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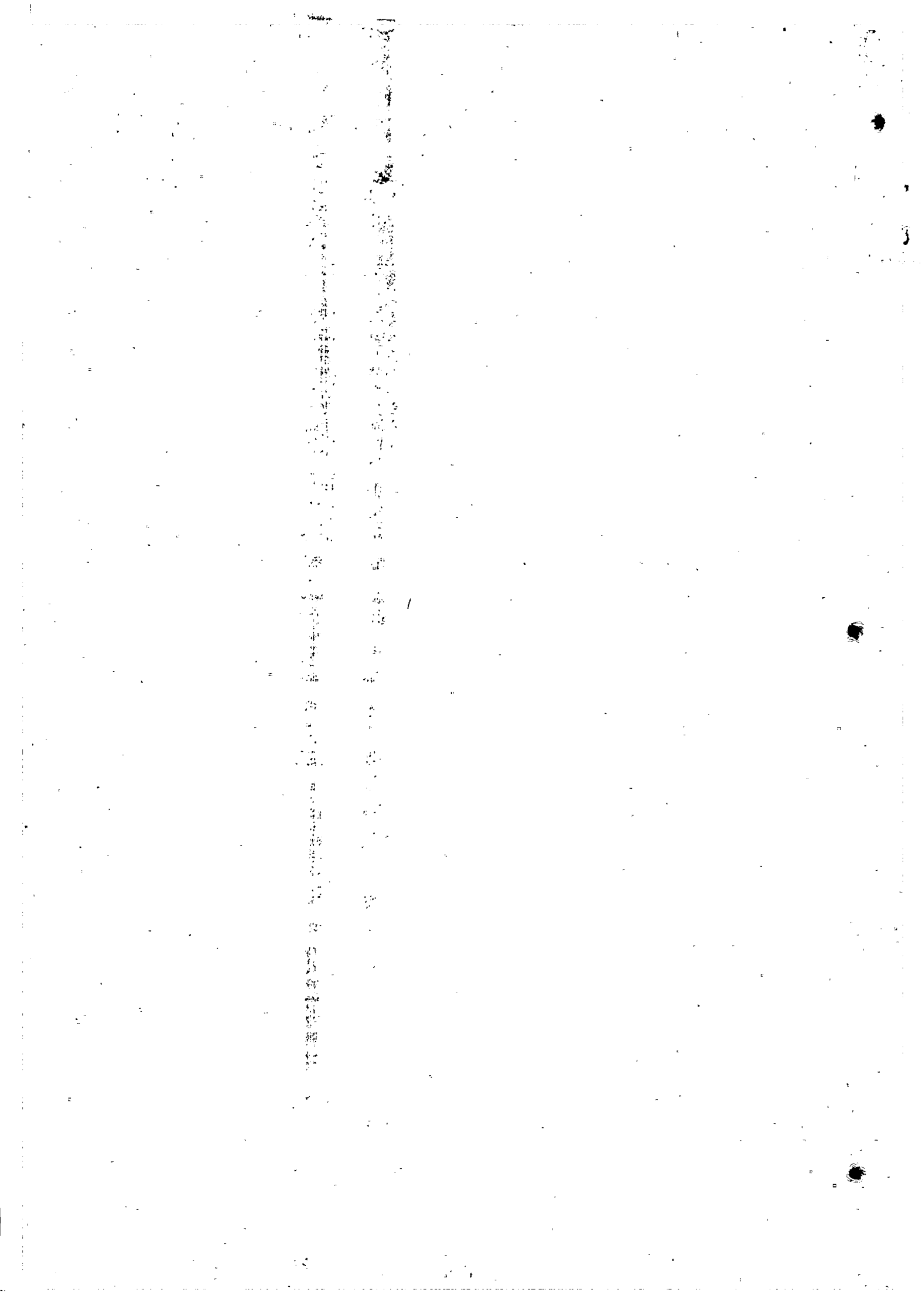
Brussels, 1st July 1979

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**PROPOSAL FOR A COUNCIL REGULATION
AMENDING REGULATION (ECSC, EEC, EURATOM) N° 300/76
DETERMINING THE CATEGORIES
OF OFFICIALS ENTITLED TO ALLOWANCES FOR SHIFTWORK,
AND THE RATES AND CONDITIONS THEREOF**

(presented by the Commission to the Council)



EXPLANATORY MEMORANDUM

1. Article 56a of the Staff Regulations provides for the grant of allowances to officials required to do shiftwork. It also provides that the Council shall determine the categories of officials entitled to such allowances, and the rates and conditions thereof.

Council Regulation (ECSC, EEC, Euratom) No 300/76 of 9 February 1976 determined the categories of officials entitled as being, for the purposes of staff paid from the administrative budget, officials employed in a computer centre or a security department.

2. The Commission's telex staff also works shifts and has asked to receive the allowance provided for by Regulation No 300/76.

Having considered various other ways of organizing the telex service we have concluded that shiftwork is the most efficient system and the most closely adapted to the operating requirements of the service. It has also been found that shift work is the cheapest system in terms of both personnel and equipment.

3. The Commission accordingly decided to grant the shiftwork allowance to telex staff with effect from 1 April 1977. Mr Tugendhat informed the Council of this by letter dated 12 February 1977 and the matter was discussed by the Council's Staff Regulations Working Party on 25 and 26 July 1977.

The Working Party considered that Regulation No 300/76 should be interpreted restrictively and the matter was reconsidered by Coreper, which suggested that the Commission table a proposal for amendment of Regulation No 300/76 to cover telex staff (meetings on 7 and 8 September 1977).

4. On 7 December 1978 the Commission accordingly decided to consult the Staff Regulations Committee on a draft regulation extending Regulation No 300/76 to telecommunications staff and to certain photocomposition staff in the Publications Office where the same problems of profitability arise.

5. The Staff Regulations Committee, to which the draft regulation was referred by letter from Mr Brunner dated 7 December 1978, met on 2 February 1979 and issued an opinion endorsing the part of the draft extending Regulation No 300/76 to telecommunications staff. Technical consideration will be given later to the second part of the draft, concerning shiftwork by photocomposition staff.

6. The present draft regulation thus extends Regulation No 300/76 only to telecommunications staff, where a situation that has existed since 1 April 1977 must now, as suggested by Coreper, be regularized.

Proposal for a
Council Regulation

amending Regulation (ECSC, EEC, Euratom) n° 300/76
determining the categories of officials entitled to allowances for
shiftwork, and the rates and conditions thereof

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Council Regulation (EEC, Euratom, ECSC) n° 259/68
laying down the Staff Regulations of Officials and Conditions of
Employment of Other Servants of the European Communities (1), as last
amended by Regulation (EEC, Euratom, ECSC) No 3085/78 (2), and in
particular the second paragraph of Article 56 a 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 categories of officials entitled to allowances for shiftwork, and
the rates and conditions thereof ;

Whereas staff employed in certain telecommunications services do shiftwork
within the meaning of Article 56 a of the Staff Regulations; whereas
Council Regulation (ECSC, EEC, Euratom) No 300/76 should therefore be
amended,

HAS ADOPTED THIS REGULATION:

Article 1

The first part of the first subparagraph of Article 1(1) of Regulation
(ECSC, EEC, Euratom) No 300/76 is replaced by the following:

- (1) OJ N° L 56, 4 March 1968, p. 1.
- (2) OJ N° L 369, 29 December 1978, p. 6.
- (3) OJ No L 38, 13 February 1976, p. 1.

1. " An official paid from appropriations in the research and investment budget and employed in an establishment of the Joint Research Centre or on indirect action, or paid from operating appropriations and employed in a computer centre, a security department or a telecommunications service, who is engaged in shiftwork within the meaning of Article 56 a of the Staff Regulations, shall be entitled to an allowance of : "

Article 2

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

It shall apply from the first day of the month following that in which it enters into force.

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

Done at Brussels,