

EUROPEAN UNION CIVIL SERVICE TRIBUNAL

Judgment of the Civil Service Tribunal (Second Chamber) of 12 March 2009 — Arpaillage and Others v Commission

(Case F-104/06) ⁽¹⁾

(Staff cases — Contract staff — Recruitment — Classification — Former individual experts — Diplomas — Professional experience — Plea of illegality)

(2009/C 102/51)

Language of the case: French

Parties

Applicants: Joséphine Arpaillage and Others (Santiago, Chile) (represented by: S. Rodrigues and C. Bernard-Glanz, lawyers)

Defendant: Commission of the European Communities (represented by: J. Currall and G. Berscheid, Agents)

Intervener in support of the defendant: Council of the European Union (represented by I. Sulce and B. Driessen, Agents)

Re:

First, annulment of the decisions of the authority authorised to conclude contracts stipulating the applicants' conditions of employment, as set out in their contracts as contract staff, on the ground that the number of years of professional experience recognised in their cases by the authority authorised to conclude contracts is less than the number of years' professional experience actually acquired by the applicants and, second, an action for damages.

Operative part of the judgment

The Tribunal:

1. *dismisses the action;*
2. *orders each party to bear its own costs.*

⁽¹⁾ OJ C 261 of 20.10.2006, p. 35.

Judgment of the Civil Service Tribunal (Second Chamber) of 12 March 2009 — Lafleur Tighe v Commission

(Case F-24/07) ⁽¹⁾

(Staff cases — Contract staff — Recruitment — Classification in grade — Former individual experts — Professional experience — Degrees — Certificate of equivalence — Admissibility — New and substantial fact)

(2009/C 102/52)

Language of the case: French

Parties

Applicant: Virginie Lafleur Tighe (Makati, Phillipines) (represented by: S. Rodrigues and C. Bernard-Glanz, lawyers)

Defendant: Commission of the European Communities (represented by: J. Currall and G. Berscheid, Agents)

Re:

First, annulment of the decision of the appointing authority to classify the applicant in function group IV, grade 13, step 1 at the date of her recruitment as a member of contract staff inasmuch as the calculation of her professional experience did not take account of the period between the date on which she obtained her bachelor's degree and the date on which she obtained her master's degree and, second, retroactive reclassification of the applicant in grade 14

Operative part of the judgment

The Tribunal:

1. *dismisses the action;*
2. *orders each party to bear its own costs.*

⁽¹⁾ OJ C 117 of 26.5.2007, p. 36.