

**Judgment of the Civil Service Tribunal (Second Chamber)  
of 16 September 2013 — Wurster v EIGE**

(Joined Cases F-20/12 and F-43/12) <sup>(1)</sup>

*(Civil Service — Staff of the EIGE — Temporary staff — Procedure to assess the management capabilities of staff of the EIGE recently appointed to a middle management post — Reassignment to a non-management post — Right to be heard — Scope of the law — Finding of the Tribunal of its own motion — Substitution of grounds made by the Tribunal of its own motion)*

(2014/C 71/58)

Language of the case: French

**Parties**

*Applicant:* Barbara Wurster (Vilnius, Lithuania) (represented initially by: T. Bontinck and S. Woog, lawyers, and subsequently by: T. Bontinck and S. Greco, lawyers)

*Defendant:* European Institute for Gender Equality (EIGE) (represented by: M. Velardo, lawyer)

**Re:**

Firstly, application for the annulment of the defendant's decision to reassign the applicant from the position of Head of Operations to a Team Leader position not requiring managerial skills. Secondly, application to annul the decision of the Director of the EIGE rejecting the applicant's claim for the management allowance for the period between 1 June and 30 September 2011.

**Operative part of the judgment**

*The Tribunal:*

1. Annuls the decision of the Director of the European Institute for Gender Equality of 8 September 2011 to reassign Ms Wurster to the post of Team Leader of the Research and Documentation Centre;
2. Dismisses the remainder of the action;
3. Orders the European Institute for Gender Equality to bear its own costs and to pay the costs incurred by Ms Wurster.

<sup>(1)</sup> OJ C 138, 12.5.2012, p. 35; OJ C 200, 7.7.2012, p. 21.

**Judgment of the Civil Service Tribunal (Second Chamber)  
of 16 September 2013 — Glantenay and Others v  
Commission**

(Joined Cases F-23/12 and F-30/12) <sup>(1)</sup>

*(Civil service — Open competition — Competition notice EPSO/AD/204/10 — Selection on the basis of qualifications — Elimination of candidates without specific examination of their degrees and diplomas and professional experience)*

(2014/C 71/59)

Language of the case: French

**Parties**

*Applicants:* Jérôme Glantenay and Others (Brussels, Belgium) (represented by: C. Mourato, lawyer)

*Applicant:* Marco Cecchetto (Rovigo, Italy) (represented by: C. Mourato, lawyer)

*Defendant:* European Commission (represented by: J. Currall and G. Gattinara, Agents)

**Re:**

Application for annulment of the decision of the selection board for open competition EPSO/AD/204/10 not to admit the applicants to the next stage of the competition.

**Operative part of the judgment**

*The Tribunal:*

1. Annuls the decisions of the selection board for open competition EPSO/AD/204/10 to reject the applications of Msrs Bonagurio, Cecchetto, Gecse, Glantenay, Gorgol, Kalamees and Skrobich and of Ms Venckunaite and Ms Załęska from the competition procedure without examining them in the context of the second stage of the selection based on qualifications laid down in the competition notice;
2. Dismisses the remainder of the actions in Cases F-23/12 and F-30/12;
3. Orders the European Commission to bear nine tenths of its costs and to pay those incurred by Msrs Bonagurio, Cecchetto, Gecse, Glantenay, Gorgol, Kalamees and Skrobich and by Ms Venckunaite and Ms Załęska;
4. Orders Ms Cruceru to bear her own costs and to pay one tenth of the costs incurred by the European Commission.

<sup>(1)</sup> OJ 2012 C 138, p. 35; OJ 2012 C 138, p. 36.