



ipso

International and European Public
Services Organisation
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IPSO, a European Trade Union

- **1997: IPSO starts at the European Monetary Institute**

IPSO – the International and European Public Services Organisation – is a staff union, founded by staff of the European Central Bank (ECB) to represent the professional interests of persons working for the ECB and of other international institutions and agencies in Germany. IPSO's "birthday" is on 11th December 1997 when the former spokesperson of the staff committee of the European Monetary Institute (predecessor of the ECB) together with members of diverse trade unions forming today part of the German trade union 'ver.di' held the constitutive assembly. Based in Frankfurt, Germany, IPSO has the legal status of a non-registered association (nicht eingetragener Verein), according to German Law.

The IPSO Board of Management consists of nine elected members. An appointed Secretary General provides continuity of most of the day-to-day processes and of the administration of the organisation. IPSO receives support by an assistant.

- **Vision and mission of IPSO**

IPSO works for the interests of its members in creating and continually improving a European Civil Service devoted to and inspired by the values of the European Union, namely the respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. IPSO wishes to contribute to a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.

We strive for conditions of employment for our members that live up to highest standards of an international civil service institution. They shall fully reflect and respect the fundamental social rights, International Labour Organisation conventions and the European labour and civil service law.

We raise our members' voice and take actions required to defend our members' interest. We demand that staff rights and obligations and relevant procedures can only be introduced, amended or eliminated through and after collective bargaining, a fundamental social right given to and exercised by the employer and staff representatives. This is so far denied to IPSO by the employer side.

- **An unconstitutional situation: ECB is employer and law-maker in one person**

At the ECB, the Staff Rules and the Conditions of Employment for ECB staff members are derived from rules and regulations laid down by the Maastricht Treaty (signed on 07 February 1992) and

its amendments. These prescribe above all the independence of the Executive Board and of the Governing Council of the ECB.

- **No national law applies and EU Directives do also not apply directly**

The ECB's Executive Board and its Governing Council interpret the above mentioned treaty regulations as all-encompassing, and including as well all aspects of labour relations. Although employee participation and negotiation rights are laid down in all EU national labour laws and also in the relevant Directives of the European Commission, the ECB's Executive Board and its Governing Council believe that the ECB's decision making bodies can unilaterally adopt fundamental changes in all of its labour rules without regard for or negotiating with its staff. IPSO does not deem the current ECB employee representation, consisting of an elected staff committee and the mere recognition of the existence of a trade union, as sufficient to guarantee the rights as enshrined by the above mentioned relevant fundamental rights, or the related directives, rules or procedures.

- **No collective bargaining, weak participation rights**

In particular, ECB staff members do not enjoy EU-wide applied employee rights regarding negotiation, participation or even only transparency regarding staff-related issues. Interpreting the ECB's independence in the widest possible form, the Executive Board and the Governing Council establish and enforce the conditions of employment exercising the function of legislator, the executive and interested party all at the same time. This conflict of interest leaves the ECB's staff members no choice but claiming their rights at the European Court of Justice in Luxembourg. Since its inception, IPSO has supported its members in these court cases and also brought itself a number of cases.

This continued unilateral decision-making, and conscious disregard of contractually agreed rights, is at least beginning to be perceived as the most visible sign of a democratic deficit in the governance of the ECB. The fact that the ECB is recognised legally as a European Institution does not seem to have had any impact on this wide interpretation of the ECB's independence by the Executive Board and by the Governing Council.

- **IPSO is a growing union**

Despite ECB staff being central bankers, the situation as described above has not only led to the founding of IPSO at the ECB, but increasing awareness of staff has resulted in IPSO's membership rising from 100 at the end of 2007 to about 600 by year-end 2015, representing more than 40% of the permanent ECB staff.

- **Affiliations**

IPSO is a member of [USF](#), the Union Syndicale Fédérale. USF is the federation of unions representing EU civil service staff and staff of European organisations and agencies. Via this affiliation IPSO is affiliated to the [EPSU](#), the European Federation of Public Services Unions. IPSO cooperates informally with other unions and federations, such as the UNI Europa, finance, DGB and IG Metall on dedicated topics and project. IPSO takes part in the ESCB social dialogue, a formalised information round the ECB has set up with trade unions representing staff of the EU central banks.

- **2008: IPSO becomes a union "recognised by the ECB"**

After years of negotiation, IPSO achieved to be recognised as a trade union at the ECB. Although IPSO, like the elected Staff Committee, enjoys no negotiation or collective bargaining rights, consultations between IPSO and the ECB have increased the staff representatives' role in

staff-related decision making processes by at least commenting them. This and other agreements have been laid down in a Memorandum of Understanding in July 2008.

- **2009: A first strike ever strengthened staff's rights**

As IPSO deemed since long that the currently authorised involvement in the ECB's processes in setting its labour and social security law is not sufficient, 500 staff members went on strike in June 2009. This was the first ever strike within such an institution and as such it received worldwide attention by media and other trade unions. This clear manifestation of the social unrest at the ECB has resulted in the ECB offering to start a Social Dialogue with IPSO at the ECB, in which the main concerns of staff should be discussed and IPSO, hopefully, can achieve more than just commenting on previously defined and approved proposals. The dialogue has resulted in an amendment of the Memorandum of Understanding, agreed 23 March 2011 by an addendum.

IPSO could achieve an involvement in disciplinary panels a better access to the ECB Board and Governing Council, the establishment of a Health and Safety Committee and the further development of the involvement of staff representations in other internal staff-related processes.

- **2011: Support to IPSO granted by the ECB**

Given the extraordinary situation that the ECB is at the same time the employer, exercises the functions of a public authority and is acting as a legislator on its own labour and social security law, IPSO has negotiated and accepted with the addendum to the Memorandum support by the ECB. Currently, the ECB finances the half-time position of IPSO's administrative assistant, and grants IPSO's elected representatives a time dispensation of the equivalent to 1.2 full time positions, i.e. pays the salary for their work for IPSO. IPSO is also allowed to use ECB office space and equipment for its work.

- **2013 – to date: work for proper staffing**

The ECB employs for quite some time temporary agency staff ("Leiharbeiter/innen"), partly also for long-term tasks. Also trainees and considerable numbers of staff on short-term as well as term-contracts were contributing to the ECB's work. IPSO has long claimed a more sound and sustainable workforce. Since early 2014 joint work with the HR department is on-going to address the inappropriate use of temporary agency staff. While this process was on-going, the Executive Board changed its policies for the employment of some temporary agency staff without consulting IPSO. IPSO, in turn has challenged this decision in court since staff's right to information and consultation has not been respected.

The situation is to date still not rectified. It has even aggravated after the ECB became the European single banking supervisor. IPSO considers the ECB still not properly staffed. In March 2015, IPSO has made its concerns and dissatisfaction known to the ECB's top decision-makers, the members of the Governing Council by way of an [open letter](#) that also points to conflicts of interest in the ECB's decision-making on staffing. The Governing Council increased the ECB headcount but in IPSO's view not sufficiently.

- **2016: ECB law-making a matter of public interest – IPSO calling for EP involvement**

Since the ECB's labour and social security law are matters of public interest, IPSO has recently reiterated the ECB staff representatives' long-standing suggestions to involve, at least informally, the European Parliament in the law-making process. To that effect, IPSO has contacted a group of EU Parliamentarians and also made this proposal to the members of the Governing Council of the ECB. An answer is so-far outstanding.

- **Negotiation, participation and transparency – remain key claims**

However, still today, ECB staff has no collective bargaining rights, the decision making bodies of the ECB continue to set labour and social security law behind closed doors. Against this background, IPSO's focus remains to be on three key objectives: '**negotiation**', '**participation**' and '**transparency**'. Examples of these – to date not fulfilled claims are in the case of negotiation encapsulates, besides the traditional bargaining on salaries and working conditions, also agreements on the implementation of EU labour law. Participation includes the information and involvement of the staff representatives in hiring and promotion decisions. In the field of transparency IPSO calls for full publication of all ECB Staff Rules as well as all materials of the ECB's labour and social security law-making. More transparency is also needed within the bank concerning key decisions and their rationale.

IPSO provides its members certain protection, as well as the platform for collective bargaining to achieve collective agreements for the protection of their interests. IPSO is striving to become and be the trusted and fully recognised social partner to ensure and further develop a balanced social and labour structure at the ECB.