



EU

AT

Österreich 2006 ★ Präsidenschaft der Europäischen Union
Austria 2006 ★ Presidency of the European Union
Autriche 2006 ★ Présidence de L'Union européenne

“MOBILITY”

Emmerich Bachmayer
Director General
Federal Chancellery
Austria

emmerich_bachmayer@bka.gv.at

2006 „European Year of Workers‘ Mobility“

„Working abroad enables me to feel European everyday. I‘ve benefited from new ideas, new ways of working, but also gained a perspective of what being a European means: the endless possibilities offered by experiencing multiculturalism, multilingualism and everyday life in another country.“

ES, volunteer manager, Germany

Facts and Figures

Job-to-job mobility

- According to the labour force survey of 2003, 8.2% of the EU's total employed labour force had moved to another job after one year (yearly job-to-job mobility).
- Workers in the EU stay in the same job for an average of 10.6 years, compared to 6.7 years in the US.

Geographical mobility

- Approximately 1.5% of EU-25 citizens live and work in a different Member State from their country of origin (Source: Eurostat).
- Every year on average 7.2% of EU citizens change their place of residence, of which 15% refer to a change in job as the main reason for the move. This compares to 16.2% of US citizens moving home each year, 17% for occupational reasons.

Cross-Border Mobility of Public Sector Workers

- Intensive preoccupation with the issue of legal obstacles to cross-border mobility of public sector workers by EPAN-Human Resources Working Group
- Several reports and documents drafted since 2000
- Austrian Presidency has taken the initiative to update and complement the information previously collected now including information provided by EU-25 Member States

Study on Cross-Border Mobility of Public Sector Workers

- Austrian Presidency has been elaborating a study on cross-border mobility of public sector workers
- Questionnaire forwarded on 4 January 2006 to all 25 Member States as well as to Romania and Bulgaria
- Member States were asked to check and to update the specific information already existing if need be
- 100% response rate up to now

Preliminary Results

I. Nationality Condition

Specific rules on posts reserved for nationals exist in most Member States; all other posts are open to EU nationals:

- National rules of some Member States include exhaustive lists / exemplary lists
- Some Member States' rules provide for a general opening of all public sector posts - in order to restrict posts for nationals additional application rules are still necessary
- In some Member States rules provide presumptions and/or criteria and/or guidelines on posts reserved; final decision on a case-by-case basis

- One Member State does not have special rules on this issue, but applies directly Article 39 (4) EC and its jurisprudence on a case-by-case approach
- One Member State opened to EU nationals only the sectors identified in the European Commissions's 1988 action; all other posts are still reserved
- Nationality Condition for all posts in the public administration exists in one Member State

Conclusions:

- During the recent past, Member States have opened up large parts of their public sectors to EU nationals
- Interpretation of Art 39 (4) EC, the relevant jurisprudence and their application in practice varies strongly between the different Member States
- A number of Member States still have to adapt their national rules in order to bring them into line with Community law

II. Recognition of Professional Experience and Seniority

- Professional experience / seniority play a role during a recruitment procedure in many Member States
- In one Member State professional experience /seniority are formal conditions for access to a recruitment procedure
- Working conditions (e.g. salary, grade) are often determined on the basis of previous professional experience / seniority
- Only a few Member States make a difference between professional experience and seniority
- Some Member States also take into account experience acquired in the private sector

Conclusions:

- Many Member States have already adapted their national rules in order to take into account professional experience / seniority acquired in another Member State
- They have now to monitor whether these rules are applied correctly in practise
- Some Member States still have the necessary reforms under way or to begin
- Still a need for action – either reforms or monitoring of their application

Short Term Exchange Programmes

- Exist on the basis of bilateral agreements
- Partners: Germany, Finland, United Kingdom, Sweden, Italy, EIPA and European Commission
- Chance for Austrian Civil Servants to work for a certain period of time in the public administration of one of these Member States



EU AT

**Thank you for
your attention!**