

## VACANCY NOTICE

### Legal Officer for Construction Claims Management

**Closing date for applications: 29/09/2020 - 12:00 noon (Barcelona time)**

Reference	Grade	Location
F4E/TA/AD6/2020/0241	Temporary Agent, AD6	Cadarache, France <sup>i</sup>

**Fusion for Energy (or F4E) is looking for a highly motivated and experienced professional to work in the ITER Site and Buildings Legal Affairs Group of the Legal Service Unit at the ITER Site in Cadarache, France.**

#### IS THIS JOB FOR YOU?

Are you passionate about construction law? Are you a seasoned expert in managing construction claims? Are you ready to challenge yourself to grow in various directions at once?

We offer a unique opportunity to accelerate your career by gaining in-depth hands-on experience in aligning conflicting multi-party interests by appropriately structuring and procuring megaprojects within a stringent regulatory framework.

Besides the invaluable professional experience that you can gain at F4E as an EU body, working at the ITER Site will specifically provide you day-to-day exposure to interacting with the ITER supply chain, to mastering the soft skills required to raise issues of importance, to navigating successfully in an international, multicultural technology megaproject and to finding and working out first-of-a-kind solutions to complex legal and commercial problems.

You will be welcomed, supported and encouraged by a team of outstanding legal professionals who continuously raise the bar while taking good care of its members' professional and personal development.

If you have a genuine interest in rapidly developing in-depth knowledge in the ITER Project framework, and have excellent knowledge of, and significant work experience with the implementation of, standard forms of construction contract and the application of claim assessment methodologies, this job may be the right fit for you.

#### WHY F4E?

**F4E**, a European Union Joint Undertaking, headquartered in Barcelona, specifies and manages the production of the European contribution (45%) to ITER. This research fusion reactor being built in Cadarache, France, will be a major leap towards clean and sustainable generation of abundant base load energy, complementing renewables.

**ITER** is one of the largest construction projects in Europe and the world's largest scientific partnership. ITER brings together seven parties that represent half of the world's population - the EU, Russia, Japan, China, India, South Korea and the United States.

To find out more about F4E, visit us at <https://f4e.europa.eu/>

**THE EUROPEAN JOINT UNDERTAKING FOR ITER AND THE DEVELOPMENT OF FUSION ENERGY**

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<http://fusionforenergy.europa.eu>

## **THE JOB**

The ITER Site and Buildings Legal Affairs Group within the Legal Service Unit is looking for its new member to join a team of outstanding legal professionals in Cadarache, France, who are accountable, open-minded, fair and supportive. Our mission is to act as enabler to the successful delivery of the ITER Project on time and against cost with the appropriate level of quality and scrutiny required by publicly funded nuclear projects while effectively protecting the F4E interests within and outside the organisation in its legal, regulatory and contractual relationships.

As a member of the ITER Site and Buildings Legal Affairs Group within the Legal Service Unit, the Legal Officer for Construction Claims Management will report to the ITER Site and Buildings Legal Affairs Group Leader.

Together with the other members of the ITER Site and Buildings Legal Affairs Group, the successful candidate will, within the responsibilities of the ITER Site and Buildings Legal Affairs Group, be responsible for the delivery of high quality, timely and added value legal, compliance, contract and procurement, and strategic advice taking into account the F4E regulatory framework, and in particular he/she will be expected to lead and coordinate, in sync with the Legal Adviser to the FIDIC Engineer, the Group's construction claims management activities, supporting the FIDIC Engineer. He/she will also be expected to contribute to the achievement of proportionate improvements, to inspire stakeholder confidence and to create a culture of inclusiveness and excellence within and beyond the organisation.

## **YOUR KEY RESPONSIBILITIES**

Within the responsibilities of the ITER Site and Buildings Legal Affairs Group, the successful candidate will be responsible:

- To create the centre of excellence in construction law and construction claims management practices within the Legal Service Unit, and maintain and disseminate such knowledge in the wider organisation;
- To steer the discussions within the Construction Claims Cell of the ITER Site and Buildings Legal Affairs Group;
- To lead development and maintenance of the F4E FIDIC-based works model contract;
- To prepare, draft, negotiate and procure the contracts F4E enters into in relation to the ITER buildings construction;
- To lead and coordinate the procedure for the assessment of the Contractor's claims under F4E FIDIC-based works contracts in sync with the Legal Adviser to the FIDIC Engineer;
- To establish legal entitlement with respect to the Contractor's claims under F4E FIDIC-based works contracts in sync with the Legal Adviser to the FIDIC Engineer;
- To draft and revise the FIDIC Engineer's determinations and the Employer's claims under F4E FIDIC-based works contracts in sync with the Legal Adviser to the FIDIC Engineer;
- To draft and revise F4E's submissions in the adjudication proceedings under F4E FIDIC-based works contracts;
- To establish and maintain the ITER Panel of Adjudicators as a dispute-resolution forum;
- To perform any other work-related tasks that may be assigned by the ITER Site and Buildings Legal Affairs Group Leader.

## WHAT CAN WE OFFER YOU?

### Life in Cadarache (Provence, South of France)

Cadarache is the site of the largest technological research and development center for energy in Europe including CEA research activities and ITER. Located in the French region of Provence, Cadarache is about 40 km from Aix-en-Provence and 60 km from Marseille. The South of France is blessed with a very privileged living environment and a mild and sunny climate. Located between the Southern Alps and the Mediterranean, Cadarache offers every conceivable sporting, leisure and cultural opportunity. The area is served by the international Marseille-Provence Airport and the national high-speed train (Aix-en-Provence TGV).

### Salary and benefits

**As an indication, the basic monthly salary, for grade AD6 (step 1) is currently €5,524.91.** In addition to the basic salary, staff members may be entitled to various allowances, in particular a household allowance, expatriation allowance (16% of basic salary and household allowance), dependent child allowance and education allowance.

The salaries of temporary agents are subject to a community tax deducted at source and are exempt from national taxation.

Where the successful candidate needs to relocate, F4E would normally reimburse removal expenses.

F4E has agreements with a wide range of international schools to support access to schooling for the children of F4E staff.

For further information on remuneration, please visit the dedicated page on [F4E's website](#).

F4E makes every effort to develop the competences of its staff in order to actively and significantly contribute to the achievement of its goals as well as to enhance their career prospects.

### Work-life balance

F4E enables staff members to reconcile family and professional life by offering flexible work arrangements and teleworking.

F4E staff members enjoy a basic entitlement of 24 days of annual leave as well as +/- 19 statutory public holidays per annum. Additional leave days may be granted for age and distance from the place of origin. Special leave is granted for certain circumstances such as marriage, birth or adoption of a child, death of a close relative etc.

## WHAT ARE THE SELECTION REQUIREMENTS?

### A. ELIGIBILITY CRITERIA

#### A1. General requirements

The candidate must:

- Be a citizen of one of the Member States of the European Union or of a Third state fully associated with the Euratom fusion programme (Switzerland);
- Enjoy his/her full rights as a citizen<sup>ii</sup>;

- Have fulfilled the obligations imposed on him/her by the laws of their home country concerning military service;
- Produces the appropriate character references as to his/her suitability for the performance of his/her duties;
- Be physically fit to perform their duties<sup>iii</sup>.

#### **A2. Education / Experience<sup>iv</sup>**

On the closing date for registration, the candidate must have:

- At least a level of education which corresponds to completed university studies of at least 3 years attested by a diploma; and
- After having obtained the university degree, at least 3 years of proven professional experience.

#### **A3. Language Skills<sup>v</sup>**

The candidate must produce evidence of a thorough knowledge of one of the languages of the European Union and of a satisfactory knowledge of another official language of the European Union to the extent necessary for the performance of his duties. One of the two languages must be English.

### **B. QUALIFICATIONS AND EXPERIENCE REQUIRED**

#### **B1 Essential Selection Criteria**

- A university degree in law, or a university degree in engineering with a postgraduate degree in law, or equivalent;
- At least 3 years of proven professional experience in the construction business;
- At least 3 years of proven professional experience in major projects involving preparation of tender documents, and drafting and/or negotiation of contracts;
- At least 18 months of proven professional experience in major projects involving contract administration at operational level;
- Excellent knowledge of construction contract law and standard forms of construction contract (such as FIDIC Red Book (1999, 1st edition) and FIDIC Yellow Book (1999, 1st edition));
- Excellent command of both written and spoken English;
- Excellent computer literacy (at least MS Word and MS Excel).

#### **B2 Advantageous Selection Criteria**

In addition to the above, the following criteria will be taken into account:

- Excellent knowledge, and professional experience in the application, of:
  - Standard claim assessment methodologies (such as the Society of Construction Law's Delay and Disruption Protocol),
  - Risk allocation and risk analysis in design and build contracts,

- Measurement standards (such as The Civil Engineering Standard Method of Measurement (commonly known as CESMM3)),
- Scheduling and schedule analysis (such as with the use of PRIMAVERA P6 Projects software), and/or
- Cost accounting;
- Professional experience in building up organisational accountability arrangements with a view to the highest business ethics;
- Professional experience in a nuclear project;
- Postgraduate degree in construction law;
- Qualification in French law;
- Excellent command of both written and spoken French;
- Good knowledge of the ITER Project framework and the framework of the European contribution thereto;
- Working experience in European or international environment.

### B3 Competencies

The following competences will also be assessed:

- Ability to build trust and teams ad-hoc, lead others, resolve conflicts early and effectively with mutual satisfaction of the parties involved, and positively influence people, processes and work outcomes;
- Ability to act with the highest integrity, be moral compass, and stand up for what is right;
- Ability to train and mentor colleagues (including legally and/or technically qualified colleagues);
- Ability to perform duties with speed and accuracy, according to set schedules and to integrate into an international and multicultural environment;
- Excellent communication, negotiation and drafting skills with a focus on client/result-oriented service;
- Excellent organizational skills and ability to work individually and as part of a team as well as proactively and under pressure;
- Excellent analytical capabilities.

### SUBMISSION OF APPLICATIONS

The online application process starts upon clicking “**CLICK TO APPLY**” next to a vacancy of your interest on the Open Positions page: <https://jobs.f4e.europa.eu/>

Applicants must register their applications online through the F4E E-recruitment tool by creating a valid F4E user account and submitting the documents mentioned below.

**Please note that the online e-recruitment application tool is the only acceptable means of sending in job applications.** Applicants are responsible for keeping their e-mail addresses and personal details up to date in their profile in F4E online application tool.

The mandatory fields in the profile marked with an asterisk should be duly filled in and the candidates are requested to submit the following 2 documents:

- A detailed Europass Curriculum Vitae in **English** (can be obtained at the following address: <http://europass.cedefop.europa.eu/en/documents/curriculum-vitae>);
- A motivation letter of 2 pages maximum in English.

**Applications must be complete and validly submitted by the closing date for submission of applications**

**no later than 29/09/2020 at 12h00 noon Barcelona time.**

Fusion for Energy is an equal opportunities employer and takes care to avoid any form of discrimination. As part of its commitment to diversity, gender equality and geographical distribution, F4E strongly encourages applications from female candidates and applies a policy of equal opportunities. It does not discriminate against anyone on grounds of gender, race, colour, ethnic or social origin, genetic features, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability or sexual orientation. Fusion for Energy offers measures to reconcile professional and private life and will provide reasonable adjustments at the workplace for persons with disabilities.

Fusion for Energy as the body responsible for organizing the selection process, will ensure that applicants' personal data are processed as required by Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC Text with EEA relevance. This applies in particular to the confidentiality and security of such data. Personal data shall be processed solely for the purpose of the selection procedure.

Applicants have the right to access and rectify their data. To update your CV and/or Motivation Letter and rectify any incorrect or inaccurate data, please login into your e-recruitment profile before the deadline for submission of the applications elapses.

After the deadline for applications has elapsed, this right will be limited to the rectification of identification details and contact information only.

In case you encounter technical problems when trying to submit your application via the e-Recruitment tool, please make a screenshot and send it to: [hr-selections@f4e.europa.eu](mailto:hr-selections@f4e.europa.eu).

It is the responsibility of the applicant to inform F4E about any technical problem without delay within the deadline mentioned above.

Please, do not send any supporting documents (i.e.: copies of your ID-card, educational certificates, evidence of previous professional experience etc.) with your application at this stage if not specified in the Vacancy Notice.

## **CONDITIONS OF EMPLOYMENT**

Successful candidates will be placed on a Reserve List, and one of the candidates thereon may be offered this position. The candidate(s) placed on the reserve list may be recruited in the grade AD6 on a contract with an initial duration of five years, with possibility of renewal. The established reserve list may be used to fill other similar positions at the same grade for the same or different durations, depending on business needs and budgetary availability, and at any of the F4E working locations.

The number of successful candidates sought for this reserve list is **five**<sup>vi</sup>.

Candidates should note that inclusion on the reserve list does not guarantee recruitment.

The validity of the reserve list is **31/12/2021** but this can be extended.

The probationary period is 9 months.

For more information on the selection process of Temporary Agents and on the contractual and working conditions, please, refer to the "[Guide for applicants](#)" published on the F4E website along with this Vacancy Notice and the [Conditions of employment of Other Servants of the European Communities](#).

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<sup>i</sup> Given the needs of the organisation, the candidate may be offered a position at any of the other F4E working places.

<sup>ii</sup> Prior to any appointment, the successful candidate will be asked to provide a certificate issued by the competent authority attesting the absence of any criminal record.

<sup>iii</sup> Before his/her appointment, the candidate shall be medically examined in line with requirement of Article 12(2) (d) of the Conditions of employment of other servants of the European Communities.

<sup>iv</sup> Only study titles that have been awarded by the Members of the Joint Undertaking or that are subject to the equivalence certificates issued by the authorities in the said Member States shall be taken into consideration.

<sup>v</sup> Promotion/reclassification is subject to a working knowledge of a third EU language.

<sup>vi</sup> The Selection Board will draw up the reserve list. Subject to availability of sufficiently good candidates, the list will be populated up to the number of successful candidates sought and stipulated in the vacancy notice. Eligible candidates who have been shortlisted for further testing and have obtained the highest overall marks following the assessment will be listed alphabetically. Where candidates tie for the last available place on the reserve list, they will all be included on the reserve list. Any readmitted candidates following a successful appeal at this stage of the procedure will also be added to the reserve list.