### Missions of staff associations

I. communicationII. legal assistance

Council of Europe Staff Committee, September 2008

# I. Communication and the Staff Committee

### duties of the Staff Committee

Article 4, Appendix I, Part II Staff Regulations

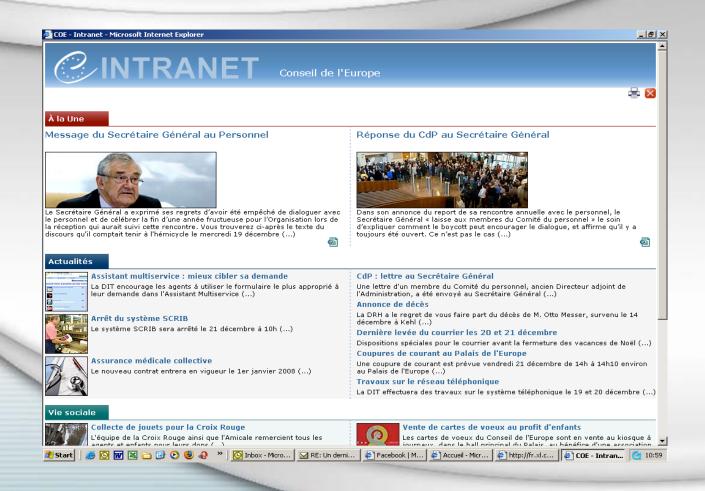
 contributes to the smooth running of the Council by providing the staff with a channel for the expression of their opinions.

#### 1. communication with staff

essentially through Intranet:

- communication on regular activities
- exceptional action, eg. promotion of events or protest against policies
- communication to complete insufficient information by Administration

## portal headlines:



## information on staff policy:



## advantages

- freedom of expression
- ready availability to all staff of news and information
- Staff Committee on an equal level with Administration and Secretary General

## disadvantages:

Member states have access to Intranet

- hesitation over content
- criticism for showing divisions in the Secretariat
- can be useful to reinforce impact of protest

## other problems with intranet

- "too much information kills information"
- no two-way communication
- direct, "live" communication is a problem

# 2. communication with the SG and Administration

Appendix I, Part II, Article 5 Staff Regulations

 the Staff Committee « brings to the notice of the Secretary General any difficulty having general implications that concerns the interpretation and application of the Staff Regulations »

## positive developments:

regular meetings with the Secretary General since the December 2007 boycott

- avoidance of radical confrontations
- more open, substantial discussions
- Staff Committee presents its positions without filters of Administration or advisors
- recommendations for enhanced cooperation with the Executive Board

## problems:

 over recent years, communication has become more formal. Negative experiences with informal communication (working lunches, e-mails), has led the Staff Committee to prefer communicating formally, to reduce risks of misinterpretation and misunderstanding

# 3. communication with the Committee of Ministers

Appendix I, Part II, Article 7 Staff Regulations

 the Staff Committee may communicate proposals to the Committee of Ministers at meetings of the Rapporteur Group on the Programme, Budget and Administration

## opportunities and threats...

- direct communication between Chair of the Staff Committee and Committee of Ministers
- short communications are appreciated

#### **But:**

- results are not often tangible
- the effect may be negative (« interference »)
- staff can be accused of "plotting" or "lobbying"

# II. The Staff Committee and legal assistance

## 1. statutory consultation

Appendix I, Part II, Articles 5, 6 Staff Regulations

- the Secretary General consults the Staff Committee on draft changes to Staff Regulations or other general measures concerning staff
- the Staff Committee is consulted on all proposals regarding general guidelines for staff policy.

## present challenges:

- increasing drive for cost-cutting entails unfavourable interpretation of rules
- increasing complexity of Staff Regulations
- efforts to reduce the role of staff representatives

# 2. advice to staff on rights and duties

- Human Resources and Administration do not have means to inform individual staff, or lack the will to do so
- staff may not be aware of rights and benefits
- staff apply to staff representatives for advice and intervention in their favour

## challenges:

- keeping a "global eye" on changes in regulations
- variations in interpretation between staff representatives and Administration
- tendency to regulate all employment relations
- tendency of Administration to use "legal opinions", requiring corresponding expertise

#### 3. expertise in legal action

- the Administrative Tribunal last resort for staff whose rights are not respected
- staff representatives need to provide legal advice on procedures
- the Staff Committee may appeal in its own right (ongoing appeal against nonconsultation on the insurance contract)
- assists groups of staff (38 individual appeals against errors in salary calculations)

## challenges:

- independence and objectivity of the Council of Europe's Administrative Tribunal in doubt
- no right of appeal
- communication is essential to explain issues and implications to those not involved directly

Council of Europe Staff Committee, September 2008