



Zentraler Personalausschuss  
Central Staff Committee  
Le Comité central du personnel

# EPO JUSTICE

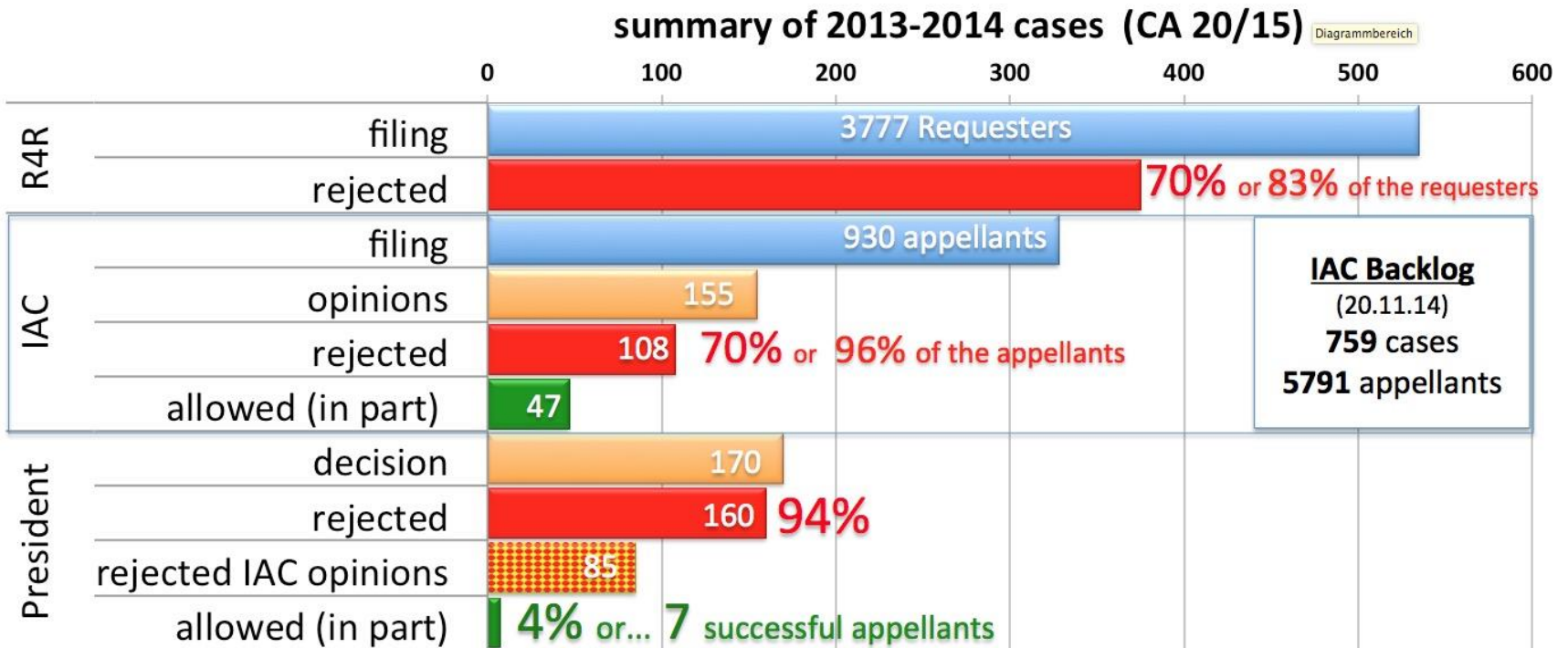
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CSC June 2015 report

Board of Auditors Review

CA 20/15

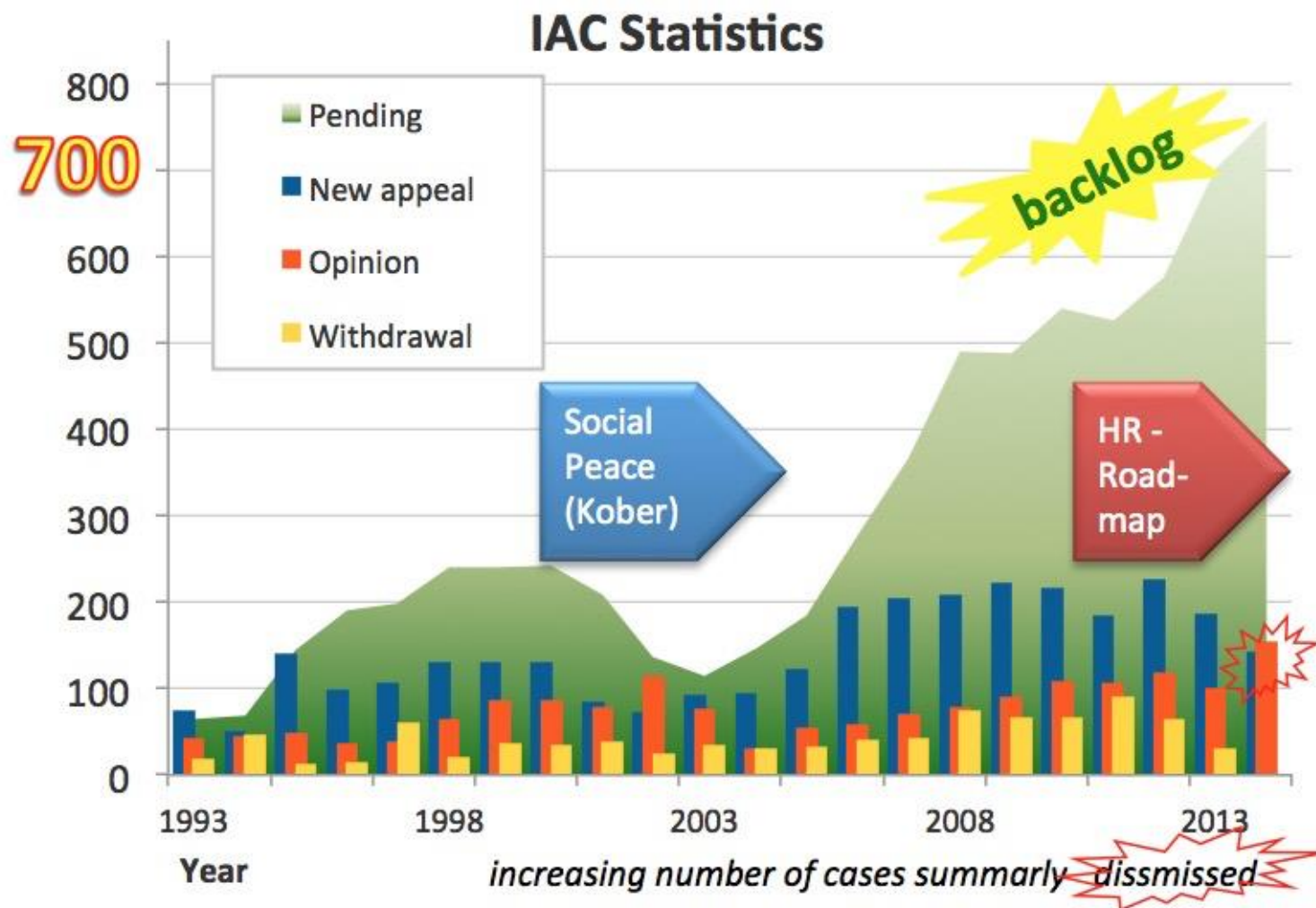
# Board Of Auditors Review (CA 20/15)



## at all levels:

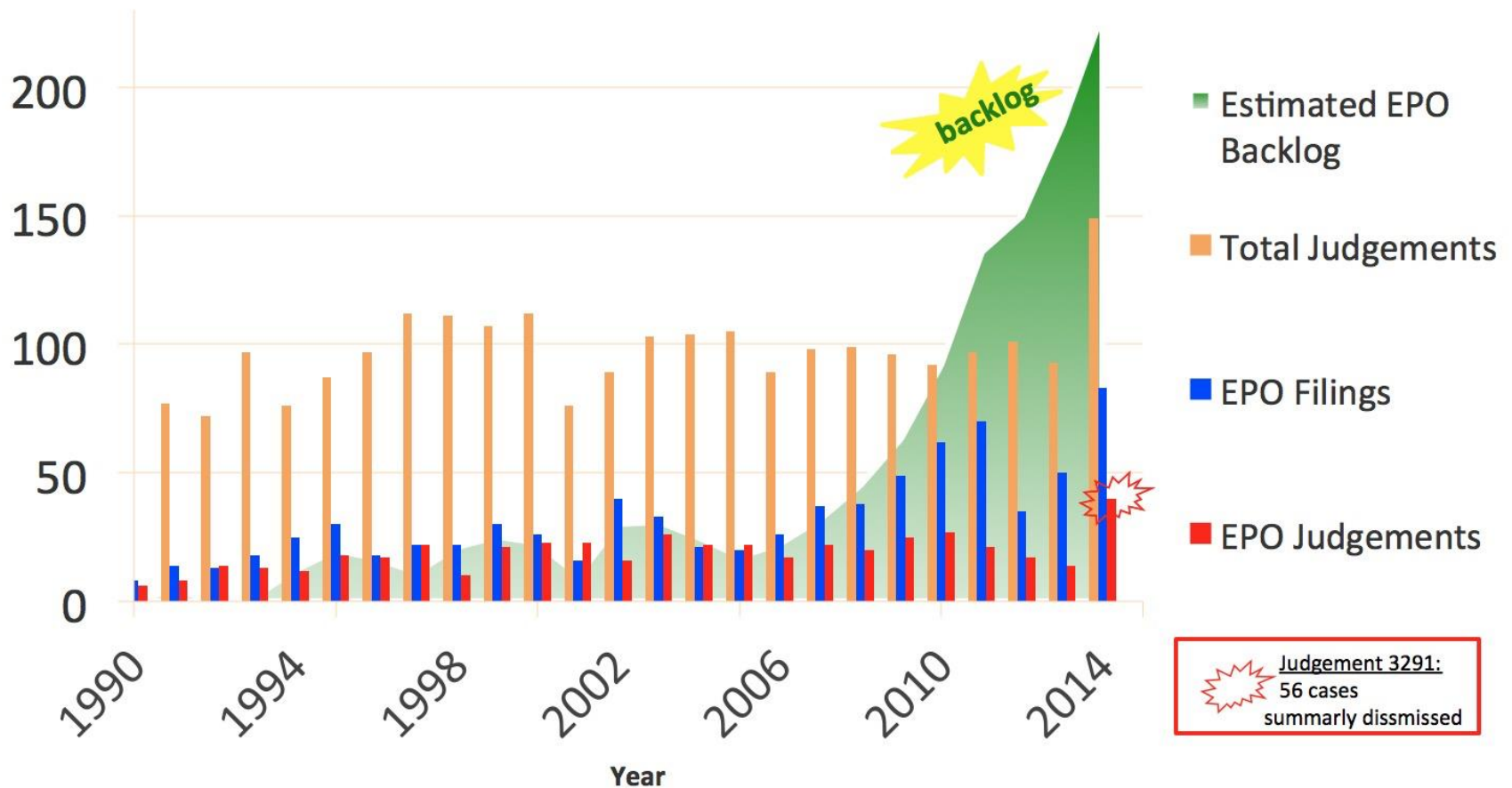
- Extremely high **caseload**
- **Large number of staff members** filling appeals
- (almost) **all** get rejected
- **backlog** is large and increasing

# Internal Justice: IAC



# External Justice: ILOAT

## ILOAT Caseload 1990-2014



# Summary conclusion

- Internal:

1. Request for Review is **not working** as claimed by the President
2. *Instead* its main effect is an **additional delay** in the process
3. Lack of **collective dispute resolution** mechanisms
4. Refusal to recognise **collective cases** increases number of individual cases
5. *Despite* extensive questionable use of **summarily decisions**, backlog is increasing
6. Internal appeals procedure is **overloaded** and largely **against staff**

- President:

1. does not follow recommendation of its own Internal Appeal Committee
2. (almost) **systematically rules against Staff**

- External:

1. The ILOA-Tribunal *“is ill equipped to act as a trial court”* (J.3291)
2. It is **overloaded** and largely rules **against staff**
3. **No access to National courts** besides one exception: NL Court of Appeal rules on certain SUEPO claims, but under very special circumstances; no general access implied.

# Lack of access to justice puts EPO at risk

1. Increasing number of disputes
2. Slow process and large backlogs
3. Perceived as unbalanced and harsh against staff

- Perceived drivers:

1. Social reforms
  - Anti-staff and unjustified
  - Violating fundamental rights
2. Introduced unilaterally without social dialog
3. Toxic management in total immunity
4. No effective legal recourses & very limited access to justice



1. Health and safety hazard for staff
2. Endangers the functioning of the institution

*Bottom line*

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There is  
no social peace  
without  
access to Justice.

*Thank you for your attention!*

# ANNEX

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Detailed data



# Annex: CA 20/15 (part I)

CA 20/15 Summary table

## R4R

	<i>Ref.</i>	cases	%	requesters	%
filing	205)	535	100%	3777	100%
filing (normative issues)		294	55%	3475	92%
decision maintained	206)	375	100%	3124	100%
Decisions maintained (norm. Issues)		221	59%	2933	94%
<b>Rejected</b>			<b>70%</b>		<b>83%</b>

## IAC

	<i>Ref.</i>	cases	%	requesters	%
filing 2011	207)			369	100%
filing 2012	207)			617	167%
filing 2013	207)	186			0%
filing 2014	207)	142		438	119%
Total 2013-2014	207)	328		438	
subjects	208)	226	69%		
opinions	209)	155	47%	2211	38%
<b>rejected</b>	209)	108	<b>70%</b>	2131	<b>96%</b>

# CA 20/15 (part II)

CA 20/15 Summary table					
PRESIDENT					
	Ref.	cases	%	requesters	
Pres decisions	210)	170	52%	573	
Rejected	210)	160	94%		
followed IAC	211)			481	84%
different from IAC	211)	92	54%		
rejected IAC opinion	211)	85	55%		
allowed (in part)	211)	7	4%		
avg time 13 (m)	213)	46			
avg time 14 (m)	213)	44			
backlog 20.11.14	214)	759	100%	5791	
Pending 20.11.14	214)	356	47%	1542	27%
backlog 2010	216)			1076	19%
ILOAT					
	Ref.	cases	%	requesters	
filling 2013-14	212)	133		200	
AC					
filling 2013-14	215)	995	100%		
referred to CRU	215)	626	63%		
rejected 4 formal&subst. Error	215)	369	37%		