

**STAFF UNION BULLETIN**  
**BULLETIN DU SYNDICAT**  
**BOLETIN DEL SINDICATO**



2 December 2008

***ANNUAL GENERAL MEETING***  
***SECOND SESSION***

***30 OCTOBER 2008******Record of decisions***

The President of the Staff Union Committee opened the second session of the General Annual Meeting and welcomed the large number of participants. He said that 2008 had been a difficult year, above all because of the attacks that had taken place on United Nations staff, with a terrorist attack in Algeria at the beginning of the year and another recent attack in Somalia.

At the President's request a minute of silence was observed in memory of the staff members who had been the victims of these attacks against the United Nations system.

**1. Election of the Chairperson**

The President of the Staff Union Committee reminded the participants that it was customary for the Chairperson to be elected for both sessions of the General Meeting during the year and that Martine Humblet would therefore chair the second session as she had the first.

The Chairperson of the General Meeting thanked all those present, especially the representatives of the regions, for attending the Meeting and for their constructive participation.

**2. Adoption of the agenda (doc. SU/AGM/2008/2/D.1)**

A member of the Staff Union requested that an item on the Staff Health Insurance Fund (SHIF) be included under "Other business".

A member asked at what point the two draft resolutions were to be discussed. The Chairperson suggested that they be considered under the "Report of the Staff Union Committee", before the presentation of the President's report.

There was no objection to either of these proposals.

***The draft agenda was adopted by consensus, as amended.***

**3. Discussion of the draft resolution on social dialogue at the ILO (doc. SU/AGM/2008/2/R.1)**

The President introduced the draft resolution, adding that that the Staff Union Committee was very unhappy about the erosion of social dialogue at the ILO, despite the Union's efforts to promote respect for collective bargaining, the collective agreements and the informal settlement of disputes.

*Following a discussion, the draft resolution was amended and unanimously adopted (see appendix I).*

**4. Discussion of the draft resolution concerning the position of legal adviser to the ILO Staff Union (doc. SU/AGM/2008/2/R.2)**

One of the authors of the resolution presented the text and outlined the background to the problems encountered by the Staff Union in recruiting a legal adviser.

*Following a discussion, the draft resolution was amended and unanimously adopted, (see appendix II).*

**5. Report of the Staff Union Committee (doc. SU/AGM/2008/2/D.2)**

The President of the Staff Union Committee, presenting the Committee's report for 2008, drew attention to the following points:

- a. *The general climate of social dialogue.* All too often the administration resorted to the "management's prerogative" when the Staff Union was simply trying to engage a social dialogue in all good faith. Usually the administration's response was "We agree to disagree". Changes in the regular procedure were also being introduced unilaterally, as was the case with the implementation of the Recruitment, Assignment and Placement System (RAPS). In spite of that the Staff Union was trying to find informal solutions. Occasionally, when that was not possible, the Union appealed to existing bodies, such as the Review Panel, to arbitrate collective disputes between it and the administration. It had done so in the case of the RAPS and the outcome was very positive.
- b. *Recruitment and selection.* The Staff Union was calling for more transparency and objectivity in these procedures, and its Committee was continuing to seek a solution to the problem through collective bargaining.
- c. *Increase in the number of individual cases.* The Staff Union had to deal with more and more individual cases, particularly in the matter of recruitment and selection, precarious contracts and personal promotion. An effort had been made to resolve existing problems collectively or individually, but fewer cases had been resolved that way than in the past.

- d. *Legal adviser of the Staff Union.* The Staff Union is still claiming the right to organize as it deems fit and to recruit its own legal adviser on a regular contract.
- e. *Personal promotion.* The latest automatic personal promotion exercise (13 years in the same grade and 25 years of service in a United Nations organization) gave rise to a difference of interpretation between the administration and the Staff Union over the term “period of service”, which the administration refuses to recognize as comprising periods covered by short-term, or technical cooperation contracts. The administration had also refused to discuss the subject in the Joint Negotiating Committee. The staff members concerned had therefore decided to lodge an appeal.
- f. *Communication.* Three issues of *UNION* had appeared in 2008, but there was genuine concern about the Magazine’s continued publication.

The President of the Staff Union Committee also highlighted a number of positive developments:

- 1. *Membership:* Since the beginning of the year 156 new staff members had joined the Union, as against a mere 7 resignations. Compared to 2007, the increase in membership had risen by 40 per cent.
- 2. *Union Stewards:* The network of Union Stewards was expanding. The departmental meetings had been quite successful as a means of communicating with the staff directly. Both Union Stewards and Staff Union representatives from the field had received training on a number of important subjects.
- 3. *Contracts policy:* Some progress had been made in this area, and the Staff Union was negotiating with the administration on proposals made by the International Civil Service Commission (ICSC).
- 4. *Adoption leave:* Although the initial policy had been rejected by the Governing Body on the grounds that it had not been negotiated, the negotiations entered into with the administration had been very encouraging. The ILO’s policy on adoption leave, though not ideal, was an improvement on the United Nations common system.
- 5. *Appeals to the ILO’s Administrative Tribunal:* Some important appeals had been successful, such as the Baldo case concerning the regrading of a precarious (external collaboration) contract to a fixed-term contract, and the Vega case, in which the Tribunal concluded that a within-grade transfer without going through the competition procedure was contrary to the Staff Rules.
- 6. *Occupational safety and health:* There had been regular discussions between the administration and the Staff Union on this subject and a new safety and health policy had been finalized after lengthy negotiations. The new policy and new Safety and Health Committee were a considerable improvement over the existing system, with both sides benefiting from the contribution of experts on the subject.

7. *International relations:* Following the adoption of the *resolution on the impact of UN reform on the international civil service* in October 2007, which called on *inter alia* promoting “unity and greater coordination among unions and federations in the international civil service”, the ILO Staff Union had taken a leading role in the Coordinating Committee for Staff Unions and Associations of the United Nations System (CCISUA). The Staff Union had thus been in a position to contribute effectively to the design of policies at the inter-agency level on such matters as safety, education grants, mobility and difficult living and working conditions, and the methodology for General Service salary surveys. The Union also took an active part in a joint working group set up to explore strategic coordination between CCISUA and our sister federation, FICSA.

The President then referred to the challenges that lay ahead:

- The world financial crisis: The Staff Union had already organized an information session on pensions and would follow closely the impact of the crisis on contracts and salaries;
- The review of the field structure;
- The use of subcontractors for tasks corresponding to regular posts;
- The safety of public officials in the field.

In conclusion, the President of the Staff Union Committee expressed his special thanks to the members of the Union’s secretariat, Brigitte Pillonel-Alvarez, Johanna van Rijn and Céline Moiret, and to its legal adviser, Nicolas Lopez, on the excellent work they had put in once again in 2008.

The representatives of the regions then outlined developments at the regional level.

### **Africa**

The representative of the African region, commenting on the broadening Staff Union’s base in the region, said he hoped that it would be able to play a bigger role in the Staff Union’s work. He then referred to some of the region’s perennial problems:

- *Staff safety:* The administration sometimes uses the common system as an excuse not to tackle problems. In Kinshasa, for example, ILO officials were living in conditions of great insecurity;
- *Remuneration:* Local staff salaries in the African region were lower than anywhere else, and yet the outcome of the ICSC’s surveys of General Service salaries had been negative, especially for officials based in Abidjan;
- *Review of the field structure:* The African region was particularly concerned about the revision of the ratio between General Service and Professional staff, inasmuch as the objective was to reduce the number of GS staff and thus risked increasing their workload.

### **Americas**

The representative of the American region observed that the Staff Union had always been quick to come to its help when needed.

She went on to describe the good practices followed in the region, where selection boards had been set up not just at the regional level but in local offices too. This guaranteed a certain degree of transparency, and it was unfortunate that it applied only to the recruitment of local staff. Another of the region's good practices was the creation of working groups on occupational safety and health and on training.

By contrast, it was anything but clear how the RAPS operated, and a lot of questions were being asked about the transparency of the procedures involved.

As to the review of the field structure, she was wary of the administration's real objective. If it meant modifying job descriptions, the Staff Union would not hesitate to ask for posts to be regraded.

### **Asia**

The representative of the Asian region pointed out that the RAPS was not consistent, and that some posts had been filled without any competition.

She also mentioned the following concerns that were felt in the Asia region:

- *Depreciation of the US dollar:* The staff in Asia was expecting the ICSC to react;
- *Recruitment and selection procedures:* The system ought to be the same not only between regions but also between headquarters and the field so that procedures were transparent, objective and equal for all the parties concerned;
- *Review of the field structure:* There was not much information of the "One UN" reform, and the representative of the Asia region wanted the existing structure to be maintained. There had been very little consultation with Union representatives in Asia;
- *Methodology for calculating salaries:* The training of Union officials should be continued;
- *Technical cooperation contracts:* Technical cooperation staff were vulnerable and the Staff Union should negotiate an improvement in their situation;
- *Maintaining a balance between professional life and private life:* The Staff Union should ask the administration for officials to be granted a day's leave when they have to leave on mission at weekends. The development of tele-working should also be looked into.

### **Europe and Arab States**

The representative of the Europe and Arab States region said that the recruitment and selection system was not working.

She went on to voice her concern about the review of the field structure, as General Service staff were worried about the extra workload that might ensue. They were also concerned about the impact of the possible closure of certain offices (Brussels, Berlin, etc.). The status of "national coordinators" posed several problems, such as the fact that they were still not allowed to take part in internal competitions.

She asked the Staff Union to pay great attention to the financial crisis, especially as it might affect General Service salaries.

Referring to the safety of the Beirut staff, she requested that a solution be found to the discrimination that existed between Professional and local staff in the case of high security alerts.

She concluded by emphasizing the importance of the Staff Union's Regional Committee, whose visibility and role needed to be enhanced.

*The General Meeting approved the annual report of the ILO Staff Union Committee for 2007–08 by consensus.*

**6. Financial report and Addendum: Report of the Auditing Commission (doc. SU/AGM/2008/2/D.3 and doc. SU/AGM/2008/2/D.3 (Add))**

The Treasurer briefly presented the financial report.

*The General Meeting approved the financial report for the period 1 January 2007 to 31 December 2007 by consensus.*

**7. Election of the Auditing Commission (doc. SU/AGM/2008/2/D.4)**

On behalf of the General Meeting the Chairperson thanks the financial auditors for their work and announced that they had agreed to accept a new mandate.

*The General Meeting approved the renewal of the mandate of the financial auditors by consensus.*

**8. Report of the Board of the Staff Union Assistance Fund (doc. SU/AGM/2008/2/D.5)**

The Treasurer of the Fund presented the Board's report and offered to answer any questions.

The representative of the African region thanked the Board of the Assistance Fund for the help that a number of his colleagues in Africa had received and suggested that a campaign be launched to attract new members of the Fund.

The representative of the Abidjan office said that a local fund based on the headquarters' Assistance Fund had been set up and was doing very well. He would be happy to help any local staff representatives who might wish to introduce a similar fund in other offices.

*The General Meeting approved the report of the Board of the Staff Union Assistance Fund by consensus.*

**9. Arrangements for the elections to the Staff Union Committee and Addendum: List of candidates for election to the Staff Union Committee 2008-2010 (doc. SU/AGM/2008/2/D.6 and doc. SU/AGM/2008/2/D.6 (Add) )**

*The General Meeting approved the timetable and arrangements for the elections to the Staff Union Committee in 2009 by consensus.*

**Returning officers.** On behalf of the General Meeting, the Chairperson thanked the returning officers for their work. Bertrand Bernaz and Samir Koufane had agreed to accept a new mandate. She proposed that Renate Meyer, who was not a candidate, be replaced by Mireille Hernandez. There was no objection.

*The General Meeting approved the appointment of the returning officers by consensus.*

**Electoral Commission.** The General Meeting thanked the Electoral Commission for its work. The Chairperson said that the titular and substitute members had all agreed to accept a new mandate for 2009, except for Marko Karadzic, substitute member, who she proposed be replaced by Mourad Ismaili. There was no objection.

*The General Assembly approved the appointment of the members of the Electoral Commission by Consensus.*

**10. Other business**

*10.1 Staff Health Insurance Fund (SHIF)*

A participant reminded his colleagues that the election of members of SHIF's Management Committee representing insured persons was currently under way and recommended that they all vote only for candidates who had specifically stated their intention to cooperate with the Staff Union.

After the customary thanks, the Chairperson closed the second session of the Annual General Meeting 2008.

**The session ended at 4:30p.m.**

## RESOLUTION

### on social dialogue at the ILO

The Staff Union of the ILO, convened in its Annual General Meeting (second session) on 30<sup>th</sup> October 2008,

**BELIEVING** that as we move towards reforms in the UN, the ILO based on its tripartite structure, its tradition and the values expressed in its international labour standards should lead efforts within the UN System to encourage and promote the full development and utilization of machinery for voluntary negotiation between the administrations and staff unions of the various UN agencies, with a view to the protection of terms and conditions of employment by means of collective agreements;

**NOTING** in this respect that 2009 will mark the 60<sup>th</sup> anniversary of Convention 98 and this year marks the 60<sup>th</sup> anniversary of Convention 87 promoting the universal principles of freedom of association and the right to bargain collectively;

**RECALLING** that elected staff representatives have a cardinal and statutory role to play in the consideration of conditions of employment and work as well as in all matters of staff welfare and that constructive dialogue between staff and management is indispensable;

**WHILE WELCOMING** progress in the development of consultation processes and social dialogue in ILO field offices and at the interagency level;

**NEVERTHELESS EXPRESSES STRONG CONCERN** on the gradual erosion of social dialogue in the ILO and the weakening of collective bargaining, which is in particular reflected in the unwillingness of the Administration to address through negotiations important outstanding issues for the staff. As a result, the climate of confidence conducive to sound industrial relations is declining;

**REAFFIRMS ITS COMMITMENT** to social dialogue and collective bargaining within the ILO and in the United Nations system, with a view to improving conditions of employment and work through collective agreements, as outlined in the Recognition and Procedural Agreement;

**STRONGLY BELIEVES** that progress can be made towards resolving outstanding disputes and future challenges if both parties engage in genuine efforts to that end;

**REQUESTS** the Staff Union Committee to take any action which it deems necessary in the respect of freedom of association to secure due observance of collective agreements, the Staff Regulations and other relevant texts appropriately amended to give effect to these, to attempt to improve them, and to prevent any initiative of unilateral modification of terms and conditions of employment.

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**RESOLUTION**

**concerning the position of Legal Adviser to the ILO Staff Union**

The Staff Union of the ILO, convened in its Annual General Meeting (second session) on 30<sup>th</sup> October 2008,

**RECALLING** the decision of the Annual General Meeting of October 28, 2004 (Document SU/AGM/2004/2/D.5) to create a post of Legal Adviser to the ILO Staff Union, and to finance this position;

**RECALLING** the numerous steps taken by the Staff Union Committee before the representatives of the Administration to implement the decision of the General Meeting concerning the establishment of a regular contract for the Staff Union Legal Adviser;

**NOTING** that these efforts have failed thus far, owing to the persistent refusal of the Administration to negotiate in good faith;

**RECALLING** the recurrence since then of this question in all the Annual General Meetings of the Staff Union, and also in all the speeches of the Chairperson of the Staff Union Committee before the Programme, Financial and Administrative Committee of the ILO Governing Body;

**RECALLING** that freedom of association is a basic right enshrined in many international instruments (and in particular the ILO Constitution, Convention No. 87 of 1948 on Freedom of Association and Protection of the Right to Organize, and Convention No. 151 of 1978 on Labour Relations in the Public Service), recognized by the Staff Regulations and protected by the ILO Administrative Tribunal;

**STRESSING** the undeniable usefulness of the permanent presence of a lawyer to advise the members of the Staff Union Committee and to assist staff members, both in headquarters and in the field, with the various legal and dispute resolution procedures;

**NOTING** in this respect that, for over five years, thanks to the assistance provided by the Staff Union Legal Adviser, a considerable number of disputes between staff members and the Administration have been settled, and a number of important decisions have been issued by the ILO Administrative Tribunal;

**CONSIDERING** that the position adopted by the Administration has impeded the Staff Union Committee from organizing its own activities, thus violating freedom of association within the ILO;

**CONSIDERING** that the long-standing uncertainty as regards the employment status of the Staff Union Legal Adviser, due to the ILO Administration, has exceeded the limits of tolerability;

**REQUESTS** the Staff Union Committee to mobilize the staff on this question, to take any action which it deems necessary, in accordance with the principles of the freedom of association, in order to lead the Administration to waive its veto on the recruitment of the Legal Adviser of its choosing, and to report on this subject at the next session of the Annual General Meeting.

**REQUESTS** as a first step that the Staff Union Committee organize, during the November 2008 session of the Governing Body, actions including poster and leaflet campaigns, petitions and demonstrations, in order to draw the attention of the members of the Governing Body to this unacceptable situation.

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