

Open letter to President Von der Leyen

Dismissal of canteen and cafeteria employees: THE MORAL RESPONSIBILITY OF THE COMMISSION TOWARDS THESE EMPLOYEES

The Commission is promoting a coordinated European response to the crisis and should set a good example by avoiding unemployment in its own house

Madam President,

Some 400 employees working in the Commission's canteens and cafeterias are now in danger of losing their jobs from 1 January 2021, following the OIB's decision to suspend its catering activities. Indeed, in view of the string of upheavals that the COVID crisis is continuing to throw up throughout all aspects of our Institution's work, the specifications of the call for tenders for catering services that was launched in April 2020 now has to be reviewed and re-examined in the light of the current uncertainties.

Understandable as the reasons may be for choosing to freeze the selection process that was in progress on the eligible bids - in particular to replace the current framework contract that is due to expire at the end of December – our Institution cannot remain indifferent to the predicament of these 400 women and men who are trying as best they can to save their jobs.

As we all know, most of them have devoted their entire careers to this job and have chosen to remain in the service of our Institution. They have become attached to it and developed a truly heartfelt relationship through committing themselves to the Institution with their exemplary professionalism. Over the many years of coffee and lunch breaks, we have grown accustomed to seeing their welcoming faces and their daily presence has become as familiar as it is friendly.

We felt it was important to meet them and listen to their expressions of anger and dismay at the brutality of this decision. So, on behalf of **the FEDERATION**, we organised a meeting on 3 December via TEAMS with their main delegates affiliated to the CSC and FGTB unions. During these exchanges, their representatives drew our attention to two essential points relating to the framework governing the particular arrangements for eventually carrying out these redundancies.

The first point concerns the nature of these job cuts which were announced, it seems, without any prior consultation or warning. A worst-case scenario is taking shape before their very eyes, where the provisions of the "Renault law" (https://fr.wikipedia.org/wiki/Proc%C3%A9dure_Renault) may not be applicable because of the country in which the head office of the company employing them is located. If this were the case, these men and women would be deprived of the right to any benefit from legal compensation (economic redundancy, seniority of service, etc.).

The second point which they raised concerns the application of Article 32bis of their contract which provides in substance that: "...The transferee is obliged to take over the obligations arising from employment contracts existing at the date of transfer...". However, in the absence of a known transferee as things stand at present, none of the rights and obligations resulting from their current contract may be granted to them.

Madam President, we know that their fate unfortunately escapes the direct responsibility of the Commission because they are not employed by the Commission, but by external contractors. But their professional and human future must not escape your duty of moral responsibility.

The FEDERATION therefore calls on you to take particular care of the future of our canteen and cafeteria employees. This would be, for the Commission, proof of its capacity for benevolence, empathy, as well as creativity in coming up with a solution to mitigate this dramatic social situation.

To this end, **the FEDERATION** proposes that the following measures be considered for action as a matter of urgency:

- Extension of employees' contracts
- Application of the practical arrangements for implementing the "Renault law" and Article 32bis

These should be discussed before Christmas, at a Round Table bringing together representatives of the Commission trade unions, the CSC and FGTB unions, and OIB officials.

The FEDERATION believes that the struggle of these men and women is also our struggle. As it should also be that of our Institution, which has welcomed them into its family for years.

Stathis Stefanidis
President

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