

## IMPLEMENTING PROVISIONS FOR ARTICLE 42B OF THE STAFF REGULATIONS

### FAMILY LEAVE

Attachment: Implementing provisions

#### 1. INTRODUCTION

As part of the EUROCONTROL Administrative Reform, which will enter into force on 1 July 2008, the Agency has incorporated into its Staff Regulations a new Article 42b making provision for family leave. This modification takes account of the amendments made to the provisions applicable to officials at the European Communities. The implementing provisions of Article 42b can be found in the **Attachment**.

For your information, Article 42b states that in the case of medically certified serious illness or disability of an official's spouse, relative in the ascending line, relative in the descending line, brother or sister, the official will be entitled to a period of family leave without basic salary (but with payment of an allowance). The total period of such leave will not exceed nine months over the official's entire career.

During the period of family leave, the official will continue to be a member of the social security scheme and to acquire pension rights, with all contributions being payable by the Agency.

#### 2. PURPOSE

The purpose of the provisions of Article 42 is to define explicit and detailed rules for the application of the new family leave provisions,

The present provisions also apply to servants at the Maastricht Centre and to contract staff under the conditions set out in Article 11 of the Conditions of Employment of Contract Staff at EUROCONTROL.

#### 3. ENTRY INTO FORCE

The implementing provisions will enter into force as from 1 July 2008.



**IMPLEMENTING PROVISIONS FOR ARTICLE 42b OF THE STAFF REGULATIONS**  
**RELATING TO FAMILY LEAVE**

Article 1 - General

Subject to the official complying with the conditions laid down in Article 42b of the Staff Regulations, he shall be authorised to take family leave following a request on his part. The starting date of a period of family leave may exceptionally be delayed for a maximum of one month provided that such delay is in the interest of the service. In this case a reasoned decision shall be taken by the Director General. In urgent situations the starting date may not be delayed.

Article 2 - Procedure

A request for family leave shall be submitted by the official to his immediate superior at least two months before the requested starting date except on grounds of urgency.

The request for family leave shall clearly indicate the name and date of birth of the person in respect of whom family leave is to be taken, the person's family link with the official, the planned duration of the leave, and whether family leave is being requested on a full-time or a half-time basis.

The request shall be accompanied by a medical certificate to be sent to the medical service with a diagnosis of the illness or handicap and confirming its seriousness. Where the medical certificate is not available at the moment of the introduction of the request, it shall be provided within a delay of two weeks of that date.

The request for family leave may be renewed under the same terms, within the limits of the maximum duration specified in Article 42b of the Staff Regulations.

The Director General may, at the request of the official concerned, withdraw the authorisation for family leave before the expiry of the period for which it was granted. The official shall give at least one month's notice thereof, unless otherwise agreed between him and the service.

Article 3 - Family leave taken on a half-time basis

In case of family leave taken on a half-time basis, the working time arrangements have to be agreed by the immediate superior, taking into account the interest of the service.

During family leave on a half-time basis the official shall not work overtime.

Article 4 - Leave entitlements during family leave

Annual leave entitlements for an official spending part of the year on family leave shall not be reduced proportionally.