



C/2024/749

22.1.2024

Action brought on 13 November 2023 — Bowles and Others v ECB

(Case T-1076/23)

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Language of the case: English

Parties

Applicants: Carlos Bowles (Frankfurt am Main, Germany) and 39 others (represented by: L. Levi, lawyer)

Defendant: European Central Bank

Form of order sought

The applicants claim that the Court should:

- annul their salary statements or pension slips for the month of January 2023 and the salary statements or pension slips issued after January 2023 insofar as they implement the General Salary Adjustment 2023, fixed at 4,0751 % as per the ECB's decision dated 22 December 2022;
- annul, if need be, the ECB's decision dated 8 May 2023 rejecting the administrative review submitted by the applicants against the aforementioned decision;
- annul, if need be, the ECB's decision dated 30 August 2023, partially rejecting the grievance procedure submitted by the applicants;
- order the defendant to bear all the costs.

Pleas in law and main arguments

In support of the action, the applicants rely on the following plea in law.

The applicants allege a violation of the method of calculation of the General Salary Adjustment, which is based on a specific assessment of the salary adjustments in the organisations which are the ECB's principal sources of staff recruitment, such as the national central banks ('comparator organisations'), and of the legitimate expectations, in that:

- the General Salary Adjustment was fixed taking into account the reporting by the Bank for International Settlements (a comparator organisation) of an increase by 1,5 %, expressed in Swiss francs, while, the applicants submit, the figures in Swiss Francs should have been converted in euros;
- the ECB considered that three benefits (an energy price lump sum, an upgrade of positions and complimentary job tickets) granted to Deutsche Bundesbank's (a comparator organisation) employees are outside the scope of the concept of 'gross annual basic salaries' as provided by the method of calculation, while these benefits should have been included when calculating the percentage increase related to salaries at Deutsche Bundesbank;
- in the absence, as the applicants submit, of a general salary adjustment methodology at the Central Bank of Cyprus (a comparator organisation), and given that the latter has shifted to only performance-based but higher increases, the data relating to the salary adjustment at the Central Bank of Cyprus for 2021 and 2022 to be used for the purposes of the General Salary Adjustment, should be based on that performance-based salary adjustment.