

**The Human Resources Strategy for Researchers (HRS4R)
at the
European XFEL GmbH**

Summary of the internal analysis and action plan

September 2015

(last update: 5 October 2015)

1 Introduction

EURAXESS - Researchers in Motion is a pan-European initiative of the European Commission providing access to a complete range of information and support services to researchers wishing to pursue their research careers in Europe or stay connected to it.

EURAXESS Rights aims at better employment and working conditions for researchers throughout Europe, thereby helping to enhance the attractiveness of European research careers. One of the cornerstones of EURAXESS Rights is the implementation of the European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers. The Human Resources Strategy for Researchers supports the implementation of the "Charter & Code" principles and provides for the award of the 'HR Excellence in Research' logo.

On 3 December 2014, the Managing Directors of the European X-Ray Free-Electron Laser Facility GmbH (hereinafter called European XFEL) endorsed the European Charter for Researchers and the Code of Conduct for the Recruitment of Researchers.

Within the general objective of European XFEL to be a cutting-edge international user facility, it respects all employees with their individual strengths and potentials, contributes to their individual development and aims to provide best possible working conditions.

In this connection, European XFEL considers the implementation of "Charter & Code" by developing a Human Resources Strategy for researchers (HRS4R), as a tool and likewise an enduring process to ensure continuous advancement of its employee-related activities.

2 The organization

The European XFEL GmbH is a non-profit limited liability company under German law, exclusively and directly pursuing non-profit objectives in the field of science and research. The purpose of the organization is the construction and operation of the European XFEL.

The European XFEL is a user research infrastructure, which enables scientists to map the atomic details of viruses, decipher the molecular composition of cells, take three-dimensional images of the nanoworld, film chemical reactions, and study processes such as those occurring deep inside planets by using X-ray flashes.

The European XFEL is being realized as a joint effort of several partners. To this end, the European XFEL GmbH cooperates closely with the research centre DESY and other organizations worldwide. Construction started in early 2009; user operation starts in 2017. The construction costs of the facility, which include the commissioning, amount to ~1.2 billion Euro (price levels of 2005). As the host country, Germany (the federal government, the city-state of Hamburg, and the state of Schleswig-Holstein) covers 58% of these costs. Russia bears 27% and currently nine further international partners between 1% and 3%.

The European XFEL GmbH is organized in groups that report to the management board. The company is governed by the European XFEL Council and supported by advisory committees.

The European XFEL Council is the supreme organ of the company. It functions as the shareholders' assembly and decides on important issues of company policy.

The European XFEL Management Board is composed of the managing directors ("Geschäftsführer") in the sense of the German law on companies with limited liability (GmbHG), and three scientific directors.

Advisory committees support the European XFEL GmbH in various matters (for example Scientific Advisory Committee, Machine Advisory Committee, Administrative and Finance Committee).

The basic organizational units of the company are called groups. All company personnel are subdivided in groups, apart from the members of the Management Board. Each group has a leader who reports to one of the directors.

Since the start of the legal entity European XFEL GmbH in autumn 2009, a widely international workforce has been built up. Currently (end of August 2015) 271 people are employed. The target size will be roughly 300. The development and the structure of the workforce looks as follows:

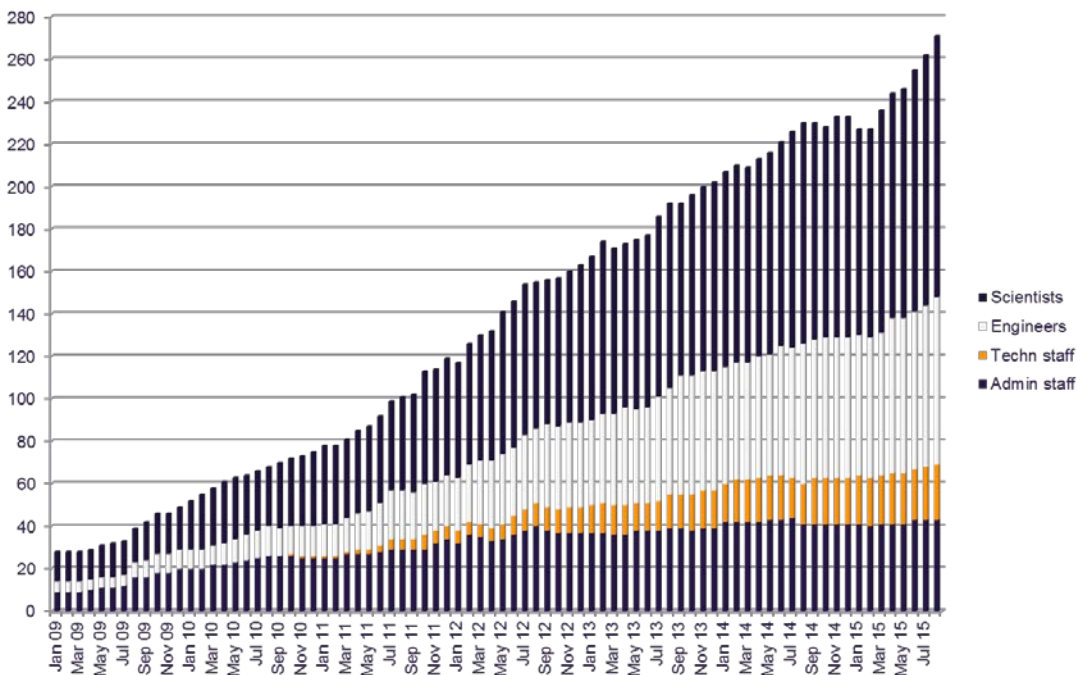


Figure 1: staff growth (status: August 2015)

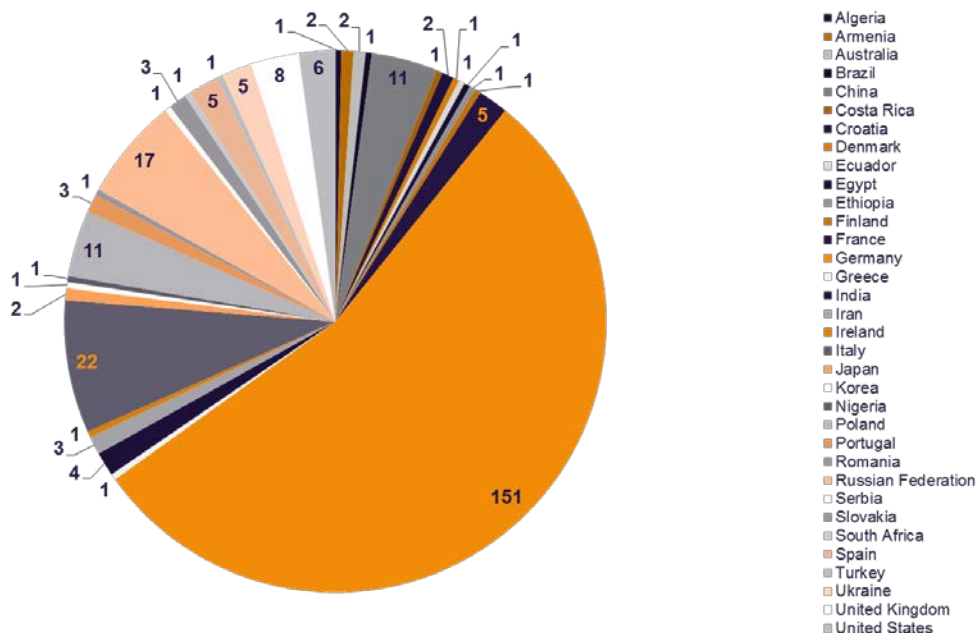


Figure 2: Nationality total staff (including 7 double nationalities) (status: August 2015)

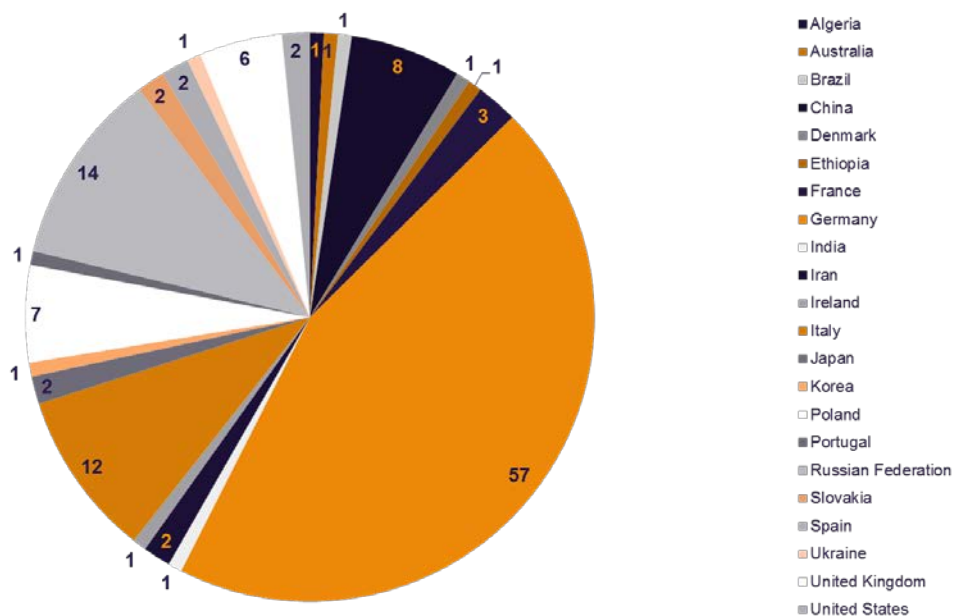


Figure 3: Nationality scientific staff (including 4 double nationalities) (status: August 2015)

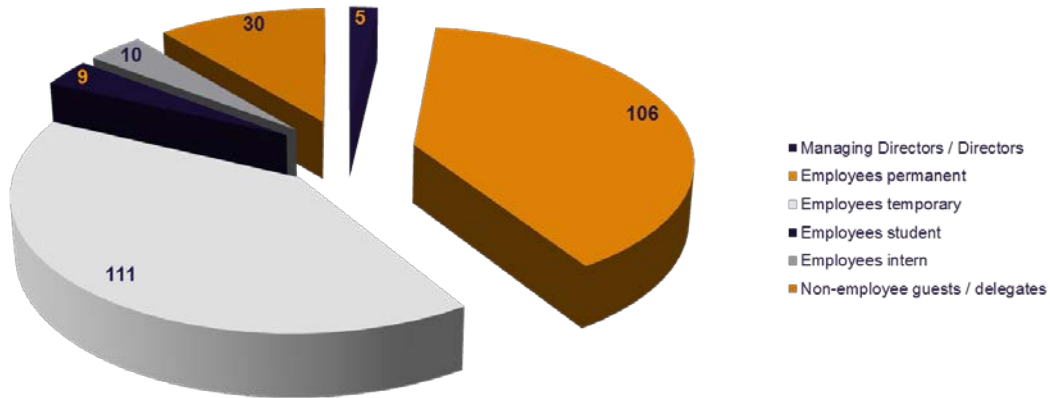


Figure 4: Contractual status of the employees (status: August 2015)

3 Summary of the internal analysis

Between June and August 2015 the current strategies and procedures of the Company have been evaluated regarding their compliance with the 40 principles of charter and code.

40 Aspects of the Internal Analysis according to the Principles and Requirements stated in the Charter and Code (based on the template published by the EU Commission)

Source: HRS4R publication of the Cologne University for Applied Sciences

No.	Principle / Requirement
I. Ethical and Professional Aspects	
1	Research Freedom
2	Ethical Principles
3	Professional Responsibility
4	Professional Attitude
5	Contractual and Legal Obligations
6	Accountability
7	Good Practice in Research
8	Dissemination and Exploitation of Results
9	Public Engagement
10	Non-Discrimination
11	Evaluation/Appraisal Systems
II. Recruitment Processes	

12	Recruitment (Charter for Researchers)
13	Recruitment (Code of Conduct)
14	Selection (Code of Conduct)
15	Transparency (Code of Conduct)
16	Judging Merit (Code of Conduct)
17	Variations in the chronological order of CVs (Code of Conduct)
18	Recognition of Mobility Experience (Code of Conduct)
19	Recognition of Qualifications (Code of Conduct)
20	Seniority (Code of Conduct)
21	Postdoctoral Appointments (Code of Conduct)
III. Working Conditions and Social Security	
22	Recognition of the Profession
23	Research Environment
24	Working Conditions
25	Stability and Permanence of Employment
26	Funding and Salaries
27	Gender Balance
28	Career Development
29	Value of Mobility
30	Access to Career Advice
31	Intellectual Property Rights
32	Co-Authorship
33	Teaching
34	Complaints/Appeals
35	Participation in Decision-Making Bodies
IV. Training of Young Academics & Researchers	
36	Relation with Supervisors
37	Supervision and Managerial Duties
38	Continuing Professional Development
39	Access to Research Training and Continuous Development
40	Supervision

Principles for researchers	
Principles for employers	

I Ethical and Professional Aspects

Principle 1 The European XFEL GmbH is subject to German legislation, which guarantees the freedom of research in its Basic Constitutional Law (Grundgesetz) in Article 5 para. 3. Further relevant legal principles in this respect have been enacted by the European Union (Fundamental Rights of the European Union (2000/c364/01)).

Principles 2, 3, 7 Subsequent to its foundation, the Company compiled and introduced its “Staff Note 2010/03/12-v2.0 Good scientific practice” with binding rules to ensure good scientific practice and with the specification of a procedure in case of scientific misconduct. This Staff Note was lastly updated on 27 October 2011. According to the regulations the Management Board appointed a person of trust (“ombudsperson”) for a period of three years, available to advise and support all scientists on questions of good scientific practice. This ombudsperson may also be involved in cases of assumed scientific misconduct. The scientific employees of European XFEL are explicitly contractually committed to adhere to this Staff Note.

Principles 4, 5 At European XFEL the staff function Grant Management provides relevant information about grants and their respective bylaws to the researchers. Grant Management also consults and monitors researchers regarding the administration of their funds. This includes also regulations about intellectual property. In cases of doubt, the Legal Group provides consultation.

Principle 6 During the construction phase of European XFEL, all scientific, technical and financial activities of management and employees are continuously advised and monitored by several international bodies, which are mandated by the Council, i.e. the assembly of the shareholders. These bodies are namely the

- Scientific Advisory Committee (SAC)
- Machine Advisory Committee (MAC)
- Administrative and Finance Committee (AFC)

Two additional committees have been mandated by the Management Board

- Laser Advisory Committee (LAC)
- Detector Advisory Committee (DAC)

The responsibilities of the Council, the Management Board and the committees are in each case defined in specific “Rules of Procedure”. The structure of bodies ensures the efficient use of all resources.

According to the German legislation, the compliance of the Company with all fiscal and economic requirements, is checked on an annual basis by an independent external auditor. In addition, European XFEL installed the function of an internal auditor, who continuously reviews processes and procedures in all areas of the organization. The scope of responsibilities is determined by the Financial Rules and the Internal Financial Regulations and compiled in the “Internal audit policy” (Staff Note 2013/12/02-v1.0). Inter alia the internal auditor compiled the anti-corruption policy of European XFEL (Staff Note 2014/03/18-v1.0).

Principle 7 Based on the requirements of the German occupational safety legislation, a Safety and Radiation Protection Group has been built up, which trustfully collaborates with the authorities, the Employer's Liability Insurance Association and the Works Council and which guarantees a high level of our occupational safety.

Principle 7 For the safeguarding of appropriate data protection and data security regulations a Data Protection Officer has been appointed.

Principle 8 For the support of the dissemination and exploitation of results, as well as for knowledge documentation and sharing in general, a Knowledge Management responsible has been installed. Essential tasks are

- assist individual groups in developing document management sites and repositories
- coordinate development and content strategy of a digital repository of scientific and technical publications
- coordinate the operation of the company intranet (consolidate, centralize)

- develop a company-wide KM strategy (with your input)
- coordinate knowledge exchange between groups (communication, project support, synergies)
- provide and implement Open Access guidelines (publications, data)

(Source: Presentation by Zaven Hakopov, "Knowledge Management at European XFEL", last update 16 June 2014)

European XFEL encourages its researchers to publish the results of their work. Procedures for quality assurance, dissemination and documentation are recorded in the Staff note Staff publication policy, dated 10 March 2010, lastly revised on 18 June 2015 (version 2.1). The documents are registered in the European XFEL Publication Database, hosted by DESY (pubdb).

Principle 9 European XFEL informs and involves the public and interested parties to an applicable extent. On the one hand, all employees are encouraged to present European XFEL and their own work during suitable events all over the world. On the other hand, a Press and Public Relations Group has been formed, whose scope of responsibilities includes

- development of communication concepts
- information of media or general public
- identity building, CI control and supervision
- Publications (flyer, brochures, posters, annual report)
- internet
- providing media and employees with photos, animations, footage
- visitor service
- issues management / crisis communication
- neighbourhood relations
- exhibitions and presentations for the public
- event management (for events related to press or public)
- visitor service construction sites

Principle 10 For safeguarding and continuous development of equal opportunities for all employees and guests, an equal opportunities policy has been compiled in 2010. Objectives and scope have been defined in the "Staff Note 2010/09/02-v 2.0 Equal opportunities policy" as follows:

"The equal opportunities policy of the European XFEL GmbH is based on the German equal treatment law ('Allgemeines Gleichbehandlungsgesetz', AGG) and aims to ensure that:

- *individuals are selected for employment, training and promotion exclusively on the basis of their ability, qualifications and fitness for the job, and receive treatment in all respects on the basis of merit and ability;*
- *no individual receives less favourable or unfair treatment or is in any way harassed on the grounds of gender, race, colour, nationality and ethnic or national origin, religion or religious belief or ideology, disability, marital status, sexual orientation, age, gender re-assignment or any other status protected by law."*

Every two years, two equal opportunities spokespersons of different nationality and gender are elected from among the staff working at the European XFEL GmbH with following main tasks:

“The spokespersons will assist any individual [...] who feels that her/his position may be compromised due to gender, race etc. These persons will act and advise on a confidential and, if deemed necessary, anonymous basis. In addition, the equal opportunities spokespersons are actively involved in organizing and enhancing activities to promote equal opportunities within the company. Where possible and appropriate, they shall endeavour to work jointly to resolve issues or complaints.”

Principle 11 An annual feedback, evaluation and agreement on objectives process has been introduced in 2010. In the meantime, the process is described in a works agreement *“Objectives, feedback, and incentive pay process”*, last updated on 1 January 2014. The completion of this process is mandatory for all employees. The quality of the objectives is described in Section 2.3 of the works agreement. Here is also described a procedure for continuous improvement:

“Objectives shall be specific, measurable, and achievable by the concerned employee within the one-year period, except if stated otherwise. In particular, the objectives shall consider the responsibilities and the available resources of the employee. Supervisors shall adequately be trained to evaluate and define together with his/her employees appropriate objectives in the sense of this Works Agreement. Appraisal interviews and agreement on objectives shall be the subject matter of an obligatory supervisor training. HR and Works Council shall randomly check the defined objectives mentioned in the “Performance Review and New Objectives” form to identify additional requirements for development.”

II. Recruitment **Principles 12 - 21**

The securing of a transparent, fair and traceable recruitment process was a core concern of European XFEL since the foundation of the Company.

Basic elements of this process are

- The publication of basically all positions, which shall be filled,
 - including a detailed description of the tasks and responsibilities of the position as well as of the requirements to the candidates,
 - in English language on international job portals,
 - with a special encouragement of women, handicapped persons and international candidates to apply: *“European XFEL provides a non-contributory company pension scheme and broad relocation benefits. The European XFEL GmbH intends to achieve a widely international staff. Non-German candidates hired from abroad receive an international allowance. Handicapped persons will be given preference to other equally qualified applicants. The European XFEL GmbH is an equal opportunity and affirmative action employer and encourages applications from women.”*

- A structured selection procedure, which is performed by the HR Group and a selection committee, which in each case is nominated for the specific recruitment. Roles and responsibilities of the involved parties are documented in the Staff Note Recruitment Procedure, dated 12 November 2009, latest update (version 2.1) 18 April 2013. Amongst others, following dispositions are recorded:
 - *“The Group Leader, the responsible director and HR agree on a Selection Committee for the specific position and the respective interviews. This should be completed during the advertisement period of the position. The Selection Committee is usually chaired by the responsible supervisor of the vacant position, and if he/she is not available, the next higher supervisor (who possibly is the Director in charge).*
 - *Each member of the Selection Committee shall contribute to the overall expertise for a qualified evaluation of the candidates. Each Selection Committee should include at least one woman and at least one man. Members of the Management Board receive invitations to all Selection Committees, but have the option to decline their participation. However, at least one Director should be present at each interview.*
 - *After the deadline, HR and/or the Group Leader perform/s a preliminary screen of all applications. Applicants who obviously do not fulfil one or more of the essential requirements for the position may - if necessary after consultation with the responsible group leader - be excluded from the further process. In these cases HR will inform the candidates accordingly.*
 - *The application files of all suitable candidates are then being distributed to the Selection Committee. Group Leader and Selection Committee agree - if possible within one week - on a short list of candidates who should be invited for a personal interview. The members of the Management Board are free to participate in this evaluation.*
 - *The selection criteria for the committee members are:*
 1. *match between education and professional experience of the candidates and the requirements of the position*
 2. *motivation of the candidates as expressed in the cover letter*
 3. *formal aspects of the application*
 4. *the Company’s objectives regarding diversity and equal opportunities*
 - *Based on the overall feedback of all Selection Committee members, the highest ranked candidates are being invited for a presentation / an interview. The evaluation and the ranking are recorded in a grid comparing all candidates.*
 - *The Selection Committee must ensure a fair evaluation based on the qualifications and suitability of the candidate and the recruitment principles of the Company. To assist the evaluation process, the Selection Committee may demand letters of recommendation after the interview. The Selection Committee agrees on a recommended hiring decision and formulates the reasons for the recommendation in writing. The statement considers all interviewed candidates. A copy of this statement is provided to the Equal Opportunity Spokespersons.*

- *The Equal Opportunity Spokespersons are being informed of and may participate in every employment interview. On request the Equal Opportunities Spokespersons receive all information about the recruitment process and the candidates.*
- *Based on the recommendation of the Selection Committee, the Group Leader and HR prepare a summary of the selection procedure to be submitted within a proposal to the Management Board.*
- *The summary includes the following items:*
 1. *the recommendation and statement of the selection committee for the final choice of a candidate,*
 2. *possible alternatives should the preferred candidate not accept the position (if applicable),*
 3. *the applicable pay (e.g. pay group, pay level, variable pay, international or other allowances)*
- *On the basis of the above information, the Management Board takes the final hiring decision.”*
- The hearing of the Works Council according to Section 99 BetrVG. Appropriate to German legislation, the Works Council is obligated to review, if the intended hiring corresponds to all legal and operational requirements. The consent of the Works Council to the hiring is judicially mandatory.
- In addition, the compliance of the recruitment process with the Company's Equal Opportunities Policy has to be reviewed. This policy is documented in the Staff Note of the same name, firstly published on 2 September 2009 and lastly revised on 8 March 2013 (version 2.0). In its Section 1.1 objectives and scope are defined as follows:

“The equal opportunities policy of the European XFEL GmbH is based on the German equal treatment law (‘Allgemeines Gleichbehandlungsgesetz’, AGG) and aims to ensure that:

 - *individuals are selected for employment, training and promotion exclusively on the basis of their ability, qualifications and fitness for the job, and receive treatment in all respects on the basis of merit and ability;*
 - *no individual receives less favourable or unfair treatment or is in any way harassed on the grounds of gender, race, colour, nationality and ethnic or national origin, religion or religious belief or ideology, disability, marital status, sexual orientation, age, gender re-assignment or any other status protected by law.”*
- The description of the Company's procedure for applications as well as of the recruitment process on “careers” site of our homepage.

In 2015 an internal audit of the recruitment process has been performed. The final report stated:

“The goal of this audit is to evaluate the internal control in the recruitment process and to analyze if the rules are being followed in practice. A random sample of ten recruitments has been analyzed in detail.

The system of internal control is appropriate and it is being followed in practice. The HR Group implemented an appropriate, structured documentation and is able to

keep track of all processed recruitments. Only few mistakes or process deviations were found. None of them can be regarded as an indicator for fraud.”

(Source: Jörg Schaper, Internal Audit Report Recruitment, July 2015, Internal Audit No. 2015-04)

III. Working conditions and social security

Principles 22, 23 European XFEL is a user facility, which makes available its infrastructure for the international scientific communities. However, the Company encourages its employed researchers to perform in-house research. The policy and the procedures are recorded in the Staff note In-house research activities, dated 24 March 2015. Section 2 of this Staff note rules:

“European XFEL staff members shall engage in in-house research and development activities. This activity is deemed necessary and benefitting the European XFEL facility, as it ensures that

- *Scientific, engineering, and technical staff stays at the forefront of developments*
- *European XFEL instrumentation is kept up to date with the demands of state-of-the-art research frontiers.*
- *European XFEL staff obtain visibility by science output and publications*
- *Scientific and engineering staff qualifies for further career steps*
- *Improved work balance leads to increased motivation of staff”*

Section 3 of the Staff note provides definitions and clarifications:

“Since the earliest discussions about use of beamtime at the European XFEL, management insisted on reserving a 20% share of beamtime for maintenance, development, in-house research, and management contingency; the exact splitting between these three activities shall depend on the circumstances of each allocation cycle, dictating larger or smaller amounts of time for periodic or extraordinary maintenance interventions. Management shall also strive to include funding for in-house research activities in the operation budget.

*The management board **will regularly monitor** the scientific output of the instrument beamtime allocated to in-house research activities.*

Besides the conduct of experiments at the European XFEL instruments, inhouse research activities include:

- *Experiment campaigns at other facilities*
- *Preparation time for experiments, data analysis after campaigns, publications, and conference presentations*
- *Supervision of Ph.D. students and postdocs*
- *Participation in external research grants and collaborations”*

The provision of appropriate equipment and further resources for all employees, students and guests is assured.

Networking beyond the borders of the Company is very much supported and sponsored. Numerous collaborations are listed on our homepage:

- http://www.xfel.eu/organization/user_consortia/
- <http://www.xfel.eu/organization/cooperations>
 - Cooperations with research institutions
 - Participation in EU programmes
 - Memberships in research cooperations

The researchers of European XFEL are encouraged to participate in external research grants and collaborations. The Staff note In-house research activities defines in its Section 4 only few constraints:

“The participation in external grant proposals (collaborative or single researcher) and any long-term commitment of time resources require prior approval by the management board. Prior approval means before the application for funding or before conclusion of collaboration agreements. As a guideline, the time commitment of a European XFEL staff in such programs should not exceed 15–20% and be compatible with the other duties of the concerned staff.”

Principle 23 The German standards regarding occupational health and safety, in particular also regarding radiation protection, as well as social coverage, belong to the most developed in the world. To ensure the compliance with the legal requirements, appropriate organisational arrangements have been implemented and will be continuously advanced.

European XFEL implemented a Safety and Radiation Protection Group as well as a Company Doctor. They are committed to provide appropriate procedures and organisational precautions to accomplish their mission:

- *Advise and support in all matters of safety.*
- *Develop guidelines for the elimination and prevention of dangers and work safety risks in order to improve working conditions.*
- *Contribute to the awareness of dangers.*
- *Participate in the elaboration of new technical projects that include safety aspects.*
- *Help to protect the environment.*
- *Ensure that the occupational health and safety laws are enforced.*

The aim is to ensure that the European XFEL facility is a safe and healthy place to work, study or visit.

(Source: <https://docs.xfel.eu/share/page/site/safety/dashboard>)

Principle 24 Beyond occupational security, European XFEL intends to offer its employees a productive, creative, motivating, stimulating and supportive work environment, which at the same time features opportunities for a balanced and family-friendly conduct of life.

According to German legislation, families with children are supported by several acts and ordinances, which provide organizational and financial benefits for parents and children. These are amongst others

- Maternity Protection Law
- Parental Allowance and Parental Leave Act
- Care Allowance Act

On operational level European XFEL introduced purposeful flexible forms of working time and working structuring to enable its employees the reconcilability of profession and family. In addition, families are explicitly supported by the Company. The regulations are recorded in two works agreements

- Telecommuting, dated 14 December 2012
“This agreement pursues the aim to create a transition to a more flexible spatial organization of work, primarily to ease the reconciliation of the employees’ professional and family duties.”
- Working time, dated 17 March 2014
“Works Council and Company agree that working time at the European XFEL is based on the idea of Trusted Flexible Working Time.... These regulations shall enable the employees to arrange their individual working time within the frame of the completion of their contractual obligations and operational needs in a manner that is as flexible as possible. Both, Company and Works Council, agree that a high level of responsibility, flexibility and trust is needed from supervisors and employees in order to implement this form of working time organization.”

According to the common German understanding of welfare, unlimited employment contracts should usually be the goal. Exceptions are regulated in special acts, for example

- Part-time and Temporary Employment Law
- Temporary Employment in Science Act

Principle 25 European XFEL pursues a policy of stability and permanence of employment, unless limited employment serves as a contribution to the professional education, for example for Post Docs, doctoral candidates and students.

The Staff note Recruitment procedure rules in its Appendix A amongst others

“For all categories of staff applies:

- *Fixed-term contracts over a longer period or unlimited contracts for new employees may be offered to leading or senior staff.*
- *As possible latest one year before the expiration of a fixed-term contract the respective Group Leader and the Director must decide, whether the contract should*
 - *expire as originally intended*
 - *be extended by another 2 years*
 - *be converted into an unlimited one*

- *The decision shall be communicated and explained to the employee by the respective supervisor without any delay.*
- *More than one limited prolongation of a fixed-term contract is usually not intended.*

The current distribution of permanent and temporary employments is shown in Figure 4 on page 5.

Principle 26 European XFEL remunerates according to the collective agreement for the Federal German services (TVöD Bund). Further benefits, as they have been conceded by the Council of European XFEL, are ruled in the Annex A to the employment contracts. These comprise

- Scientific allowances
- International allowances
- Relocation support for non-local recruitments

In addition European XFEL provides all employees a Company pension insurance, which is free of charge for the employees and non-lapsable from the first working day.

Principle 27 European XFEL implemented appropriate processes to ensure equal opportunities for both genders. It is mandatory for all recruitments that the selection committee is composed of men and women. However, among the professional groups of scientists, engineers and technical staff there is still an imbalance between the genders. This results exclusively from the small share of women among the applicants, but remains dissatisfactory. The following picture shows the share of women among the professional groups on 31 July 2015.

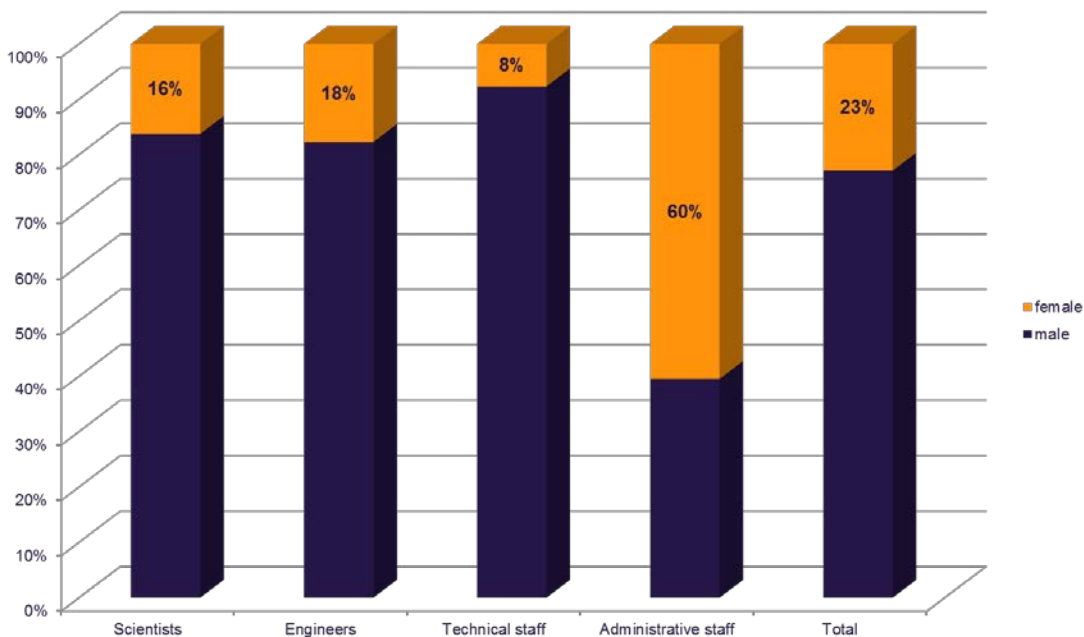


Figure 5: Gender split-up of the workforce (status: August 2015)

Principle 28 The supervisors of the groups feel very committed to the professional development of their employees and a number of individual development plans have been compiled. In the Staff note Good scientific practice the following is mentioned:

- *2.5. Mentorship for young scientists*
Until the start of the operation phase, the management board will—in cooperation with various universities—develop standards for mentorship to promote the scientific development of young scientists, with a focus on the research undertaken by the company.

Principle 29 European XFEL regards the value of mobility very high. Incoming employees, especially if they are non-German and coming from abroad, are expansively supported upon the regulations of the Staff note Allowances to ease non-local recruitment. As an administrative provision for outgoing professionals the portability of the Company pension benefits is facilitated.

Principle 30 European XFEL encourages its employees to internal mobility. All vacant positions are published internally and internal applications are treated under the aspect of personnel development.

Principle 31 The right of disposal of employee's inventions in Germany is subject to a specific law, the Employee Invention Act (Arbeitnehmererfindungsgesetz). Section 5 of this act stipulates: *"An employee who has made an invention is obliged to immediately notify the employer discretely in text form and thereby to indicate that this is the announcement of an invention."* The claiming of the invention by the employer is, according to the principles of German law, regarded as normal case. Section 6 of the act rules: *"1. The employer may claim a service invention by notice to the employee. 2. The usage is regarded as manifested, if the employer does not release the invention within four months after the proper notification in text form towards the employee."* The employee is entitled to claim an appropriate compensation, which is also legally determined (in Section 9): *"(1) The employee has the right to claim an adequate remuneration from the employer, as soon as the employer made use of the service invention. (2) In particular decisive for the calculation of compensation are, the economic exploitability of the service invention, the duties and position of the employee in the operation as well as the share of the company in the completion of the service invention."* Should the employer declare that he does not intend to utilize the invention, the employee is free to exploit it in his/her sole discretion.

Principle 32, 33 European XFEL encourages its employees to publish the results of their work and to be involved as co-author. The Company also enables its employees to adopt teaching responsibilities, as far as the interests of the Company are not touched and as far as the performance of the contractual obligations of the employee is not affected.

Principle 34 At European XFEL legally defined and operationally regulated procedures have been installed to provide every employee the opportunity to complain or to appeal, if he/she feels inappropriately treated.

- Regarding all aspects of the employment, especially contempt of protection rights, every employee can forward a complaint according to Section 84 BetrVG. If the complaint is justified, the employer is obliged to remedy the objection. The employee is entitled to involve the works council. The employee must not be disadvantaged because of his/her complaint.
- A further opportunity to safeguard the interests of the employee is provided by the Company's equal opportunities policy. Section 5.1 of the respective Staff note rules:
"If an individual ... feels discriminated against or offended, she/he is encouraged to make a confidential complaint to one of the equal opportunities spokespersons as soon as possible. The spokespersons will then verify the facts of the case and try to find a mutually acceptable solution. If the situation cannot be resolved between those directly involved, the issue has to be brought before the Management Board. If it turns out that there has been an infringement of the company's equal opportunities policy, appropriate measures to rectify the situation will be taken. Complaints shall be investigated and, if possible, resolved within one month of the complaint being received. Should anyone working at the European XFEL GmbH intentionally infringe on the equal opportunities policy, the Management Board will decide on the appropriate response or sanctions. This could take the form of mandated training, counselling or a verbal warning, a written notice, or – in a particularly serious case – even a dismissal for cause. Anyone who brings an infringement, intentional or unintentional, of the company's equal opportunities policy to the attention of either the spokespersons or the Management Board must not be disadvantaged because of this notification."
- Compensation and indemnity claims upon the violation the German Common Equal Treatment Act can be raised within a 2-month period according to Section 15(4) of the act.
- In the event that scientific misconduct is suspected, the ombudsman at European XFEL for good scientific practice can be involved. The grievance procedure is described in the Staff note Good scientific practice, dated 3 December 2010, lastly revised on 27 October 2011 (version 2.0).

Principle 35 The German Works Constitution Act assures the information, the participation and the involvement of all employees in all relevant matters of European XFEL. In addition, the Company provides internal information platforms like a bulletin by the Management Board Assistant and regular updates by the Press and PR Group. The Management Board performs once a month a staff meeting for all employees as a forum for information and discussion. The Works Council performs a quarterly general assembly for all employees. If direct communication is not favoured, the employees may make use of a suggestion box.

IV. Training

Principle 36 The educational relationship between supervisor and researchers in their training phase shall be described in the scheduled mentorship program.

Principle 37 European XFEL puts a strong emphasis on the development of the capabilities of its supervisors. Training programs have been performed in the years 2012, 2013 and 2015. Further actions are in preparation, for example the offer of individual coaching sessions.

Principle 38 European XFEL provides significant funds for the continuing professional development of its researchers as well as also for its other employees. All employees are encouraged to participate actively in trainings, workshops and conferences.

Principle 39 During the mandatory annual feedback talks, the further professional development of every employee plays a key role. In the frame of the integrated self-appraisal, among others, the following topics shall be treated:

6. *What actions have you taken since your last review to improve your performance?*
8. *Which aspects of your performance would you say you need to improve? How can you do this?*

In the frame of the feedback talk supervisor and employee discuss and record the most relevant *“Personal development plans for current year”*, which have to be described in detail regarding *“Goals, activities, responsibilities, ... performance criteria”* and *“Deadline”*.

Principle 40 The appointment of responsible supervisor or ombudsman for the support and monitoring of young researchers should be included in the scheduled mentorship program.

4 Development goals, actions and performance indicators

For the time being (August 2015) the following development activities are in progress:

1. Revision of the Equal Opportunities Policy
2. Compilation of a works agreement “Hiring guidelines and recruitment procedure”, which will have to be amended by a revised Staff note Recruitment procedure.

Further mid-term goals should be

3. the compilation of a mentorship program, as it is already scheduled in the Staff note Good scientific practice and
4. professional trainings of selection committee members (Section 14).

While the topics 1. and 2. shall be completed until the end of 2015, topics 3. and 4. shall be done until end of 2016.

A first internal revision of the “strategy” is scheduled until June 2017.

As further potential development goals have been identified:

5. Definition of a service level and introduction of defined processes and tool regarding personnel development and career support. This should include a regular and transparent process for the assessment of the scientific performance of researchers. (Section 11)
6. Comprehensive compilation of evaluation criteria (Sections 16 – 20)

A first external audit of the “strategy” should be scheduled until June 2019.

5 Documents

Legal texts are not listed.

- Works agreements
 1. Telecommuting (14 December 2012)
 2. Objectives, feedback, and incentive pay process (1 January 2014)
 3. Working time (17 March 2014)
- Staff notes
 4. Allowances to ease non-local recruitment (3 February 2015)
 5. Equal opportunities policy (8 March 2013)
 6. Good scientific practice (27 October 2011)
 7. Recruitment procedure (18 April 2013)
 8. In-house research activities (24 March 2015)
 9. Staff publication policy (18 June 2015)
 10. Internal audit policy (2 December 2013)
 11. Anti-corruption policy (18 March 2014)
- Forms
 12. Objectives, Feedback, and Incentive Pay – Step 1. Employee Self-Appraisal (version HR-16.1-150120.5)
 13. Objectives, Feedback, and Incentive Pay – Step 2. Performance Review and New Objectives (version HR-16.2-150120.7)

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