

Zentraler Vorstand . Central Executive Committee . Bureau Central

07.09.2015

su15316cl – 0.3.1/3.1/4.4

To Heads of the Delegations
of the Administrative Council
of the European Patent Organisation

Fifth suicide since 2012

Dear Sir, Dear Madam,

We regret to have to inform you that another colleague, a married man, 42 years old and father of two, committed suicide at the end of August on the last day of his holidays. If our thoughts go in the first place to his family and friends, this tragedy also compels us to recall some other recent tragic events.

This is the fifth suicide at the EPO in 39 months, and the third one in Patent Administration (DG2). This latest suicide puts the EPO statistically on a level with the infamous France Telecom.

The EPO has a duty of care towards its staff. While the circumstances of this tragedy are still being looked into, we must nevertheless ask ourselves whether there is anything the Office could or indeed should have done that might have prevented it. It cannot be ignored that Patent Administration is the area most affected by constant restructuring as well as swingeing staff reductions imposed by Mr Battistelli since his arrival at the EPO.

Staff representatives have repeatedly warned both the Administration and the Council that a combination of too high work demands coupled with hasty reforms and brutal management methods have generated what we consider a toxic work environment, not just in Patent Administration, but Office-wide. Not only have these warnings been ignored, but also letters sent to you by the Central Staff Committee (CSC) on the following dates remain unanswered:

- 5 December 2013 ([sc13181cl](#)),
- 16 September 2014 ([sc14193cl](#))
- 17 April 2015 ([sc15164cl](#))

We herein restate the content of those letters and reiterate the requests made in them.

We also remark that to date the EPO continues to prevent **independent inspection** of the EPO premises by national authorities. Furthermore, the Administration has yet to give the

“green light” to allow staff representatives to again organise **an independent staff survey** by Technologia, an external body trusted by staff.

A quick glance at the attached correspondence should suffice for you to understand how unwilling the President and his close associates are to tackle these issues promptly. Meanwhile and contrary to the “lip service” paid by the Administration in referring to a “renewed social dialogue”, the reality is that the working climate within the EPO has further deteriorated.

In the light of all the above issues, we urge you to ensure that the Organisation discharges *faithfully and fully* its obligations towards staff.

Yours sincerely

The SUEPO Central Bureau



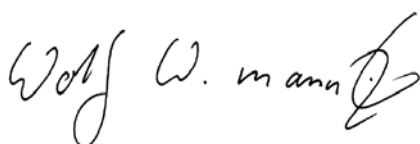
Joachim Michels
Chair SUEPO Central



Elizabeth Hardon
Vice-Chair SUEPO Central
Chair SUEPO Munich



Alain Rosé
Vice-Chair SUEPO Central
Chair SUEPO The Hague



Wolfgang Manntz
Vice-Chair SUEPO Central
Chair SUEPO Berlin



David Dickinson
Vice-Chair SUEPO Central
Chair SUEPO Vienna

Annex 1: Letter of Alain Rosé to Mr Battistelli, 26 August 2015

Annex 2: Answer of Mr Battistelli, 28 August 2015

Annex 3: Letter of Alain Rosé to Mr Battistelli, 1 September 2015



Su15029hi
Rijswijk 26 August 2015

URGENT - Re: 5th suicide in 39 months

Dear Mr Battistelli,

Staff representatives of The Hague wrote to you to request information on Monday morning, 24.8.2015. The local Staff Committee The Hague requested to meet Mr Minnoye, local site manager, on the same day in the afternoon. To date, those emails remain unanswered.

The Staff Representation has informed you and the Administrative Council on several occasions of a worrying trend in the social atmosphere at the EPO and its impact on the health of staff. All those warnings have been ignored. Worse still, you have attacked the staff representatives for voicing their concerns.

This is the 5th suicide in 39 months, the 3rd in Patent Administration, where staffing levels have been drastically reduced over the last five years (-25%), following the implementation of the so-called "Efficiency Scenario". Statistically, the EPO now matches the level of France Telecom in its darkest period. There is no indication that things are going to improve soon. **How many more suicides will it take before you take action?**

We request an urgent meeting with you to discuss the following measures:

- Authorising the national labour inspectorate to inspect the EPO premises and assess the dangerousness of the current organisation of work,
- Correction of those deficiencies already identified or identifiable, including too high work pressure, which contribute to negatively impact the health of staff,
- Recruitments in departments notoriously understaffed,
- A pause in the implementation of new reforms.

Considering the seriousness of the current situation, we are looking forward to your prompt response.

Sincerely,

Alain Rosé Chairman - on behalf of the SUEPO Committee The Hague

European Patent Office | 80298 MUNICH | GERMANY

Personal / Confidential

Mr A. Rosé
Room 17.33
Rijswijk Main
EPO The Hague

European Patent Office
80298 Munich
Germany

Office address:
Bob-van-Bentham-Platz 1
80469 Munich
Germany

www.epo.org

The President

Tel. +49 (0)89 2399 - 1000
Fax +49 (0)89 2399 - 2892
president@epo.org

Date: 28.08.15

Your letter dated 26 August 2015

Dear Mr Rosé,

In reply to the letter dated 26th August 2015 you sent in your capacity as chairman of SUEPO The Hague, I would like to answer as follows.

Firstly I note that the chairman of the local staff committee was informed of the death of our colleague, [REDACTED] on 24th August 2015 following the current workflow agreed with the staff representation. For the time being, we are still waiting for the official information concerning the circumstances of the death of our colleague, which occurred during his holidays in Morocco.

In these sad and serious circumstances, it is regrettable that once again SUEPO is aiming to misuse a personal tragedy and instigate polemics where there should be empathy; political attacks where there should be cooperation.

In particular, the link you seem to establish between the death of a colleague and recent reforms and the general working atmosphere seems totally inappropriate, especially while at the same time, you complain not to have information about the circumstances of the decease.

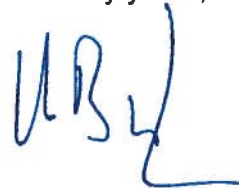
In the first contacts with the widow of our colleague, she indicated clearly that she would like the Office and its staff to remain discreet about the personal circumstances concerning her husband. In that respect, your letter might not only add to the sadness of a family and relatives but also its tone and wording, which more resembles a provocation rather than being suitable for discussion, displays a complete lack of respect for the relatives and human beings involved in this tragedy.

I can only call you to show some respect for the family and relatives.

Concerning a general reflection and possible improvement of the working atmosphere, many measures have been undertaken through the recent reforms (systematic focus on reintegration, reinforcement of the cooperation between different stakeholders, organisation of an Occupational Health and Safety Risk Assessment). The peaceful and successful implementation of these measures require trust, respect and cooperation between the stakeholders. This requirement also includes all those who, through unions or staff representation activities alike, have to act in the general interest of the staff.

Spreading false rumours and disinformation internally and through external media, is certainly not the most responsible way. In that respect, I can only invite you and the Union you represent to engage in reflecting on the most efficient, constructive and respectful way to defend the interests of all staff members and in any event, to behave respectfully towards another's dignity.

Sincerely yours,



Benoît Battistelli



su15037hl
Rijswijk 01.09.2015

Re: your letter dated 28.08.2015

Dear Mr Battistelli,

We acknowledge receipt of your letter of 28.08.2015, which purports to provide an answer to our letter of 26.08.2015.

We regret you have chosen to write in such a confrontational tone, without addressing any of the points we had raised, and without agreeing to meeting us.

We are compelled to rebut some of the accusations you made.

1. It is precisely out of respect for the family of the deceased at a particularly difficult time that SUEPO decided not to publish anything before the funeral. SUEPO did not publish, or cause to be published, any information about the suicide, whether internally or through external media. Rumours were already spreading in the early hours of Monday morning and internally the news of the suicide was given by PD21 himself to his staff.
2. As soon as the staff representation heard the rumours, it contacted management directly and confidentially to obtain information and to see how to address the situation together. Mr Prunier (for the CSC in The Hague) approached you on 24 August at 11:51. Ms Vlassis (for the LSC in The Hague) approached VP1 on the same day. To date, their mails remain unanswered. On 24 August at 12:09, Social services sent an email to the Chair of the LSCTH, and only to him, at a time when he was on leave (a fact known to the administration), and in any event, the mail only announced a death, without any mention of the circumstances.
3. In view of the inertia, we have written to you on 26 August to address the situation, which in our opinion must be addressed as a matter of urgency. Accusing us of trying to score a cheap political point is fallacious. The facts are clear: statistically speaking, there are too many suicides at EPO. We maintain that we owe to look into possible aggravating factors stemming from the EPO 's current organisation of work for which you are responsible. If there are none, fair enough, but burying our heads in the sand simply will not do. You suggest that many measures have been undertaken for a possible improvement of the working atmosphere. We must remark with regret that they have failed, had this been their original purpose. In spite of such measures, sick leave is starting to increase again, and suicides are at an all-time high. We fear this sad record will be broken if management continues to refuse to address seriously the situation.

4. We have not suggested any firm causal link between the latest suicide and the working conditions. We do insist, however, that the Office has a duty to ensure that working conditions are not, or do not become, a factor that could play a part in such tragedies. We are concerned that some aspect of the current organisation of work at EPO – namely the very high work pressure, chronic understaffing of some areas, and continuous changes – could be deleterious. If you are convinced that these cannot possibly be a negative factor, then you should welcome any serious look into the matter. Instead, your administration consistently blocks any attempt at organising an independent, serious audit by the competent national labour inspectorate(s).

Reforms may be introduced, but their implementation must be considerate and must not impose conditions that can have a negative impact on the health and well-being of EPO employees.

We reiterate that 5 suicides in 39 months cannot be neglected. Several staff representatives/unionists repeatedly called on you to look into the matter. Not only you have ignored them, you have sought to silence them through threats.

We re-iterate the requests made in our letter of 26th August.

Thank you for your urgent attention to this matter.



Alain Rosé Chairman for SUEPO Committee The Hague