



Staff Union



Comments on the proposal on National Coordinators Presented at the December 2009 Joint Negotiating Committee

February 2010

Introduction

1. Officials in Branch Offices and National Correspondents / Coordinators are exempted from some 27 Articles¹ of the Staff Regulations, as well as numerous Circulars and IGDS documents.
2. The Staff Union is of the view that the *Rules Governing the Conditions of Service of Branch Offices* were established at during a much different time, and as such required a complete overhaul. In particular, it must be noted that earlier decisions to exclude Branch Offices and National Coordinators from broad sections of the Staff Regulations was directly linked to the fact that they were detached from their governments. As this is no longer the case for all but a small minority of Branch Offices, and in order to ensure their full independence and loyalty to the ILO, the Union called for them to be recruited and employed under the same terms and conditions as all ILO staff.
3. Many staff members hired under these circumstances, in particular in the European region, spent many years (in some cases more than a decade) in the service of the Office. These Officials were no longer detached from their governments, and upon separation from the ILO they received no termination or separation indemnity. These staff deserve an increased level of employment security.
4. While the Union fully understands the need to provide better linkages with the ILO's constituents, including in countries where the ILO has a limited presence, nevertheless an improved framework for the hiring and employment of these colleagues is required. The Office runs the risk of creating – or rather expanding – a population of “disposable” staff, in contradiction with the principles enshrined in the Termination of Employment Convention, 1982 (No. 158).
5. To avoid this situation, it is essential that the Office ensure that these staff members have access to appropriate social security measures, including

¹ Including, *inter alia*: Purpose; Scope; Composition of the Staff – “established officials” and “fixed-term”; Classification; Salary Scales; Pensionable Remuneration; Family allowances in the Professional and General Service categories; Selection and filling of vacancies; Period of appointment; Contract of employment; Amendment of contract of employment; Night differential; Age of retirement; Termination on reduction of staff, and recruitment procedures.

severance payments. Should the Office determine that those positions be envisaged for an indeterminate length, or should these assignments extend beyond a reasonable fixed length of time (e.g. five years) the question of the career prospects of the staff member – including the possibility of titularization – must be addressed, to avoid violating the principles enshrined in Article 2.3 of the above-referenced convention.

General Comments

6. The Staff Union wishes to know the legal status of the document presented at the Joint Negotiating Committee. Is it binding? Is it a manual of good practice? In what form will it be promulgated?

Background

7. Paragraph 2 of the Office's document reflects the perceived endorsement of the Governing Body for "expanding the number of national coordinator positions [...]" However the Union wishes to point out that the decision of the Governing Body was for a "two tier" Field Structure. The Governing Body actually "...invite[d] the Director-General to take the necessary steps to implement the proposal of a two-tier field structure directly linked to headquarters". To the best of our knowledge, the two-tier structure is based on Regional and Country Offices.
8. Further, it must be noted that serious concerns regarding the employment and working conditions of National Coordinators were raised in the context of the PFAC discussion. It should be confirmed with the PFAC, or with the Officers of the Governing Body, as to their intentions *vis-à-vis* National Coordinators, in adopting the – amended – paragraphs for decision in the PFAC document.

Status, duties and responsibilities

9. Again, the status of National Coordinators has considerably evolved since "National Correspondents". The responsibilities are no longer in line with the former National Correspondents, as originally intended, but rather reflects senior National Professional Officer (or even International Professional) work. The Union suggests that these staff be called "ILO Representative," reflecting the practice in the vast majority of other United Nations System organization.
10. After considerable consultations with staff representatives across the Common System, no other UN Agency we are aware of has such flexible and insecure arrangements. They either have fully-fledged staff, usually of a grade corresponding to their responsibilities, or no presence at all. The ILO seems to be straddling the two.
11. The proposal itself does not capture the tasks currently performed by National Coordinators in practice. The document should be amended following a more in-depth consultation with the Union and the staff concerned, to ensure that it fully reflects and explicitly defines all of the tasks performed in practice by National Coordinators (adjust the document to the reality), or that the job

descriptions of serving National Coordinators are better aligned with a more limited set of expectations from the Office (adjust the reality to the document).

12. For example, in practice, National Coordinators have a significant representational function (despite what is said about the Director of the ILO Office covering the particular country having formal representational duties) in line with conferences, meetings, the UN Country Team, and in contacts with the media. In addition to the Director of the ILO Office covering the country in which the national coordinator is located, in reality, National Coordinators receive requests directly from ILO HQ staff without copying the relevant Director.
13. With regard to “One UN” countries, activities related to the One UN Country Team have a substantive impact on National Coordinator job, workload and status. In one case, it takes an estimated 30% of the staff member’s working time. In comparison, UNICEF has 35 staff in country, UNDP has 45, and the lowest-ranking among the local staff in these cases is NOC. Often, National Coordinators find themselves implementing “umbrella” (multi-country) projects, where no local project staff exists in the country or region. This is not reflected in the document.
14. According to one serving National Coordinator: “Our status in the UN system is different than the status of other UN locally recruited staff: we are neither NPOs nor L (G) staff as officially we are National Coordinators. Indeed, National Coordinators’ salary level is on the level of NPOs but it is only salary level which I don’t say that is not a success, but the absence of clear classification of National Coordinators’ position which undermines our status and our chances for career progression.”
15. Regarding the proposed paragraph 7 on immunity, since National Coordinators are usually the nationals of the country in which they operate, the immunities applicable to them must be clearly defined, and perhaps reiterated with the Government in order to avoid confusion in practice. This problem was recently raised in relation to several locally-recruited UNICEF staff in Addis Ababa.
16. National Coordinators often have to handle all administrative and technical functions alone. Therefore, in addition to clearly defined functions, they must be provided with the necessary infrastructure, support (in particular administrative support) and legal status in order to discharge those functions.

Rules governing the employment of national coordinators

17. Again, the Staff Union urges a full review of the *Rules Governing the Conditions of Service of Branch Offices* in order to align it with the true nature of the employment relationship, the principles enshrined in International Labour Standards, and the considerably evolved role and expectations of National Coordinators (and Branch Office staff, for that matter).

Salary scales and allowances

18. The reference to “[s]alary levels consistent with National Officer salary scales (NO –A to NO- D) and allowances” is welcome, as it may address a long-standing issue which the Union has raised for many years. In particular, the artificial ceiling which the ILO maintains at the NOB level, against Common System practice, results in considerable pressures on the Office to remain competitive and keep qualified staff. This requires immediate attention at a general policy level, and not simply in relation to National Coordinators.

Social coverage

19. The Staff Union is troubled by the possibility for a National Coordinator to “opt out” of the Staff Health Insurance Fund. We request further information as to whether there is any precedent for voluntary SHIF coverage or any other situation where this takes place. In any case, for such an opt out to occur, it must be at the discretion of the staff member, and not the Office.

Recruitment and selection procedures

20. The Staff Union disagrees with the proposal that National Coordinators be appointed through direct selection. It must be noted that the Collective Agreement on a Procedure for Recruitment and Selection states clearly that “Competition in accordance with this Agreement shall be the normal method of filling vacancies between the grades G1 and P5 (both inclusive).” There is no reference to National Coordinators being exempted from this agreement.
21. One of the biggest problems we face with National Coordinators who see their positions terminated after years of service is their inability to apply as internal candidates in other competitions. This is directly linked to the lack of a transparent, objective recruitment procedure when they are first recruited.
22. The Union sees no added value to their appointment through direct selection. On the contrary, it may raise questions as to whether the Office fully meets its Constitutional obligations (regarding their exclusively international character) and the objectives established by Article 4.2 (a) of the Staff Regulations (regarding the highest standards of competence, efficiency and integrity).
23. Paragraph 15 of the Office proposal suggests that “the recruitment and selection procedures for national coordinators shall be similar to those applicable to locally-recruited technical cooperation staff.” However, it must be reiterated here – as the Union has repeated on numerous occasions – the Staff Regulations foresee direct selection for filling vacancies in “technical cooperation projects.” (emphasis ours) The Office has substantially departed from this limited set of circumstances, in violation of the Staff Regulations, and the Staff Union urges that this situation be redressed urgently. The Union thus cannot accept the further extension of what the Office calls “conditions assimilated to technical cooperation” to National Coordinators.
24. The abbreviated procedure for recruitment may warrant further discussion. However the Union objects to the use of one Generic Job Description for all

grades of National Coordinator. The Vacancy Announcement / Job Description should be based on a negotiated set of descriptions for each grade level (NOA through NOD), to ensure both internal (within ILO) and external (UN System) coherence, and the principle of equal remuneration for work of equal value. Salary levels should be established in reference to the NO salary scales in the duty station.

25. For the above reasons, the Union believes that National Coordinators should be appointed following a fair, objective and transparent competition, in line with Annex I of the Staff Regulations.
26. With respect to consultation with constituents (paragraph 15(5)), while the independence of the International Civil Service must remain paramount, consultation with constituents may be useful in making the selection process more transparent. The role of constituents in this process should not be authoritative but rather advisory. For example, if there is a strong view of one constituent group, disagreeing with the recommended candidate for the appointment for any obvious reason, how can it be resolved, or what if none of the recommended candidates are acceptable to one or another group of constituents? The final decision still rests with the Office based on the recommendations of selection panel, thus avoiding blocking of appointment.

Annex I

GENERIC JOB DESCRIPTION

ILO NATIONAL COORDINATOR

Introduction

1. National coordinators operate as focal points in countries where the Office has no established offices and, through their presence, ensure that the ILO is kept informed of national developments. They are also instrumental in enhancing the ILO's visibility at the national level. They report to the Director of the ILO Office covering the country concerned, play an active role in the promotion of the ILO's main objectives and values and facilitate the execution of technical cooperation activities at the national level. National coordinators maintain close contacts with the national tripartite constituents.
2. National coordinators effectively coordinate locally the negotiations and consultations on the priorities, outcomes and targets of Decent Work Country Programmes (DWCPs) and facilitate their implementation. They liaise with UN country teams, thereby playing a critical role in positioning the ILO within the UN reform process. They may be asked to coordinate the ILO teams, consisting of project staff, in the countries.

COMMENTS: As stated above, there should be four (4) Generic Job Descriptions for National Coordinators, aligned with the responsibilities of NOA (assimilated to P1) through NOD (assimilated to P4).

In addition, many of these tasks involve requests for administrative and technical work that goes beyond their physical capacity and time available. They would not be able to perform these tasks unless they are provided with support staff. They may have a chance to hire their staff if there is a large technical cooperation project in the country in which they operate, but that is usually not the case.

Main duties and responsibilities

3. The national coordinator will report to the Director of the ILO Office covering the country in which the national coordinator is located (* specify the name of the ILO Office applicable for each position). Under the supervision and guidance of the ILO Office Director and with the technical support from the Decent Work Technical Support Team (DWT), the national coordinator will perform the following duties:

COMMENT: Specific suggestions for modified or additional duties and responsibilities are indicated below, and have been underlined for ease of reference. Others could be considered, but should come from a more in-depth consultation, including with serving National Coordinators.

- Serve as primary point of operational and administrative contact for ILO constituents in the country
- Maintain close contact with the ILO constituents in the country and inform the various ministries, departments and/or services as well as employers' and workers' organizations about the ILO's programmes.
- Promote and encourage the ratification of ILO Conventions.
- Manage the negotiations and consultations on the priorities, outcomes and targets of DWCPs. Facilitate the implementation of DWCP-based technical cooperation activities at the national level.
- Liaise with the UN Resident Coordinator Office and the UN Country Team and work in close cooperation with the UN system. Where relevant, contribute to UNDAF and or common UN priorities.
- Represent the ILO in meetings or conferences which are held in the country as requested by the ILO Office Director.
- Facilitate missions of ILO officials to the country.
- Brief ILO specialists, project experts, associate experts and visiting officials and provide relevant information on the country programme and its developments.
- Assist headquarters' departments, the Regional Office and the ILO Office with arrangements for ILO seminars and meetings in the country.
- Promote ILO activities in the country by drafting, editing and/or translating into local language news releases, official correspondence, statements and speeches and other public information material, and distributing ILO publications (including subscriptions and sales).
- Assist in the selection and facilitate the recruitment of national expert candidates for ILO technical cooperation projects.
- At the request of the ILO International Training Centre in Turin, assist with the placement of fellows in the country in consultation with the ILO Office and appropriate bodies.
- Perform other duties as may be assigned by the ILO Office Director.

Education

4. University degree in economics, social and humanitarian sciences, industrial relations or other relevant field.

<p><i>COMMENT: This should be separated and clearly delineated according to the desired professional experience for NO-A, B, C and D.</i></p>

Experience

5. At least three years' experiences in development programmes with international organizations. Knowledge about the work of the UN and the ILO would be an advantage.

<p><i>COMMENT: This should be separated and clearly delineated according to the desired professional experience for NO-A, B, C and D.</i></p>

Languages

6. Proficiency in national language and fluency in one of the ILO official languages (*specify: English, French, Spanish, etc.)

Competencies

COMMENT: Specific suggestions for modified or additional competencies are indicated below, and have been underlined for ease of reference.

- Ability to think and plan strategically.
- Ability to work independently on own initiative with minimal supervision as well as a member of a team.
- Good knowledge of programme and budget, and formulation, administration and evaluation of projects.
- Good communication skills.
- Good computer applications skills.
- Ability to deal with people with tact and diplomacy and to negotiate.
- Ability to work effectively with government agencies, employers' and workers' organizations, donors and other partners.
- Ability to perform a variety of conceptual analyses required for the.
- Good knowledge of the role and operations of UN system and/or ILO's financial rules and regulations.
- Gender and cultural sensitivity.

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