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REGULATION (EURATOM) No 1371/72 OF THE COUNCIL

of 27 June 1972

determining the rates and conditions of the special allowances which may be granted to officials or servants who are paid from appropriations in the research and investment budget and employed in an establishment of the Joint Research Centre or on indirect action, for certain services of a special nature

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities laid down in Regulation (EEC, Euratom, ECSC) No 259/68,[1] as last amended by Regulation (EEC, Euratom, ECSC) No 1369/72,[2] and in particular Articles 56a and 56b of the Staff Regulations;

Having regard to the proposal from the Commission submitted after consulting the Staff Regulations Committee;

Whereas it is for the Council, acting on a proposal from the Commission submitted after consulting the Staff Regulations Committee, to determine the rates and conditions of the special allowances which may be granted to officials and servants who are paid from appropriations in the research and investment budget and employed in an establishment of the Joint Research Centre or on indirect action for certain services of a special nature;

HAS ADOPTED THIS REGULATION:

Article 1

An official or servant employed on shiftwork, in accordance with Article 56a of the Staff Regulations of Officials, shall be entitled to a special allowance determined as follows:

(a) The allowance shall be expressed in points. A point shall be equal to 0·032% of the basic salary of an official in Grade D4, first step. Such allowance shall be adjusted by the weighting applicable to the remuneration of officials.

(b) The number of points per hour of actual work shall be:

— 9 for night work between 22.00 hrs and 07.00 hrs from Monday to Friday, and

— 18 for day or night work on Saturdays, Sundays or public holidays.

(c) An allowance shall be granted only if the period of shiftwork exceeds three consecutive days in a thirty-day period.

(d) An official or servant who can prove that for a period not exceeding one month he was prevented from doing shiftwork on grounds of illness, accident, plant stoppage, leave for attendance at training courses or annual leave shall retain his entitlement to the allowance. If he is prevented from doing such work for more than a month, his entitlement to the allowance shall be suspended at the end of that month until resumption of work.

(e) For periods referred to under (d), an official or servant shall be entitled to an allowance of 42 points for each day of duly certified absence. The monthly total of allowances thus obtained must not exceed the amount which the official or servant would have received if he had been working normally.

Article 2

An official or servant who in accordance with Article 56b of the Staff Regulations is required at regular intervals to be on standby duty shall be entitled to a special allowance determined as follows:

(a) The allowance shall be expressed in points. A point shall be equal to 0·032% of the basic salary of an official in Grade D4, first step. Such allowance shall be adjusted by the weighting applicable to the remuneration of officials.

[1] OJ No L 56, 4.3.1968, p. 1.
[2] OJ No L 149, 1.7.1972, p. 1.

(b) The number of points per hour of actual standby duty shall be:

— for standby duty at place of work, 11 for working days and 22 for Saturdays, Sundays or public holidays.

— for standby duty at home, 2.15 on working days and 4.3 on Saturdays, Sundays or public holidays.

(c) An allowance for standby duty at home shall be granted only if the actual period of such duty exceeds fourteen hours.

(d) An official or servant who can prove that for a period not exceeding one month he was unable to be on standby duty at his place of work on grounds of illness, accident or annual leave shall retain his entitlement to the allowance. In cases of absence for more than a month as a result of illness or accident, his entitlement to the allowance shall be suspended at the end of that month until resumption of work.

(e) For periods referred to under (d), an official or servant shall be entitled to an allowance of 42 points for each day of duly certified absence on grounds of illness, or for each day of leave.

Article 3

In April each year the Commission shall submit to the Council a report on the number of officials and servants in each category who have received the special allowances referred to in this Regulation or in Regulation No 4/63/Euratom[1]; the report shall include a breakdown of such allowances paid in each installation of the Research Centre and a statement of the total expenditure relating to each category of the allowances.

Article 4

Article 6 of Regulation No 4/63/Euratom shall be repealed on the day on which this Regulation enters into force.

An official or servant who is entitled to payment of the special allowances provided for in Article 1 of this Regulation may receive the allowances for particularly arduous work provided for in Article 100 of the Staff Regulations only up to a maximum of 600 points calculated in accordance with Regulation No 4/63/Euratom.

Article 5

This Regulation shall apply by analogy to temporary, auxiliary and establishment staff.

Article 6

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 27 June 1972.

For the Council

The President

G. THORN

[1] OJ No 112, 24.7.1963, p. 2005/63.