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Q&A on Brexit

What happens to staff who are UK nationals?

- For the moment the position of UK staff is the same as for all other staff: your contracts remain in place, and UK staff will be treated equally with other staff, whether in relation to contract renewals, reclassification or otherwise.
- The Staff Regulations/CEOS provide that TA and CA contracts terminate if a staff member no longer has an EU nationality. So once withdrawal occurs that could affect some UK staff who do not have another nationality. But that is some distance away, and the Executive Director can make exceptions. It is also possible that there will be specific arrangements made as part of the withdrawal process. We will keep UK staff updated as and when decisions need to be taken.
- UK staff at EU bodies, including the EBA, have established informal networks to share information and to raise issues relating to their position.

Can UK nationals still be employed by the EBA?

- Yes – see above for existing staff.
- While the UK remains an EU Member State, UK nationals are free to apply for jobs that we advertise and we will continue to treat them in the same way as other applicants. While recruits usually need to have an EU nationality, it is possible to make exceptions (our vacancy notices already provide for applications by nationals of the EEA EFTA States), and we will review our policy closer to the time of formal withdrawal.

What happens to my contract of employment when the EBA moves? Do I keep it? Do I have to move?

- We will be engaging with Commission, Council and European Parliament and will keep staff informed of the proposals for changes to the EBA's seat.
- The EBA intends to honour the contracts that it has made in line with the terms of the Staff Regulations and CEOS, including as and when the EBA's seat changes.

- The general position is that EU civil servants can be asked to relocate within the Union. We realise that can be a difficult process, particularly for those with families. Once we know more about how the EBA will be affected by the UK's withdrawal we will engage with you all to explain the process and to listen and respond to concerns you may have.

When will the move happen? Where will we move to?

- Any change to the EBA's seat will need to be proposed by the Commission and decided by the co-legislators – the Parliament and Council – as it means amending the EBA Regulation. We will be engaging with the Commission, European Parliament and Council and will keep you informed as and when we know more. When engaging with the EU institutions we will take into account staff views, including the need for swift decisions accompanied by reasonable implementation periods.

How much notice will the EBA give of the relocation? How should I manage my tenancy/school notice periods? What support will the EBA give for the relocation?

- Based on the procedure regarding the relocation of the EMA and the EBA, which was endorsed in the margins of the June 2017 European Council meeting, we expect the EBA's location to be decided in November 2017, and that the EBA will move to its new location by the end of March 2019. It is difficult to be more precise than this until the EBA is able to enter into discussions with the host Member State selected, but our view remains that it is preferable to have as long a transition period as possible in order to minimise disruption both for the EBA's staff and for the EBA itself. We, therefore, hope to be able to indicate an approximate timeframe for moving by the end of 2017, with precise arrangements to follow in 2018.
- EBA will try and provide information on relocation timing as soon as possible, once it becomes known, in order to assist staff. We hope it will enable staff members to have enough time to notify their landlords and schools. As regards private schools, these typically require one term's notice and we expect to be able to give significantly more notice to staff of the intended relocation timing than this.
- In terms of relocation support, the Staff Regulations provide for daily subsistence allowance, installation allowance, travel and removal expenses (a description can be found at https://myintracomm.ec.testa.eu/hr_admin/en/rights/Pages/index.aspx). The applicability of these entitlements in case of relocation of the Agency is still to be confirmed by PMO and staff will be informed accordingly. The purpose of these allowances is to offset some of the additional costs that can be incurred when staff are assigned to work in a new location. The new host Member State may also provide some relocation support, and the EBA is also considering what additional assistance it can provide (e.g. in relation to the removal itself, finding accommodation, job searches for spouses, setting up bank accounts/utilities) and information on this will be communicated to staff closer to the relocation time.

What happens with the correction coefficient and salary exchange rate?

- The exchange rate element of the calculation of the correction coefficient will be based on the exchange rate on 1 July, but has no effect on the salary received by staff: it affects only the budgetary charge to the EBA. The calculation of the correction coefficient will continue as usual, with the final decision on its value being made in December by the European Parliament¹.

What should I do about my house/flat rental/school arrangements?

- There are no decisions to be made immediately. We expect the withdrawal process to take some time, and we will communicate to staff the plans for the EBA as they develop. We recognise the difficult process that lies ahead as and when the EBA is moved and we will engage with you all to explain the process and to listen and respond to concerns you may have.

Will the EBA's size change as a result of the move?

- The EBA's annual budgets continue to be developed in the usual way and in 2017 this led to a small increase in the number staff at the EBA. Once more information is known on the relocation timing and destination we expect to prepare an amending budget to cover relocation costs. Future budgets will need to take into account any decisions on the EBA's location and on the possible future move of the ESAs to a system of industry funding.

My spouse is a non-EU citizen. In the UK spouses of EBA staff receive a card from the Foreign and Commonwealth Office, which waives the holder from border controls and allows my spouse the right to take on employment. Can these rights be assured with the Foreign Office of the country of the new location?

- While the EBA has no formal say in its location, when we engage with the Commission, European Parliament and Council we do raise issues such as the importance of a family-friendly environment including multilingual European-oriented schooling and work opportunities for spouses when choosing a new host for the EBA. Indeed such issues are among the objective criteria which the [inter-institutional joint statement on decentralised agencies](#) suggests may be taken into account. Once a new host has been chosen the EBA will engage with that Member State to seek a new headquarters agreement which sets out the facilities and specific rules that will apply to the EBA and its staff.

¹ https://myintracomm.ec.testa.eu/hr_admin/en/pay/Pages/adapt.aspx