

PEOPLE AND PLACES

EU court punishes Welle's treatment of 'loyal' official

The EU's administrative court rejected an appeal by the Parliament's former head of diversity against her transfer to another position, but criticised the institution for its insensitivity in handling the matter.

23.06.2014 / 19:15 CET



A European Union court has criticised Klaus Welle, the European Parliament's secretary-general, and Jerzy Buzek, a Polish MEP and former president of the Parliament, for refusing to meet the head of the institution's diversity unit when she complained about being harassed at work.

Rosa Brignone, an Italian, joined the Parliament in 1984 and built up its equality and diversity unit between 2003 and 2011.

In December 2010, she wrote to new secretary-general Klaus Welle to complain about her relations with new boss Yves Quitin, the Parliament's director-general for personnel, and about cuts made to her unit.

Brignone then left the Parliament for two months of parental leave at the start of January 2011, followed by around 18 months of sick leave interspersed with brief intervals of work.

Brignone's doctor told the Parliament that Brignone's sick leave was the result of harassment at work and that she should not return to the Parliament's directorate-general for personnel.

The Parliament decided to rotate Brignone and appointed a new head of unit for diversity and equality. Brignone was offered a position as an adviser within the directorate-general for translation, which she refused, then provisionally as an adviser within DG Personnel and then as an adviser in the Parliament's directorate-general for infrastructure and logistics. But the Parliament refused her request to be re-appointed as a head of unit.

In the meantime, Brignone filed a complaint to the Parliament's advisory committee on harassment, but received no reply for five weeks. Although the committee's rules of procedure are not public, Brignone claimed in court that they required the committee to address complaints within a maximum of ten days.

In July 2012, the Parliament's own doctor confirmed Brignone's diagnosis and recommended that Brignone, then 56, be either transferred to another institution or retired on health grounds.

During the course of 2012, Brignone challenged before the EU's Civil Service Tribunal the Parliament's various decisions re-assigning her as an adviser. She resigned from the Parliament in December 2012 after 28 years in its employment.

On Thursday (19 June), the court handed down a ruling roundly rejecting all of the grounds filed by Brignone and her lawyers from law firm Lallemand & Legros. The Parliament's decision to re-assign was made "in the interests of the service". The committee on harassment's failure to investigate her case did not invalidate that decision.

Yet despite the at-times withering tone of the judgment, the court also criticised the Parliament's administration for the insensitive manner in which it dealt with her case.

Given the nature of the claims outlined, the Parliament's secretary-general and its appointments body ought to have met Brignone as soon as she raised concerns, the court held.

Brignone wrote to Welle on 20 December 2010, suggesting that she might be the victim of harassment and requesting a meeting. Welle replied by letter only five months later in May 2011. In October 2011, he re-contacted her to propose a role as adviser in the directorate-general for translation, which she refused. Regardless, the following month her replacement at the unit for diversity and equality was announced.

Brignone also wrote in January 2012 to Buzek, who as the Parliament's president was the head of the Parliament's appointments body, asking him to reject her proposed re-assignment as an adviser in the directorate-general for personnel. He never responded to Brignone, making the appointment ten days later.

Welle and Buzek's failure to respond to Brignone "led her to feel abandoned by the institution to which she was clearly devoted".

As a result, the court took the unusual step of dismissing all the complaints filed by Brignone but ordered the Parliament to meet its own and her legal costs.

In April 2013 Brignone founded the civil society organisation Time for Equality.