

VACANCY NOTICE

POSITION TITLE	LEGAL OFFICER FOR CONSTRUCTION CONTRACTS
SELECTION REFERENCE	F4E/TA/ST/AD6/2018/0014
GRADE	TEMPORARY AGENT – AD6 / SHORT TERM
LOCATION	CADARACHE, FRANCE¹
NUMBER OF SUCCESSFUL CANDIDATES SOUGHT FOR THE RESERVE LIST²	5
VALIDITY OF THE RESERVE LIST	31/12/2019
CLOSING DATE FOR APPLICATIONS	08/11/2018 AT 12.00 NOON, BARCELONA TIME

1. ORGANISATION SETTING

Fusion for Energy, or 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 in Cadarache, France, will progress fusion by 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.

The **Legal Service Unit** of Fusion for Energy is a diverse team that fosters an environment of creativity and innovation. We define and create enabling frameworks for first-of-a-kind and one-of-a-kind business operations that must comply with stringent requirements in a technically and legally complex environment. We strive to provide added value by proactively coming up with succinct solutions that allow achievement of the best outcome for ITER and Fusion for Energy. We build and maintain relationships throughout the organization and beyond. We endeavor to strengthen our capabilities by encouraging commitment and engagement of our team members.

¹ Given the needs of the organisation, the candidate may be offered a position at any of the other F4E working places.

² 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.

2. RESPONSIBILITIES

As a member of the Legal Service Unit of Fusion for Energy, the Legal Officer for Construction Contracts will be part of a truly multi-cultural and collaborative team of legal practitioners. S/he will be allocated to the Site and Buildings and Power Supplies (SBPS) Project Team, located in Cadarache (France). S/he will contribute to one of the most ambitious energy projects in the world today, in an exciting and challenging work environment offering a unique opportunity to develop professionally.

The successful candidate will, among other tasks, and in sync with the Legal Coordinator assigned to the SBPS team:

- Provide legal advice to the Site and Buildings and Power Supplies Project Team, and as part of the FIDIC Engineer's Contract Administration Cell, the FIDIC Engineer in relation to the implementation of construction and related service contracts, including FIDIC contracts;
- Provide support and legal advice to the Legal Adviser of the FIDIC Engineer in relation to his duties under FIDIC contracts;
- Provide legal assistance on dispute resolution arising under construction and related construction contracts, including claim assessment and adjudication under FIDIC contracts;
- Prepare and revising legal texts and internal documents related to the implementation of construction and related service contract and procurement activities of Fusion for Energy, including model contracts, guarantees, non-disclosure agreement, etc.;
- Prepare guidelines for the Site and Buildings and Power Supplies Project Team on legal issues;
- Participate in the drafting and advise on the implementation of procurement arrangements with the ITER International Organization and of arrangements and agreements with the Agence Iter France in Cadarache, France;
- Provide legal advice, over a wide range of matters including contract law, commercial law, public procurement law, administrative law, construction law and/or international law;
- Participate in the preparation, negotiation and follow-up of construction and related service contracts and international agreements, including their amendments;
- Monitor legislation in relevant legal and contractual areas at national (mainly France), European and international level, where necessary.

3. GENERAL CONDITIONS

A. ELIGIBILITY CRITERIA

A1. In order to be eligible 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.³
- Have fulfilled the obligations imposed on them by the laws of their home country concerning military service.
- Meet the character requirements for the duties involved.
- Be physically fit to perform their duties⁴.

³ 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.

⁴ 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.

A2. On the closing date for registration the candidate must possess:

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;

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.

A3. The candidate must produce evidence of a thorough knowledge of one of the languages of the Union and of a satisfactory knowledge of another language of the Union to the extent necessary for the performance of his duties⁵. One of the two languages must be English.

B. QUALIFICATIONS AND EXPERIENCE REQUIRED

B1 Essential Selection Criteria

- University degree in law;
- Proven professional experience of at least 3 years in legal advice/consultancy services/legal research (either in private practice or as company lawyer/in-house counsel in public or private sector, or in the case of legal research, at a relevant PhD programme);
- Proven professional experience in legal drafting in English;
- Good knowledge of:
 - Contract law,
 - Commercial law,
 - Community and Union law, in particular EU public procurement law,
 - FIDIC Red Book (1999, 1st edition) and FIDIC Yellow Book (1999, 1st edition), and
 - Standard claim assessment methodologies (such as the Society of Construction Law's Delay and Disruption Protocol);
- Strong communication, negotiation and drafting skills with a focus on client/result-oriented service;
- Good analytical capabilities;
- Good organisational skills and ability to work individually and as part of a team as well as proactively and under pressure;
- Ability to perform duties with speed and accuracy, according to set schedules;
- Ability to integrate into an international and multicultural environment;
- Willingness to travel to other F4E working place if required;
- Good computer literacy (MS Office); and
- Excellent command of both written and spoken English, the working language of the ITER Project.

⁵ Promotion/reclassification is subject to working knowledge of a third EU language.

B2 Advantageous Selection Criteria

- Proven professional experience in construction contract administration;
- Proven professional experience in claims management under FIDIC suite of contract or similar standard forms of contract;
- Proven professional experience in adjudication, litigation or arbitration;
- Proven professional experience in an international law firm;
- Bar exam or other professional legal qualification eligible pursuant to Council Directive 77/249/EEC of 22 March 1977;
- Post-graduate degree in construction law or nuclear law;
- Qualification in French law;
- Excellent command of both written and spoken French.

4. CONDITIONS OF EMPLOYMENT

Commitment to promote equal opportunities

'Fusion for Energy' is an equal opportunities employer and strongly encourages applications from all candidates who fulfil the eligibility and selection criteria without any distinction whatsoever on grounds of nationality, age, race, political, philosophical or religious conviction, gender or sexual orientation and regardless of disabilities, marital status or other family situation.

A contract offer will be made as a member of temporary staff, pursuant to Article 2(f) of the Conditions of Employment of other servants of the European Communities.

The candidate(s) placed on the reserve list may be recruited in the grade AD6 on a short term non-renewable temporary agent 2(f) contract that lasts at the latest until 31 December 2020.

The recruitment process for this position may include a presentation, case study resolution and/or submission of English-language legal drafting illustrations (such as a contract or legal opinion drafted by the candidate) during on-site interviews.

For more information on the selection process of Temporary Agents and on the contractual and working conditions, please, refer to:

- **Guide for Applicants:**
<http://fusionforenergy.europa.eu/careers/Documents/Annex%20to%20the%20VN.pdf>
- **Conditions of employment of Other Servants of the European Communities:**
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:1962R0031:20140101:EN:PDF>

The salaries of temporary agents are subject to a community tax deducted at source. They are exempt from national tax. The European institutions have their own social security and pension scheme. **As an indication, the basic monthly salary, before any deductions or allowances, for grade AD6 (step 1) is currently 5326,04€.**

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.

For further information on remuneration for temporary agents, visit:

http://www.fusionforenergy.europa.eu/downloads/careers/Remuneration_TA.pdf

Under certain circumstances, in particular where the jobholder is obliged to change his/her place of residence in order to take up employment, 'Fusion for Energy' may also reimburse various expenses incurred on recruitment, notably removal expenses.

The place of employment is **Cadarache, France**.

Given the needs of the organisation, the candidate may be offered a position at any of the other F4E working places.

For reasons related to the 'Fusion for Energy' operational requirements, once the candidate receives the job offer, he/she may be required to be available at short notice (2 to 3 months).

5. 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:

<http://fusionforenergy.europa.eu/careers/vacancies/Default.aspx>

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 07/11/2018 at 12h00 noon, Barcelona time.

Reimbursement of travel expenses

Travel expenses incurred for tests will be reimbursed by 'Fusion for Energy' according to its rules for the reimbursement of travel expenses sent along with the letter inviting to an interview. After the submission of the required documents, the reimbursement of the travel expenses will occur in the 3 following months.

Protection of personal data - Privacy notice

'Fusion for Energy' as the body responsible for organizing the selection process, will ensure that applicants' personal data are processed as required by Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. 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.

Should the applicant have any query concerning the processing of his/her personal data, he/she shall address them to the following address: Resources-Controller@f4e.europa.eu

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

It is the responsibility of the applicant to inform 'Fusion for Energy' 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.**

Appeal and Complaint procedures

Applicants that consider that he/she has been unfairly affected by a particular decision regarding this selection can lodge a complaint. For further details on how to proceed, please consult the appropriate document published on our [website](#).

6. RESERVE LIST

Suitable candidates placed on the reserve list may be recruited upon decision of the Appointing Authority. Candidates should note that inclusion on the reserve list does not guarantee recruitment.

This reserve list may be used for recruiting candidates on other similar positions carrying the same profile as the one described in this notice.

The validity of the reserve list could be extended if the Appointing Authority so decides.

All the detailed information concerning the selection process may be found in the "Guide for applicants" published on the F4E website along with this Vacancy Notice.