



UNION SYNDICALE FEDERALE

des Services publics européens et internationaux

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Translation open letter USF

Brussels, 17 February 2014

Mr B. BATTISTELLI
President of OEB

Dear Mr President,

We are witnessing a serious and speedy degradation of your HR policy, that beyond it's disastrous effects on staff, risks to stain the reputation of the organisation, or even to destabilise it.

To summarise :

In June 21013, the Administrative Council (AC) of the EPO, following your proposal, introduced a drastic curtailment of the right to strike (Art. 30a, 65, C347) infringing fundamental rights, at the very moment the EPO was in the middle of a social conflict generated by earlier attacks against other basics rights, like those contained in the "Investigation guidelines" (statutory obligation to testify against oneself).

Your new rules on strikes do not conform to international right. They are also against the constitution of your own country, France, a fact which you cannot ignore as elected official (deputy mayor) in the city of Saint Germain en Laye - function which you kept when you were nominated at the head of the EPO.

Since June 2013 you have set up a system hindering Union activities (blockage of the emails sent by the Staff Union of the EPO, censorship of SUEPO publications, disciplinary procedures against 12 Union officials/staff representatives) that would lead other employers doing the same to be heavily convicted by national courts of the EPO member states.



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After having hindered SUEPO, you are now (January 2014) attacking the very structure that guarantees the participation of staff to the statutory bodies of the EPO, a structure which has been existing and improved over several decades. Under the pretext that the current staff representatives would not be representative, and would be an obstacle to "social dialogue", you intend to table to the AC meeting of March a drastic reform called "social democracy", that will - if voted - deprive staff from the means to be correctly represented and heard in the statutory bodies.

The impossibility for the Staff Committee to nominate experts of its choice (!) is one of the many worrying elements of this reform. It is revealing of your intentions, and of the damages that the implementation of such a curious "social democracy" would generate in the EPO.

Notwithstanding the lack of lawfulness - with respect to the EPO internal rules - of such a change imposed on staff against their will, it is regrettable for all that the President of the EPO seems to confine himself in a noxious strategy that consists in officially promoting social dialogue whilst trying to muzzle any expression of staff concerns.

In this context, it seems you are currently opposing an innocent initiative that is fully conform to the rights and duties of the Staff Committee: holding an opinion poll among EPO staff on your project of "social democracy". Your opposition to such a poll appears unprecedented in the international public service.

Such a stubbornness will not bring back the social peace that the EPO and its users need. Quite the contrary. The number of actions are growing, and you are depriving yourself from interlocutors strongly mandated by staff. Not only your "social democracy" project and the repressive measures against staff representatives are unacceptable for staff, but your policy also damages the EPO, and undermines its reputation and its role in the European / International public service. The European press has already mentioned - not in very flattering terms - the current authoritarian drift in the EPO, and the resulting serious social crisis.

You continue to refuse to recognise the Staff Union of the EPO (to which belong 50% of staff) as social partner.

USF urges you ...

- to remove your oppressive measures ;
- to abandon your "social democracy" project ;
- to start a genuine discussion with the only true social partner SUEPO, which has recently proposed to you a draft framework agreement for discussion. The recognition of SUEPO, for



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instance through a framework agreement with the EPO, would allow to make progress in a way that is compatible with the constraints of international right, in interest of the EPO.

We are confident that common sense and general interest will prevail.

Sincerely yours,

Sylvie JACOBS
President of USF