



DECISION OF THE GOVERNING BOARD OF THE SMART NETWORKS AND SERVICES JOINT UNDERTAKING No 10/2021

on types of post and post titles in the Smart Networks and Services Joint Undertaking

THE GOVERNING 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 of the European Union ('CEOS') laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68¹, and in particular Article 5 of the Staff Regulations and Annex I thereto, and Article 10 of the CEOS.

Having regard to Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe (hereinafter "Single Basic Act"),

Having regard to the agreement of the European Commission pursuant to Article 110(2) of the Staff Regulations C(2018) 8800 final of 11 December 2018,

Having regard to the fact that the Staff Committee of the Smart Networks and Services Joint Undertaking, which is to be consulted pursuant to Article 110(2) of the Staff Regulations, has not yet been constituted because Smart Networks and Services Joint Undertaking does not have staff yet, it is impossible at the present to comply with the requirements of that provision. The Staff Committee will be invited to give its opinion on the relevant implementing rules when it has been constituted and due consideration will be given to its opinion. It is urgent and indispensable that Smart Networks and Services Joint Undertaking adopts implementing rules on posts and titles to start functioning. The Governing Board is entitled in such circumstances to approve the rules forthwith.

WHEREAS

- 1) On 10 January 2022, the Commission informed the Smart Networks and Services Joint Undertaking that it adopted Decision C(2013)8979 of 16 December 2013 on types of post and post titles.

¹ OJ L 56, 4.3.1968, p. 1.

- 2) On 26 September 2014 Communication C(2014) 6543 from Vice-President Šefčovič to the Commission on the guidelines on the implementation of Article 110(2) of the Staff Regulations with regard to the implementing rules applicable in the agencies was adopted, and in particular Point 2.B thereof, where the Commission ex ante agreement is referred to.
- 3) Pursuant to Article 110(2) of the Staff Regulations, implementing rules such as those referred to in Recital 1 are to apply by analogy to the Smart Networks and Services Joint Undertaking. By way of derogation, an agency may request the Commission's agreement to the non-application of certain implementing rules. The Commission may, instead of accepting or rejecting the request, require the agency to submit for its agreement implementing rules which are different from those adopted by the Commission.
- 4) Commission Decision C(2013)8979 is suitable to apply to the Smart Networks and Services Joint Undertaking provided that certain adjustments are made to take into account the peculiarities of the Smart Networks and Services Joint Undertaking. Those adjustments concern in particular the terminology established in the Smart Networks and Services Joint Undertaking to describe functions exercised, the range of grades of head post title of which the lower grade should respect the limitation referred to in Article 53 of the CEOS and the range of grades within other types of post.
- 5) For each of the three function groups (AD, AST and AST/SC), the types of post with the corresponding grade ranges are laid down in Annex I to the Staff Regulations.
- 6) It is necessary to establish the equivalence between these types of post and the post titles which are used for the Smart Networks and Services Joint Undertaking temporary staff,

HAS DECIDED AS FOLLOWS:

Article 1

In accordance with Article 5(4) of the Staff Regulations, the tables establishing the equivalence between the types of post and the post titles used for the Smart Networks and Services Joint Undertaking temporary staff, which are contained in the Annex to this Decision, are hereby approved.

Article 2

Commission Decision C(2013) 8979 of 16 December 2013 does not apply by analogy to the Smart Networks and Services Joint Undertaking.

Article 3

This Decision shall take effect on the day following that of its adoption.

Done at Brussels, on 15th December 2021

For the Governing Board

Pearse O'Donohue

The Interim Chair

ANNEX

A. Types of post

Type of post	Function group / Grade	Post title
Director-General	AD 15 – AD 16	Executive Director
Director ²	AD 14 – AD 15	
Adviser or equivalent	AD 13 – AD 14	
Head of Unit or equivalent	AD 9 – AD 14	Head
Administrator	AD 5 – AD 12	Team Leader, Program Officer
Senior Assistant	AST 10 – AST 11	
Assistant	AST 1 – AST 9	
Secretary/Clerk	SC 1 – SC 6	

² This is without prejudice to a different classification of the head of the agency according to the founding regulation and/or the establishment plan.