

Decision MB/2022/03

of the Management Board of the Agency for Support for BEREC for applying Decision C(2022) 1788 of 24 March 2022 on working time and hybrid working by analogy

The Management Board,

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

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

Having regard to Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Agency for Support for BEREC ('BEREC Office', 'Agency')², amending Regulation (EU) 2015/2120 and repealing Regulation (EC) No 1211/2009,

Having regard to the Rules of Procedures of the Management Board of the BEREC Office and in particular Article 2 thereof,

Having regard to Commission Decision C(2022) 1788 of 24 March 2022 on working time and hybrid working, in force for the Commission as of 1 April 2022,

After consulting the Staff Committee,

Whereas:

- (1) On 24 March 2022 the European Commission (EC) adopted Decision C(2022) 1788 of 24 March 2022 on working time and hybrid working, which was notified to the BEREC Office in accordance with the procedure of Article 110(2) of the Staff Regulations on the day of its adoption.
- (2) The main purpose of the EC Decision mentioned above is to ensure shift towards new ways of working as a result of the lessons learned from the large-scale teleworking which took place as a response to the outbreak of the COVID-19 pandemic in 2020 and which was implemented at short notice.
- (3) This Decision is also intended to promote a modern, digital and flexible working environment, to protect staff's health and wellbeing, enhance efficiency and improve work-life balance.

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 321, 17.12.2018, p. 1–35

- (4) Further, it recognises that more teleworking would contribute to reducing CO₂ emissions arising from staff commuting and the resulting congestion, particularly for those who drive to work, and would therefore contribute towards supporting the EC's efforts, under the European Green Deal, to become climate neutral by 2050.
- (5) The BEREC Office experience from the massive telework during the outbreak of COVID-19 demonstrated that the Agency can efficiently deliver its mandate remotely via making use of modern information technology tools.
- (6) The BEREC Office Management Board shares the policy objectives set up by the EC in its decision working time and hybrid working and, therefore, is willing to enable the BEREC Office to benefit from the new rules on working time and hybrid working ahead of the nine-month period envisaged in Article 110(2) of the Staff Regulations.
- (7) To enable the BEREC Office administration to undertake the necessary preparation for the implementation of the new rules on working time and hybrid working in cooperation with the EC Directorate-General for Human Resources and Security, it would be appropriate to apply the new rules as of 1 July 2022.
- (8) Commission Decisions C(2014) 2502 final should not apply by analogy to the BEREC Office anymore.
- (9) Decision No MC/2017/06 of the BEREC Office Management Committee on the implementation of telework in the BEREC Office and Decision of the Vice-Chair of the BEREC Office Management Committee on the definition of the teleworking policy at the BEREC Office and its implementation should be repealed.

Has decided has follows:

Article 1

Application by analogy

The EC Decision C(2022) 1788 of 24 March 2022 on working time and hybrid working shall apply to the BEREC Office by analogy.

Article 2

Repeal and consequences of repeal

1. EC Decision C(2014) 2502 final shall not apply by analogy to the BEREC Office anymore.
2. Decision No MC/2017/06 of the BEREC Office Management Committee on the implementation of telework in the BEREC Office and Decision of the Vice-Chair of the BEREC Office Management Committee on the definition of the teleworking policy at the BEREC Office shall be repealed.
3. All existing structural teleworking agreements concluded on the basis of Decision No MC/2017/06 final shall end on the date of entry into force of this Decision.

Article 3

Entry into force

This Decision shall enter into force on 1 July 2022.

Done at Ayia Napa, on 10 June 2022.

For the Management Board

(e-signed)

Annemarie Sipkes

Chairperson