

STAFF UNION BULLETIN
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THE TRIBUNAL SET ASIDE THE DECISION TO TRANSFER AN OFFICIAL IN THE SAME GRADE WITHOUT COMPETITION!

In Judgement 2755, the ILO Administrative Tribunal has ruled that the Administration cannot transfer a staff member in the same grade without competition.

This decision follows closely the concerns raised by the Staff Union, as well as many staff, regarding the need to promote transparency and objectivity in the recruitment and selection processes in the ILO. The Union has been working, through contacts with the staff, negotiations with the Administration and dispute resolution mechanisms, with a view to ensuring that the ILO will become one of the leaders in the UN Common System when it comes to the recruitment of the best qualified staff through open, transparent and fair procedures, with due regard being paid for career development.

The ILOAT considers that transferring an official in the same grade, by direct selection, without a competition is a breach of the Staff Regulations (see paragraph 9 of the Judgement).

This decision has considerable consequences on the flexibility allowed in the unilateral transfer of staff outside of the competition process.

The Union has voiced its willingness to negotiate, following the outcome of this case, within the framework of the broader recruitment and selection procedures. Any such negotiations must take place in full respect of the collective agreement currently in force. The Union will continue to insist that such direct selections take place in a very narrow set of very exceptional circumstances.
