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Effective date: Date of last signature	Supersedes: <ul style="list-style-type: none"> • IMPRUL_079_Decision of the Management Board on working time of 18 June 2019 • IMPRUL_052_Decision of the Management Board on the adoption of implementing rules on telework by analogy (in attachment Commission Decision of 17.12.2015 on the implementation of telework in Commission Departments C(2015) 9151 final) • IMPRUL_011_Decision of the Management Board concerning the adoption of implementing provisions of the Staff Regulations by analogy of 26/06/2014

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EUROPEAN FOOD SAFETY AUTHORITY

Decision of the Management Board on the application by analogy of Commission Decisions on working time and hybrid working, and on home leave for officials, temporary staff and contract staff serving in a third country

Name	Action	Sign
Bernhard Url	Approve	Endorsed on 29 November 2022
Management Board	Approve	Aivars Bērziņš (Chair)

Decision of the Management Board on the application by analogy of Commission Decisions on working time and hybrid working, and on home leave for officials, temporary staff and contract staff serving in a third country

Scope of document
<p>On 24 March 2022, the Commission adopted a Decision on working time and hybrid working and a Decision on home leave for officials, temporary staff and contract staff serving in a third country. The former was notified to EFSA on 24 March 2022 and entered into force in the Commission on 1 April 2022. The latter was notified to EFSA on 4 May 2022 and took effect in the Commission on 1 January 2022.</p> <p>The present Decision aims at making the above Commission Decisions applicable by analogy to EFSA. The present Decision shall enter into force the day following the date of its adoption.</p>
Description
<p>The present Decision establishes rules governing working time and hybrid working, as well as home leave for officials, temporary staff and contract staff serving in a third country.</p>
References
<p>Regulation (EC) No 178/2002</p> <p>Staff Regulations of Officials of the European Union and Conditions of Employment of Other Servants of the European Union</p>

Document history

Plain technical changes to this document (e.g. reference or adaptation to a revised organizational structure; reference to new or modified regulatory documents; corrections not modifying the substance of the document; etc.) are summarized in the following table in chronological order.

Any change in the substance of the document requires the adoption of a new document by the accountable body/entity superseding the document at stake.

Revision No.	Date	Description of Changes
0	15/12/2022	First version of the document

Decision of the Management Board on the application by analogy of Commission Decisions on working time and hybrid working, and on home leave for officials, temporary staff and contract staff serving in a third country

DECISION OF THE EUROPEAN FOOD SAFETY AUTHORITY ON THE APPLICATION BY ANALOGY OF COMMISSION DECISIONS ON WORKING TIME AND HYBRID WORKING, AND ON HOME LEAVE FOR OFFICIALS, TEMPORARY STAFF AND CONTRACT STAFF SERVING IN A THIRD COUNTRY

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 Other Servants of the European Union ('CEOS') as laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68¹, and in particular Article 110 of the Staff Regulations and Article 3 of Annex X thereto, in conjunction with Article 10(5) and Article 118 of the Conditions of Employment of Other Servants,

Having regard to the opinion of the Staff Committee,

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

Having regard to the rules of procedure of EFSA's Management Board³ 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 their entry into force at the Commission or nine months after the date on which the Commission informed the agencies of the adoption of the respective implementing rules, whichever is later;
- (2) On 24 March 2022, the Commission adopted a Decision on working time and hybrid working, which was notified to EFSA on 24 March 2022 and entered into force in the Commission on 1 April 2022.
- (3) On 24 March 2022, the Commission adopted a Decision on home leave for officials, temporary staff and contract staff serving in a third country, which was notified to EFSA on 4 May 2022 and took effect in the Commission on 1 January 2022.
- (4) In order to align EFSA legal framework to the Commission Decisions concerning working time and hybrid working, and home leave for officials, temporary staff and contract staff serving in a third country, it is appropriate to apply these Commission Decisions by analogy.

¹ OJ L 56, 4.3.1968, p. 1.

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

³ mb221006-a2 Rules of Procedure of the Management Board of EFSA, adopted on 6 October 2022.

Decision of the Management Board on the application by analogy of Commission Decisions on working time and hybrid working, and on home leave for officials, temporary staff and contract staff serving in a third country

HAS DECIDED AS FOLLOWS:

Article 1 - Application by analogy

1. Commission Decision C(2022) 1788 on working time and hybrid working shall apply by analogy to EFSA as of 1 January 2023.
2. Commission Decision C(2022) 1715 on home leave for officials, temporary staff and contract staff serving in a third country and repealing Commission Decision C(2013) 9035 final of 16 December 2013 shall apply by analogy to EFSA as of 4 February 2023.

Article 2 – Final provisions

1. EFSA Decisions of 18 June 2019 on Working Time and of 15 June 2016 on the adoption of implementing rules on telework by analogy are repealed as of 1 January 2023.
2. Commission Decision C(2015) 9151 of 17 December 2015 on the implementation of telework in Commission Departments will cease to apply as of 1 January 2023.
3. EFSA Decision of 26 June 2014 concerning the adoption of implementing provisions of the Staff Regulations is repealed as of 4 February 2023 with respect to Commission Decision C(2013) 9035 of 16 December 2013 on home leave for officials, temporary agents and contract agents posted in third countries (second paragraph of Article 7 Annex V to the Staff Regulations). The latter Commission Decision will cease to apply as of 4 February 2023.
4. The present Decision shall enter into force on the day following the date of its adoption.

Adopted in Parma on 15/12/2022

For EFSA's Management Board

[NOT SIGNED]

Aivars Bērziņš

Chair of the Management Board