

Making the railway system  
work better for society.

# Mobility between Union Agencies (IAM): Call for Applications for a post of Administrator (Legal Officer) in the Executive Director Office

## *Temporary Agent 2(f) (AD6-AD9) - IAM/ERA/AD/2021/002*

<i>Date of publication:</i> 10/05/2021	<i>Deadline for applications:</i> 08/06/2021 (23.59 CET, Valenciennes local time)
<i>Type of contract:</i> TA 2(f) See “contractual conditions” below	<i>Unit:</i> Executive Director Office <i>Team:</i> N/A <i>Title of the post:</i> Legal Officer
<i>Applications to be sent by email only to mailbox:</i> jobs@era.europa.eu	

### THE AGENCY

The European Union Agency for Railways is an agency of the European Union established by Regulation (EU) 2016/796. Its purpose is to support the Development of a Single European Railway Area, without frontiers, guaranteeing a high level of railway safety and interoperability.

**The Agency’s main mission is to make the railway system work better for society.**

We are committed to achieve this by:

- › Providing certifications, authorisations and pre-approval services to the railway sector;
- › Developing a common approach to safety on the European Rail Traffic Management System (ERTMS);
- › Monitoring National Safety Authorities (NSAs) and Notified Bodies;
- › Assistance (e.g. dissemination, training) to member states, NSAs and stakeholders;
- › Providing technical support to the European Commission; and
- › Promoting simplified access for customers for the European rail sector.

More details on our activities are available in our Single Programming Document.

The Headquarter of the Agency is in Valenciennes, with some facilities in Lille dedicated to specific events. Here you can find our mission, vision and values.

For more information, please read about us on [era.europa.eu](http://era.europa.eu).

### *THE EXECUTIVE DIRECTOR OFFICE*

The Executive Director is leading the Agency in fulfilling its mission and strategic goals. The Executive Director Office (EDO) is responsible for supporting the Executive Director in taking informed and sound decisions, setting work priorities and allocates resources efficiently.

The EDO supports the Executive Director also in the daily operations of the Agency. In particular, it is responsible for:

- › Setting up, maintaining and controlling the accounting system of the Agency;
- › Providing expertise, specific advice and overseeing all legal matters;
- › Setting the internal control framework and organizing audits and performance evaluations on the Agency's work.

### *I - JOB CONTENT*

The jobholder will work in the Executive Director Office, under the responsibility of the Executive Director.

The Legal Officer provides legal advice and assistance on all functions and tasks of the Agency (with the aim to ensure the compliance of all Agency's measures with the applicable legal framework) and represents - in case of need - the Executive Director, in particular before the European Union's Courts, and manages all litigation.

#### **Main tasks and responsibilities:**

- › To provide legal expertise and support on the operational (mainly EU railway legislation) and administrative (mainly staff, financial, procurement and contractual) matters of the Agency, and on the Agency's institutional aspects and other activities of the Agency;
- › To analyse cases, performing research activities and drafting legal advice, working papers, etc.;
- › To provide legal expertise and guidance on the Agency's acts and decisions, as required;
- › To participate on request in working groups, working parties, task forces, etc. to ensure compliance with the legal and institutional aspects of the Agency;
- › To contribute to the Quality Management System of the Agency by developing documents, templates and procedures related to legal matters in collaboration with the Quality Officer;
- › To represent the Agency as agent in judicial/legal proceedings before the EU Court of justice, the Board of Appeal and the European Ombudsman;
- › To assist the Agency in dealing with staff and other complaints;
- › Other relevant legal tasks, as required.

Due to the sensitivity of the job, a high sense of confidentiality is required from the successful candidate.

## II - ELIGIBILITY CRITERIA

To be considered eligible, candidates must satisfy all the eligibility criteria as specified below on the closing date for the submission of applications:

- › Be a temporary agent 2(f) who, on the closing date for the submission of applications and on the day of filling the vacant post, are employed within their current Agency in the function group and grade corresponding to the published function group and grade bracket;
- › Have at least 2 years' service within his/her agency before moving;
- › Have successfully completed the probationary period provided for in Article 14 of the CEOS, in the relevant function group.

## III - SELECTION CRITERIA

The candidates meeting the eligibility criteria set out above, will be assessed and scored against **selection criteria**. Candidates not satisfying one or more selection criteria will not be immediately excluded from the selection.

**Selection criteria** used to assess the candidates applications:

- › University studies in the field of law;
- › Minimum 3 years of relevant professional experience<sup>1</sup> related to tasks listed in the job content;
- › Proven knowledge of EU Law;
- › Good knowledge of EU Railway legislation relevant for the Agency;
- › Good knowledge of EU financial, staff , procurement data protection and access to documents regulations;
- › Proven experience in legal drafting;
- › Very good knowledge of the English language<sup>2</sup> (spoken and written as proficient user-C1 level in the 3 domains: Speaking, Writing and Understanding);
- › Knowledge of the French language (spoken and written as independent user-B2 level in the 3 domains: Speaking, Writing and Understanding).

**The educational/academical qualifications and the professional experiences must be described as precisely as possible in the ERA application form.**

The candidates who are judged to be the most suitable on the basis of the selection criteria will be invited for an interview and a written test.

## IV – INTERVIEW AND WRITTEN TEST (if applicable)

Candidates selected for the test phase including a structured interview and a written test will be assessed and scored on the basis of the following criteria:

### 1. For the interview:

#### **Hard skills:**

- › Knowledge of EU law and EU railway legislation as relevant for the Agency;
- › Knowledge of EU staff regulations and procurement rules;

<sup>1</sup> Relevant experience should be described in your ERA application.

<sup>2</sup> As the vehicular language of the Agency is English, a minimum C1 level (in the 3 domains: Speaking, Writing and Understanding) in English is required

- › Ability to communicate in English;
- › Knowledge of French language.
  
- › **Soft skills:**
- › Motivation;
- › Communication skills;
- › Analytical and problem-solving skills;
- › Teamwork, collaboration attitude, service culture and resilience.

2. *For the written test:*

- › Capability to analyse a case and to provide a relevant legal advice in a clear and comprehensive way;
- › Conceptual and analytical skills;
- › Ability to communicate effectively in written English.

#### **APPLICATION PROCEDURE**

For applications **to be valid**, the candidates must submit the ERA application form duly completed on the closing date for the submission of applications.

**Failure to comply with the above instructions will result in the exclusion from the selection procedure.**

The vehicular language of the Agency being English, candidates are encouraged to apply in English to facilitate the selection process.

Applications must be sent by email to mailbox [jobs@era.europa.eu](mailto:jobs@era.europa.eu) until **08/06/2021** at 23.59 CET (Valenciennes local time) at the latest, **clearly indicating the call for applications reference number in the subject line.**

Please note that applications submitted by fax or postal mail shall not be taken into consideration.

If at any stage in the procedure, it is established that the information provided by a candidate is incorrect, the candidate in question may be disqualified.

It is forbidden for candidates to make direct or indirect contact with the members of the Selection Committee, or for anyone to do so on their behalf. The Authority Authorised to Conclude Contracts by delegation (hereinafter AACC) or his delegate reserves the right to disqualify any candidate who disregards this instruction.

#### **SELECTION PROCEDURE**

The selection will be organised as below:

1. The AACC sets up a Selection Committee. The names of the members are published on the ERA Website;
2. The Selection Committee will check the submitted applications against the specific criteria described in the 'Eligibility criteria' section in the Call for Applications;
3. Applications satisfying these conditions will then be assessed and scored against the selection criteria described in the 'Selection criteria' section in the Call for Applications;

4. Only candidates who pass a minimum of 60% of the total points awarded for the selection criteria are taken into consideration. From this list, the Selection Committee shortlists candidates with the highest scores to be invited for the interview and a written test;
5. The interview and the written test shall be done in English and in French;
6. The scores for the interviews and the written test are established as follows:
  - › Total score for the interview: **50 points** Minimum score to pass: **30 points (60%)**
  - › Total score for the written test: **50 points** Minimum score to pass: **30 points (60%)**

**Candidates' written test shall not be assessed if the minimum score to pass during the interview is not reached;**

7. Before engaging a temporary agent, the AACC examines whether the candidate has any personal interest such as to impair his/her independence or any other conflict of interest. The candidate shall inform the AACC, using a specific form of any actual or potential conflict of interest. If necessary, the AACC shall take any appropriate measures;
8. The Agency applies very strict rules on conflict of interest. Given the special and specific nature of the work undertaken by ERA, specific rules on conflict of interests applicable to staff members have been adopted by the Management Board. For more information please refer to Decision 199 of the Management Board Adopting the Framework for Good Administrative Behaviour and its Annex. Applicants must confirm their willingness to comply with these rules in their application form;
9. Under no circumstances should candidates approach the selection committee, directly or indirectly, concerning this engagement. The AACC reserves the right to disqualify any candidate who disregards this instruction.

#### **CONTRACTUAL CONDITIONS**

1. The Agency and the selected Temporary Agent 2(f) shall conclude a contract of employment which ensures continuation of his/her employment and career in the category of temporary agent 2(f). That contract shall be concluded without interruption of the contract concluded with the agency of origin ("the preceding contract") and shall fulfil the following requirements, in particular:
  - › The same grade and the same seniority in the grade as the preceding contract;
  - › The same step and the same seniority in the step as the preceding contract.
2. The end dates of the contract concluded with the Agency and of the preceding contract shall be the same. If the contract with the agency of origin was for an indefinite period, the member of temporary staff 2(f) shall also be engaged by the Agency for an indefinite period; In the event that the preceding contract comes to its natural end on the day of the move, the duration of the contract concluded shall be the same as that the Agency would have set in case of a renewal of one of its own Temporary Agent 2(f); A contract of employment concluded following interagency mobility shall not be considered as a renewal unless it ends at a later date than the previous contract, in which case it shall be treated as a renewal;
3. The Temporary Agent 2(f) shall not serve a probationary period in the Agency;
4. The selected Temporary Agent 2(f) shall take up duty in the Agency in principle three months after the job offer, unless it is otherwise agreed between the two agencies and the staff member concerned;
5. The agency of origin shall transfer the personnel file to our Agency no later than 30 days after the date of the move;
6. **The rights and entitlements inherent to the country of employment (i.e. France) will be adapted accordingly.**

<b>COMMITMENTS</b>	
<p><b>Commitment to promote equal opportunities:</b>                      The Agency is an equal opportunities employer and strongly encourages applications from all candidates who fulfil the eligibility and selection criteria without any distinction whatsoever on grounds of nationality, age, race, political, philosophical or religious conviction, gender or sexual orientation and regardless of disabilities, marital status or other family situation.</p>	<p><b>Appeal procedure:</b>                      Candidates who participated in a selection procedure may request feedback on their performance of the written test, additional tests and interviews. A candidate who considers that the procedure was implemented incorrectly and/or a mistake has been made at any stage of the assessment procedure may request a review of his/her application, and may lodge a complaint or an appeal. To this end, a request for review may be submitted, within 20 calendar days of the email informing him/her of the rejection of his/her application. The request for review should quote the reference of the selection procedure concerned and should mention clearly the criteria to be reconsidered as well as the grounds for requesting the review.</p> <p>This request should be addressed to the Chairperson of the selection committee using the Agency’s dedicated mailbox (<a href="mailto:jobs@era.europa.eu">jobs@era.europa.eu</a>). The candidate shall be informed, within 15 calendar days following the receipt of his/her request, on the decision of the Selection Committee on the matter.</p>

<b>APPEAL AND COMPLAINT PROCEDURES</b>	
<p>If a candidate considers that he/she has been adversely affected by a particular decision, he/she can lodge an administrative complaint under Article 90 (2) of the Staff Regulations of Officials and Conditions of employment of other servants of the European Union, at the following address:</p> <p>The Executive Director of the                      European Union Agency for Railways                      120, rue Marc Lefrancq                      FR - 59300 Valenciennes</p> <p>The complaint must be lodged within 3 months from the time the candidate is notified of the act adversely affecting him/her.</p> <p>If the complaint is rejected the candidate may bring a case under Article 270 of the Treaty on the Functioning of the European Union and Article 91 of the Staff Regulations of Officials of the European Communities and Conditions of Employment of Other Servants of the European Communities before:                      The General Court of the European Union  <a href="http://curia.europa.eu/">http://curia.europa.eu/</a></p> <p>Please note that the AACC does not have the power to amend the decisions of a Selection Committee. The Court has consistently held that the wide discretion enjoyed by Selection Committee is not subject to review by the Court unless rules which govern the proceedings of Selection Committees have been infringed.</p>	<p>It is also possible to complain to the European Ombudsman pursuant to Article 228(1) of the Treaty on the Functioning of the European Union and in accordance with the conditions laid down in the Decision of the European Parliament of 9 March 1994 on the regulations and the general conditions governing the performance of the Ombudsman’s duties, published in Official Journal of the European Union L 113 of 4 May 1994:</p> <p>European Ombudsman                      1, Avenue du Président Robert Schuman – CS 30403                      FR – 67001 Strasbourg Cedex  <a href="http://www.ombudsman.europa.eu">http://www.ombudsman.europa.eu</a></p> <p>Please note that complaints made to the Ombudsman have no suspensive effect on the period laid down in Articles 90(2) and 91 of the Staff Regulations of Officials of the European Union for lodging, respectively, a complaint or an appeal with the General Court of the European Union under Article 270 of the Treaty on the Functioning of the European Union</p>

<b>DATA PROTECTION</b>	
<p>The purpose of processing of the data you submit is to manage your application in view of a possible pre-selection and engagement at the Agency.</p> <p>The personal information we request from you will be processed in line with Regulation <a href="#">(EU) 2018/1725</a> of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union Institutions, Bodies, Offices and Agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.</p>	<p>For more information, please consult:</p> <p><a href="#">Privacy Statement - Selection and engagement of the Agency Staff (TA, CA, SNE and trainees)</a></p>