

The SNE shall inform the Corporate Services of any allowance similar to the subsistence allowances paid by FRA received from other sources. This amount shall be deducted from the subsistence allowances paid by FRA.

6. Subsistence allowances shall be payable for every day of the week, including weekends, during periods of mission, annual leave, special leave and public holidays granted by FRA.

---

<sup>7</sup> Article 4 of Annex VII to the Staff Regulations and the provisions implementing this Article shall apply mutatis mutandis.



## MB DECISION

7. When the SNE starts the secondment, and if he so requests, the first 75 days of the subsistence allowances to which he is entitled shall be advanced in the form of a lump sum, and the allowances shall not be paid during the corresponding period. This lump sum shall be paid within 10 working days of the SNE taking up duties. If the secondment is ended during the first 75 days, the SNE shall return the amount corresponding to the remainder of that period.
8. Subsistence allowances shall be paid no later than the 25th day of each month.

### *Article 17*

#### *Place of origin*

1. For the purposes of this Decision, "place of origin" means the place where the SNE performed his duties for his employer at the time of his secondment. The place of secondment shall be Vienna. Both places shall be identified in the exchange of letters referred to in Article 3(3).
2. If, six months before his secondment to FRA as an SNE, a national expert already has his main residence in a place other than that in which the employer's headquarters is located, the place of origin shall be deemed to be whichever of the places is closer to the place of secondment.

### *Article 18*

#### *Travel expenses*

1. SNEs, other than those seconded on a cost-free basis, shall be entitled for himself, to reimbursement of the cost of his travel between his place of origin and the place of secondment, as defined in Article 17, at the beginning and end of his secondment.
2. Travel expenses shall be reimbursed in accordance with the relevant rules and conditions in force at FRA<sup>8</sup>.
3. By way of derogation from paragraph 1, an SNE who proves that he will be assigned to a place other than his place of origin at the end of the secondment shall be entitled to reimbursement of the travel expenses to that new place under the conditions laid down in paragraph 2. However, this reimbursement may not be more than the amount that would have been paid had the SNE returned to his place of origin.
4. FRA shall not reimburse any expenses referred to in the preceding paragraphs if they have been met by the employer or any other body.

### *Article 19*

#### *Missions and mission expenses*

1. SNEs may be sent on mission subject to Article 6.

---

<sup>8</sup> Article 7(1) and (2) of Annex VII to the Staff Regulations and the provisions implementing these Articles shall apply mutatis mutandis.

## MB DECISION

2. Mission expenses shall be reimbursed in accordance with the relevant rules and conditions in force at FRA<sup>9</sup>.

### *Article 20*

#### *Training*

SNEs shall be entitled to attend training courses organised by FRA if the interests of FRA warrant it. The interests of the SNE, in particular with a view to his reinstatement into his original administration after the secondment, may be considered when a decision is taken on whether to allow him to attend a training course.

### *Article 21*

#### *Administrative provisions*

SNEs shall report to the Corporate Services the first day of secondment to complete the requisite administrative formalities. They shall take up duty on either the first or the sixteenth day of the month.

## **Chapter IV**

### **Complaints**

#### *Article 22*

Without prejudice to the possibilities for instituting proceedings after taking up his position, under the conditions and time limits laid down in Article 230 of the EC Treaty, any SNE may submit a complaint to the Director about an act adopted by FRA services under this Decision which adversely affects him, with the exception of decisions which are direct consequences of decisions taken by his employer.

The complaint must be lodged within two months. The period shall start to run on the date of notification of the decision to the person concerned, but in no case later than the date on which the latter received such notification. The Director shall notify the person concerned of his reasoned decision within four months from the date on which the complaint was lodged. If at the end of that period no reply to the complaint has been received, this shall be deemed to constitute an implied decision rejecting it.

## **TITLE II NATIONAL EXPERTS IN PROFESSIONAL TRAINING**

### *Article 23*

#### *General provisions and definitions*

1. National experts in professional training (hereinafter referred to as NEPTs) are staff from the public administrations of EU or EFTA Member States or, depending on the

---

<sup>9</sup> Articles 11 and 12 of Annex VII to the Staff Regulations and the provisions implementing these Articles shall apply mutatis mutandis.



## MB DECISION

places available, of countries with which the Council has decided to open accession negotiations, or from IGOs, who are admitted to FRA departments for professional training purposes.

2. The provisions of Article 1(1), (3), (4) and (5) shall apply by analogy to NEPTs.

### *Article 24*

#### *Purpose of the professional training*

1. The purpose of the professional training is:
  - to give NEPTs experience of the FRA's working methods and policies;
  - to enable them to gain practical experience and understanding of the day-to-day work of FRA departments and to give them the opportunity to work in a multicultural, multilingual environment;
  - to enable staff of national administrations to put into practice the knowledge they have acquired in their studies, particularly in their respective areas of responsibility.
2. For its part, the FRA:
  - benefits from the input of people who can offer a new point of view and up-to-date knowledge which will enrich the daily work of the institution;
  - builds up a network of people with direct experience of its procedures.

### *Article 25*

#### *Eligibility*

1. The provisions of Article 8 on professional experience and knowledge of languages shall apply by analogy to NEPTs.
2. People who have already been seconded as an SNE or worked under an employment contract in one of the EU institutions or bodies shall not be eligible for traineeships.

### *Article 26*

#### *Selection of candidates*

1. FRA shall decide on the procedure and methods for submission of applications.
2. After consulting the Departments concerned and considering the situation, the Director shall decide how many NEPTs are to be admitted to FRA and other services for each period.

### *Article 27*

#### *Duration of the professional training*

1. The professional traineeships shall last between three and five months. The duration shall be fixed at the outset and may not be changed or extended.

An NEPT may complete only one professional traineeship.

2. The professional traineeships are organised twice a year, usually starting on the 1<sup>st</sup> or 16<sup>th</sup> of the months of March and October.

## *Article 28*

### *Organisation of the professional training*

Throughout the professional traineeship NEPTs shall be supervised by a training advisor. The training advisor must inform the Corporate Services of FRA of any significant incidents during the professional traineeship (in particular absences, illness, accidents or interruption) which he knows of or has been informed of by the NEPT.

NEPTs must obey instructions given by their training advisor, their superiors in the Department or sector to which they are seconded and the Corporate Services of FRA.

NEPTs shall be allowed to attend meetings, unless they are restricted or confidential, to receive documentation and to participate in the activities of the department to which they are seconded.

## *Article 29*

### *Suspension of the professional traineeship*

At the written request of the NEPT or his employer, and with the latter's prior agreement, the Corporate Services of FRA may authorise a very brief suspension of the professional traineeship or its early termination. The NEPT may return to complete the remaining period of the professional traineeship, but only up until the end of that period.

Under no circumstances may the traineeship be extended.

## *Article 30*

### *Working conditions and remuneration*

1. The following Articles shall apply by analogy to NEPTs:
  - Article 6 on tasks;
  - Article 7 on rights and obligations;
  - Article 11 on social security;
  - Article 12(1) on working hours;
  - Article 13 on sick leave;
  - Article 14 on annual leave and special leave;
  - Article 19 on missions and mission expenses.
2. NEPTs shall be regarded as cost-free SNEs within the meaning of Article 2. They shall continue to be paid by their employer without any financial compensation being paid by FRA.

FRA will accept no requests for grants or fees or the reimbursement of travel or other expenses other than the reimbursement of mission expenses incurred as part of the professional traineeship.

## *Article 31*

### *Reports and certificate of attendance*

NEPTs who have completed the stipulated professional training period shall complete the evaluation reports requested by the Corporate Services of FRA at the



# MB DECISION

end of their professional traineeship. Training advisors must also complete the relevant evaluation report.

Subject to the completion of these reports, NEPTs who have completed their professional traineeships shall receive a certificate showing the dates of the professional training and the department in which it took place.

## Chapter V

### Entry into force

#### *Article 32*

1. This Decision shall take effect on the date of signature and applies both to SNEs already seconded to FRA at the date of effect and to SNEs seconded after the date of effect.
2. EUMC Decision N° 2004/07 of 1 April 2004 regarding detached national experts of the EUMC is hereby repealed.

Done at Vienna, on 11.04.2017

*For the European Union Agency for Fundamental Rights*



*Frauke Lisa Seidensticker*  
*Chairperson of the Management Board*