

MANAGEMENT BOARD

DECISION

EFSA – European Food Safety Authority	Decision on the adoption of implementing rules on telework by analogy	Decision No.: mb160615-a4
	Effective Date: 16 June 2016	Supersedes: Commission Decision C(2009)10224 of 18.12.2009, as amended by Commission Decision C(2013)9045 of 16.12.2013

Approvals	Signature	Name
Originator		Bernhard Url (Executive Director)
Management Board	See Decision	Sue Davis (Chair)

Introduction	On 5 January 2016, the Commission notified EFSA with a new Decision on telework. Compared to the previous framework, the new Decision increases from 30 to 60 the maximum days per year of occasional telework.
Description	The present Decision makes the newly adopted Commission Decision applicable by analogy at EFSA and repeals the one currently applied.
References	Regulation (EC) No 178/2002; Staff Regulations of Officials of the European Union and Conditions of Employment of Other Servants of the European Union.
Abbreviations	<i>See Decision</i>

DECISION OF THE EUROPEAN FOOD SAFETY AUTHORITY ON THE ADOPTION OF IMPLEMENTING RULES ON TELEWORK BY ANALOGY

THE MANAGEMENT BOARD OF THE EUROPEAN FOOD SAFETY AUTHORITY,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Staff Regulations of Officials of the European Union ('Staff Regulations') and the Conditions of Employment of the Other Servants of the European Union ('CEOS'), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68¹, and in particular Articles 1e(1) and 110(2) of the Staff Regulations and Articles 10 and 80 of the CEOS,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and the Council of 28 January 2002 laying down the general principles of food law, establishing the European Food Safety Authority ('EFSA') and laying down procedures in relation to food safety², and in particular Article 25, 26 and 48,

Having regard to Commission Decision C(2009)10224 of 18 December 2009 concerning the implementation of teleworking in Commission departments from 2010 to 2015, expiring on 31 December 2015, as amended by Commission Decision C(2013)9045 of 16.12.2013, ('the previous decision')

Having regard to the Decision of the EFSA Management Board of 26 June 2014 adopting by analogy the Commission Decision of 18 December 2009 on teleworking, as amended by Commission Decision C(2013)9045 of 16 December 2013,

Having regard to Commission Decision C(2015)9151 of 17 December 2015, entered in force on 1st January 2016,

Having regard to the Decision of the EFSA Management Board of 26 June 2014 concerning the delegation of specific powers to the Executive Director within the context of Article 110 of the Staff Regulations,

Having regard to the rules of procedure of the Management Board of the European Food Safety Authority³, and in particular Article 8 thereof,

After consulting the Staff Committee,

Whereas:

- (1) According to Article 110 of the Staff Regulations, as a rule, the implementing rules adopted by the Commission to give effect to those Regulations shall apply by analogy to the agencies nine months after the date on which the Commission informed the agencies of their adoption; an agency may also decide that such implementing rules are to enter in force at an earlier date.

¹ OJ L 56, 4.3.1968, p. 1, as last amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013, OJ L 287, 29. 10.2013, p. 15.

² OJ L 31, 1.2.2002, p.1, as last amended.

³ mb 27 06 13 – Revised Management Board Rules of Procedure – ADOPTED.

- (2) EFSA has been implementing telework arrangements since a while. As of 26 June 2014, by means of the Management Board Decision of 26 June 2014, EFSA applies by analogy Commission Decision C(2009)10224 of 18 December 2009 on teleworking, as amended by Commission Decision C(2013)9045 of 16 December 2013. The latter expired at the Commission on 31 December 2015.
- (3) On 5 January 2016, the Commission informed the agencies about the adoption on 17 December 2015 of Commission Decision C(2015)9151 on the implementation of telework in Commission Departments. Compared to the previous framework, the new Decision increases from 30 to 60 the maximum days per year of occasional telework. In order to align EFSA legal framework to the one of the Commission as regards teleworking, it is appropriate to apply Commission Decision C(2015)9151 by analogy.

HAS DECIDED AS FOLLOWS:

Sole Article

1. Commission Decision C(2015)9151 of 17 December 2015 on the implementation of telework in Commission Departments shall apply by analogy to EFSA.
2. Commission Decision C(2009)10224 of 18 December 2009 on teleworking, as amended by Commission Decision C(2013)9045 of 16 December 2013, ceases to apply to EFSA.
3. The present Decision shall enter into force on the day following the date of its adoption.

Submitted for adoption on 15 June 2016

For EFSA's Management Board

Sue Davies

Chair of the Management Board