



DECISION OF THE GOVERNING BOARD

Concerning the nomination of reporting officers for the implementation of Article 14(3) of the CEOS

N° 19/2016

THE GOVERNING BOARD OF THE SHIFT2RAIL JOINT UNDERTAKING (hereinafter the "S2R JU"),

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) No 642/2014 of 16 June 2014 establishing the S2R JU¹, and in particular Article 6 (1), (2) and (5) thereof and to Article 8(j) of the annex to that Regulation (Statutes of the S2R JU),

Having regard to the Staff Regulations of Officials of the European Union (hereinafter Staff Regulations), and the Conditions of Employment of Other Servants of the European Union (hereinafter CEOS), laid down by Council Regulation (EEC, EURATOM, ECSC) n° 259/68², and in particular within Article 44(2) of the Staff Regulations relating to the managerial probationary period and Article 14 of the CEOS relating to the probationary period;

Having regard to the S2R JU Governing Board Rules of Procedure,

WHEREAS:

- (1) Article 8 (j) of S2R JU Statutes provides that the Governing Board shall, inter alia, appoint, dismiss, extend the term of office of, provide guidance to and monitor the performance of the Executive Director;**
- (2) Article 14(3) of the CEOS provides that one month at the latest before the expiry of the probationary period, a report shall be made on the ability of the member of the temporary staff to perform the duties pertaining to his post and also on his efficiency and conduct in the service;**
- (3) Article 44(2) of the Staff Regulations refers to an appraisal of an official within the meaning of Article 43 who is appointed head of unit, director or director-general during the first nine months following his appointment (the management probationary period);**

¹ OJ L 177, 17.06.2014, p.9.

² OJ L 56, 4.3.1968, p.1, as last amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013, OJ L 287, 29.10.2013, p. 15.

- (4) The Executive Director of S2R JU, M. Carlo BORGHINI, has been appointed on 16 May 2016 and his probationary period expires on 15 February 2017;
- (5) The Executive Director of S2R JU, M. Carlo BORGHINI, has already served at least two years in senior management functions in another European institution, namely as the Deputy Executive Director in SESAR JU. He should therefore be exempted from a management probationary period as the Executive Director within S2R JU.

HAS DECIDED AS FOLLOWS:

Article 1

*Probationary period, referred to in Article 14 of the CEOS
Designation and role of the reporting officers and the appeal assessor*

1. The Governing Board designates as reporting officers the following persons, being its members:
 - Mr Matthew BALDWIN, acting as alternate of the Chairperson;
 - Mr Andy DOHERTY, Industrial Spokesperson.
2. The reporting officers shall report on the ability of the Executive Director of S2R JU to perform the duties pertaining to his post and also on his efficiency and conduct in the service.
3. Reporting officers cannot be designated to any other functions within the probationary report procedure.
4. The appeal assessor is the Chairperson of the Governing Board, duly empowered by the Governing Board.

Article 2

Probationary period, referred to in Article 44(2) of the Staff Regulations

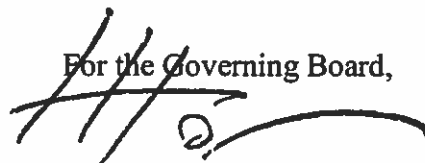
The present Executive Director shall not serve the management probationary period.

Article 3

Entry into force

This decision shall enter into force on the day following its adoption.

Done at Brussels, on 25 October 2016



Henrik HOLOLEI

The Chairperson