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Technical Cooperation

Since the early fifties and as a direct consequence of Part IV of the Declaration of Philadelphia¹, the ILO has been providing technical cooperation to countries in all latitudes and at all levels of economic development. Through its projects, *the ILO seeks primarily to foster the implementation, at national level, of the action programme for decent work by assisting its constituents to realize this objective.*

According to official documents, average annual expenditure on technical assistance projects in the last ten years reached 130 million dollars. The estimate for 2004 was 138 million². The activities are carried out in some 140 countries.

According to Appendix II of the above-mentioned Governing Body document, staff costs (resources used to contract project personnel) were:

- Experts, US\$28,750,000 in 2003 and 32,644,000 in 2004, and
- National experts, external collaborators, locally recruited project staff, and United Nations volunteers, US\$43,732,000 in 2003 and 44,871,000 in 2004.

These figures mean that the bulk of cooperation technical expenditure relates to financing the cost of national and international staff.

Official data, figures, projections, yet who and how many are these people who work in technical cooperation? What is the nature of their functions? Do they differ from other staff in rights and treatment? What does it mean to be technical cooperation (TC) staff?

¹ “Confident that the fuller and broader utilization of the world’s productive resources necessary for the achievement of the objectives set forth in this Declaration can be secured by effective international and national action, including measures to expand production and consumption, to avoid severe economic fluctuations to promote the economic and social advancement of the less developed regions of the world, to assure greater stability in world prices of primary products, and to promote a high and steady volume of international trade, the Conference pledges the full cooperation of the International Labour Organization with such international bodies as may be entrusted with a share of the responsibility for this great task and for the promotion of the health, education and well-being of all peoples.”.

² Governing Body document GB 294/TC/1 November 2005

The imponderables pile up and there are no clear answers. The first approach is simply to look around. Twenty years ago, talking about technical cooperation meant CTAs, administrative and operational support. Now talking about cooperation technical means talking a broad phenomenon which covers all the various status situations of UN staff and whose only “*sui generis*” element, its chief difference, is that it is allocated as a financial source a different financial code in the context of a multilateral project context.

How many and who are they?

Although the Governing Body documents give us some global figures on TC staff, it is clear that three weeks of internal and external efforts have brought us to a single conclusion: there are no precise data allowing us to determine the number of staff financed by technical cooperation, their type of contract or the average duration of contracts. Even more difficult is to ascertain their career prospects and whether or not they are members of the Staff Union.

However, this is not just a problem of staff representation. The HRD (Human Resources Department) faces the same absence of orderly comparative data as the Staff Union. In general, it is estimated that some 350 people are “contractually processed” in Geneva, i.e. they work as international staff (throughout the world) and as general services at headquarters financed by TC codes. In some field offices, the data provided by our delegates confirm that the number of local staff financed from these funds (and whom we must add to these 350) may average 60 (as in San José or Lima)³, which, considering that IPEC alone (the largest programme) has an average of 400, may lead us to think that at present some 700 people at least (excluding external collaborators) are working in the field and at headquarters financed by technical cooperation funds.

They are no precise figures on gender, age, or permanency in the United Nations System, elements which are crucial when it comes to observing the inadequate application to TC staff of benefits such as maternity protection.

The estimated total is a considerable percentage of the total staff of the ILO which makes their problems and needs grounds for fundamental concern by the Staff Union, which estimates that 30 per cent of its members (especially in the field) are TC staff. Moreover, it should not be forgotten that the Staff Union Committee represents all the workers, and that it is this basic category which allows it to represent them, advise them, defend them and bargain on their behalf.

What is the average profile of these staff? It is often suggested that they are people from developed countries (generally over-represented in the Organization) with general training in middle or senior management, and with considerable independence in their functions. In fact, at least 60 per cent of the estimated 700 are locals in developing countries (local staff), they carry out auxiliary or administrative tasks and have many problems of isolation, cause of the so-called “independence”, which in many cases is remoteness from the ILO field offices. In other words,

³ Generally a consequence of the scale and extension of the IPEC programme globally.

this knocks the first stereotype on the head. The profile of technical cooperation workers is much more heterogeneous.

International civil servants financed by TC increasingly come from non-industrialized countries, since some donors do not make it a requirement that the expert should be one of their own nationals and open the way to competition and excellence as a priority, through open competition or public tendering which do not restrict nationalities.

Situations and problems

It is important to note that talking about technical cooperation staff is not to make them a class apart. It is obvious and well known that the quality of service provided and the nature of the activities that they perform is the same as for staff under the regular budget.

The list of possible particular problems of the staff concerned here follows from and overlaps those affecting all ILO staff (the topics of precarious ex coll, etc. are similar and should be addressed together), but there is clearly also a series of particular situations and problems which are specific to those financed by technical cooperation and which clearly need reflection.

A subject of particular concern is the considerable and growing number of SSA contracts (services contracts) with local staff to perform the work of national project coordinator or technical expert. Recent figures show that there are some 90 SSA contracts in force in the Americas and some 120 in Africa. Bearing in mind that such contracts do not have a valid legal basis and that paragraphs 17 and 18 of Circular 621 on national professional officers 2001 was already talking about their reconversion to NO, this is very worrying, in particular because such contracts do not contain adequate safeguards, they are illegal, and their use is arbitrary, since many offices do not use them at all while others, conversely, consider it the normal way of recruitment (discrimination in the criteria?).

The underlying problem, which is of a general character, is the nature and role of technical cooperation, its purposes and the necessity for it and the reasons for certain differences relating to career development in the civil service. At present, the equality of tasks performed by staff financed from extra-budgetary and budgetary resources is clear even in their administrative aspects, so that different staff move from TC contracts to RB contracts, performing the same functions (only the source of finance changes) and some are even financed from mixed sources, part TC and the rest RB or PSI. The persons concerned are often not told by HRD of the shift from one source of financing to another, and are not informed in writing of their status as “detached for TC”, which at times means that they are without clear legal protection.

An informal survey carried out in some headquarters units which have a significant quota of staff covered by TC leads us to conclude that at least 30 per cent of the functions performed over the year by TC-financed staff are functions which do not belong to the cooperation or project monitoring for which they were contracted, but the units' own normal activities, such as programming, reports, participation in meetings and even preparing internal documents of a technical character.

Finally, moreover, the specificity and *raison d'être* of TC seem to have been lost and is not treated as a particular phenomenon, with intrinsic needs and particular objectives. The functions of both (RB and TC) become blurred and confused and often the only difference is the financial code which covers their salaries and some of the rights which as staff they derive from that condition.

The conclusion is that often, for long periods (3-5 years on average) the same activities are carried out side by side by regular staff and TC financed staff and yet ... they do not have the same rights.

Equality issues

Equality of treatment of staff financed from different funds is one of the topics most often raised by our regional staff unions and it affects many aspects, of which we consider the following essential:

1. Training

Staff financed from TC cannot access training activities, other than language training. In some regions they participate in group courses but at a disadvantage: for courses offered to groups (and usually in English in regions where it is not the predominant language) they must buy the books, unlike the rest of the staff. This discrimination is unfair for two reasons:

- a) TC staff, like experts, needs a high level of training and constant updating to the extent that they work closely with the beneficiary population, which ultimately is the direct target of the ILO's actions and mandates.
- b) TC projects contribute to the Organization with a high overhead (13%), which would fully justify the Office providing them with better services, including training for its staff.

2. Cover for prolonged medical leave and maternity leave

Project staff does not enjoy the benefits of having a general fund to cover maternity leave, and there is no provision for replacement by other Office staff in the case of long-term illness. Rather, it is an additional cost to the projects themselves. The discrimination in this case is twofold, firstly against the member of staff who is sometimes deprived of the full statutory period of maternity or sick leave, since the contract ends before the leave, and secondly against the donors and our recipients, who are deprived of the immediate benefits of the replacement arrangements provided in the Office.

3. Social security

Some of our members have drawn our attention to their concerns about issues related to pension (to which there is an entitlement after 5 years' contributions) in the case of TC staff with contracts for a shorter term. When their contract terminates, they only receive the capitalized

sum of their employee contributions, which, in the case of a high turnover of staff, sometimes without a fixed pension scheme (national or private), constitutes a financial loss.

Access to regular posts

All TC project staff have access to competitions (or are chosen by direct selection) as external and not internal candidates⁴, a situation which at some time and temporarily was considered by the Office, which allowed them to apply as internal staff when they had some years' experience. This, in the eyes of our staff, limits the possibility of qualified and experienced staff, with career prospects due to the posts occupied and the time worked in the organization, entering a possible career in the civil service.

Undoubtedly three aspects which need to be considered when reviewing the subject of competitions and participation under conditions of equality are: nationality, grade and discretion in recruitment not subject to the recruitment rules. Politically, the Office is to some degree conditioned by the Governing Body, which compels it to have a balanced composition of nationalities which takes account of all the Member countries. The rule is not applied strictly, but it will have to be borne in mind that in some cases the most permanent or longest-serving experts come from over-represented countries and thus there is a risk of giving them priority as internal staff, and encouraging exclusion of those from less favoured countries.

The grade of the expert post is often granted on a discretionary basis, without fixed rules and with different criteria and generally does not parallel the award of grades for regular budget staff. Donors' demands and specific rules of independence (Many CTAs are alone in countries and the real representatives of the ILO) mean that frequently professionals paid by cooperation are P4 and P5, which does not always correspond to the grade awarded to regular staff in equivalent functions (especially at headquarters). The TORs of posts are drawn up differently. Curiously, for the general service category, there is a tendency in the field towards grade deflation, thus the opposite effect.

To this subject should be added the recruitment of NOs (and the related problem of abuse of SSA).

The third aspect is not general, and there are in fact practices in programmes such as IPEC which link staff recruitment to competitions (determine according to their own rules but on quality criteria). In some cases, it was found that in the field local staff must take the same tests as those who are candidates for internal competitions.

The above aspects are valid when convening an internal competition and require specific consideration, but they are not insoluble obstacles to considering TC staff as internal candidates in determined conditions. Experience accumulated by staff and years of service in the organization must be considered, seeking ways of solving the problems described.

⁴ The only exception in recent years is that of the 14 new posts related to IRIS, announced at the end of 2005. There is no clear explanation from the administration of this unlimited opening.

For this, specific rules can be established which consider certain minimum years of service, functions performed, non-obligation to keep the previous grade, respect for lists of nationalities as priorities but not only these. In any case, adequate classification of all posts, regardless of the source of financing, should be an Office priority (the generic does not include the specificities of TC), since that can become a source of discrimination.

In any case, it is necessary to start defining uniform selection criteria for such staff which will give greater transparency and acceptance of selections.

Making good use of human resources: a possible database of TC staff

In general, there is a gap between project staff and staff financed from the regular budget when it comes to being reassigned or informed of new posts, including within the strict framework of TC. The isolation of project staff, in particular in the field, the more so when they do not belong to a larger network as in the case of IPEC, means that once their posts have ended, they do not know of other possible vacancies at the same grade and their characteristics within TC and there is no transfer of skills. Greater use is made of local staff, and in general offices try to relocate them.

International staff do not benefit from a roster or active information about vacancies, nor from the general statutory rule whereby, once a post is abolished, the office must help to find another appropriate post to place the staff member. The loss is mutual: trained and effective resources for the Office and posts in an organization they know for the experts.

In general, there is no career development programme, and this must probably be set in a wider environment than the ILO, covering all UN programmes. It is thus necessary to establish a staff "fund" with definition, evaluations and characteristics which can facilitate the good use of trained resources and respect for the professional development of all human beings.

Temporary or permanent job loss

Linked to the foregoing, temporary job loss (periods between projects) or permanent unemployment generates undesirable situations which the organization cannot address since it does not have the obligation (as in the case of regular budget staff) on termination of a contract to make every effort to relocate them.

It is necessary to study and explore the implementation of social security funds for the situation between projects and even the possibility of joining national unemployment funds to allow them to continue to enjoy a minimum income while they seek a new job.

Some administrative problems

There are many administrative problems linked to the management of the Office itself. We should not fail to mention the problems arising in relation to the introduction of IRIS which are related to new, different and more costly procedures for which, often, many new users have not been trained. The result recently in many cases has been non-payment and late payment of salaries.

There are problems of relations with the subregional and country offices, and the services that they provide to projects in the field, since in general they are less effective in the case of projects, for which in order to act, they require prior disbursements for installation and equipment. The problem is worse when the project does not have an ILO office in the country in which it is established, since apart from lack of access to general information, there are banking and financial problems, it is obviously divorced from the activities of the office for the area.

Finally, there is a recent practice of not annexing to contract offers the financial conditions of the post, which causes the confusion mentioned earlier, especially when there are changes in financial codes during the life of a person's contract.

Some Staff Union proposals

Technical co-operation (TC) is one of the Organization's most valuable tools. Among other things, it is technical cooperation that provides the ILO's constituents with real services, mobilizes additional financial resources and guarantees that the Office stays in contact with the actual situation in the field. The quality of TC depends above all on the quality of the expertise that the ILO can field for its projects. Here, the management of the human resources engaged in technical cooperation is therefore of the utmost importance. Currently, however, the status of TC staff is such that they face various forms of discrimination that in practice makes them "second-class citizens" within the Organization. There is no time to waste, and we have to talk about this whole area urgently so that the priority we claim to give to technical cooperation can be brought into line with the realities of personnel management. If we are to do this, it is essential that a working group on TC be set up immediately inside the Staff Union, and that negotiations be entered into with HRD and the administration in order to analyse the specific problems that this important and representative category of staff faces and come up with appropriate solutions as quickly as possible.

In the above pages, some basic proposals and issues have been raised. Without prejudice to the need to establish a working group in the Staff Union and subsequently with HRD to analyse the problems of this numerous and representative group of staff, we can put forward some proposals which we consider feasible as a Staff Union to ensure at least a "minimum of rights" for staff financed by TC:

1. Selection and recruitment: participation is internal staff after a certain minimum number of years (determined) and with specific conditions.
2. Establish more uniform and "less discretionary" criteria in selection of staff.

3. Establish a specific roster of TC staff for transfer and proper use of skills and priority in the contracting of experts.
4. Study training conditions of staff with specific needs and a certain number of years (office/project cost-sharing of training?).
5. Extend the maternity fund to cover project staff and provide specific solutions in the case of serious illness.
6. Study, with actuarial calculations, possible affiliation to national unemployment funds or specific funds.
7. Publish without delay a Circular and precise instructions on the use of SSA, and the use of national professional officer contracts (NO) for NPCs (national project coordinators) and national experts.
8. Examine the problem of contributions to the pensions fund for periods of less than 5 years.