NOTIFICATION ON THE DECISION OF THE MANAGEMENT BOARD ON UPGRAADING THREE POSTS IN THE ESTABLISHMENT PLAN OF 2010

In accordance with Article 8(4) of the Rules of Procedure of the Management Board I hereby notify you that since there were not sufficient number of rejections to the proposal (two votes of the Commission did not support), the Management Board of Frontex has taken the decision on upgrading three posts in the Establishment Plan of 2010 by written procedure. The letter (Ref. No. 3947/19.03.2010) inviting the Management Board to take the decision was sent on 19 March 2010. The decision was taken on 9 April 2010.

Please find attached the above mentioned letter (Ref. No.3947/19.03.2010).

[signed]
Ilkka Laitinen
Executive Director

On behalf of the Chairman

Annex: Proposal to take a decision on upgrading three posts in the Establishment Plan 2010
PROPOSAL TO TAKE A DECISION BY WRITTEN PROCEDURE ON 
UPGRADING THREE POSTS IN THE ESTABLISHMENT PLAN OF 2010

1. Introduction

There is a need for modifying the 2010 Establishment Plan in order to upgrade three existing vacant posts in Frontex.

Frontex Financial Regulation stipulates the possibility of changing the grades of posts foreseen in the establishment plan for a respective year as follows:

Article 32
1. The establishment plan referred to in Article 27 shall show next to the number of posts authorized for the financial year the number authorized for the preceding year and the number of posts actually filled. It shall constitute an absolute limit for the Agency; no appointment may be made in excess of the limit set. However, save in the case of grades AD16, AD15, AD14 and AD13 the Management Board may modify the establishment plan by up to 10% of posts authorized, subject to two conditions:
   (a) That the volume of staff appropriations corresponding to a full financial year is not affected;
   (b) That the limit of the total number of posts authorized by the establishment plan is not exceeded.

After having analyzed the existing Title 1 appropriations, it is foreseen that the volume of staff appropriations will not be affected because of this proposed modification. Also, the total number of Frontex staff foreseen in the establishment plan for 2010 will after this modification not exceed 143, as originally planned. Therefore, the two conditions of Article 32 above are met.

2. Detailed information and justification

The structure of Frontex has changed in 2009 in accordance with the decision of the Management Board, and three new units – Legal Affairs, Frontex Situation Centre and Pooled Resources – have been created. The need for employing heads of Legal Affairs and Frontex Situation Centre has been evident already for some time due to the increase of the volume and importance of the tasks of those units. Therefore, the following proposal to modify the establishment plan for 2010 is made to the Management Board:
Post of grade AD11, allocated to the Training Unit, is proposed to be upgraded to grade AD12. By this change the post of Head of Legal Affairs Unit will be created.

Post of grade AD11 allocated to Operations Unit, is proposed to be upgraded to grade AD12. By this change the post of Head of Frontex Situation Centre Unit will be created.

Having an entry level AD12 for newly created posts of heads of units will allow keeping consistence in the grading of Frontex Management Staff. The above mentioned posts will be advertised by an open, external recruitment procedure.

The post of grade AST3 has become vacant in the Information and Transparency sector. Therefore, there is no need to keep this post in that particular entity. As the job profile and the nature of the tasks will be assigned to the Project Support Officer, it is requested that the post will be upgraded to grade AST5. It will be also coherent with other posts in the organization called Project Support Officer.

3. Invitation to take a decision

1) According to Article 8(1) of the Rules of Procedure of the Management Board (RoP) decisions may be taken by written procedure provided that one third of the Members with a right to vote does not object.

   In case a Member of the Management Board rejects this proposal to take a decision on the upgrading of the three above mentioned posts in the establishment plan of 2010 by written procedure such position must be communicated to Frontex not later than 9 April 2010.

2) According to Article 8(2) of the RoP, the Management Board shall approve or reject the proposed decision in written procedure in its entirety.

   The Management Board is invited to decide on the upgrading of the three above mentioned posts in the establishment plan of 2010.

   In case a Member of the Management Board rejects the decision on the upgrading of the three above mentioned posts in the establishment plan of 2010 such a position must be communicated to Frontex not later than 9 April 2010.

   If there are not a sufficient number of rejections the proposed decision is considered to be taken on 9 April 2010.

Yours sincerely,

[signed]

Ilkka Laitinen
Executive Director
On behalf of the Chairman of the Management Board

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