

Florence, 27 May 2019

VACANCY NOTICE AD/SG/1/2019
coupled with a notice for an
OPEN COMPETITION ON THE BASIS OF QUALIFICATIONS AND TESTS
aimed at setting up a reserve list in order to fill future vacant posts within the
European University Institute

Positions title:	Legal Advisor
Unit:	Office of the Legal Advisor and Data Protection Officer (DPO)
Type of contract:	Temporary Agent (Type 2b of the Conditions of Employment of Other Servants)
Grade:	AD 8
Place of employment:	Florence, Italy
Duration of contract:	Four years, renewable initially for a period of up to two years. On expiry of the renewed contract, the temporary agent may be appointed as permanent staff member.
Closing date for applications:	26/06/2019 at 24:00 Central European Time

1. THE ORGANISATION

The **European University Institute (EUI)** is an academic institution set up in 1972 by the then Member States of the European Union, providing doctoral training in Law, Economics, History and Civilisation and Political and Social Sciences with special reference to Europe. In addition to the departments, the Institute includes the Robert Schuman Centre for Advanced Studies (RSCAS), which focuses on inter-disciplinary, comparative and policy research, the Max Weber Programme for Post-doctoral Studies, which prepares fellows for a career in academia, and the School of Transnational Governance, which sets out to study, debate and teach matters pertaining to governance beyond the State. The Institute also hosts the Historical Archives of the European Union. The EUI is not an EU Institution or body, but an inter-governmental organization, funded directly by the signatory states, partly by the European Commission and to some extent through external funding. The EUI provides a multinational work environment in an intellectually stimulating atmosphere.

The Office of the Legal Advisor and Data Protection Officer is part of the EUI central administration. It advises the EUI's management on all legal and data protection issues. The Office of the Legal Advisor and Data Protection Officer is also in charge of improving the overall quality and consistency of the EUI activities from a legal point of view. It represents and defends the legal interests of the EUI during meetings, in judicial or extrajudicial proceedings.

Given the wide range of activities carried out by the EUI and their diverse character, the Legal Advisor deals with a high number of issues in a large variety of fields, such as contract law, procurement, personnel matters, agreements with international organizations, revision of research projects, etc.

The growing importance of data protection aspects in the day-to-day work of an academic institution of high international renown raises a multitude of questions which have to be tackled by the Office of the Legal Advisor and Data Protection Officer. The Legal Advisor and Data Protection Officer advises also the EUI's Ethics Committee on issues related to data protection.

2. DESCRIPTION OF RESPONSIBILITIES

The successful candidate will perform legal advisory tasks, reporting directly to the President and the Secretary General, whilst also acting as EUI Data Protection Officer to ensure respect for data protection principles within the EUI.

More specific duties include:

Level of expertise
<u>LEGAL ADVICE</u> <ul style="list-style-type: none">▪ Drafting legal replies, particularly in the following fields of law: civil service law, public international law, public procurement law, administrative law, European Union law, contractual law, commercial law;▪ Drafting and reviewing documents, such as EUI-internal decisions, contracts in different fields of EUI activities (service, real estate, employment, etc.) and agreements with other academic and international organizations;▪ Keeping abreast of developments in relevant sectors of law and data protection, including jurisprudence of the ECJ and practice of the European Data Protection Supervisor. <u>DATA PROTECTION OFFICER (DPO)</u> <ul style="list-style-type: none">▪ Advising the senior management of the EUI and the Controllers on the interpretation or application of the Decision regarding data protection at the EUI;▪ Monitoring compliance with the EUI's data protection policy;▪ Assisting in the handling of complaints in the field of data protection.
Policy/ Strategy Making
<u>LEGAL ADVICE</u> <ul style="list-style-type: none">▪ Reviewing and updating internal regulations and policies in different fields such as personnel and organisational matters, public procurement regulation. <u>DATA PROTECTION OFFICER (DPO)</u> <ul style="list-style-type: none">▪ Making recommendations for the practical application of data protection at the EUI to the Data Protection Committee.
Representation/Communication
<u>LEGAL ADVICE</u> <ul style="list-style-type: none">▪ Preparing legal memoranda in preparation for meetings of the EUI's governing bodies;▪ Occasional participation in the meetings of the EUI's governing bodies. <u>DATA PROTECTION OFFICER (DPO)</u> <ul style="list-style-type: none">▪ Providing information, raising awareness on data protection and data security, in close cooperation with the Controllers and the Data Security Officer.
Level of autonomy and accountability
<ul style="list-style-type: none">▪ Reporting directly to the President and the Secretary General. <u>DATA PROTECTION OFFICER (DPO)</u> <ul style="list-style-type: none">▪ Ensuring, in an independent manner, respect for data protection principles within the EUI and for the provisions of President's decision 10/2019 regarding data protection at the EUI.

Managing people / Role in HR processes

- Supervising the small team of the Office of the Legal Advisor and assigning tasks in accordance with the work programme.

3. ELIGIBILITY CRITERIA

On the closing date for online applications, candidates must fulfil all the following general and specific conditions:

3.1 General conditions

- Being a national of a Member State of the European Union;
- Enjoying full rights as a citizen attested by a recent extract from judicial records and/or certificate of good conduct proving no previous conviction for a criminal or administrative offence that could call into question his/her suitability for performing the duties of the post;
- Having fulfilled any obligations imposed by the laws on military service;
- Being physically fit to perform the duties.

3.2 Specific conditions

3.2.1 Education (Qualifications)

- A level of education which corresponds to completed university studies attested by a diploma when the normal period of university education is four (4) years or more; or
- a level of education which corresponds to completed university studies attested by a diploma and appropriate professional experience of at least one (1) year when the normal period of university education is at least three (3) years. This professional experience will be part of the diploma and will not be taken into account in the required numbers of professional experience under 3.2.2.

3.2.2 Professional experience

By the deadline for applications, and in addition to the qualifications required above, candidates must have at least **nine (9) years** of professional experience gained after obtaining the diploma required under 3.2.1.

3.2.3 Knowledge of Languages¹

- Main language: have a thorough knowledge of one official language of the European Union; and
- Second language: a satisfactory knowledge of another official language of the European Union to the extent necessary for the performance of the duties.

4. SELECTION CRITERIA

Essential:

- Master's degree in Law;
- Professional experience of at least 9 years in legal affairs;
- Knowledge of EU law, labour law, international law and administrative law;
- Work experience in the field of data protection, knowledge of data protection in international organisations and the EU;
- Excellent knowledge of English, both spoken and written (CEFR level: C1 or above).

¹ Recruited candidates shall be required to demonstrate before their first promotion the ability to work in a third EU language.

Desirable:

- Work experience in the legal service of an EU institution or of an international organisation, or in providing legal services to such entities;
- Ability to work as part of a multinational and multidisciplinary team in an international environment;
- Work experience in a university or research environment;
- Knowledge of additional languages of the European Union.

General competencies assessed during the selection procedure (written test and/or interview):

- High standards of integrity and sense of confidentiality;
- Strong organisational skills and ability to coordinate and prioritize tasks;
- Keen eye for detail with the ability to maintain standards of accuracy under pressure of tight deadlines;
- Strong drafting and editing skills in English;
- Problem-solving and result-oriented attitude;
- Aptitude to give practical hands-on advice.

5. APPLICATION PROCEDURE & SCREENING PROCESS

Applications must be submitted electronically using the AD/SG/1/2019 online application form available at <https://www.eui.eu/About/JobOpportunities/Open-competitions-for-administrative-posts> at the latest by 26/06/2019 at 24.00.

Only complete applications submitted online will be accepted and considered. Applications received by e-mail, fax or post will not be considered. In order to avoid any technical constraints, we advise you to submit your application well ahead of the deadline.

The Selection Board will screen the documents of applicants with reference to the above-mentioned eligibility criteria as well as to the essential and advantageous selection criteria and will on the basis of these findings establish a shortlist.

Only shortlisted candidates will be invited for the interview and tests.

Candidates will be disqualified if they:

- do not complete the registration by the deadline;
- do not send a complete application;
- do not meet all the eligibility criteria on the closing date for online applications;
- do not provide all the required supporting documents at any stage of the procedure where these are requested.

If at any stage of the procedure, it is found that any of the information given in the application is false or not evidenced by the appropriate supporting documents, the candidate will be disqualified from the competition.

Contact: applyjob@eui.eu

Candidates who are not shortlisted will be duly notified by the Human Resources Service, once the decision on the appointed candidate has been taken by the Appointing Authority.

6. SELECTION PROCESS

The Selection Board will assess and score each eligible application according to the essential and advantageous selection criteria laid down in this vacancy notice. It is envisaged that the 7 highest-scoring candidates will be invited for an interview and tests. All candidates having a score equal to the 7th highest scoring candidate will be included in the shortlist.

6.1 Assessment method

Shortlisted candidates will be subject to

- an interview assessing the candidate's skills and knowledge relevant to the post;
- other assessments, including a written test;
- an English language test.

Further information about the testing process will be provided in the invitation letter.

6.2 Interview

The interview will be conducted mainly in English (knowledge of other EU languages may also be tested). Mother tongue English speakers will be expected to demonstrate their knowledge of a second EU language.

Assessment on the basis of qualifications and marking of tests:

- Marking: 0 to 20 for the assessment on the basis of qualifications;
- Marking: 0 to 20 for the written test;
- Marking: 0 to 10 for the language skills;
- Marking: 0 to 50 for the interview by the Selection Board.

6.3 Reserve list

The names of the candidates included in the reserve list will be published on the EUI Web site: <https://www.eui.eu/About/JobOpportunities/Open-competitions-for-administrative-posts>

A successful candidate may explicitly request that his/her name not be published. Any such request must reach the EUI before the candidate is notified of the outcome of his/her application, and in any case no later than seven calendar days after the date of the tests and interview.

Candidates on the reserve list are not guaranteed recruitment.

The validity of the reserve list is twelve months from the date of publication on the EUI website. The EUI reserves the right to extend the validity of the reserve list one or several times and will communicate any such extension by publishing it on the website.

Candidates are reminded that the work of the Selection Board is confidential. It is thus forbidden to make any contact with the members of the Board, either directly or indirectly, at any stage of the selection procedure. Any infringement of this rule will lead to disqualification from the selection procedure.

Candidates should not encourage third parties either to contact the Selection Board on their behalf. Any infringement of this rule may lead to disqualification of the candidate.

7. CONDITIONS OF EMPLOYMENT

Type of contract:

The successful candidate will be appointed by the Appointing Authority as a temporary agent at grade AD8, pursuant to Title II of the Conditions of Employment of Other Servants for an initial period of four years, with the possibility of renewal for a period of up to two years. On expiry of the renewed contract, the temporary agent may be appointed as permanent staff member.

The successful candidate will be asked to serve a probationary period of nine months.

The place of employment is Florence, where the EUI is located.

Remuneration:

The net monthly salary after taxes is approx. Euro 5,082. In addition to the salary, staff members may be entitled to various allowances, in particular a household allowance, expatriation allowance (16% of basic salary and household allowance), dependent child allowance and education allowance. The EUI has its own social security and pension scheme. Under certain circumstances, in particular where the selected candidate is obliged to change his/her place of residence in order to take up employment, the EUI may also reimburse various expenses incurred on recruitment, notably removal expenses.

Further information about remuneration and benefits can be found in Annex I.

8. EQUAL OPPORTUNITIES

The European University Institute is an equal opportunity employer in accordance with Article 1d of its Staff Regulations. It accepts applications without discrimination on any grounds such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.

9. DATA PROTECTION

The purpose of processing of the data submitted by candidates is to manage their application in view of a possible pre-selection and recruitment by the EUI. The information candidates provide in their application form is collected for the purpose of the selection procedure.

The EUI will ensure that candidates' personal data are processed as required by its Data Protection Policy (President's Decision No. 10/2019 of 18 February 2019 regarding Data Protection at the EUI). This applies in particular to the confidentiality and security of such data.

10. COMPLAINTS AND APPEALS

If at any stage of the selection procedure, the candidate considers that his/her interests have been prejudiced by a particular decision, he/she can take the following action:

- **Request for review**

In assessing candidates' merits, the selection board observes the principle of equal treatment as well as the provisions governing the Competition procedure and the Board's proceedings.

If a candidate nevertheless believes that one of these principles has not been applied in his/her case, he/she has the right, within **ten calendar days** from when the e-mail informing him/her of the decision is sent, to send a letter by e-mail stating his/her case to the e-mail address: applyjob@eui.eu.

- **Appeal procedures**

If, at any stage of the competition, the candidate considers that the Human Resources Service or the Selection Board have acted unfairly or have failed to comply with:

- the rules governing the competition procedure, or
- the provisions of the competition notice,

and that his or her interests have been prejudiced as a result, the candidate can take the following actions:

1. Submit a **formal complaint** to the Principal under Article 1(2) of the Common Provisions for the Teaching and Administrative Staff
2. Submit a **judicial appeal** before the Organ of First Instance

Please note that appeals concerning an error of assessment relating to the general eligibility criteria are not matters for which the competition's selection board is responsible and shall only be admissible before the Organ of First Instance if an administrative complaint has previously been lodged under article 1, paragraph 2 of the EUI Staff Regulations.

More information on the complaint procedure and on further means of appeal under the EUI's judicial review framework available at:

<https://www.eui.eu/ServicesAndAdmin/PersonnelService/RulesRegulations/Complaints-and-appeals>

Annex I

Remuneration and benefits

The following table provides examples of monthly salaries taking into account some possible scenarios:

Type of contract	Temporary agent – AD 8, step 1
Basic salary (net)	Euro 5.082 (after taxes and social security contributions)
Basic salary plus expatriation allowance (net)	Euro 6.153 (after taxes and social security contributions)
Basic salary plus expatriation and 1 dependent child allowance (net)	Euro 7.161 (after taxes and social security contributions)

Salaries and allowances are exempt from national taxation in Italy and in the EUI Contracting States, but are subject to a tax (deducted at source) for the benefit of the Institute.

Summary of Conditions of Employment and Benefits

- Annual leave entitlement of 2 days per calendar month plus additional days for distance from place of origin and an average of 17 days of EUI holidays per year;
- Flexible working hours;
- Training and development programme;
- EUI Pension Scheme ;
- EU Joint Sickness Insurance Scheme for staff member and dependent family;
- Accident and occupational disease insurance coverage;
- Expatriation or foreign residence allowance of 16% or 4%, depending on circumstances;
- Household allowance;
- Dependent child allowance;
- Pre-school allowance (for children aged less than 6);
- School allowance (for children up to the age of 26 in educational or vocational training);
- Installation allowance and reimbursement of removal costs, if applicable;
- Other benefits.