

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Action brought on 30 March 2012 — ZZ v EIGE

(Case F-43/12)

(2012/C 200/43)

Language of the case: French

Parties

Applicant: ZZ (represented by: T. Bontinck, S. Woog, lawyers)

Defendant: European Institute for Gender Equality

Subject-matter and description of the proceedings

Annulment of the decision of the EIGE refusing the applicant's request to be paid a management allowance for the period from 1 June 2010 to 30 September 2011.

Form of order sought

- Annul the decision of 12 January 2012 of the Director of the EIGE refusing the applicant's request to be paid a management allowance for the period from 1 June 2010 to 30 September 2011, confirmed, following the applicant's complaint, by the decision of 27 February 2012 of the human resources officer of the EIGE;
- order payment of the management allowance for the period from 1 June 2010 to 30 September 2011, together with interest on account of late payment the amount of which must be calculated at the rate laid down by the European Central Bank for its main refinancing operations, increased by two percentage points, with effect from 30 September 2011;
- order the European Institute for Gender Equality to pay the costs.

Action brought on 10th April 2012 — ZZ v Commission

(Case F-45/12)

(2012/C 200/44)

Language of the case: English

Parties

Applicant: ZZ (represented by: N. Visan, Lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

The annulment of the Commission's decision not to renew the Staff contract of the Applicant.

Form of order sought

- Annul the Decision of 27-28.07.2011 of the EU Delegation to the Republic of Moldova not to renew the employment contract of the applicant and, annul European Commission DG.HR.D.2's Decision dated 16.01.2011 to applicant's Complaint no. R1687/11 filed under article 90(2).
- Order the European Commission to reintegrate the Applicant in another EU Delegation so that the Applicant maintains the rights obtained during the performance of the employment contract from 2008 to 2011 in the EU Delegation to Moldova [probation period passed; salary step appraisal points accumulated], and ensure that the new post will be compatible with the EPSO/CAST contest profile that the Applicant has passed in 2007.
- Order the Defendant to make a Public acknowledgement of the error made by the EU Delegation to the Republic of Moldova at the moment they offered the 'Charge de Mission Adjoint' post to the Applicant — an error that has led to the impossibility of ensuring article 4-paragraph 2/renewal clause since day-1 of contract, to the under-positioning of the Applicant and the assignment of tasks inferior to the Job of the Applicant's Description from 2008 until 2011;
- Order the Defendant to pay of damages for the moral prejudice caused from 2008 until 2011 by the irregularities mentioned above. Damages are to be calculated on a monthly basis as the salary difference between the Applicant and the Local Agent for the entire 2008-2011 period -the reasoning being that the Delegation (a) had willingly assigned to the Applicant identical tasks as given to the Local Agent despite of very different Job Descriptions, (b) had done its utmost to keep the Applicant from performing tasks/undertaking the correct position according to the Job Description, (c) constantly denied that Applicant's post involved deputing to the Head of the FCA.