

**Action brought on 15 July 2013 — ZZ v EEA**

(Case F-71/13)

(2013/C 274/53)

*Language of the case: French***Parties**

*Applicant:* ZZ (represented by: S. Orlandi, J.-N. Louis, and D. Abreu Caldas, lawyers)

*Defendant:* European Environment Agency (EEA)

**Subject-matter and description of the proceedings**

Application for annulment of the decision to reject the applicant's request for an administrative inquiry to be opened to prove or clarify facts relating to harassment.

**Form of order sought**

- annul the decision of 20 September 2012 by the authority empowered to conclude contracts ('AECE') rejecting the applicant's request for an administrative inquiry to be opened to prove or clarify facts relating to harassment;
- order the EEA to pay the costs.

**Action brought on 15 July 2013 — ZZ and Others v EIF**

(Case F-72/13)

(2013/C 274/54)

*Language of the case: French***Parties**

*Applicants:* ZZ and Others (represented by: L. Levi, lawyer)

*Defendant:* European Investment Fund (EIF)

**Subject-matter and description of the proceedings**

Annulment of the decisions contained in salary slips to apply to the applicants the decision of the Board of Directors setting a salary progression capped at 2.3%, the decision of the EIF's Chief Executive setting a new merit grid entailing the loss of

1 to 2 % of salary, according to the applicants, and the decision of the EIB's Management Committee establishing a merit grid entailing the loss of 1 to 2 % of salary, according to the applicants, and the subsequent application for an order that the EIF pay the difference in remuneration together with damages.

**Form of order sought**

- Annulment of the decisions to apply to the applicants the decision of the EIF's Board of Directors of 4 February 2013 setting a salary progression capped at 2.3%, the decision of the EIF's Chief Executive setting a new merit grid entailing the loss of 1 to 2 % of salary, according to the applicants, which decisions derive from the decision of the EIB's Board of Directors of 18 December 2012 setting a salary progression capped at 2.3% and from a decision of the EIB's Management Committee of 29 January 2013 establishing a merit grid entailing the loss of 1 to 2 % of salary, according to the applicants (the abovementioned decisions of the EIF having been disclosed in the April 2013 salary slips), and the annulment, to the same extent, of all the decisions of the EIF contained in the subsequent salary slips;
- order the defendant to pay the difference between the remuneration resulting from the aforementioned decisions of the EIF's Board of Directors and the EIF's Chief Executive of 4 February 2013, the EIB's Board of Directors of 18 December 2012 and the EIB's Management Committee of 29 January 2013 and that payable in application of the '4-3-2-1-0' merit grid and the '5-4-3-1-0' 'young' grid, or, in the alternative, in respect of the applicants awarded a grade A, that payable in application of the '3-2-1-0-0' merit grid and, in respect of the applicants covered by the 'young' grid, under the '4-3-2-0-0' young grid; with interest on arrears to be added to that difference in remuneration with effect from 15 April 2013 and then on the 15<sup>th</sup> of each month until the difference has been completely made up, the rate of interest being the ECB rate, increased by three percentage points;
- order the defendant to pay damages for the loss suffered by reason of the loss of purchasing power, such loss being assessed equitably, and, on a provisional basis, at 1.5% of the monthly remuneration of each applicant;
- should the defendant not produce them voluntarily, request the defendant, by way of measures of organisation of procedure, to produce the following documents:
  - the decision of the EIF's Board of Directors relating to the alignment of the employment status of EIF staff of 24 September 2001;

- the decision of the EIF setting out the ‘appropriate procedure’ mentioned in the decision of the EIF’s Board of Directors relating to the alignment of the employment status of EIF staff of 24 September 2001;
- the decision of the EIF’s Board of Directors, thought to be of 4 February 2013, setting the budget for staff for 2013;
- the decision of the EIF’s Chief Executive setting the new merit grid for 2013;
- the minutes of the meeting of the EIB’s Board of Directors of 18 December 2012;
- the minutes of the meeting of the EIB’s Management Committee of 29 January 2013;
- the note from the EIB’s Personnel Directorate ‘personnel/ASP/2013-5’ of 29 January 2013;
- the Corporate Operational Plans 2013-2015 of the EIB and of the EIF;
- order the EIF to pay the costs.

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**Action brought on 17th July 2013 — ZZ v ECB**

**(Case F-73/13)**

(2013/C 274/55)

*Language of the case: English*

**Parties**

*Applicant:* ZZ (represented by: L. Levi, Lawyer)

*Defendant:* European Central Bank

**Subject-matter and description of the proceedings**

The annulment of the ECB’s decision of 28 May 2013 imposing a disciplinary dismissal to the Applicant and the compensation of the moral prejudice he suffered.

**Form of order sought**

- Annul the decision of the European Central Bank dated 28 May 2013 imposing the disciplinary dismissal with effect from 31 August 2013;
- as a consequence, fully reinstate the Applicant with the appropriate publicity in order to restore his good name;
- in any case, compensate the moral prejudice suffered by the Applicant evaluated ex aequo et bono at 20 000,00 EUR;
- reimburse all the costs.

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**Action brought on 25 July 2013 — ZZ v Commission**

**(Case F-74/13)**

(2013/C 274/56)

*Language of the case: French*

**Parties**

*Applicant:* ZZ (represented by: S. Orlandi, J.-N. Louis, D. Abreu Caldas, lawyers)

*Defendant:* European Commission

**Subject-matter and description of the proceedings**

Application for annulment of the decision on the transfer of the applicant’s pension rights into the European Union pension scheme applying the new general implementing provisions (‘GIP’) relating to Articles 11 and 12 of Annex VIII to the Staff Regulations.

**Form of order sought**

- annul the decision to transfer the applicant’s pension rights acquired before his entry into service into the pension scheme applicable to staff of the European institutions in accordance with the calculations for the transfer drawn up pursuant to the GIP of Article 11(2) of Annex VIII to the Staff Regulations of 3 March 2011;
  - order the Commission to pay the costs.
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