

**ENERGY CHARTER
SECRETARIAT**

CCDEC 2022

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Brussels, 5 June 2022

Related documents: CC 743, Mess 1970/22
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DECISION OF THE ENERGY CHARTER CONFERENCE

Subject: Adoption by correspondence – Amendments to the Staff Regulations and Rules

By document CC 743, dated 17 May 2022, delegations were invited to approve the attached amendments with respect to Rule 22.13 (“Teleworking”) of the Staff Regulations and Rules as recommended by the Working Group on Governance Issues. As specified by Rule 19(b) of the Rules of Procedure concerning the adoption of decisions by correspondence, members of the Energy Charter Conference were informed that any delegation that wished to object to this proposal should notify the Secretariat of its position in writing by 5 June 2022.

Having received no objections within the specified time limit, on 5 June 2022, the Energy Charter Conference **approved**, with immediate effect, the attached amendments to Rule 22.13 of the Staff Regulations and Rules.

Rule 22.13

TELEWORKING

- (a) Teleworking is a method of performing duties outside the premises of the Secretariat, with the help of information and communication technologies. Performing duties whilst on mission is not considered to be teleworking.
- (b) Officials may work from an alternative work site, provided they have access to the necessary equipment and may always be reached by telephone or e-mail. The Regulations and Rules shall remain applicable in their entirety to officials authorised to telework. The following provisions shall in addition apply to teleworking.
- (c) An official wishing to telework shall make in writing a request to his or her immediate supervisor, specifying the duration of telework desired as well as the place in which it would be performed.
- (d) Under special circumstances, authorization shall be granted by the immediate supervisor under his or her discretion for a maximum of 60 teleworking days per calendar year, but no more than 10 consecutive teleworking days. If authorisation is not granted, the official can bring the request to the attention of the Secretary-General for his or her decision. Any such request for teleworking should be sent before 8 am of the day for which teleworking is requested.
- (e) The following conditions apply in case of a request for regular teleworking
 - (i) When examining any request, account shall be taken of the compatibility of teleworking with:
 - the nature of the official's duties, the performance of those duties and the achievement of the official's assigned annual objectives;
 - organisational and efficiency-related requirements of the service concerned.
 - (ii) Authorisation shall be given by the Secretary-General, on the recommendation of the immediate supervisor of the official and after consultation under Rule 25.1 and with the Head of Administration and External Activities Unit. The decision of the Secretary-General on teleworking shall be justified.
 - (iii) Authorisation shall be formalised by the signature of an agreement with the official concerned. This agreement shall stipulate:
 - the official's teleworking location;

- the days worked on the premises of the Secretariat;
 - the teleworking hours;
 - where appropriate, the equipment made available to the official by the Organisation;
 - the date the agreement takes effect and the date on which it terminates.
- (iv) A probationary period is established from the date of the signature of the agreement. This probationary period shall be of a duration of two weeks where the teleworking duration under the agreement is two months. The duration of this period is one month where the teleworking duration under the agreement exceeds two months. At the end of the probationary period, the teleworking agreement will be confirmed or terminated in accordance with the provisions of sub-paragraph (vi) below.
- (v) On expiry, the teleworking agreement may be renewed by the Secretary-General, at the official's request and upon the recommendation of the official's immediate supervisor. When considering this request, the Secretary-General shall verify that the conditions referred to in paragraph (e), above, continue to be met and that the official's performance is not unsatisfactory or has not been affected as a result of teleworking.
- (vi) A teleworking agreement may be terminated at any time:
- by the Secretary-General, after consultation with the Senior Management and the Head of Administration and External Activities Unit, if:
 - o the conditions referred to in paragraph (e), above, are no longer met, in particular in the event of a change in the official's assignment or duties;
 - o the official's performance is unsatisfactory or affected as a result of teleworking;
 - by the official concerned, due to imperative and exceptional circumstances acknowledged as such by the Secretary-General.

The termination of a teleworking agreement is subject to a notice period of two weeks when the teleworking duration under the agreement does not exceed two months and to a notice period of one month when the teleworking duration under the agreement is more than two months. The termination shall be notified by the Secretary-General to the official concerned and to his or her immediate supervisor.

(f) in case of special or regular teleworking outside of Belgium, the following requirements shall apply in addition to those laid down in paragraph (d) or (e) respectively:

- no teleworking is possible during the probation period;
- such teleworking shall not exceed 60 teleworking days per calendar year.