



Vacancy for a post of Legal Officer (Temporary Agent – AD7) in the Shift2Rail Joint Undertaking and establishment of a reserve list	
REF.: S2R/2017/02	
Publication	External
Title of function	Legal Officer (Shift2Rail JU)

1. WE ARE:

The Shift2Rail (S2R) Joint Undertaking (JU) is a public-private partnership between the European Union and the rail sector, established by Council Regulation (EU) No 642/2014¹. The S2R JU, established in Brussels, is responsible for implementing the S2R Research and Innovation Programme, funded jointly by the Union and European Union Industry, with a view to supporting the European Union's long term transport policy objectives, including increasing the attractiveness and efficiency of rail and completion of the Single European Railway Area. It also seeks to increase the competitiveness of the European Union rail sector as a whole.

For further information please consult the following website: <http://www.shift2rail.org/>

2. JOB DESCRIPTION:

The Legal Officer will report to the Head of Administration and Finance and will be the JU reference person for all legal aspects.

He (She) will contribute to ensuring a sound legal environment for the S2R JU's overall functioning, in particular by providing legal advice and support on various legal aspects regarding S2R operations, including:

- Advice the Executive Director and/or JU Units on:

¹ OJ L 177, 17.06.2014, p.9

- European Union law, notably in relation to the European transport policy, General Financial Regulation, institutional arrangements, etc.;
 - Decisions for adoption by the Governing Board and/or the Executive Director;
 - Compliance with European Union and S2R rules and regulations;
 - Preparation and implementation of the S2R JU programme and actions;
 - Risks of litigation and contributing to find solutions to avoid litigation;
- Prepare the necessary legal acts;
 - Act as JU Data Protection Officer;
 - Ensure the management of call for tenders and functionally supervise the Legal Assistant to ensure the adequate management of call of proposals;
 - Contribute to the production of manuals, vade-mecum, internal procedures;
 - Establish strong relations with the Legal Service of the European Commission, the Council and the respective DGs, in particular DG MOVE;
 - Execute any other tasks corresponding to the profile and grade, as deemed necessary in the interest of the service and in support of the Head of Administration and Finance.

3. WE LOOK FOR:

A) Eligibility criteria

Candidates will be considered eligible for selection on the basis of the following formal criteria to be fulfilled by the deadline for applications:

1. To have a level of education which corresponds to completed university studies² attested by a diploma when the normal period of university is 4 years or more
OR
To have a level of education which corresponds to completed university studies attested by a diploma and at least one year of appropriate professional experience when the normal period of university is 3 years;
2. In addition the above, to have an appropriate professional experience³ of **at least 6 years**;
3. To have a thorough knowledge of one of the official languages of the EU and a satisfactory knowledge of a second of these languages to the extent necessary to perform his/her duties;

² Only study titles that have been awarded in EU Member States or that are subject to the equivalence certificates issued by the authorities in the said Member States shall be taken into consideration;

³ Only appropriate professional experience acquired after achieving the minimum qualification stated in A.1 shall be considered. Where additional periods of training and study are accompanied by periods of professional activity, only the latter shall be considered as professional experience. Compulsory military service or equivalent civilian service accomplished after achieving the minimum qualification stated in A.1. shall be taken into consideration. Internships will be taken into consideration if they are paid. Professional activities pursued part-time shall be calculated pro rata, on the basis of the percentage of full-time hours worked. A given period may be counted only once.

4. Be a national of a Member State of the European Union;
5. To be entitled to his or her full rights as a citizen;
6. To have fulfilled any obligations imposed by the applicable laws concerning military service;
7. To meet the character requirements for the duties involved;
8. To be physically fit to perform the duties linked to the post.⁴

B) Selection criteria

Successful candidates should have:

1) *Essential qualifications and experience*

- At least 6 years professional experience in positions related to the profile of the post, in relation to the implementation of Union law;
- Previous experience in providing legal advice to national public authorities or EU institutions, bodies, offices and Agencies or any other international organizations, or in proceedings before the EU institutions;
- Knowledge of and experience with the organization, structure and working procedures of the European Union, its institutions and decision making processes;
- Good knowledge of the financial and procurement rules applicable to S2R JU and/or to the general budget of the Union;

2) *Advantageous qualifications and experience*

- Experience in H2020 EU Research and Innovation programme or similar research funding or other Union financing programmes;
- Experience in transport sectors;

3) *Behavioral competences*

- Motivation – open and positive attitude;
- Excellent planning and organizational skills;
- Self-control under pressure in demanding situations and ability to handle many simultaneous tasks;
- Excellent communication and negotiation skills;
- High sense of discretion and confidentiality.

⁴ Before the appointment, a successful candidate shall be medically examined by one of the European Institutions' medical officers in order that Shift2Rail may be satisfied that he/she fulfils the requirement of article 28 (e) of the Staff Regulations of Officials of the European Union.

For each of the selection criteria listed above, candidates are invited to (briefly) explain in their motivation letter in which position, activities and responsibilities they acquired their skills.

4. INDEPENDENCE AND DECLARATION OF INTERESTS

The Legal Officer will be required to make a declaration of commitment to act independently in the public interest and to make a declaration in relation to interests which might be considered prejudicial to his/her independence.

5. SELECTION PROCEDURE

The selection procedure includes the following steps:

- After registration, each application will be checked in order to verify that it meets the eligibility criteria;
- All eligible applications will be evaluated by a Selection Committee based on the selection criteria defined in this vacancy notice;
- The best-qualified candidates, those who obtained the highest number of points within the evaluation, will be short-listed for a written test and an interview;
- During the interview, the Selection Committee will examine each candidate's profile and will assess their relevancy to the post. In order to support the evaluation via interview, short-listed candidates will be required to undergo a computer-based written test related to the job content. The minimum threshold to pass the written test and the interview is 50% of the total points allocated to each one of them.
- Candidates will be requested to bring with them on the day of the interview and written test photocopies of all the supporting documents for their educational qualifications and employment necessary to prove that they meet the eligibility criteria. Shift2Rail JU has the right to disqualify applicants who fails to submit all the required documents;
- Following the written tests and the interviews, the Selection Committee will recommend to the Appointing Authority the most suitable candidate(s) for the post to be placed on a reserve list. The minimum threshold to be placed on the reserve list is 65% of the total points.
- The reserve list will be presented to the Appointing Authority who may decide to convene the best ranked candidates for a second interview and ultimately will appoint the successful candidate(s) to the post(s).
- The established reserve list may also be used for recruitment of similar posts depending on the JU's needs. Where a similar post becomes available, the Appointing Authority may select applicants from the list according to their profile in relation to the specific requirements of the post to be filled. However, inclusion on the reserve list does not guarantee recruitment

The reserve list will be valid until 31/12/2018. Its validity may be extended by the decision of the Executive Director.

6. EQUAL OPPORTUNITIES

The S2R JU, as a European Union body, applies a policy of equal opportunities and non-discrimination in accordance with Article 1d of the Staff Regulations.

7. CONDITIONS OF EMPLOYMENT

The successful candidate will be appointed by the Executive Director of the S2R JU as a temporary agent AD7 pursuant to Article 2(f) of the Conditions of Employment of Other Servants of the European Union for a period of 5 years, which may be renewed.

Expected starting date: as soon as possible.

Candidates should note the requirement under the Conditions of Employment of Other Servants for all new staff to complete successfully a probationary period.

8. PAY AND WELFARE BENEFITS

The pay of staff members consists of a basic salary supplemented with specific allowances, including expatriation or family allowances. The provisions guiding the calculation of these allowances can be consulted in the Conditions of Employment of Other Servants available at the following address:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1962R0031:20140101:EN:PDF>

Salaries are exempted from national tax, instead a Community tax at source is paid.

The place of employment is Brussels, where the Joint Undertaking is based.

9. APPLICATION PROCEDURE

For applications to be valid, candidates must submit:

- a detailed **curriculum vitae** in European CV format⁵ in English⁶. The CV must imperatively refer to the job requirements as listed in the present vacancy notice and reflect how, in the candidate's view, she/he holds the skills and competences mentioned therein. Applications that are incomplete will be disqualified.
- a **letter of motivation** (1 page maximum) in English⁷ explaining why the candidate is interested in the post and what her/his added value would be if selected, in relation to the job requirements listed in the present vacancy notice.

⁵ English CV template and guidelines available at following link: <http://europass.cedefop.europa.eu/documents/curriculum-vitae/templates-instructions>

⁶ The Selection Committee will ensure that no undue advantage is given to native speakers of this language.

⁷ The Selection Committee will ensure that no undue advantage is given to native speakers of this language.

Applications should be sent by email to jobs@shift2rail.europa.eu with the following subject line: 'SURNAME_Name_S2R.2017.02 (the same structure is to be used for the CV and letter of motivation document name e.g. 'SURNAME_Name_S2R.2017.02_CV')

Supporting documents (e.g. certified copies of degrees/diplomas, references, proof of experience etc.) should not be sent at this stage but must be submitted at a later stage of the procedure if requested.

In order to facilitate the selection process, all communications to candidates concerning this vacancy will be in English.

If at any stage in the procedure it is established that any of the information a candidate provided is incorrect, the candidate in question will be disqualified.

10. CLOSING DATE

Applications must be sent no later than **03/07/2017, 17h Brussels time**. Applications sent after this date will not be considered.

11. IMPORTANT INFORMATION FOR APPLICANTS

Applicants are reminded that the work of the selection committee is confidential. It is forbidden for applicants to make direct or indirect contact with members of these committees, or for anybody to do so, on their behalf.

12. APPEAL PROCEDURE

If a candidate considers that he/she has been adversely affected by a particular decision, he/she can:

- lodge a complaint under Article 90(2) of the Staff Regulations of Officials of the European Union and Conditions of employment of other servants of the European Union, at the following address:

Shift2Rail Joint Undertaking
Human Resources Department
Avenue de la Toison d'Or, 56-60
B-1060 Brussels
Belgium

The complaint must be lodged within 3 months. The time limit for initiating this type of procedure starts to run from the time the candidate is notified of the action adversely affecting him/her.

- submit a judicial appeal under Article 270 of the Treaty on the Functioning of the EU (ex Art. 236 of the EC Treaty) and Article 91 of the Staff Regulations of Officials of the European Union to the:

European Union Civil Service Tribunal
Boulevard Konrad Adenauer

Luxembourg 2925
LUXEMBOURG

For details of how to submit an appeal, please consult the website of the European Union Civil Service Tribunal: http://curia.europa.eu/jcms/jcms/Jo1_6308/. The time limits for initiating this type of procedure (see Staff Regulations as amended by Council Regulation (EC) No 723/2004 of 22 March 2004, published in Official Journal of the European Union L 124 of 27 April 2004 — <http://eur-lex.europa.eu>) start to run from the time you become aware of the act allegedly prejudicing your interests.

- make a complaint to the European Ombudsman:

European Ombudsman
1 avenue du Président Robert Schuman
CS 30403
67001 Strasbourg Cedex
FRANCE
<http://www.ombudsman.europa.eu>

Please note that complaints made to the Ombudsman have no suspensive effect on the period laid down in Articles 90(2) and 91 of the Staff Regulations for lodging complaints or for submitting appeals to the Civil Service Tribunal under Article 270 of the Treaty on the Functioning of the EU (ex Art. 236 TEC). Please note also that, under Article 2(4) of the general conditions governing the performance of the Ombudsman's duties, any complaint lodged with the Ombudsman must be preceded by the appropriate administrative approaches to the institutions and bodies concerned.

13. PROTECTION OF PERSONAL DATA

The Shift2Rail Joint Undertaking is committed to ensuring that candidates' personal data are processed as required by Regulation (EC) N°45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. This applies in particular to the confidentiality and security of such data.

Controller, purpose of the processing, recipients of the data - The controller responsible for the processing operation is the Shift2Rail Joint Undertaking. Data are processed for the purpose of organising the selection and recruitment; they are only disclosed to persons involved in the selection and/or recruitment.

Right of access - Data subjects are entitled to access their data by sending an email to the data protection officer (info@shift2rail.europa.eu).

Right of rectification - Data subjects can request rectification of their data by sending an email to the data protection officer (info@shift2rail.europa.eu).

Time-limits for storing the data - For recruited candidates, personal data are kept for 10 years after termination of employment. For non-recruited candidates, personal data are kept for 2 years after expiry of the list. For spontaneous applications, data are not kept.

Legal basis and recourse - The legal basis for the processing of personal data is Article 5 of Regulation (EC) 45/2001.

Data subjects have the right to have recourse to the European Data Protection Supervisor (EDPS). For further information, see the EDPS website: <http://www.edps.europa.eu>