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**DECLARATION BY THE CHAIRMAN OF THE STAFF UNION COMMITTEE
BEFORE THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE
COMMITTEE OF THE ILO ADMINISTRATIVE BOARD**

(289th session – March 2004)

Mr Chairman,
Ladies and Gentlemen of the Committee,
Mr Director General,

It is my duty on behalf of the new union team, both at headquarters and in the field, and on behalf of all ILO staff, over two-thirds of whom, you will no doubt be interested to find out, are union members, taking all categories and duty stations into account, to begin this statement with a serious message.

Concern is growing within our organisation about job security. We have made the Director General's representatives aware of this on several occasions in recent months and reported it to the Joint Negotiating Committee. I now come before you, with the backing of our General Meeting and following on from the direct discussions we have had over the past two weeks with hundreds of our members at sectoral assemblies, to give you a brief outline of the reasons for our concern.

The Director General was informed of this in a letter dated 2 February signed, exceptionally, by the Chairman of the Staff Union Committee and our four regional representatives. By speaking to you today on this same theme of job security, I am not, of course, prejudging the content of the Director General's reply, which we have yet to receive.

Staff realisation of the threats which seem increasingly to be hanging over their jobs at the ILO first took the form of a strong solidarity and protest movement against the circumstances surrounding the dismissal of one of our colleagues after he had worked for the ILO for over 20 years. The only reason given for his dismissal, a reason which seems to be ill-chosen after so many years, was unsatisfactory service.

As the case is being investigated by the ILO's Administrative Tribunal, I will not expand any further here on the case of our colleague, who is now unemployed without receiving any allowances or child benefits despite having six dependent children, whose means of existence will largely depend on the financial solidarity of staff.

We earnestly hope that the Tribunal will do his case justice, just as it did in four cases out of the six relating to our Organisation at its last session. These exemplary judgements (which were costly for the Organisation's finances) highlight serious deficiencies in the way our organisation treats individual industrial relations, something I drew to your attention last November.

Be that as it may, considering the circumstances surrounding this dismissal led our General Meeting to adopt a motion on 29 January authorising the Staff Union Committee I have the honour of chairing to inform the Director General and your Committee, and I quote, "*of the very great significance staff attach to job security within the United Nations system and at the ILO, as well as their determination to react, including via collective action, against any risk whatsoever which might compromise job security within the common system or at the ILO, and to take action in support of colleagues who might be dismissed unfairly.*"

In short, things ILO staff reject can be summarised into the following eight grounds for concern:

- *Firstly*, the fact that the ILO is not taking a clear position, and is not really making its voice heard within the common system, to declare that it opposes and will continue to oppose the desire expressed by the International Civil Service Commission, some Governments and some Agencies experiencing difficulties, to consider that jobs within the United Nations organisations should no longer result in career appointments, and that permanent contracts should be abolished. This intervention by the ILO is made all the more necessary since, at a major inter-union meeting held in New York in December 2003, all of the delegations represented expressed their grave concerns about this in a policy statement which the ILO Staff Union actively supports;
- *Secondly*, the fact that performance evaluation at the ILO is still reliant on subjective and sporadic exercises without set criteria, individual objectives or continual monitoring mechanisms, which risks transforming any assessment into a source of conflict between any given civil servant and his supervisor. This is the situation four years, yes, four years, after the Governing Body noted¹ that "*the current assessment system would be replaced by an annual personal development planning system*" , where "*Performance management will (would) become (...) an issue to be dealt with on a daily basis rather than an event which takes place once every other year, often dissociated from the results measured for the ILO, the department, the team and individual objectives.*"
- *In the third place*, the fact that the content of these performance appraisals which are already blighted by structural deficiency, is then submitted to a Reports Committee without any staff representation, the composition of which is not made public, except for the fact that it is comprised exclusively of senior managers appointed directly by the Director General, an anonymous committee whose decisions, moreover, are considered "secret". In fact, this outdated body submits increasingly draconian recommendations to the Director General, which go beyond what the managers concerned are recommending, so heightening the professional

¹ Document GB/277/PFA/10, § 14 to 16, March 2000.

insecurity felt by a growing number of colleagues. Staff rightly consider that the fact that the Reports Committee continues to operate in a feudal manner blatantly contradicts the principles of social dialogue, conflict prevention, justice and the right to be heard and defended on an equal footing with the line manager, all of which are characteristic of industrial relations elsewhere in the ILO;

- *In the fourth place*, the fact that the ILO still has no official mechanism to ensure that restructuring processes affecting staff, which are inevitable processes in a structure as large and dynamic as ours, be recognised as such, and conducted transparently, not as a bureaucratic routine, but with the full involvement of staff and staff representatives at every stage, so as to limit the social costs as far as possible, and not be faced with last minute decisions affecting jobs. The ILO is the competent United Nations agency in this field, and it would be paradoxical if it could not apply the same principles to itself that it preaches elsewhere with so much talent and efficiency, especially since certain recent or current examples have shown that, with a little bit of good will, these restructuring exercises could be carried out “according to the rule book”, both at the ILO and elsewhere!
- *In the fifth place*, the fact that, due to there being no body for regular consultation at the appropriate level between staff representatives and the Human Resources Department, cases referred to as “individual” are treated in isolation, when systematic regular meetings could undoubtedly identify recurring problems and poor reflexes by making it easier to take common staff and ILO interests in the wider sense into account, or even serve to establish a sort of code of good conduct between partners accustomed to working together, concerned with seeking solutions even before open conflicts emerge;
- *In the sixth place*, the fact that, as a great many unit managers are unfamiliar with the traditions of the organisation, the principles of international civil service law and the values and principles of applied social dialogue, individual conflicts result, regardless of the procedures adopted to prevent them, in confrontations where considerations of power, unsavoury legalism and hierarchical arrogance almost invariably override humanistic approaches and common sense, when in fact the ILO Administrative Tribunal, in a 2001 judgement against the ILO², actually pointed out “*the obligation on any international organisation to treat its civil servants with dignity and avoid blaming them needlessly and excessively*”;
- *In the seventh place*, the fact that there has been a prolonged budgetary stagnation in dollar terms, the continued weakness of the reference currency against the Swiss Franc in particular, the gradual decentralisation of resources from headquarters to the field structure, together with the persistence of the strong trend towards recruiting externally (52 external recruitments for the professional category in 2003, i.e. 7% of the category’s total workforce in just one year) instead of first looking among current staff, including technical co-operation experts, staff from correspondent offices and national correspondents, staff from the ILO’s “associated programmes” (Turin, ISSA, Institute, CINTERFOR [Centre on Vocational Training], etc.) and general departments at headquarters or in the field, those people who, with some additional training if necessary, would be able to fill new posts or posts which have become vacant, means that many colleagues now feel like outsiders in their own organisation, and worried not only

² ILO Administrative Tribunal, 91st session, judgement 2067, 12 July 2001

about their careers, to which many have already bid farewell, but also about their futures in the short term;

- *Finally*, the fact that the jeopardisation of jobs has come to roost at the ILO, despite, or in some measure due to the measures adopted which were supposed to combat what a circular from the Director of the Human Resources Department described in 2002 as the “*improper use of employment contracts*”.

The numerous examples include:

- The excessive use of external collaboration contracts (17,000 in the space of twelve months!), the number of which is such that the Personnel Department acknowledges that it can no longer monitor them - including those allowing for accumulation of remuneration and retirement benefits, thus bypassing the relevant rules;
- Alternating between “lawful” and “unlawful” contracts either to bypass recruitment procedures, cut the budget cost or try to evade social security contributions;
- Issuing contracts of employment describing tasks for which the relevant grade has not been looked into;
- Refusing to grant a permanent contract without justification;
- Adding a temporary contract to a fixed-term contract, in defiance of the civil servant’s vested rights and what applicable legislation requires;
- Sending staff into dangerous areas without statutory protection;
- Recruiting several employees using the same budget heading without considering what will happen when their respective contracts end;
- Recruiting staff to do recurrent tasks for non-renewable periods;
- Direct hiring of acquaintances or friends, neglecting internal promotion and the rules in force.

As I have already mentioned, the Staff Union has reported staff concerns about these various points all relating, to varying degrees, to job security at the ILO.

At the same time, we have taken the responsible step of informing management of our suggestions as to how these difficulties could be remedied:

- *Establishing a joint position* in support of job security within common system organisations by representatives of the Director General and those of the Staff Union, as was the case recently concerning local staff pay;
- *Reforming the Reports Committee*, by publishing the names of its members, appointing them following consultation with the Staff Union Committee and limiting its operations to considering the recommendations made by the managers concerned, with whom the staff concerned have had the opportunity to discuss the matter;
- *Publishing an in-house guide*, which everyone can access, about the right way to carry out restructuring, and firstly to recognising what restructuring is;
- *Improving and promoting “employability”* and staff career prospects by bringing Personal Development Plans into general use. The quality thereof has been more than demonstrated by the pilot exercise which has recently been completed within the Social Protection Sector;

- *In-depth reform of the recruitment and selection mechanism*, returning to sounder practices enabling genuine monitoring of the process, so as to ensure transparency for the pursuance of ILO's objectives in terms of human resources management;
- *Establishing a permanent consultation mechanism* for individual cases, so that "problem" units or practices can be identified before potential difficulties become individual or group conflicts;
- *Setting up a new voluntary redundancy process* in order to help achieve overall human resources development targets, particularly the promotion of women, diversification of the range of nationalities, rationalisation of the grade structure and occupational mobility incentives;
- *Reviewing statutory provisions or administrative practices* affecting the job prospects and mobility of a number of colleagues, local field structure staff, staff from branch offices, national correspondents, technical co-operation and associated programme experts and young professionals, whose potential contribution towards the renewal and rejuvenation of the executives it claims to be looking for, the ILO seems to experience difficulties recognising;
- *Assessing the competence of managers* to carry out their duties as managers of human resources, and not just of budgetary resources, etc.

Some of the proposals submitted for your consideration by the Director General during this session will, we hope, provide some partial responses to our concerns.

In particular, we believe that the mechanism arising out of the *review of grievance mechanisms* will, in fact, enable more attention to be given in the future to conflict prevention, since legal obstinacy and an increase in the number of unfavourable judgements by the ILO's Administrative Tribunal cannot take the place of industrial relations policy.

The changes to the Staff Rules which are being submitted to you as an appendix to document PFA/18 have been truly and honestly discussed between Union and management representatives within the Joint Negotiating Committee, which continues to play its proper role in collective bargaining, something that distinguishes the ILO from many other members of the United Nations family. The Staff Union Committee considers this is a good agreement, notably for conflict prevention, and for the protection of our colleagues in the field. We regret however that the very short period of time that elapsed between the date of signature and its consideration by your Committee did not allow for us to inform staff as fully as we would have liked. This resulted in some last minute concerns among our colleagues, unfounded in the Committee's viewpoint, that will have to be overcome. This might justify that your Committee decides to re-examine this question at its session in November.

Incidentally, in relation to the *ILO Administrative Tribunal*, the Staff Union Committee shares the analysis carried out by the Office, which states that it is necessary, at this stage, to continue discussions with other "clients" of the Tribunal in order to achieve wider acceptance of the principle of staff representatives' direct mediation right. We hope that our colleagues from other unions and associations will finally be able to convince their respective management teams on the basis of the Heidelberg Resolution we all adopted, the text of which is available in this room. We do not, of course, want partial or premature decisions to run the risk of weakening the Tribunal.

Document PFA/18 shows that some of the other concerns I have mentioned in this presentation are echoed by our management. This document, in fact, refers to:

- Reviewing the *work assessment* mechanism with the heads of department and the union, even though it refers to a comparative study carried out in 2003 that we have not heard of before;
- Reviewing the 2002 collective agreement on *recruitment and selection*, for which discussions with the Union, that had started, were interrupted and reinitiated on a slow pace on the eve of the current session of the Governing Body;
- *Assessing candidates* for managerial posts, in reference to which the fact that it is being planned at this time is a clear indication that it was not being carried out previously;
- Adjusting *types of contracts*, which could enable some procedural abuses and breaches to be remedied or conversely result in an attempt to get rid - following pressure from the UN Common System – of the relative protection granted by Without Limit of Time contracts;
- Considering cases pending of those contracts we refer to as “*precarious*” in relation to which, over and above individual cases, the Staff Union has entered into discussions with management representatives to sort out the position of certain categories comparable to *seasonal workers* or *irregular employees* with multiple employers, especially in relation to their social security. These are colleagues who are either taken on on a regular basis to enable the periodic major dates in the life of our organisation to go off smoothly, or those who work on a practically continual basis, but successively for different units, none of which can offer them a contract as such individually;
- *Raising the awareness of line managers* regarding human resources management requirements, a kind of initiation in basic principles which, for some, is coming very late in the day.

Other matters are absent, which shows the scale of the work which the Staff Union and staff with, we hope, your support, will have to continue to do to convince management representatives.

I am thinking in particular of:

- Regular *consultation mechanisms* relating to individual cases and working conditions;
- *Transparency* in the approach to restructuring, first of all for those exercises approaching on the quiet for colleagues in charge of employment promotion or of international labour standards;
- The *inclusion* of all staff, and not just some of them, in the overall human resources planning process;
- *Personal Development Plans* or PDPs, the preferred instruments of human resources management, the success of which is undeniable wherever they have been tested, in terms of rationalising vocational training, motivating staff and identifying male and female candidates, full use of the potential of which would best serve the organisation’s clearly understood interests.

The Staff Union is certainly confused and concerned about the reticence management continues to show about PDPs.

Whereas document PFA/18 quite rightly lists the many now recognised advantages of this approach, which has been assessed independently for the first time, it relies on the alleged length of the process (omitting to say that the longest phase by far was the pilot design phase) and on a possible cost which it is careful not to indicate, to suggest the possible abandonment of an initiative which has the backing of all staff.

If this move should be confirmed (and the fact that, despite our repeated requests, management has still not appointed its representatives so that a substantive dialogue may take place on the Joint Training

Committee, formally set up in August 2001, leads us to fear this), staff disappointment and demotivation would clearly be equal to the hopes created by the PDPs and their pilot implementation in one sector of headquarters and one region in the field.

I lack the time to tackle other issues which, nevertheless, deserve to be discussed by your Committee, and will perhaps be discussed in the speeches to follow.

These include:

- The imbroglio which seems to continue to prevail regarding the recognition of the rights of *unmarried couples*, regarding which the ILO is constantly moving between the front and the rear of the common system;
- Discussions relating to the workings of our *Pension Fund*, where the standing committee's reaction to the United Nations' General Assembly's attempts at interference has certainly not been "informal" as document PFA/19 would have it believed (for what reason?);
- *Mobility* from which both local staff and our Turin Centre colleagues remain excluded, in accordance with prerequisites which, in our opinion, date from an age where creative imagination was often lacking;
- The employment of *disabled people* at the ILO, in relation to which a reasonable amount of progress has been made in recent months;
- The treatment of issues of *health and safety at work*, a field in which a constructive relationship of trust is developing between the Staff Union and management at all levels;
- The *career prospects of Women*, sixty per cent of those in the lower professional grades according to document PFA/16, (nothing is said about the general services) who therefore risk being the first victims of what document PFA/18 discreetly calls "*controlling the overgrading phenomenon and returning to a balanced, rational and justified grade structure*", another cause for staff concern – to which adds up the attempts by the International Civil Service Commission to impose a substantial departure from the fundamental notion of remuneration based on grade and seniority, which preference being given to variations based on a merit for which evaluation methods are still to be discussed.

However, you have been informed, I believe, of the main points. Staff throughout the ILO are worried about their jobs and about their futures. They are waiting for a response other than renewed promises. They are waiting for swift action and firm commitments.

Staff are proud to work for the ILO, which is the lead Agency for the defence and promotion of labour rights. It is therefore legitimate that they expect these same rights, values and principles to preside over their own working and employment conditions.

I know that the Director General is aware, and I am convinced that he will want to give the necessary instructions for the situation to be resolved. It is in this hope that I thank you for your patient attention.