

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Action brought on 13 December 2011 — ZZ v Commission

(Case F-133/11)

(2012/C 133/56)

Language of the case: German

Parties

Applicant: ZZ (represented by: P. Goergen, lawyer)

Defendant: European Commission

Subject-matter and description of the proceedings

Annulment of the Commission's decision classifying the applicant, who was included in the reserve list of competition EPSO/A/17/04, notice of which was published before the entry into force of the new Staff Regulations, at grade AD6, step 2, under less favourable provisions.

Form of order sought

- Annul the applicant's classification in grade/step AD6/2 on the applicant's appointment as a probationer with effect from 1 April 2011;
- declare that, on an objective consideration of the applicant's professional experience and in accordance with the principles underlying other vacancy notices, and having regard to the principle of pay being commensurate with performance, the applicant is entitled to be classified at grade AD11/2, or, in any event, at another appropriate grade;
- in respect of the material damage caused to the applicant, award the applicant a sum — up to the date on which the decision on the applicant's classification at the grade appropriate to the applicant's professional experience and seniority is properly adopted — comprising the full difference (EUR 3 051,43 per month or an amount to be determined by experts) between the amounts corresponding to the applicant's classification in accordance with the recruitment decision and the classification to which the applicant would have been entitled, together with default interest to the date of the decision on the applicant's correct classification in grade, at the rate set by the European Central Bank;
- put the applicant in a position whereby pension and other entitlements arising from the applicant's employment relationship with the defendant are calculated or recalculated in the same way as they would have been had the applicant been correctly classified in grade — in accordance with the present application — and award the applicant the sum of EUR 10 000 for non-pecuniary loss, together with default interest at the rate set by the European Central Bank, from the date of the applicant's recruitment to the defendant, or alternatively from the date of the present application, until full payment;

— order the European Commission to pay the costs.

Action brought on 2nd January 2012 — ZZ v European Court of Auditors

(Case F-1/12)

(2012/C 133/57)

Language of the case: English

Parties

Applicant: ZZ (represented by: S. Rodrigues, A. Blot, A. Tymen, lawyers)

Defendant: European Court of Auditors

Subject-matter and description of the proceeding

The annulment of the decision of the Court of Auditors rejecting the request for compensation for the losses suffered.

Form of order sought

- Annul the Decision of 21 January 2011 rejecting his request for compensation for the losses suffered as a result of his retirement on invalidity pension;
- if necessary, annul the Decision of 22 September 2011 rejecting his complaint dated 1st March 2011;
- compensate the losses suffered;
- order the Court of Auditors to pay the costs.

Action brought on 10 January 2012 — ZZ v Frontex

(Case F-5/12)

(2012/C 133/58)

Language of the case: French

Parties

Applicant: ZZ (represented by: S. Pappas, lawyer)

Defendant: Frontex

Subject-matter and description of the proceedings

Application for annulment of the decision of Frontex imposing a penalty on the applicant and the decision dismissing him.