



EUROPEAN  
COMMISSION

Brussels, 16.12.2013  
C(2013) 9020 final

## **COMMISSION DECISION**

**of 16.12.2013**

**on maternity leave and maternity pay for women whose maternity leave begins before  
the end of their contract (Articles 17 and 91 of CEOS)**

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**on maternity leave and maternity pay for women whose maternity leave begins before the end of their contract (Articles 17 and 91 of CEOS)**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union (CEOS) laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68<sup>1</sup>,

Whereas:

- (1) Article 17 of the CEOS has been amended with the effect that temporary agents whose maternity leave begins before the end of their contract shall be entitled to maternity leave and maternity pay.
- (2) Article 91 and 119 of the CEOS stipulate that Article 17 and 47 to 50a of the CEOS shall apply *mutatis mutandis* to contract agents.
- (3) The concept of maternity pay under Article 17 of the CEOS, with respect to maternity leave, which begins before the end of the contract, has not been defined by the Staff Regulations.

HAS DECIDED AS FOLLOWS:

### *Article 1*

For the purposes of Article 17 of the CEOS the agent is deemed to remain in service until the end of the statutory maternity leave. During this period the agent shall continue to receive the remuneration and other benefits to which she was entitled in the month preceding the month in which the contract expired, which will remain subject to all compulsory deductions for tax and social security purposes.

The period in which the maternity benefits are payable, as set in the previous paragraph, shall not end earlier than 14 weeks after the date of confinement; it may not be extended because of an illness or an accident.

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<sup>1</sup> OJ L 56, 4.3.1968, p. 1.

*Article 2*

This Decision shall take effect on 1 January 2014.

Done at Brussels, 16.12.2013

*For the Commission*  
*Maroš ŠEFČOVIČ*  
*Vice-President*