



Governing Body

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Programme, Financial and Administrative Section

PFA

Personnel Segment

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Amendments to the Staff Regulations

Purpose of the document

In this document, the Governing Body is invited to approve negotiated amendments to article 4.2 and Annex I of the Staff Regulations (see the draft decision in paragraph 14).

Relevant strategic objective: None.

Main relevant outcome: Enabling outcome B: Improved leadership and governance.

Policy implications: None.

Legal implications: Amendments to the Staff Regulations

Financial implications: None.

Follow-up action required: Amendments to the Staff Regulations.

Author unit: Human Resources Development Department (HRD).

Related documents: None.

► Amendments to the Staff Regulations

1. In the context of the implementation of the Human Resources Strategy for 2022–25, ¹ the Joint Negotiating Committee ² has continued to consult and negotiate in respect of three key areas: enhanced staff mobility; increased alignment of the terms and conditions of employment of staff employed under the ILO's development cooperation portfolio ("development cooperation staff") with those of staff funded from the regular budget; and associated amendments to the ILO employment contract framework.
2. Following a three-day retreat with representatives of the Staff Union and the Administration held from 2 to 4 October 2023, a framework of proposed changes to achieve the goals of increased mobility and equity between staff irrespective of the source of funding of their employment was formally agreed by the Joint Negotiating Committee on 19 October 2023.
3. The Administration and the Staff Union have committed to engaging in a four-phased set of discussions over the course of 2024 to implement the agreed improvements on staff mobility and contract alignment. The purpose of this paper is to introduce a set of negotiated amendments into the Staff Regulations which will bring the first set of agreed changes into effect, resulting in significant improvements in opportunities for mobility and a much greater alignment of the terms and conditions of employment across the Office, while ensuring sound financial management and operational effectiveness.
4. The primary feature of the first phase of agreed changes is the development of a new ILO mobility policy with an increased focus on geographical mobility, offering enhanced opportunities such as development assignments, temporary exchanges of staff between different duty stations and inter-agency mobility. Revised recruitment procedures will focus more specifically on staff members who have completed a standard assignment length in a field duty station and, in particular, on facilitating mobility following a posting to a hardship duty station. Changes in recruitment procedures will also focus on supporting geographical mobility through in-grade transfer, including for long-serving development cooperation staff. New forms of competency assessment will be introduced, allowing for greater scalability so that such assessments can also be used as a development tool for all officials.
5. Greater alignment of the terms and conditions of employment across the Office will be supported by immediate changes in contractual modalities, whereby all new contracts or contract extensions under the development cooperation portfolio, as well as positions linked to the ILO's core or regular work that are funded from other resources, will be offered for a period of two years provided that either the duration of the project or work assignment or the available funding covers this period of time. In situations where this period is less than two years, the contract (or contract extension) will be offered for the full remainder of the project or work assignment.
6. Further work is being undertaken in 2024 to develop more effective mechanisms to redeploy development cooperation staff at the end of projects and to ensure more equitable access to staff development opportunities. The contractual modalities of staff employed in ILO Branch

¹ GB.343/PFA/14.

² The Joint Negotiating Committee is the mechanism for internal social dialogue established under article 5 of the Recognition and Procedural Agreement concluded between the International Labour Office and the Staff Union on 27 March 2000.

Offices and the Registry of the ILO Administrative Tribunal and in positions fully funded from other resources will be aligned with the contractual modalities offered to staff employed under the regular budget of the ILO. The alignment of the contractual modalities of the staff of the International Social Security Association will also be sought in negotiation with the management of the Organization and subject to any necessary amendments to the agreement between the ILO and the International Social Security Association. The above changes will have no financial impact on the ILO's regular budget resources. Improved alignment in the terms and conditions of employment of ILO staff will be further supported by the introduction of a more inclusive reward and recognition mechanism for all officials.

7. The Administration and the Staff Union are currently engaged in negotiating a new ILO mobility policy. It is anticipated that this will refer to both mobility and temporary career development assignments and provide a much clearer framework for promoting temporary mobility as a developmental opportunity for all officials. Mobility will remain voluntary. In addition to existing possibilities open to internationally recruited officials, it is proposed to introduce the possibility of temporary geographical mobility for locally recruited officials, to be managed within existing resources. Further information on these matters will be provided when the negotiations have been concluded.
8. To better support the mobility of serving staff, particularly in relation to development cooperation staff on field assignments or staff on secondment to other organizations, modifications to article 4.2(e) of the Staff Regulations have been agreed. This will facilitate the more effective replacement of officials detached from another job within the Office for periods of up to four years, which should provide greater confidence both for officials and for their managers to undertake and agree to such development assignments. Provisions have also been agreed to limit the use of recruitment by direct selection under this article to 12 months in cases where new positions are created or existing positions are vacated, in order to ensure that transparent and competitive recruitment within an efficient time frame remains the norm.
9. Furthermore, amendments are proposed to the provisions of Annex I of the Staff Regulations, concerning recruitment and selection, to limit the use of the second stage of the recruitment process to geographical mobility. The provisions for the second stage previously included prior consideration of officials applying for functional mobility within the same duty station. It is anticipated that the change in focus will help to facilitate geographical mobility and provide enhanced opportunities for career development across the Office. Following the introduction of these new provisions, only staff who are in a position classified at the same grade as the advertised position, who serve in a duty station other than that where the vacancy is located, who meet the minimum requirements stipulated in the vacancy notice, and who have completed the standard assignment length in their current duty station, as defined by the International Civil Service Commission,³ will be eligible for consideration. In cases where there is more than one internal candidate deemed suitable for appointment under the second stage, priority will be given to staff who are eligible for mobility from an assignment in a duty station classified in category D or E for hardship and mobility purposes.
10. In addition, the technical evaluation of candidates under the second stage will be strengthened with the possibility of including the use of interviews and the review of the duties and responsibilities previously undertaken by the candidates, as documented in performance

³ The standard assignment length as determined by the International Civil Service Commission is up to five years for H, A, B and C duty stations; up to three years for D and E duty stations; and up to two years for non-family duty stations.

appraisals. This will enhance the confidence of both hiring managers and candidates in the process and help to ensure a more transparent recruitment process.

11. Finally, development cooperation staff with at least five years of continuous service with the ILO will be considered as internal candidates for the purposes of recruitment under Annex I of the Staff Regulations and will therefore be eligible for consideration under the second stage of the recruitment process provided that all other qualifying criteria are met and that they pass the competency assessment. This measure allows for a more equitable treatment of development cooperation staff and ensures that their experience, skills and knowledge are adequately recognized for the purposes of career development and recruitment under the regular budget.
12. It is proposed that the amendments to the Staff Regulations set out in the appendix will come into effect on 1 April 2024. All vacancies advertised on or before 31 March 2024 will be administered in accordance with the current rules and procedures.
13. As noted above, this paper and the proposed amendments to the Staff Regulations set out in the appendix are the first step in a complex set of phased negotiations aimed at providing improved opportunities for mobility and much greater alignment of the terms and conditions of employment across the Office, while ensuring sound financial management and operational effectiveness. Work on further improvements will continue throughout 2024.

► Draft decision

14. **The Governing Body approved the amendments to article 4.2 and Annex I of the Staff Regulations, as set out in the appendix to document GB.350/PFA/9, with effect from 1 April 2024.**

► Appendix

Article 4.2

Filling of vacancies

- (a) (i) The paramount consideration in the filling of any vacancy shall be the necessity to obtain a staff of the highest standards of competence, efficiency and integrity. Due regard shall be paid to the importance of maintaining a staff selected on a wide geographical basis, recognizing also the need to take into account considerations of gender and age.
- (ii) Every official shall be required to possess a fully satisfactory knowledge of one of the working languages of the Organization.
- (iii) Officials in the Professional category and officials in the Director and Principal Officer category shall be required to possess a degree awarded by a recognized university, or its equivalent in experience.
- (iv) In the filling of any vacancy, service in the Office, including service in the field where relevant, shall be taken into account.
- (v) Without prejudice to the foregoing, officials shall be selected without discrimination on the basis of age, race, gender, religion, colour, national extraction, social origin, marital status, pregnancy, family responsibilities, sexual orientation, disability, union membership or political conviction.
- (b) Appointments to vacancies of Deputy Director-General, Assistant Director-General and Treasurer and Financial Comptroller shall be made by the Director-General after consultation with the Officers of the Governing Body.
- (c) The Director-General may designate a ~~Principal~~ Deputy Director-General, in which event such designation shall be made after consultation with the Officers of the Governing Body and with the agreement of the Governing Body.
- (d) Vacancies in the Director and Principal Officer category shall be filled by the Director-General by transfer in the same grade, promotion or appointment. Such promotions or appointments, other than to vacancies in technical cooperation projects, shall be reported to the Governing Body with a short statement of the qualifications of the persons so promoted or appointed. The position of Chief Internal Auditor shall be filled by the Director-General after consultation with the Governing Body.
- (e) Transfer in the same grade, promotion or appointment by direct selection by the Director-General shall be the normal method of filling vacancies:
 - (i) of Chiefs of Branch and Directors of offices in the field;
 - (ii) in ~~technical~~ development cooperation projects;
 - (iii) in the Office of the Director-General;
 - (iv) of principal secretary to a the Deputy Director-General and Assistant Director-Generals;

- ~~of a purely temporary nature, up to two years, of a specialist nature, not expected to lead to a career in the ILO, any extension beyond two years being subject to article 4.2(f).~~

(v) of a purely temporary and specialist nature not expected to lead to a career in the ILO. Such appointments shall be limited to a maximum period of two years except in the following cases:

- Transfer in the same grade, promotion or appointment may be extended to a total maximum period of four years if it is made to fill an existing position within the Office which is temporarily vacated due to the incumbent being (a) on extended sick leave, including in the case of a disability benefit awarded under the Regulations of the United Nations Joint Staff Pension Fund in respect of an incapacity that is not deemed to be permanent; or (b) on special leave, including during an inter-agency mobility assignment; or (c) assigned to a time-bound development cooperation project or other time-bound activity within the ILO. Any subsequent extension of the assignment to the vacancy shall be subject to article 4.2(f).
- Transfer in the same grade, promotion or appointment shall not normally be extended beyond 12 months where it is made to temporarily fill vacant or newly created positions established by the budget of the Organization pending a competitive recruitment process in accordance with article 4.2(f).

The Director-General may in such cases, at his or her discretion and after consulting the Recruitment, Assignment and Mobility Committee mentioned in article 10.6, decide on the use of one or other of the methods of filling vacancies referred to in article 4.2(f).

- (f) The methods to be employed to fill vacancies in the General Service, National Professional Officer and Professional categories shall comprise transfer in the same grade, promotion or appointment, normally by competition in accordance with the procedure set out in Annex I or, in the case of local staff in external offices, other existing mechanisms. New mechanisms or changes to existing mechanisms for recruitment and selection of local staff in external offices shall be endorsed by the Joint Negotiating Committee. However, promotion or appointment without competition may be employed only in:

- (i) filling vacancies requiring specialized qualifications;
- (ii) filling vacancies caused by upgrading of a job by one grade or in the case of a job upgraded from the General Service to the National Professional Officers category or to the Professional category or in the case of a job upgraded from the National Professional Officers to the Professional category by one grade or more;
- (iii) filling vacancies in urgency;
- (iv) filling other vacancies where it is impossible to satisfy the provisions of article 4.2(a) above by the employment of any other method.

The Recruitment, Assignment and Mobility Committee shall be consulted on any transfer in the same grade, promotions or appointments made without competition under this provision.

- (g) In filling any vacancy account shall be taken, in the following order, of:

- (1) applications from former officials whose appointments were terminated in accordance with the provisions of article 11.5 (Termination on reduction of staff);

- (2) applications for transfer;
- (3) claims to promotion;
- (4) if the Director-General and the Staff Union agree, applications from former officials other than those who have retired from the United Nations system, or have been discharged dismissed or summarily dismissed;
- (5) on a reciprocal basis, applications from officials of the United Nations, specialized agencies, or the Registry of the International Court of Justice.
- (h) When a job has been upgraded it shall be regarded, for the purpose of this article, as a vacancy.
- (i) This article shall be applied in accordance with the provisions of Annex I.

Annex I. Recruitment and selection procedure

General considerations

1. In the filling of any vacancy account shall be taken of linguistic knowledge. Officials in the Professional category whose mother tongue is one of the working languages shall normally be required to have a good working knowledge of a second working language and may be required to acquire a knowledge of a third working language. Upon appointment, officials in the Professional category whose mother tongue is not one of the working languages shall be required to possess a fully satisfactory working knowledge of one of the working languages of the Office, as prescribed in article 4.2(a) (Filling of vacancies) and will be expected ~~may be required~~ to acquire a knowledge of a second working language. Officials in the Professional category who undertake duties as translator or such other duties as may be designated as similar by the Director-General shall be required to have a thorough knowledge of two working languages as well as the main language into which they translate.

Procedural stages in the filling of vacancies

2. Selection procedures shall comprise three stages:
 - (1) request for the opening of vacancies and review of vacancy announcements;
 - (2) identification of opportunities for filling vacancies by transfers in the same grade ~~or~~ through geographical mobility;
 - (3) where no suitable opportunity is identified for selection by transfers in the same grade ~~or~~ through geographical mobility, other candidates will be screened, and eligible candidates will be subject to competency assessment and technical evaluation.

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Second stage: Identification of opportunities for filling vacancies by transfers in the same grade ~~or~~ through mobility

8. The Human Resources Development Department will prepare a list of internal candidates who have applied for a vacancy ~~in the same grade and identify those who meet the minimum requirements and who meet all of the following:~~
 - work in a position classified at the same grade as the vacancy;
 - serve in a duty station other than that where the vacancy is located;

- are eligible for geographical mobility;
 - meet the minimum requirements stipulated in the vacancy notice.
9. The responsible chief shall review the list prepared by the Human Resources Development Department and ~~prepare~~ proceed with an evaluation regarding the suitability of candidates. This evaluation may include interviews and/or a review of the duties and responsibilities previously undertaken by the candidates as documented in performance appraisals, as deemed appropriate by the responsible chief in consultation with the Human Resources Development Department.
 10. The Recruitment, Assignment and Mobility Committee shall review the list of suitable internal candidates together with the evaluations of the Human Resources Development Department and the responsible chief and shall prepare a report for the Director-General including advice and recommendations for filling vacancies ~~taking into consideration the applications of officials subject to geographical mobility first, having regard to the hardship and duration of a field assignment.~~ Priority will be given to internal candidates who are eligible for mobility from an assignment in a duty station classified in category D or E for hardship purposes.
 11. Candidates will be informed of the Director-General's decision to fill a vacancy by transfer in the same grade ~~or~~ through geographical mobility.

Third stage: Evaluation of other applications

Screening of candidates

12. Where no suitable opportunity is identified for selection by transfers in the same grade ~~or~~ through mobility, other candidates will be screened.
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Competency assessment

16. Any external candidate or any internal candidate applying to a higher category shall be assessed against core competencies and values agreed within the Joint Negotiating Committee for each of the following grade ranges: G.1–G.4, G.5–G.7, P.1–P.3 and P.4–P.5.
17. The competency assessment shall be managed by the Human Resources Development Department. ~~The assessors shall be selected jointly by the Human Resources Development Department and the Staff Union.~~ The nature of the assessment modalities shall be jointly determined by the Human Resources Development Department and the Staff Union.
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Internal candidates

31. ~~An official~~ Officials may not apply in a competition as an internal candidate only after before either the successful completion of their his/her probationary period, or the completion of five years of continuous service not subject to probation, as applicable. Internal candidates who have not passed a competency assessment in accordance with paragraphs 16–20 of this annex will be required to do so.

32. ~~Officials serving on technical cooperation projects, except those detached from another job within the Office, as well as officials appointed under the Rules Governing Conditions of Service of Short-term Officials, will not normally be eligible to participate as internal candidates. The Recruitment, Assignment and Mobility Committee may exceptionally agree to extend eligibility to these officials other than those identified in the preceding paragraph to apply as internal candidates,~~ but may establish special requirements.

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