



## SIXTEENTH ITEM ON THE AGENDA

**ILO Human Resources Strategy:  
Update**

1. A paper reporting on implementation of the ILO Human Resources Strategy has been presented to each session of the Programme, Financial and Administrative Committee (“the Committee”) since the Governing Body adopted the Strategy in November 1999.
2. The Committee had been previously advised<sup>1</sup> that the results of an internal review of the impact of the Human Resources Strategy would be presented to its current session. It should be noted that there has been only relatively limited operational experience in relation to a number of initiatives under the Strategy. Accordingly, the Office has concluded that it should complete its review by early next year, having had the benefit of several more months’ experience under the new arrangements. The Director-General has requested the External Auditor to undertake a management audit of the Human Resources Reform Strategy.<sup>2</sup> The Office wishes to inform the Committee that, at the time of writing this paper, the Auditor’s report is being finalized and within the time available the Office has not been able to address his draft observations and recommendations in a sufficiently detailed manner for inclusion in the present document. The results of the internal review of the impact of the Human Resources Strategy and its financial implications, together with the External Auditor’s report, will be provided to the Committee in March 2003.
3. For these reasons, this paper provides the normal update on progress made in implementing the Strategy and, in doing so, follows the format presented in earlier reports to the Committee.

<sup>1</sup> GB.283/9/2, para. 42.

<sup>2</sup> The terms of reference for this audit were agreed with the Director-General as follows: (a) to provide an overall assessment of the state of implementation of the Human Resources Strategy, identifying how far the objectives of the Strategy had been met; considering the efficiency and effectiveness of the delivery of related policies and procedures; and assessing whether obstacles have been encountered in implementation; (b) to analyse the immediate and ongoing resource implications (direct and indirect, in both staff and financial resource terms) arising from implementation of the strategy; and (c) to make recommendations for improvement and for possible further reviews of the efficiency and effectiveness of specific human resource initiatives, such as the new recruitment and selection procedures, and personal and career development processes.

## Reorganization of the Human Resources Development Department (HRD)

4. Since the Committee last met there have been a number of changes in the management, structure and organization of the Human Resources Development Department. The new Human Resources Director assumed his responsibilities in May and, in early October, the Department was reorganized. The reorganization involves a reduction in the number of branches from three<sup>3</sup> to two and the setting up of a Management Support Unit. This reorganization has been undertaken in response to the instruction of the Director-General to improve the overall effectiveness and efficiency of the Department's operations. The Office has also provided some additional resource capacity to cope with the heavy implementation demands arising from the Human Resources Strategy. More specifically:
  - the organization of the Human Resources Operations and Development Branch will strengthen the current support role provided to line managers and staff by the Senior Human Resource Officers through linking core human resources services (i.e. the administration of contracts and most staff entitlements and benefits)<sup>4</sup> more closely to the day-to-day operational management of the Office. The delivery of these core services will also be better integrated with related human resources developmental activities and services (notably, recruitment, performance management, and career counselling, development and "learning"); and
  - the Human Resources Policy and Administration Branch will be responsible for the development, implementation and review of policies, rules and procedures relating to the terms and conditions of employment of staff of the Organization. Social benefits – pensions, medical and health insurance and compensation – will also be administered by the Branch. In addition, it will provide legal services on employment-related issues to managers and staff and will be the interface with relevant UN common system bodies. The Branch will also be responsible for coordinating the Department's information strategy and for developing and applying information systems to support human resources business processes.

## Collective bargaining

5. Seven collective agreements have now been signed by the Office and the Staff Union and all are being implemented. No further collective agreements have been negotiated or signed since the March 2002 session of the Governing Body. Collective bargaining and the new policies and procedures it has brought represent a new method for the ILO in conducting internal management-staff relations. Difficulties in implementation have inevitably arisen and changes will need to be made to policy and procedure in certain areas. Each agreement includes provisions for review, and arrangements for the review of agreements as their two-year period of operation concludes are being made within the ongoing JNC workplan (see below).
6. The Joint Negotiating Committee (JNC) has met twice since the March 2002 session of the Governing Body. At the beginning of 2002, an ambitious JNC workplan was agreed upon for this calendar year, which included the following four broad issues: disciplinary issues

<sup>3</sup> GB.277/PFA/10.

<sup>4</sup> Including salaries; family allowances; post adjustment; education grant; mobility, hardship and non-removal allowance; statutory travel; rental subsidy and leave.

and standards of conduct; contracts policy (including performance appraisals for probation periods); rewards policy and performance appraisal; and assessment and monitoring of collective agreements. It soon became evident that the Office did not have the capacity to implement not only what had previously been agreed, but to undertake commitments under the new JNC workplan. The result has been that the working groups to implement the 2002 JNC workplan have not yet met and discussions have been taking place in the JNC to settle a revised timetable for the rest of 2002 and 2003. In this process, the Office and the Staff Union have also agreed to set up a working group to consider a range of occupational safety and health issues in the Office.

7. Two matters have been brought by the Staff Union before the Collective Disputes Review Panel (Review Panel) during 2002. These concern appointment of the Office's management representative to the JNC and implementation of the Collective Agreement on Arrangements for the Establishment of a Baseline Classification and Grading ("the Baseline Grading Agreement"). In summary, in the first matter, the Review Panel recommended that, to overcome any doubt as to the status of the Office's management representative, the Director-General, personally, should nominate his representative to the Staff Union in writing. This has since been done. In the second matter, the Panel concluded that all of the issues raised by the Staff Union were capable of being resolved through discussion with the Office and recommended that the parties should meet as soon as possible to commence those discussions. The conclusions of the Review Panel have been accepted by both the Office and the Staff Union.
8. The Committee should also note that when the Office reported (in November 2001) that a Collective Agreement on Personal Development Plans had been concluded,<sup>5</sup> it inadvertently omitted to provide a copy of the Agreement. Appendix 1 to this paper rectifies that omission.

## Job grading

9. The job grading exercise was a massive and delicate task: 921 jobs were reviewed across the Office, 398 held by Professional (P) staff and 523 by General Service (GS) staff. As a result, 123 P staff and 188 GS staff were upgraded at headquarters and in the field. The Independent Review Group (IRG), which was set up under the Baseline Grading Agreement, subsequently received appeals from 131 staff; of these, 26 cases are now closed and 105 cases are still pending (partly because of a recommendation from the Joint Panel that the staff members concerned should be able to opt to have an oral hearing before the IRG). The Office wishes to see these outstanding appeal cases completed in the shortest possible timeframe and has proposed various ways by which this might be done. Additional resources have been allocated to the IRG to facilitate this process. The Staff Union has taken a class action to the Joint Panel, inter alia, on the issue of appeal delays.
10. The Committee will recall that the successor job grading procedure agreed to by the Office and the Staff Union in February this year<sup>6</sup> was to take effect in April 2002. To date, no grading requests have been processed under the new procedure, pending the publication of an information circular about the procedure and associated advice to managers. A management training programme in relation to the new grading procedure has also been instituted.

<sup>5</sup> GB.282/PFA/10, para. 4.

<sup>6</sup> GB.283/PFA/13(Add.).

## Grievance handling

11. The new organs established under the Collective Agreement on a Procedure for the Resolution of Grievances and the Collective Agreement on the Prevention and Resolution of Harassment-related Grievances have been very busy since they commenced operation late last year. Between early October 2001 and 30 September 2002, the Ombudsperson had handled 85 matters. These matters involved providing informal advice and assistance [information/referral (42) and other forms of assistance (19)]; as well as grievances requiring full, sometimes complex, investigation (24). Of the 24 formal grievances that went to investigation, most concern alleged harassment; 19 cases have been closed and five remain open. During the period mid-November 2001 (when the first case was received) to end-September 2002, 77 cases had been lodged with the Joint Panel, comprising: 59 cases brought under the baseline grading exercise (including the class action referred to in paragraph 9 above); seven general grievances; nine grievances dealing wholly or partly with harassment-related issues; and two grievances concerning selection decisions. To enable each organ to cope with this workload, the Director-General authorized additional resources for them.
12. A number of difficulties have been encountered in the implementation of both collective agreements that will be addressed in the review process provided for in the agreements. In this respect, the definitional provisions of the grievance procedure (especially with respect to the provisions governing harassment) need to be re-examined; deadlines established in the procedures have consistently been missed; the rights and guarantees of protection of the rights of all parties to a grievance are not always clear; and practice has demonstrated that the functions, responsibilities and accountability of the various actors involved in the process are not as well defined as they should be.
13. On the basis of the relevant provisions of the Collective Agreement on a Procedure for the Resolution of Grievances, the Office and the Staff Union commenced discussions on possible reform of the Statute of the ILO Administrative Tribunal last year. A number of issues for consideration were submitted by them to the Tribunal for further consultation. They are appended to the present paper (Appendix 2). The Tribunal's views are expected after its session in November. Any views the Committee may wish to express on these issues would be most welcome. The Governing Body will be informed of progress in these consultations in March 2003. In the light of the conclusions reached at that time and of discussions in the Committee, the Director-General will propose appropriate follow-up action.

## Resourcing

14. From 1 January 2001, revised Staff Regulations gave effect to the new resourcing procedure established under the Collective Agreement on a Procedure for Recruitment and Selection. Since that time, transitional arrangements have been in place concerning the processing of competitions to fill vacancies in the Office. In this respect, the former Selection Board decided that requests for the opening of competitions received after 1 January 2001 would be handled under the new procedure – some 135 competitions have been or are being processed under this procedure, with a further 20 currently in the pipeline. An additional 53 competitions have also been processed under the previous procedure during this period. It is anticipated that from the beginning of 2003, all competitions will be processed under the new procedure.
15. The new assessment procedure for “D” and Field Office Director posts has now been finalized and will be in operation early next year.

16. The experience of the last 21 months shows that while difficulties have arisen during the implementation of the new resourcing procedure, key objectives of the reforms are being met. Managers have an increased say in the selection of staff and the new assessment procedures are proving valuable in identifying the strengths and development requirements of candidates. The main difficulties surround delays in the processing of competitions and the conduct of assessment centres. Although an important aim of the new procedures was to decrease the time required to handle vacancies, the time taken to process competitions remains long – the average duration is now 269 days, although this is significantly less than the 382 days required on average to process competitions in 2001-02 under the previous procedure. A range of options is currently being examined to address this situation.

## **Young Professional Career Entrance Programme**

17. The 2002 intake of Young Professionals commenced work in the Office during April. To date, 20 people have been recruited under the Programme. Of these, 13 are female and all except one are from a country that was underrepresented at the time of selection. The Programme is currently in the process of being evaluated and revised. An issue to be resolved in this context is the ongoing financing of Young Professional staff costs and associated training programme costs. Until decisions have been taken with regard to the future content and structure of the Programme, arrangements for an intake of Young Professionals in 2003 will not proceed.

## **Development appraisal**

18. Implementation of the Personal Development Plan (PDP) initiative, which is intended to establish a training and development plan for each staff member to improve his/her skills, has required considerable developmental work. The electronic format of PDPs and instructions for their use have now been completed and the PDP is currently being implemented, on a pilot basis, in one headquarters sector and one field region. The pilot phase should be completed by March-April 2003. At that point an assessment would be made, in the context of reviewing the associated collective agreement, on the basis on which broader implementation of the PDP initiative should proceed.

## **Mobility**

19. At the request of the United Nations General Assembly and in the context of the current review of pay and benefits being conducted by the International Civil Service Commission (ICSC), the Commission is looking closely at the issue of mobility both within and between organizations of the common system. The ICSC has previously recognized the importance of mobility for effective human resources management, in particular in its contribution to enhancing a single international civil service that shares common values and cultural norms. At its July 2002 session, the ICSC stressed the need for the organizations to operationalize mobility policies and acknowledged the importance of the relevant work being integrated with related issues under current agendas dealing with work/life (e.g. spouse employment) and contract reforms. Against this background, the Office will be increasing its efforts to improve staff mobility. Consultations will be held with line managers and staff at headquarters and in the field and with the Staff Union to identify issues requiring particular attention within the ILO's current mobility policy and

arising from UN common system developments. The Office will contribute to and, it is hoped, benefit from the ICSC's further work in this area.

## Strengthening the role of managers

20. Under the Human Resources Strategy, line managers are expected to take increased responsibility to address day-to-day human resources issues, in particular in areas involving management-staff relations, performance management and training and development. An analysis of the workload data for the Ombudsperson/Joint Panel since they commenced operation last year suggests that these and other workplace issues are best addressed at the time and level at which they first arise and in a relatively informal manner. Otherwise such issues can turn, unnecessarily, into formal staff grievances. Against this background, HRD is developing a set of strategies and tools to assist managers in carrying out their increased human resources responsibilities. Measures being taken include: preparing guidelines on human resources policy and procedures and other "tools" to deal with workplace disagreements and other key human resources issues; conducting workshops for line managers on particular issues; and developing human resources capacity to support line managers on request.

## Contract policy reform

21. At its 282nd Session (November 2001), the Committee took note of a paper<sup>7</sup> outlining the approach envisaged for the review and reform of the employment contracts policy currently in force in the Office. The Committee requested the Office to proceed in collaboration with the ICSC. But, in the context of its current review of pay and benefits, the ICSC has decided not to address the issue of contracts policy until 2003. In the meantime, the Office will continue its preliminary work on possible contract reforms.
22. Members may recall that, in March 2001, the Governing Body endorsed the introduction of the National Professional Officer (NO) category in the ILO and delegated authority to the Director-General to make appropriate amendments to the Staff Regulations. These amendments were promulgated through ILO Circular Series 6, No. 621 of 1 October 2001. As foreshadowed in the circular, all PASO and Senior PASO regular budget officials have now been converted respectively to NO-A and NO-B, effective from 1 October 2001. In April 2002, the application of the NO category was extended (effective 1 June 2002) to the IPEC job classifications.
23. The Committee has previously been advised that, during the past two years, the Office has been taking a series of measures to eliminate the inappropriate use of temporary contracts. ILO Circular Series 6, No. 630 of 10 July 2002 provided information to managers and staff on the proper use of temporary contracts and outlined measures that were being applied to resolve current remaining cases of inappropriate contract use. As a result of the various initiatives taken to regularize the situation of persons employed long term on temporary contracts, since January 2001 78 temporary officials (29 Professional staff and 49 General Service staff) have been integrated at headquarters, through normal competition processes. Eighteen cases remain to be resolved and efforts are continuing to settle them as soon as possible. In the late 1990s, the Office carried out a review of temporary contract use in external offices and certain remedial measures were taken at that time. HRD is continuing

<sup>7</sup> GB.282/PFA/11.

to monitor the situation in its field operations and will be taking further action, as necessary.

## **Work-life initiatives**

### **(a) Domestic partners**

24. Following the November 2001 Governing Body meeting, the Office asked that the issue of recognition of domestic partners be placed on the agenda of the summer session of the ICSC in July-August 2002. However, at the ICSC spring session in April-May 2002, Commission members expressed strong disagreement with the reform agenda on pay and benefits proposed by the UN organizations. Against that background, the ILO in consultation with other agencies decided that, rather than risk having the issue of domestic partners dismissed from the ICSC agenda without discussion (as the Office had been informed would happen), it would be more prudent to ask that any discussion on the item be deferred to the ICSC spring session in 2003. The Office understands that the necessary action is being taken by the ICSC secretariat to place the item on the agenda of that meeting.
25. In the meantime, the ILO was able to pursue the issue in the meeting of the Board of the United Nations Joint Staff Pension Fund (UNJSPF) in July 2002. In response to a paper prepared by the ILO Staff Pension Committee, the Board concluded that it would follow developments on the issue arising from any changes to United Nations contractual arrangements in the light of ICSC consideration. The Board also agreed to the ILO proposal that the secretary of the Fund prepare a study for consideration by the Board's Standing Committee in 2003 on recognition of the specific rights of beneficiaries of non-married persons in the context of survivors' benefits (residual settlements).
26. Internally, the issue of access to health insurance for domestic partners has been raised by the Office with the SHIF Management Committee, which has indicated that it is prepared to take action on the issue when the Office provides for the recognition of domestic partners under the Staff Regulations.
27. While progress on the issue of domestic partners at the UN common system level has not been as fast as the Office had hoped, support from other UN agencies for a coordinated approach has been forthcoming and is expected to develop further within and outside the meetings of the UN Human Resources Network, which meets before each ICSC session and comprises senior human resources representatives from all UN agencies.

### **(b) Occupational safety and health and staff security**

#### **(1) Occupational safety and health**

28. The work-life agenda approved by the Governing Body in November 2000 provides for an examination of the possibility of establishing a small occupational safety and health (OSH) unit in the Office. This issue is currently being considered in the context of implementing the recommendations of a recent review of the Joint Medical Service at Geneva, which has proposed that existing medical services for UN staff in Geneva, which focus heavily on medical examinations, should be reoriented so as to deliver modern, strategic occupational health services at the level of each agency. A report will be provided to the Committee in March 2003 on how the Office proposes to give effect to this review. The Office is also keen to establish an internal OSH policy and operational framework, which would then

address specific issues, including smoking, alcohol consumption, ergonomic considerations, HIV/AIDS and the like. Progress on OSH issues has been delayed because of the Office's preoccupation with addressing staff security issues, particularly at field level, in the light of the continuing uncertainty in the international security environment (see paragraph 29 below).

**(2) *Field security review***

**29.** At its 283rd Session (March 2002), the Committee received a report on recent initiatives by the Office directed towards protecting the safety and security of ILO staff and their families. Members will recall that this was an issue agreed to be pursued under the work-life strategy adopted by the Governing Body in March 2000, an issue that was given greater priority by the Office as a result of developments since late 2001 in the international security environment. In March this year, the Committee noted<sup>8</sup> draft recommendations from a review then being undertaken by the Office to assess the security and safety preparedness of ILO external office management and staff and their awareness of the UN system-wide security arrangements.<sup>9</sup> That review is now completed and its preliminary recommendations have been confirmed. The review's proposals have been reinforced by a subsequent request from the UN Security Coordination Office (UNSECOORD), requiring additional security measures to be introduced pursuant to a UN General Assembly resolution of December last year.<sup>10</sup> In this respect, UNSECOORD has requested that, by 1 January 2003, each UN system organization should bring all of their duty stations into compliance with the UNSECOORD Minimum Operating Security Standards and Minimum Security Telecommunications Standards. Proposals in this regard and other proposals to improve the ILO's overall security preparedness are submitted to the Committee at its present session in the associated paper dealing with use of the 2000-01 surplus.<sup>11</sup>

Geneva, 25 October 2002.

<sup>8</sup> GB.283/9/2, para. 24.

<sup>9</sup> GB.283/PFA/13, paras. 16-18 and Appendix 1.

<sup>10</sup> Resolution A/RES/56/255-VIII of 24 Dec. 2001.

<sup>11</sup> GB.285/PFA/9.

## Appendix 1

### COLLECTIVE AGREEMENT ON PERSONAL DEVELOPMENT PLANS

between

**the INTERNATIONAL LABOUR OFFICE**  
(hereafter referred to as “the Office”)

and

**the ILO STAFF UNION**  
(hereafter referred to as “the Union”)

#### *Preamble*

The purpose of this Collective Agreement (hereinafter referred to as “this Agreement”) is to provide for the establishment of career and personal development plans for all staff members (hereinafter referred to as “Personal Development Plans/PDPs”).

PDPs are designed to promote the fulfilment of individual development needs and aspirations within the general framework of the Office’s human resources objectives and needs.

PDPs are an integral part of a career-development approach applying throughout the ILO, and will be conducted in accordance with due process, fair procedures and natural justice, having regard to relevant international law, labour standards and the ILO Declaration on Fundamental Principles and Rights at Work.

The Office and the Union, (hereinafter “the Parties”), recognize that this Agreement aims to improve on existing structures and processes. All substantive entitlements of staff members shall remain intact, except where this Agreement states otherwise.

#### *Article 1*

##### *Guiding principles*

- 1.1. PDPs should:
  - (i) provide guidelines to assist staff members to formulate realistic and achievable development goals;
  - (ii) facilitate discussions between staff members and their applicable line managers and the Human Resources Development Department (hereinafter “HRD”) about ways and means to implement development goals, including through a personal development action plan;
  - (iii) provide the framework within which the Office shall make available to staff members information about the Office’s current and planned skills needs;
  - (iv) provide inputs into the Office’s training and development planning process;
  - (v) contribute to greater job satisfaction.
- 1.2. Staff members are encouraged to take the initiative and responsibility for the development of their careers by initiating a PDP.
- 1.3. PDPs will not in any way be used to the detriment of staff members.

#### *Article 2*

##### *Definitions*

- 2.1. For the purpose of this Agreement:

- (a) a “Personal Development Plan” is a written document prepared by a staff member to express personal interests, capabilities, development goals and career aspirations, which may be discussed with the applicable line manager;
- (b) the expression “competencies” means individual qualities, behaviours and motivations as defined in the Collective Agreement on a Procedure for Recruitment and Selection dated 6 October 2000;
- (c) the expression “staff member” means any person in a paid relationship with the Office. This definition shall exclude bona fide external collaborators, daily contract workers and commercial service providers;
- (d) the expression “applicable line manager” means either the staff member’s immediate supervisor or any of the superiors of that supervisor;
- (e) the expression “Senior Director” means the relevant Executive Director, Regional Director or other manager of equivalent organizational level reporting directly to the Director-General.

### *Article 3*

#### *Eligibility*

- 3.1. All staff members who have successfully completed their probationary period will be eligible to participate in the PDP process described in this Agreement.
- 3.2. For staff members who have not completed a probationary period, new forms of development plans will be implemented, to include an element of evaluation.

### *Article 4*

#### *The PDP form and supporting documentation*

- 4.1. The Parties agree to a PDP form, attached as Annex I to this Agreement, to be used by staff members as the basis for the discussion with their applicable line managers about development goals and career aspirations.
- 4.2. The PDP form consists of three parts:
  - (i) the first part is the “Self-assessment” component. “Self-assessment” will guide the staff member in identifying areas of work where he/she can do better, those that require further development and those reflecting his/her career aspirations;
  - (ii) the second part entitled “PDP summary” documents the outcome of the interview between the staff member and the applicable line manager, lists possible next steps and outlines a 12-month personal development action plan;
  - (iii) the third part, the “PDP progress review”, serves as an optional tracking tool for the staff member to monitor the achievement of objectives.
- 4.3. The Office will prepare a PDP manual which will provide guidelines to staff members and to managers on the conduct of the PDP interview, describe competencies, refer to career counselling options, provide examples of development activities and present information in the form of frequently asked questions. The manual shall be updated as needed.
- 4.4. The Parties agree that the PDP form, manual and other relevant documentation will be made available in both electronic and hard copy formats. The Parties further agree that the PDP summary may be submitted in either format.

### *Article 5*

#### *Overall PDP time frame*

- 5.1. HRD will inform managers and staff members, at least six months in advance, of the deadline for the Office-wide review of PDP summaries. This deadline shall be established to coincide

with the planning and budgetary cycles of the Office. All PDP interviews will be conducted during the overall PDP time frame.

- 5.2. Senior Directors shall submit to HRD, by the due date, sector/department and region-wide consolidated PDP summaries and their proposals for training and other development activities.

#### *Article 6*

##### *PDP process and follow-up*

- 6.1. The PDP process is initiated when a staff member who so wishes requests an interview with his/her applicable line manager to discuss the PDP summary. The line manager shall then cooperate with the staff member in the process.
- 6.2. To facilitate the interview, a staff member who so wishes may submit a draft PDP summary to his/her applicable line manager. The interview to discuss the PDP summary shall be conducted as soon as possible following the staff member's request.
- 6.3. The views of the staff member and the applicable line manager shall be reflected in the PDP summary, and agreement on the proposed training/development action is encouraged. Any difference of opinion shall also be recorded in the PDP summary.
- 6.4. Before signing off on the PDP summary, the staff member and/or the applicable line manager may also seek assistance from the next-level applicable line manager or HRD.
- 6.5. The staff member may then submit the signed PDP summary to the Senior Director.
- 6.6. The Senior Director will ensure that each staff member who has submitted a PDP Summary will receive a written response on the proposed training and/or development action upon completion of the Office-wide review.

#### *Article 7*

##### *Establishment of a Joint Training Council*

- 7.1. The Parties agree to the establishment of a Joint Training Council (JTC). The Council shall have an equal number of representatives, not exceeding six persons on each side, unless the Parties agree otherwise. Each Party shall have the right to be assisted by technical advisers of its choice in preparation for meetings. Technical advisers may be invited to meetings of the JTC by prior agreement of both Parties. Joint resource persons may also be invited to such meetings subject to prior agreement between the Parties.
- 7.2. The role of the JTC shall be to provide advice, on the basis of the Office-wide review of the PDP summaries and programme and budget provisions, on the strategic direction of staff training and personal and career development in the Office.
- 7.3. The Office shall provide the JTC with appropriate statistics, analyses and relevant information, including budgetary allocations and associated expenditures. In addition, each Regional Office shall also provide an annual summary report on training and development achievements, needs and priorities, which contains the views of regional management and field Staff Union representatives.
- 7.4. The Office undertakes to arrange a meeting between the JTC and the Senior Management Team (SMT) once a year to allow a full discussion of training and career development issues in the Office. The JTC shall report to the Parties on the outcome of its work pursuant to that meeting.

#### *Article 8*

##### *Confidentiality*

- 8.1. The Parties agree that:
  - (i) the contents of the PDP summary will only be used by the Office (HRD) and the Senior Director for the purposes identified in the Preamble and Article 1 of this Agreement;

- (ii) information related to PDPs shall remain confidential and will not be placed in a staff member's personnel file.

*Article 9*

*Transitional measures*

- 9.1. The Parties recognize that, in the implementation process, some transitional issues might arise. At the request of one of the Parties, solutions to such transitional issues shall be negotiated as a matter of urgency.
- 9.2. The Parties reaffirm their earlier decision to abolish the current performance appraisal system. The Parties agree to conclude negotiations, by the end of October 2001, on its replacement in the context of a new approach to performance management and reward, including the review and reform of probation arrangements, merit increments, personal promotions and titularization, as well as their separation from the old performance appraisal system.

*Article 10*

*Miscellaneous*

- 10.1. This Agreement shall become effective on the date of signature, and shall be valid for two years. The Parties agree to review the operation of this Agreement at the end of that period. Thereafter, or in the absence of a review, the Agreement shall remain in force indefinitely.
- 10.2. No terms of this Agreement shall be suspended, modified, cancelled or otherwise amended except by means of a written agreement signed by the Parties. The Parties may renegotiate any part of this Agreement.
- 10.3. The Office shall submit to the November 2001 session of the Governing Body any amendments to the Staff Regulations and other relevant texts necessary to give effect to this Agreement, in a manner which also preserves other substantive entitlements of staff members within the meaning of the Preamble to this Agreement. In any case of doubt between this Agreement and a relevant article of the Staff Regulations, the interpretation more favourable to the staff member(s) concerned shall take precedence and prevail.
- 10.4. A copy of this Agreement, related amendments to the Staff Regulations (if any) and other relevant texts shall be provided to each staff member. The Parties shall ensure that all staff members are aware of the existence of this Agreement.

SIGNED in Geneva, this third day of August 2001, in two copies, in the English language, by the representatives of the Parties duly authorized to that effect.

For the Director-General:

For the Staff Union:

Alan WILD,  
Director,  
Human Resources Development Department,  
International Labour Office.

David DROR,  
Chairperson,  
Staff Union,  
International Labour Office.

## Appendix 2

### Issues presented by the Office and the Staff Union to the ILO Administrative Tribunal as the basis for consultations

The Tribunal has been asked to consider and provide its views on the following issues:

- (1) Whether a preambular paragraph might be added to the Statute of the Tribunal, by way of explanatory background, which would express the Tribunal's adherence to general principles of justice, particularly to the application of international administrative law. An example of such a text may be found in article II of the Statute of the Administrative Tribunal of the International Monetary Fund (IMF).
- (2) What is the extent of the Tribunal's formal adherence to the doctrine of *stare decisis* or similar principle, however expressed, of being bound by precedent when not explicitly distinguished?
- (3) To what extent does the Tribunal consider that it should: (i) address in a judgment all legal issues raised by a case; (ii) set forth its reasoning in detail, particularly where it distinguishes a case from prior jurisprudence; and (iii) address all substantive issues raised, even if a case would otherwise be dismissed on a procedural ground related to receivability?
- (4) Whether the Tribunal might consider adding a provision to its Rules establishing the rights of a party with regard to orders issued by the Tribunal for production of documents requested by another party. An example of such a provision may be found in Rule XVII of the IMF Administrative Tribunal.
- (5) Whether the Tribunal considered it would be worthwhile for a review to be undertaken of the time limits set forth in its Statute and Rules in order to ensure that they remain realistic, from the point of view of the Tribunal itself and its Registry, as well as the parties, complainants and respondent organizations.
- (6) Whether the Tribunal has any observations concerning the procedure for summary dismissal of a case under article 7.2 of its Rules, where complainants are not provided with an opportunity to comment on the Tribunal's intended course of action.
- (7) Does the Tribunal consider it would be beneficial to modify its Rules to provide for obligatory oral hearings, notably in cases where both parties to the case specifically so request in their pleadings?
- (8) Does the Tribunal have any views on how the following proposal might be incorporated in its Statute and Rules: granting the Staff Union standing to bring an action before the Tribunal, in its own name, where (a) the Union's own legal rights or prerogatives are allegedly being impinged upon; and (b) where a regulatory or quasi-regulatory decision affects staff as a whole or a discrete category or categories of staff?