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**STATEMENT BY THE REPRESENTATIVE OF THE STAFF UNION COMMITTEE
 TO THE PROGRAMME, FINANCIAL AND ADMINISTRATIVE
 COMMITTEE OF THE ILO GOVERNING BODY**

(306th Session – November 2009)

Mr Chairperson,
 Director-General,
 Members of the Governing Body,
 Dear colleagues and others present here today,

Today, our Organization faces both great challenges and great opportunities. Great challenges because we find ourselves – as global citizens – in the midst of another financial and economic crisis. This is nothing new, and something that the ILO – through its competent, committed staff – has helped our constituents face many times in the past. We are also presented with important opportunities, as the profile of our Organization has been raised globally, particularly in light of the economic crisis.

The people who come to work for the ILO come because of the ideals and values it represents. They have been in a way vindicated in that the employment-led and rights-based approach has gained credibility in the face of a faltering global financial infrastructure. I know that for me, and for many like me, this was a major factor in considering a career in the Office.

Today, the PFAC has before it today the Human Resources Strategy. This document is intended to provide you with a roadmap for how the Administration intends to further promote the values of the Office. To achieve the objectives which have been set out through the 2008 Declaration and the Global Jobs Pact.

As you can imagine, an important document as this is also looked at by the staff. It gives them an idea of the direction which the Office wishes to take, including the conditions under which they will serve this Organization. I want to begin my statement to you with the first question we raised with HRD when discussing the Strategy in detail for the first time a few weeks ago:

What is the relationship the Administration envisages with the staff?

The document the Governing Body has before it, while an improvement over previous drafts, gives little indication. And some of the indications it does give, are troubling. It mentions the role of the HR function as “a partner with management”. Indeed, this document seems to be focused on management. We recognize that development of management capacities is an important objective, and one which has appeared in each HR strategy since 1999.

However, there is little in the document for the G5 admin assistant in Addis, the CTA in Bangkok, or the new staff hired to support the Decent Work Country Programmes worldwide. What about the precarious official, in her fifth year of short-term, external collaborator, and technical cooperation contracts? Or the IPEC colleague who has been 15 years in the Office, who has a proven track record but still has one-year contracts, and is still not considered as an internal candidate for competitions?

Where is the Field Structure Review, and an indication of how the impact of the restructuring will be consulted with the Union? Where is the information on a strategic approach to mobility, including mobility between ILO and the Turin Centre? The passing reference to recruitment and selection procedures, which I will touch on later, and contracts policy underestimates the importance of these matters, and the considerable amount of work remaining to be done.

We are constantly reminded of the need for staff to be open to change. When we talk about change, we must also promote those values which make us unique as an organization. Which values do we take with us as we embark on the process of change?

While the Strategy contains a great deal of the latest HR terminology, it seems to overlook some essential values for our Organization, values which are essential to ensure buy-in to the proposed changes. While the document now makes reference to “constructive dialogue with staff representatives” the words negotiation and collective bargaining are notably absent. While we welcome the possibility of constructive dialogue, unilateral changes to collective agreements and staff regulations have been too frequent.

Allow me to provide two brief examples:

First, our experience in consultation on the Field Structure Review has been mixed. While we have held a number of cordial meetings with the Administration, and particularly positive experiences with different Regional Directors and managers from the field, as well as the Senior Adviser for Change Management, the concrete information shared has been limited. We have used the opportunity to express the growing anxiety among staff and to request that the Office communicate regularly to dispel such apprehension. We have made multiple attempts to discuss policy solutions for those offices undergoing restructuring without success. We have received no detailed information of the implementation plan. We remain hopeful that a substantive dialogue can be launched at the earliest stage possible – as the ILO itself promotes in its work on socially responsible restructuring – so we can avoid a situation such as we faced in Abidjan, and which remains fresh in our memories.

Second, the issue of recruitment and selection is one which, in the ILO, is governed by both a collective agreement as well as the staff regulations. It is also a subject which

has led to growing dissatisfaction and demotivation among staff – both in headquarters and in the field. It is not insignificant that it was also subject to unilateral changes which, in the opinion of the Staff Union, had a significant impact on the transparency, objectivity and rigour of the overall process.

In the face of unilateral changes to a collective agreement, the Union brought the issue before the Review Panel – an independent panel mandated to resolve collective disputes. The group concluded – unanimously and unambiguously – that the “unilateral modifications were in breach of the collective agreement and of annex I of the Staff Regulations.” Again, this was not the Union saying that the Office should negotiate over everything. This was an independent, impartial, expert opinion. In addition, the JAAB – our internal appeals body – has observed in its latest Annual Report that the way the Office currently organized competitions did not follow the procedure set out in the Staff Regulations.

Despite these clear conclusions made by independent bodies, the Office continues to pretend that only minor changes were made, and that the procedures followed were fully objective and transparent. It is precisely because of this unwillingness to recognize the need to negotiate, in the face of clear, objective and impartial advice, that the Union felt it had no other choice than to suspend the negotiations. You can't have it both ways. The Office cannot refuse to recognize the findings of an independent body calling on it to negotiate the changes which were implemented unilaterally, and then say that it is the Union's fault that there are no negotiations. Nor can it implement further changes without dialogue and then express surprise that the Union takes a position on those changes.

While the point of my presentation is not to focus on recruitment and selection procedures, this is, for the Staff Union Committee, one major area where changes required negotiation.

Let me conclude on this point by welcoming the initiative of the Office in launching the audit on recruitment and selection procedures currently being undertaken by the Office of Internal Audit and Oversight. We believe that this important report will provide an objective, factual assessment of the recruitment and selection procedures, and we look forward to the recommendations it will make for improvements.

I now want to briefly turn to a very serious – even fundamental – issue for ensuring that the conditions exist for the HR Strategy to be a success. It seems counterintuitive for the ILO Staff Union to be here raising the question of freedom of association to the Governing Body. You have all heard that the Union has been blocked by the Office in its efforts to provide its legal adviser with an employment contract. All we have been asking for nearly 7 years is the ability to provide an employment contract to our own legal adviser, paid by our own staff union dues, and managed by the Union.

We believe strongly that this follows from “the right of workers' organizations to organize their administration and activities freely” as stated by Convention 87, and “the provision of appropriate facilities to the representatives of recognized public employees' organizations to enable them to carry out their activities promptly and efficiently” as recognized by Convention 151. This is nothing new.

What is new, and what is particularly sobering is the following: only two weeks ago, we were surprised to learn that the publication of an official communication of the Union was blocked. This serious attack against freedom of expression cannot stand in an institution such as ours. You can disagree with us, object to our language and say that our opinions are completely unfounded. You can say that we are wrong. Sometimes – you may even be right. But to subject our communications with staff to any kind of advance approval process goes against the basic principles of freedom of association and freedom of expression.

The CFA itself has provided very clear guidance on the matter, stating: “The publication and distribution of news and information of general or special interest to trade unions and their members constitutes a legitimate trade union activity and the application of measures designed to control publication and means of information may involve serious interference by administrative authorities with this activity.” In response to this action by the Office, the Union has adopted a Resolution on the Protection of Freedom of Association and Freedom of Expression in the ILO at its Annual General Meeting, and is preparing to take legal action, and any other action deemed appropriate.

In closing, I want to again recall of the values of the ILO – the values which brought us here to work, and for which we continue to move forward in achieving the objectives set out by our constituents.

This is precisely what the Union is doing – standing by these core values: demanding respect for freedom of association, demonstrating its openness to dialogue but taking strong action against violations of the duty to bargain in good faith. Despite efforts to ignore the union, we are here. Despite efforts to stifle our communications, our message is strong and clear. And when this all blows over, our flags – the flags of the ILO Staff Union and the ILO itself – will still be standing, and standing strongly.

It is no secret that the relationship between the Union and management has been difficult for some time, and seems to be in a deadlock now. This should be a concern to all of us here, as we all believe in the principles and values on which the ILO was founded. As Chairperson of the Staff Union Committee I remain ready today to work toward overcoming these difficulties. We commit to negotiate over the policies, procedures and practices required to give effect to the Social Justice Declaration and the Global Jobs Pact. However, genuine negotiations can only take place if the Administration commits to fully respect the principles of freedom of association – including freedom of expression – and the duty to bargain in good faith.

Which brings me back to my original question: What kind of relationship do you want with your staff? And what kind of relationship do you want with your Union?
