

CSAIO 11

CAPOI 11



CONFERENCE OF STAFF ASSOCIATIONS OF INTERNATIONAL ORGANISATIONS
CONFERENCE DES ASSOCIATIONS DU PERSONNEL DES ORGANISATIONS INTERNATIONALES

Conference Proceedings

Actes de la Conférence

28 & 29 October/Octobre 2010
CERN

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Conference Programme

Jeudi 28 octobre

13:30 – 14:00 Inscription à la conférence

14:00 – 14:20 Introduction

14:00 Accueil : Intervention du Directeur de l'administration et de l'infrastructure générale, S Lettow

14:10 Intervention du Président de l'Association du personnel du CERN, G. Deroma

14:20 – 18:00 Session A / modérateur : Anya Demarle, OCDE

14:20 Exposés sur les procédures de recrutement

- Philippe De Meyer, EPO
- Maria Stahl, European Central Bank
- Adama Julien, OMS/AFRO

16:00 Pause café

16:30 Débats

18:00 Fin de la Session A

20:00 Dîner (Restaurant Les Armures - Genève)

Vendredi 29 octobre

08:15 – 09:00 Petit déjeuner

09:00 – 12:00 Session B / modérateur : Philippe Defert, CERN

09:00 Exposés sur les stratégies des Associations/Comités du personnel dans le contexte du climat budgétaire actuel

- Ralf Grashiller, EPO
- Nizar Zaher and Randa Chammas, OSCE

10:30 Pause café

10:45 Débats

12:00 Fin de la Session B

12:00 – 13:30 Déjeuner

14:00 – 14:30 Préparation de la prochaine conférence

Lieu et structure

Thèmes/sujets

14:30 – 17:00 Session C / modérateur : Sidiki Coulibaly, UNESCO

14:30 Exposés sur la représentativité des Associations/Comités du personnel

- Nizar Zaher, OSCE
- UNESCO
- UNICTY
- OCDE
- Michael Ludwig, CERN

15:45 Débats

16:45 Fin de la Session C

16:45 – 17:00 Synthèse de la conférence

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Accueil par Gianni Deroma, Président de l'Association du personnel du CERN

Bonjour à tous,

Je tiens tout d'abord en mon nom et aux noms de mes collègues de l'Association du personnel du CERN à vous souhaiter la bienvenue à Genève sur le site du plus grand complexe d'accélérateur de particules en physique des hautes énergies. Je tiens d'ailleurs, en votre nom à tous, à remercier Sigurd Lettow, Directeur de l'administration et des infrastructures pour la possibilité qui nous est offerte d'accueillir pour une seconde fois cette conférence ici au CERN.

Je vais en quelques mots vous présenter l'Association du personnel du CERN qui est un organe statutaire de l'Organisation. Chaque membre du personnel est libre d'y adhérer en versant une cotisation annuelle. Aujourd'hui, l'Association du personnel est forte de 1300 adhérents, soit environ 60% du personnel, qui élisent 60 représentants. Onze d'entre eux participent au comité exécutif dont un président et deux vice-présidents. Pour travailler efficacement, le bureau est aidé par un secrétariat composé de trois assistantes administratives – Nicola Finn, Catherine Regelgrugge et Sonia Casenove, remplacée actuellement par Elodie Beaumont.

Dans le cadre de ses activités, l'Association du personnel a de nombreux contacts avec le Directeur général et le Directeur administratif, Monsieur Sigurd Lettow, à qui je donnerai la parole d'ici quelques minutes. Je tiens également à vous souhaiter des travaux intenses et fructueux pour cette 11^{ième} édition de CSAIO avec des sujets qui sont pleinement d'actualité. L'Association travaille bien évidemment en étroite collaboration avec les services des ressources humaines et rencontre de manière régulière les représentants des pays Membres. L'Association du personnel a su démontrer qu'elle était un partenaire constructif, une force de proposition, parfois d'opposition et, dans chaque circonstance un interlocuteur exigeant. Cela se vérifie encore cette année, durant la révision quinquennale des conditions d'emploi qui se déroule actuellement, par des négociations intenses entre l'administration du CERN, les Etats Membres et l'Association du personnel.

Je laisse maintenant la parole à Monsieur Lettow, Directeur de l'administration pour son message de bienvenue et ensuite au Comité scientifique qui va vous préciser le programme de cette conférence et vous donner quelques détails pratiques pour assurer son bon déroulement.

J'espère que cette conférence répondra à vos attentes et permettra d'améliorer encore les liens qui unissent les Associations du personnel des Organisations internationales et européennes basées principalement en Europe afin de les rendre encore plus efficaces.

Accueil par S Lettow Directeur de l'administration et de l'infrastructure générale du CERN

Mr. President, Ladies and Gentleman,

On behalf of the Director-General of this Organization and my colleague Directors, I would like to wish you a very warm welcome to this conference. I have to tell you we are very pleased that after founding this network in 2000, you have decided to have your 11th conference here at CERN again. We are very pleased to see this excellent attendance to this conference, which clearly underlines that you understand the importance of exchanging views and best practice.

Most of our international organizations, European organizations, as you know, have been founded straight after the Second World War for very good reasons; there was a strong political determination. The agenda at that time was to rebuild Europe, to seek for and benefit from diversity, attract the best and to guarantee excellence. These values in a situation of crisis, financial difficulties, are very often, that is today the case, in danger to be replaced by other priorities dictated by protectionism and short-sighted national interests.

Furthermore, privileges which were granted to us for good reasons in the past are now subject to jealousy and constant resentment. Of course we are not living on an island and we have to evolve, I think nobody would deny that. But major structural changes in recent years demonstrate, at least from my point of view, impressively, that we are not resting on our laurels, but constantly adapt to a changing environment. But let us not be or become too defensive. We have still excellent reasons to be proud of what we achieve in our organizations. Excellence is still, I think, our brand mark and we need not to worry about performance indicators, benchmarking and similar things.

For the anecdote, I recently met a committee of auditors. The subject we discussed was: "Is it possible in basic research to benchmark?" Very controversial discussion. Some people said not at all, others were strongly believing that this is possible, but difficult. At a given moment, I think after thirty minutes of discussions I said, look, I think the best benchmark still is, whether in a certain discipline you have a leadership, yes or no. If the answer is yes, a lot of those difficult things which define benchmarking naturally disappear. If the answer is no, then you have to ask and answer questions. If that is a benchmark, whether we are leader in a given field, each of your organizations in your field, then let us make the test. I told them: "there are two disciplines where Europe is acknowledged even by the United States and others as being the leader in a scientific discipline. The first is high-energy physics, and the second is nuclear physics. And for both these disciplines, the leading organizations behind are CERN for high-energy physics and the ILL (Institute Laue-Langevin) in Grenoble for nuclear physics". This was immediately acknowledged by the people around the table. This anecdote clearly shows that we have to prepare our arguments.

That is what I mean by let us not become too defensive. We have to demonstrate all the time that we are reinventing ourselves in order to emphasize our strong points and to get rid of all weak ones. We have to learn from each other and we have to share best practice. What you are doing in your network, and this conference is the appropriate answer to the problem, the directors of all these organizations are doing at their level. We are signing at the moment a lot of collaboration agreements with the international organizations in Geneva, but also elsewhere. Simply because we feel that if we do not combine our strategies, if we do not talk about how to answer certain questions, also critical questions, that will be on the detriment of these organizations. Strength means collaboration and means exchanging views and ideas and that is what you are doing and that is why we are so pleased that this organization exists, that you have decided to come here to CERN and to strengthen that network.

From my heart I wish you a fruitful discussion, strengthening of the network, and please enjoy your stay here at CERN. As the President of the Staff Association said, the leading lab in high-energy physics, but that is very abstract statement, what is more important, we are operating here the most powerful microscope in the world. If you want to look into matter you need that tool, and if you want to understand what matter is, how it evolved over time and why today we have more matter than anti-matter, which is the reason why we exist, fortunately there must have been some nice accident in the early days after the big bang, which for us is the reason for our existence. We want to understand those mechanisms. And for this you need tools, and we are providing these tools and the expertise to build them and to operate them and we help all the scientists of the world to make the best out of it. If that spirit which all of us we are exciting about here at CERN especially in these days, if this is what you feel after having discussed with people at CERN, then my wish would be fulfilled that you transport the message back home: CERN is an exciting place to go, to live and to work. Thank you very much.

SESSION A : Les procédures de recrutement

Recruitment procedures

Presentations :

- [Recrutement procedures EPO, Philippe De Meyer](#)
- [Recrutement at the ECB: Rules and Practices, Maria Ståhl](#)
- [Procédures de recrutement à l’OMS région africaine, Julien Adama](#)

Question from ESA: Is the EPO Staff Association involved in the short-listing of candidates, namely drawing up a list of candidates who will be interviewed?

Answer of from EPO: The answer is yes.

Question from ESA: In the ECB presentation, there was mention about a headcount freeze and the consequences this has on the hiring of contractors. Is the employment contract of these contractors under the national law, or is it under European regulations on contract employment. In view of the headcount freeze and in view of the work that you obviously have to perform, are trainees used to do staff jobs?

The contractors come through companies which are based in Germany so they work under the German labour law. Regarding trainees, it depends on the business area. I know cases where they are actually used for statistics production which is an ongoing task and should be done by permanent staff. In others areas, they are actually doing projects which are closely related.

Question from CERN: CERN is very interested in the process of the Staff Association being involved in the recruitment procedures and we have spoken about this in the CERN Staff Association. First, one of the points that people gave me against it is the fact that it takes a lot of time, so how would the EPO find the human resources to do it? Secondly, EPO said there was parity between management and staff association on the board, what are the criteria that the Staff Association ensures by being present, is it technical, is it legal, what is the problem, and is the association satisfied with these procedures?

Answer from EPO: Regarding time, we have the advantage that we have our staff committee and elected staff representatives, but we can, as a staff committee, also nominate other people to act on our behalf. And for most of these people we can provide a time budget. We have a general time budget at our disposal with two big components: internal and external. What we call external time budget is our actions or time deductions caused by the administration, and the selection procedures are part of that. Then we give the nominated people the number of hours they need to do the procedures to deduct from their core working time. Regarding what the staff representation looks at in particular in the selection procedure, EPO looks at everything: technical and legal. EPO has to also look at the technical criteria. If the EPO is recruiting a lawyer, we also look at the legal qualification of the person. EPO has 4 000 engineers or PhDs in sciences, and we have to look at the technical criteria which is the first hurdle, and secondly at the social skills of the persons, because 90 or 95 % of our staff are permanent staff. Finally, the EPO staff committee is in general satisfied, but we have been finding a huge number of

internal and external appeals and unfortunately quite a few are on selection procedures, because of irregularities. So, it is one of the EPO Staff Association's job to see that the staff rules and regulation are respected.

Answer from OMS: L'OMS a déjà des dossiers de sélection que l'administration met à disposition 4 jours ou 1 semaine avant la sélection, ce qui laisse le temps de lire, de réviser, de passer sur les dossiers avant d'assister à la commission, à la discussion. L'Association du personnel peut faire opposition si elle remarque que quelque chose dans le dossier ne correspond pas à la description de poste. L'association du personnel a assez de temps pour assister au comité de sélection car c'est fait en collaboration avec l'administration et que tout est planifié. En l'absence de l'Association du personnel, le comité ne peut pas siéger.

Question from UNESCO: Les procédures de recrutement décrites sont-elles applicables aux fonctionnaires de haut rang, c'est-à-dire au-delà des postes de services généraux et des postes de professionnels (directeurs et sous directeurs) ? Et Pensez-vous qu'il est important que les représentants du personnel soient impliqués dans les procédures de recrutement concernant ces fonctionnaires de haut rang, compte tenu de l'aspect politique de ces postes ?

Answer from OMS: Concernant les procédures de recrutement des fonctionnaires de haut rang, mis à part pour les directeurs régionaux qui sont élus, pour les directeurs de division ou de département la procédure est différente. Ceux-ci sont nommés par le directeur régional avec l'accord du directeur général, et ces postes ne sont pas publiés la plupart du temps.

Answer from ECB: At the ECB, the procedure is the same regardless of which level it is. The only difference is that when you recruit managerial positions you need to go external at the same time. But we do not have many managerial positions open, as we have a low turnover, and secondly we have managerial mobility, i.e. all managers have to move after about five years of being in the same post, which limits possibilities for others to apply for promotion and for these posts to become external.

Answer from EPO: At the EPO the President and the Vice-president are nominated by the administrative council, so those are political nominations, where staff representation is not involved. Anything below that, staff representation is involved. So for heads of department and principle directors, the Staff Committee has to nominate somebody of the same rank to act as a staff representative in the selection boards. The EPO also has the court of appeal in the organization on intellectual property and recently the staff committee has been asking these people to act as directors and principal directors on our behalf. As for the different criteria used to assess the candidates, most of us agree that the most important one is that the person is the best for the job, i.e the technical criteria. In the event of a conflict between the criteria, we try to use common sense.

Question from UNESCO : D'autre part dans la liste des critères à prendre en considération présentée par l'EPO, en cas de conflit sur ces critères, ont-ils la même valeur ou certains prédominent-ils? Est-ce qu'il existe éventuellement des jurisprudences qui permettent de trancher la question?

Answer from EPO: Most of us in the organization agree that the most important criteria is the technical criteria (the fact that the person is the best in whatever the job is). If there is a conflict between the different criteria, the EPO tries to use common sense. We must sometimes weaken the criteria to ensure a fair balance of recruitment between the Member States.

Question from BEI: How many staff representative does the EPO have out of the 7 000 staff? Are they professional staff representatives? How many staff representatives are fully attached to the Staff Association? From the BEI point of view, the fact that the staff representatives are involved in the recruitment process is a step forward in the sense of democracy. Has this always been the case, or is this a recent development?

Answer from EPO: The number of staff representatives at the EPO depends on the site. In the two biggest sites, there are 7 full-time deputies, but that does not mean that they work full-time on staff representation. For Munich (4 000 staff), only 3 staff representatives are released at 100 %, the others are released maximum 50 %. The total time load is not enough to handle the process of recruitment. That is why we have a time budget, and the staff committee can nominate people who do the work for us. The staff representatives are not professionals. We are privileged in that there is only one union at the EPO, and more than 50 % of staff are members of this union, and pay a membership fee. The money is used to pay external

lawyers, or specialists if needed. The EPO staff committee has organized over the years pools of people who are experts in selection procedures, and the people who participate on behalf of the EPO staff committee are trained. This system has existed since the beginning of the organization. Recently the administration has been trying to scale back the Staff Committee involvement because of the number of appeals. This means that the administration has lost some of their core expertise that the committee still has.

Question from BEI: Does the ECB ask to be involved in the recruitment process?

Answer from ECB: The ECB staff association has been asking over the past nine years to be involved in the recruitment process, but without success. The main reason is that there is no interest and is not within the remit of the Staff Association. HR does not support the idea. We will continue to lobby.

Question from UNIDO: Not only directly-elected members represent the staff association interests. Is there any limitation put on your representatives when serving on those committees that they are also serving in their own capacity?

Answer from EPO: The vice chairman of the union and of the staff representation participates in selection boards, because this is one of his areas of expertise. For procedures where difficulties are foreseen, somebody from the committee is nominated to avoid or minimize pressure. The union gives instructions to their nominees, and expects feedback from them, although it is specified in the service regulations that selection procedures are secret. It is important to nominate someone the staff committee trusts and who can stand up and also give feedback. If they do not, the Staff Committee will not nominate them again. In the event of appeals the administration can argue that staff representation was involved.

Answer from OMS: Souvent dans les comités de sélection, l'Association du personnel peut choisir les personnes membres de la commission pour la représenter. Il arrive que l'Association du personnel choisisse un personnel qui ne fait pas partie de la commission pour la représenter (membre du personnel ou personnel d'une unité technique en rapport avec le poste) qui a une certaine intégrité.

Question from AASC: What defence do external applicants have?

Answer from the EPO: None. The organization has existed since 1973, there is a protocol of immunities, and the organization hides behind that. No feedback or information will be given about the selection procedure. The AASC replied that normally anyone has the right to appeal against a decision if it is against your interest. External applicants of Organizations working under the rules of the European Union can appeal to the tribunal. They can ask the organization why they were not selected in the short list and human resources is obliged to answer. With this answer they can lodge an appeal. The EPO answered that the European ombudsman has no jurisdiction in this matter, neither does the European Court of Justice.

Answer from OECD : Il y a une possibilité dans les règles qui régissent le fonctionnement du tribunal administratif de l'OCDE : il est prévu que les candidats externes puissent attaquer une décision de non sélection mais ceci est limité aux motifs de discrimination.

ESA added that this is the case in most organizations which are not in the European Commission. External applicants do not have access to the appeals board because they are not staff. And the organization will use its immunity if the case goes to a national court.

Question from ESA: Have the staff committees who are involved in the selection process always had this involvement? How did they acquire it?

Answer from EPO: Yes, they have always had it and consider it to be a required right.

Question from UNIDO: Does the selection panel receive information about the applicants who are not short-listed? When are the criteria set and are they maintained throughout the process? Do applicants receive feedback if unsuccessful?

Answer from ECB: the rule is that everybody must be informed of the recruitment decision. An applicant has the right to see his own file, but not those of the others, nor the ranking. They are entitled to feedback. The criteria are set out in the vacancy notice and are mostly followed.

Question from OSCE: What happens if the recruitment board cannot unanimously decide on a candidate? Who takes the final decisions?

Answer from EPO: If a consensus cannot be reached, it is possible to submit a minority opinion to the appointing authority, which is the President, who then decides which opinion to follow. The appointing authority has, on several occasions, followed the minority opinion.

Question from OSCE: Why is it taking so long for the ECB Staff Association to be represented on the recruitment board?

Answer from ECB: The Staff Association has raised this issue on many occasions, but has not yet convinced the ECB of the importance of transparency, even though this is one of the Organization's core values.

Question from OSCE: Does the OMS staff association have the authority to change the short-list?

Answer from OMS: L'association du personnel a la compétence de s'opposer à la liste et de la modifier. En ce qui concerne la sélection de la personne, elle a également la dernière signature. Si l'association ne signe pas, la sélection ne passera pas.

Question from UNESCO: Que se passe-t'il si l'association s'oppose à la liste ?

Answer from OMS: S'il y a vice de forme ou des erreurs au niveau de la sélection, on réaffiche le poste après avoir corrigé les erreurs.

Question from UNESCO: Si la décision du recours interne à l'OEB ne donne pas satisfaction au plaignant, peut-il recourir à un organe extérieur ?

Answer from EPO: If all means of internal appeal are exhausted, the next instance is the ILOAT in Geneva.

Question from UNESCO: Si l'association de l'EPO n'est pas d'accord avec une décision de recrutement, quelle action peut-elle prendre ?

Answer from EPO: If the board cannot reach a consensus, the staff association can submit a minority opinion. If the staff association does not agree with the final decision of the appointing authority it may file an internal appeal. After exhausting all means of internal appeal, the next stage is the ILOAT.

Question from UNESCO: Au sujet du personnel d'entreprise, dans quelle mesure l'association du personnel défend-elle cette catégorie du personnel ?

Answer from ECB: Officially, the staff committee does not defend this category at all. However, in practice matters relating to contract staff are discussed with the management.

Question from EBRD: How is the effectiveness of the assessors evaluated? Is there training for the assessors?

Answer from EPO: six years ago an external consultant was brought in to check the quality of the process. He provided feedback to both the administration and the staff association. However, there is no automatic feedback mechanism in place. Training is provided for staff representatives on the selection committee, i.e. interview techniques.

Question from Council of Europe: Que se passe-t-il par rapport aux droits de recours des candidats internes à des concours externes ? Au Conseil de l'Europe, les candidats internes qui postulent pour un concours externe n'ont plus de droit de recours, ce droit leur a été enlevé. Ce problème a-t-il été soulevé dans d'autres Organisations ?

L'OCDE est perplexe et trouve étrange le fait de retirer un droit d'ester en justice qui semble évident car il s'agit *in fine* de fonctions qui vont être exercées au sein du Conseil de l'Europe.

Le CERN partage cet avis mais pense qu'il est difficile de faire recours pour ne pas avoir été sélectionné dans la « short List ».

Le Conseil de l'Europe explique un cas précis où une candidate qui n'avait pas été sélectionnée pour un poste, a fait recours et l'a gagné. Si un tel cas survenait aujourd'hui, l'association du personnel conseilleraient de faire un recours même s'il n'y a plus de droit de recours, mais craint que les futurs collègues, n'ayant pas l'historique, ne le fassent pas.

L'UNESCO pense que le fonctionnaire peut demander à l'administration les motivations de la non-sélection et que si celle-ci ne lui répond pas il peut en principe attaquer la décision devant le tribunal interne. Une autre piste de réflexion serait de se demander si ce changement a une incidence sur le statut du tribunal interne. Si cela n'est pas le cas, le tribunal ne peut pas rendre un arrêt condamnant l'administration sur un point précis puis changer peu de temps après.

Question from CERN: Quelle est la valeur ajoutée d'être impliqué en tant qu'association du personnel au processus de recrutement, dans les relations entre association du personnel et personnel et entre association du personnel et management ?

Answer from BEI: There is added value in having a « spy » sitting in on the decision-making process. This may help reduce favouritism and corruption.

Answer from CERN: It would be useful to have a staff representative as an observer on the recruitment board and also when awarding indefinite contracts.

CERN asks all organizations involved in the recruitment process to raise their hands. About 50% are involved.

EU explains their appeals and recruitment procedures. There are three types of recruitment: internal screenings for temporary contracts of up to six years, internal competitions to convert these temporary posts into permanent posts, and by means of EPSO (European Personnel Selection Office) regrouping all institutions of the European Union which are bound by the Staff Rules and Regulations. All officials can appeal at the Public Service Tribunal. There is also the Court of Justice. EPSO has a supervisory board and a staff committee representative is a member. Recently EPSO held an external competition. At the first phase not all the questions were the same. One candidate has brought a complaint to the Court of Justice against EPSO. Should he win his case, the Court of Justice will ask EPSO to hold a special competition for all people who were excluded. Thus both internal and external candidates may appeal in the framework of the EU institutions.

L'AASC pense que la présence des représentants du personnel dans les comités de sélection, même si cela demande beaucoup de temps et d'énergie, doit être si possible assortie d'un droit de vote (pour un comité paritaire). L'administration et les représentants du personnel ayant un même but (recruter le meilleur candidat), ils doivent travailler ensemble de la description de poste, jusqu'au recrutement en passant par la définition exacte du profil recherché. Tout cela va donner de la confiance au personnel, de la transparence.

L'OCDE explique que si les associations du personnel pensent qu'en participant aux comités de sélection, ils n'éviteront pas les dérapages, elles se trompent car si les choses sont bien menées, l'administration pourra faire ce qu'elle veut. Il n'y a donc pas de réelle valeur ajoutée pour les associations du personnel à participer au processus. De plus, cela peut causer des problèmes de conscience si par exemple un représentant du personnel postulait.

BEI explains that in their institute HR are not competent at all to assess the validity of a candidate for a particular job, as the people in HR have never done that type of work before. They are there to execute the will of the President. The presence of a staff representative in the process may not change much, but it is important not to give up.

Question from BIS: Does your involvement in the recruitment process extend to the settling of the successful candidate's employment conditions?

Answer from EPO: There are job categories, A, B and C. The employment conditions of these categories have been standardized. The staff association may intervene when calculating reckonable experience to define the entry level of the person. An internal appeal is possible in the event of disagreement.

Question from EBRD: Has any of the organizations worked with HR in an attempt to improve the existing recruitment process and transparency?

Answer from UNESCO : Il est important de préciser le rôle de l'association du personnel dans le processus de recrutement, c'est-à-dire veiller à ce que les règles et les procédures soient rigoureusement respectées.

BEI explains that in March 2009 the BEI introduced external assessment centres to better assess candidates for management positions. However, the feedback is negative. It would appear that these centres merely support decisions already made by the BEI.

The FAO believes that staff representatives should be involved in the recruitment process. This is the case in their organization, where the staff union has been influential in having vacancy notices changed. There is a staff representative on the interview panel to ensure that the interview process is fair and transparent. He or she may make enquiries in the event of abnormalities. Recently a new stage in the recruitment of a division director has been introduced, namely that the staff of that division may question the candidates. The staff then put forward their consolidated comments and these would be taken into account when the selection is made. The staff union feels it has been influential in the process.

SESSION B : Les stratégies des Associations/Comités du personnel dans le contexte du climat budgétaire actuel

Associations' strategies for defending staff against attacks on their rights and working conditions

Presentations :

- [EPO Association's strategies for defending staff against attacks on their rights and working conditions, Ralf Grashiller](#)
- [OSCE Strategies for defending staff against attacks on their rights and working conditions, Randa Chammas](#)

Question from ESA: The amount of work by the EPO Staff Association work is amazing. How do you fund all this?

Answer from EPO: The EPO Staff Association is funded by membership fees. At EPO there is a staff committee and a union, though the union is not recognized by EPO administration. As the rate of membership is high (around 60% in Munich, equating to more than 2000 members), therefore we collect a large amount of money every year which is used to fund all the activities.

Comment from ESA: It is a misconception that you (OSCE) have a limited access to justice. No one has to forgo their rights just because they are joining an international organization.

Answer from OSCE: The OSCE has an internal appeal system which is a board established in coordination with the Staff Committee which can reject or accept the board members. In addition, the OSCE has an external panel of adjudicators, which is a committee established and nominated by the participating states. But the OSCE is not a UN organization, so the ILOAT does not accept the OSCE as a member.

Question from FICSA: FICSA asked EPO to clarify the violation of the Noblemaire principal by the appeals committee, because it did not think that Noblemaire applied to EPO staff.

Answer from the EPO: The Noblemaire principal applies to international public service. This principle is to hire the highest qualified staff. The appeals board did not recognize every part, but they partly recognize the violation.

Question from BEI: At the BEI the management declares we do not have acquired rights, only legitimate expectations, and legitimate expectations can be phased out. Is your management trying that argument on you?

Answer from EPO: Yes. It is the same situation at the EPO. The management often declares that we have no acquired right to whatever they change in the service regulations. But the staff committee contested this first before the appeals committee, and then before the ILO. The staff committee has its own lawyers and a lot of members with a legal background. You cannot be sure to win before the ILO, but the EPO Staff Committee has won a few times and it was recognized that we had acquired

right and the Office lost. But the management will always try to say that we only have expectation rights. For example, when they implemented a fully-funded health system, the staff committee claimed that the staff had an acquired right to the 2.4% ceiling of the contribution rate, and the management responded that the staff did not have an acquired right to the 2.4% ceiling, only to a ceiling. So you have to study the matter in more detail to understand when it is an acquired right and when it is an expectation.

Question from UNESCO: Est-ce que le syndicat de l'OEB, qui n'est pas reconnu par l'administration, a demandé d'être affilié ou reconnu par une fédération existante ?

Answer from the EPO: Three years ago, colleagues from the union asked for official recognition, but the organization does not want to recognize us. After this the EPO union saw no need to ask for recognition, because the only change would be that the relationship and discussions would be official. Recognition could mean an improvement and should be in the interest of the management, but they do not want a normal relationship with the union. But the union already exists and they have to live with us. Though dialogue is not so important, since all of us in the staff committee are also members of the union, so they sit in the negotiations and meetings in both positions, wearing both hats. The EPO staff committee is a member of the USF (Union Syndicale Fédérale), which is the union of the European institutions, Council and other international organizations.

Question from FAO: Can the EPO explain the difference between the project board and the working group to formulate an outsourcing policy, in terms of their composition, function, and authority. And are the staff representatives represented on both or only on the working group? Has an outsourcing policy been developed? If so, what kind of elements does it contain? How will the staff association approach the situation whereby the post of one of your members is outsourced, in line with the policy you helped to develop?

Answer from EPO: The EPO staff committee is represented in both. The working group is under the umbrella of the project board. The working group does the work and transfers to the project board which is composed of members of the higher management. No policy has been developed yet, only a PID (Project Initiation Document), which states which documents and laws will apply to this policy. At the moment the staff is not defended because there is no outsourcing policy. This does not mean that the EPO does not outsource, but they have their own rules. They cut posts without the knowledge of the staff representation and without respecting underlying principals, such as permanent posts for permanent tasks, and equal pay and treatment for all externals, using protocol, privileges and immunity as a shield. They are clearly in breach of EU and national law. External staff cannot challenge this, neither can the staff committee. However, agency staff can, under the work constitution act in Germany, be represented by the employer who employs him in the organization, be represented by the staff representation, participate in the elections, in training and development, and so on. But all this is denied by the organization, along with equal pay and equal treatment. So the EPO Staff Association thinks that the best defence, also for the permanent staff, is not only to formulate an outsourcing policy, but in this policy to oblige EPO to respect the national law under which external staff are hired.

Question from Conseil de l'Europe: Comment l'OSCE fait-elle concrètement pour faire comprendre la situation aux Etats membres concernant les coupures budgétaires ? Est-ce que cela fonctionne ? L'OSCE va vers un gel des recrutements ou des coupures de poste vacants, mais cherche-t-elle à couper d'autres aspects de la masse salariale (indemnités, diminution des salaires) afin de préserver des postes notamment ?

Answer from OSCE: The OSCE staff committee is in the process of establishing a network with the member states, and will have a meeting with them very shortly. The OSCE has 56 countries, which have their own staff in the secretariat, so they talk to them and inform them about the situation and everything that is going on, so they have inside information. The staff committee wants to ensure that they understand the concerns and problems faced by the staff. Regarding the salary issue (intention to freeze salary increase), the staff committee explained to them that they cannot freeze salaries because there is a legal issue: every staff member signs a contract based on the UN salary scale. So, when the UN approves an increase, the organization cannot freeze salaries, as this will also affect the work moral and other aspects. So the OSCE staff committee came up with different proposals to facilitate this. Sometimes the member states are not fully aware of the options, therefore the role of the Staff committee is to explain to them and discuss with them and senior management the options.

The PS has the right to change the staff rules and regulations at any time if this is in the interest of the organization, therefore they do have the right to setup new salary scale or amend the current one.

In addition to that, in coordination with Human Resources, a presentation was organized for the MS delegations to explain how the salary system works. The OSCE staff committee recommends a briefing session for the participating States, during which the whole process is explained in a simple way, given jointly by HR and the administration, since the administration takes care of the budget and HR takes care of the staff. In addition to this, the Staff Committee proposed to invite an expert from the international civil service commission to explain to the delegations how the PAN system works. In this way, the OSCE staff committee establishes communication with the delegations, raise awareness and try to assist and give advice to them.

The OSCE budget decreased, not only because of the financial crisis, but because the OSCE had a large mission in Bosnia (2 500 staff), and the mission was reduce (200 staff). Therefore, due to the reduction of the mandate of the mission, the budget also decreased. The main concern of the staff committee is that we do not want the staff to lose their jobs because of the financial crises or because the delegation decides that they have to cut jobs. But if they change the OSCE strategy, policy or mandate, the staff committee cannot do much, because they are the ones who decide on the work plan, and the OSCE has to implement it with sufficient resources and in an efficient manner. The role of the Staff Committee is to keep a close eye on the budget, and work with the different departments (administration, HR), and address any issues related to staff as they arise. But when there is a political decision, because the OSCE is a political organization, the Staff Committee cannot do anything but to ensure that the staff gets all their rights and benefits before their mission is terminated.

Question from OCDE: Quelle est la clé de répartition de la couverture santé à l'OEB?

Answer from EPO: The fund for the health care plan is a contribution fund. This is a strange fund because normally the staff pay their contributions which are paid to the insurance company, which pays the money back to the staff. The administration said that they have higher costs because of the growing number of pensioners, and future liabilities must be funded in some way. This is not true because pensioners also pay a contribution to the health care system, but they convinced the Administrative Council to implement this fund. The Staff Committee expected the share of the contribution to be as in the past (2/3 – 1/3), however, based on actuarial studies, the contribution will increase to 3.1 over a period of 10 years.

Intervention from OECD : C'est étonnant de se rendre compte que les Associations du personnel sont en train d'évoluer de manière différente de ce qu'elles étaient il y a plusieurs années : elles viennent combler les carences de l'administration. Ce qui change avec les syndicats, reconnus dans les statuts mais n'ayant pas les mêmes droits que les Associations du personnel qui restent le seul intervenant, est que les Associations du personnel ont le devoir d'intervenir en amont. Son vrai travail est un travail de persuasion, de patience, alors que les syndicats interviennent souvent en aval, une fois que la crise est arrivée, ce qui limite terriblement l'impact de leur action. Il y a donc une vraie réflexion : le rôle des associations du personnel aujourd'hui a évolué, ce qui change les modes d'action par rapport à ceux d'il y a quelques années.

Answer from OSCE: The whole situation is very dynamic, so staff representatives should be adaptable and flexible. Staff associations should have the flexibility to adapt to changes, and deal with any situation, even if it is not in their mandate. Mandates and terms of reference can be changed. The staff representatives must be more proactive and productive. The managers should be the leaders and give guidance to the staff and should be the ones who know everything better than everybody else. However, this is not the case in the real world: some managers lack some skills when it come to manage people. The OSCE has seen some cases of managers not knowing how to manage people. So the staff association in coordination with HR came with a proposal to introduce managerial skills training for managers, which has been approved by the Secretary-General and will be compulsory for all managers. Staff associations have to know when to compromise and know their limits in order to be able to implement the mandate.

Question from AASC: What does the EPO mean by agency staff? Does it mean interim staff?

Answer from EPO: The EPO uses different types of outsourcing policy. There are agency staff provided by an agency, where the employer is the agency and the staff work under the German Working Constitution Act. The duration of the hiring is limited to 2 years. The EPO reduced the number of agency staff and changed to a system of self-employed workers. They come in to perform a function, sometimes a permanent task, but they are not paid like us staff. There are also short-term contracts, and euro contracts of 3 to 5 years which offer the same conditions as permanent staff.

Question from BIS: EPO goes to the ILOAT fairly frequently and sometimes win. How do you enforce the ruling?

Answer from EPO: The EPO changes the rules when they receive a judgment and implement the judgment in the organization. This is one of very few cases we have now because of the deadline. They gave the President a very tight deadline. He is new, but takes it very seriously. He was not able to provide the policy because no policy exists. He launched two financial audits, and will include the results of these audits in the outsourcing policy. He will study the employment policy in detail, how much money is spent on projects, how the projects are running etc.

Contribution from the Joint Inspection Unit of the United Nations System: Le JIU précise que les nouvelles normes comptables dites IPSAS ne sont pas conçues pour les organismes internationaux, mais pour des Etats et collectivités territoriales. Elles sont sûrement moins mal adaptées que les IFRS aux organisations internationales. Ces deux normes mettent en lumière des informations sur les avantages donnés aux employés, mais ceci ne va pas changer une politique. Cela va révéler ce qui se faisait déjà au sein d'une organisation internationale, en mettant des chiffres relatifs surtout aux futures obligations de l'organisation, qui ne sont pas pour tout de suite. Le JIU pense qu'il serait dangereux de laisser les ministères des finances des Etats membres prendre une direction qui consisterait à faire croire que c'est exigible rapidement. Parmi les Etats qui ont appliqué les IPSAS, seule la Nouvelle Zélande a une « positive equity ». Il faut faire attention aux différentes attitudes des dirigeants qui peuvent être commandées par les Etats membres, et qui peuvent avoir des conséquences différentes sur le personnel.

Question from ICTY: L'OSCE est parvenue à un accord général avec la direction en ce qui concerne la réduction des effectifs. Au-delà de ceci l'OSCE a-t-elle négocié les tableaux d'effectifs avec la direction, négocié des cas individuels (mutation interne, distribution des tâches) ?

Answer from the OSCE: Some units in the OSCE had restructuring few years ago. In one unit a new system of handling certain things was introduced, and the manager wanted to get rid of 6 or 7 staff members because of a new software they bought that can replace people. The staff committee immediately contacted the Director of that department and then had a meeting with the Secretary-General. They went through the whole restructuring system; the consultant recommended that 7 staff should be fired. When the final report came out, based on the staff committee and SG agreement, it was put on hold. The staffs, who were supposed to be fired, are still working. So the OSCE Staff committee intervenes at an early stage, and makes changes, however sometimes compromises need to be made. If the post is no longer needed, the staff committee will propose certain options to keep staff in work (internal transfer, part-time work, job sharing or transfer to a mission or the field).

Contribution from FAO: The FAO has found a very effective way of downsizing without losing staff. The FAO has established a joint task force (staff and management) on redeployment. All cases of a staff member losing his/her job has to go to the task force which will make a match with a number of jobs (the match does not have to be perfect: 70-80 %). And the divisions are encouraged to accept, they cannot advertise their vacancies unless they have interviewed, and they must have good reasons to refuse because they can be given funds to provide training to bring the person up to standard. The FAO downsized about 30-40 % without having one person who has left against their will. Some prefer to leave with an agreed termination.

Question from ITER: In the appeal process, the EPO staff representation files appeals on behalf of current and future colleagues. Is it written in the staff regulations that you have the power to do so? How are these appeals on behalf of colleagues received by the tribunal?

Answer from the EPO: It is written neither in the rules, nor the service regulations. It is recognized by the ILOAT. It depends on the decision of ILOAT, but in past judgments they have recognized that the staff representation is the body that can represent the interests of the whole staff in some cases.

Contribution from ESA: ESA has a big problem with contractors. ESA discriminates in that there are cases where people do the same job and have different conditions. The reason that there is a legal gap, despite the fact that contractors are hired through a procurement procedure, is that although the contractors have rights under the national employment law, their contract can be terminated at any point if the contracting company does not have the funds to pay. These contractors cannot go to court against ESA, they can only go to court against the contracting company which follows all the laws.

Contribution from UNESCO: L'UNESCO avait institué deux comités : un comité de redéploiement qui avait pour charge d'examiner tous les postes vacants gelés et versés dans un paquet et les profils des effectifs touchés par les suppressions de poste pour essayer de faire une correspondance entre ces deux. Ce comité a réussi à régler les ¾ des suppressions de poste du 1^{er} coup, puis le deuxième comité, le comité de médiation, en a absorbé la totalité restante.

Question from CERN: Does the OSCE manage to obtain some kind of compensation in the pension fund, due to staff reduction? How do you ensure that Staff Association representatives have enough technical knowledge to be able to discuss all types of matters when there are attacks made on the staff association? Is the OSCE Staff Association satisfied with the level of knowledge?

Answer from OSCE: We recently attended a training course organized by FICSA to gain knowledge and expertise. Each of the five members of the staff committee has his own field of expertise and attends as many training courses organized by the organization as possible (i.e. mediation, communication and presentation skills, conflict resolution etc.) to improve our skills. It is important to be adaptable in a dynamic situation, so that we are prepared for any eventuality. We share knowledge and information within the group. Concerning pensions, we have a provident fund system, not a pension fund, meaning that the staff and organization contribute a certain percentage of the salary, and at the end of service, the staff member takes all the money as a lump sum. As many OSCE staff move over to the UN system, five years ago it became possible for them to transfer this money to the UN Pension Fund. If we feel we lack technical ability for a particular case, we can ask other services for advice "off the record", for example we have good relations with the legal service, and other UN staff committees. So far we have been able to manage each case by ourselves. We have a simple appeals procedure and there is not a high amount of cases.

SESSION C : La représentativité des Associations / Comités du personnel

Representativeness of Staff Associations

Presentations :

- [Representativeness of Staff Associations at OSCE, Nizar Zaher](#)
- [UNICTY Staff Union, Tricia Royes De Jong](#)
- [Représentativité de l'Association du personnel de l'OCDE, Christel Osterroth](#)
- [Représentativité de l'Association du personnel au CERN, Michael Ludwig](#)

Question from Joint Inspection Unit of the United Nations System: Does the ICTY staff union have special relations or coordinate with the staff union of the ICTR in Rwanda, another criminal tribunal with a downsizing problem and schedule ?

Answer from ICTY: The ICTY staff union does not have closer relations with the ICTR in Rwanda. The ICTY is in contact with ICC which is the international criminal court, and ICG.

Question from FICSA: How does the ICTY staff union face challenges? Do they take any special measures for staff that leave? Do you have any examples?

Answer from ICTY: Using an external consultant is on the agenda. The next big downsizing will be in March, and we are hoping to be able to bring in a consultant for those who have to leave. A job fair has recently been organized by the administration with the cooperation of the staff union. Several European and international organizations took part. We are limited in what we can do. We encourage cross training so that people can expand their skills.

Answer from OECD: L'association du personnel n'a pas d'action particulière, mais donne des conseils individuels aux personnes qui quittent l'Organisation, les informe sur leurs droits. Elle participe à des groupes avec les ressources humaines lorsqu'il y a par exemple tout un secteur qui est supprimé, ou de grosses réductions des effectifs, pour l'établissement de « plans sociaux ». Cependant, tout ce qui concerne le redéploiement en termes de formation, etc., n'est pas du ressort de l'Association du personnel.

Question from FICSA : A la suite de la modification de la politique de communication de l'Association du personnel de l'OCDE il y a un peu moins d'un an, est-ce que celle-ci a déjà senti des changements dans l'organisation et le nombre de membres ?

Answer from OCDE: Il n'y a pas eu réellement de boom sur le nombre de membres, celui-ci étant déjà satisfaisant avant ces modifications (70 %), sûrement dû à l'adhésion automatique. En revanche, l'association du personnel a commencé à mettre en œuvre des recommandations qui ressortaient de l'audit, telles que la spécialisation en communication d'un agent interne, la publication de rapport d'activité condensé pour délivrer une information courte et percutante. D'autres résultats d'audit sont plus difficiles à mettre en œuvre, comme par exemple les résultats sur la tonalité de l'Association du personnel : certaines personnes interrogées jugent que l'Association n'est pas assez revendicative, tandis que d'autres la considèrent comme étant trop agressive. Les plus grands changements concernent les outils de communication.

Question from BEI: The OSCE staff association has adopted a role of helping HR to police staff over their use of allowances. Was this role forced upon you? Does it not cause the Staff Association a conflict of interest if a member of staff comes to the Staff Association and asks for help because HR is accusing him of misusing the allowances?

Answer from OSCE: No, it was not forced on us. The staff committee believes that HR, the Management and itself are all in the same boat, even though they all may have differing opinions. The staff committee offers its help because it has cases of staff members complaining about other staff members abusing the situation. If a staff member comes saying he is being unfairly treated by HR, the President will look into the case and decide whether to take the case further. When necessary the staff committee will disagree with HR.

Question from BEI: Is the pension system at CERN an actual fund or a looser kind of system?

Answer from CERN: It is a capitalized pension fund with a defined-benefit scheme, which means that what you get at the end is defined and the contributions are adjusted according to your benefits. We have reached a high level of contributions, and the 2 thousand million Swiss franc deficit was caused by decisions which were taken in the past and the financial consequences were not followed up. Second, there are a lot of pensioners and not so many active staff which is a consequence of the recruitment policy and of cuts which have been imposed in the past.

Contribution from BEI: BEI has globally the same situation, but in its case the bank is responsible for making up any deficit.

Question from FAO: How did the OECD staff association convince the Management to make automatic payroll deductions without any signed request from the staff member concerned? Are the new recruits who will be automatically enrolled told that a percentage of their salary will be automatically deducted for the staff representative body?

Answer from OECD : Il s'agit d'une disposition qui se trouve dans les statuts du personnel depuis la création de l'OCDE. Il n'est donc pas possible d'expliquer comment l'Association du personnel de l'époque a introduit cette clause dans les statuts du personnel de l'OCDE. Cette clause dispose que le membre du personnel est automatiquement membre de l'association du personnel sauf s'il manifeste la volonté de ne pas adhérer. L'association du personnel a découvert que dans la pratique cette disposition statutaire n'était pas respectée. Elle a donc du dans les années 2000 demandé aux services des ressources humaines d'appliquer cette disposition. Toute personne nouvellement recrutée à un entretien avec les Ressources humaines, où il est systématiquement informé qu'il est automatiquement membre de l'Association du personnel et que cette adhésion entraîne une déduction à la source sur sa fiche de paie de 0,3 %. Il est également informé qu'il a la possibilité de résilier cette adhésion et est informé de la procédure pour le faire. En pratique, il y a des demandes de résiliation mais beaucoup maintiennent leur adhésion.

Question from OMS: How much does the OSCE management give to the staff committee as a percentage of its budget?

Answer from OSCE: The staff committee does not have a budget or funds yet. The staff committee activities are covered from funds received from the Management . In addition, the staff committee will have membership fees which will be introduced in 2011. The budget referred to was the budget for the whole Organization, made up of contributions by the participating Member States.

Question from FICSA: Do the staff associations have a representativeness policy by section or category? Do the staff associations have a signed recognition agreement between the executive head and the staff association or union?

Answer from CERN: At CERN, the representativeness is by staff category (administrative, technical, scientific, engineers, managerial staff) and sectors (departments). For elections, there are a number of seats assigned to each category. The delegates are elected by category; so this ensures that the staff is represented by someone who does more or less the same job on the same level. Inside the staff association, no distinction is made between the delegates.

Answer from OSCE: A duty station needs to have 17 staff members to have a staff committee. If there is no staff committee in a location, they can refer to the nearest staff committee. There are two categories in the OSCE (professional and general

services staff) and the staff committee always encourages both categories to run for election to the staff committee and to get involved in the activities of the staff committee. It is important for the OSCE committee that both categories are represented.

Answer from OECD: Les 31 représentants du personnel de l'OCDE sont élus indépendamment de leur grade, de leur direction, de leur genre. Précédemment les représentants étaient élus pour moitié par direction et pour moitié par grade. Cependant l'Association du personnel constate que les représentants du personnel ont tendance à représenter les personnes de leur secteur géographique. Aucun accord n'a été signé entre la direction de l'OCDE et l'association du personnel sur la représentativité.

Question from NATO: Concerning automatic membership, the same is true for NATO. It is written in the regulations and HR is obliged to deduct membership fees from the salaries and inform new staff members that this will happen. Time allocation is of particular interest to us. We are under enormous pressure to reduce it to a minimum. We would like to know what amount of time is allocated to staff representation and what support and resources (financial and material) are given by the Management. Has any staff association taken out legal aid insurance?

Question from BIS: Do membership fees cover the salaries of the members of the staff committee? In organizations where membership is not obligatory and there are members and non-members of the staff committee, is there not a conflict of interest when negotiating staff matters, such as promotion, dismissal etc. Is the staff committee neutral in all cases?

Answer from CERN: L'association du personnel du CERN n'intervient pas dans les discussions sur les promotions. Il n'y a donc pas d'intérêt à essayer de donner des promotions aux membres l'Association du personnel plutôt qu'à d'autres. Lorsque l'Association du personnel défend les conditions d'emploi du personnel du CERN, elle le fait pour l'ensemble du personnel (membres et non membres).

Les cotisations servent uniquement pour le budget de fonctionnement de l'Association du personnel.

Answer from OECD: Dans le cadre de la défense des intérêts collectifs, l'association du personnel défend également l'ensemble du personnel. Cependant, lors de conseils individuels, l'Association du personnel exige que la personne soit membre.

Concernant les contributions, elles couvrent 3 salaires des membres du secrétariat à plein temps (deux juristes et une assistante spécialisée en communication). En revanche l'association du personnel ne paye pas pour les élus représentant 2,5 postes de détachement ; ces derniers sont entièrement payés par l'Organisation.

Question from Joint Inspection Unit of the United Nations System: Si le fait que les associations du personnel défendent les intérêts collectifs des membres du personnel est bien évident pour tout le monde, dans un certain nombre de cas, le management pose des questions en termes de représentativité (comparaison entre le nombre total de la population de l'organisation et le nombre d'affiliés). Est-ce que l'argument de « non-représentativité » est systématiquement utilisé par le management dans les organisations où le taux d'affiliation est très bas ?

Contribution from ESA: The ESA staff association also represents all staff. However, the financial contribution is treated in a totally different way. All contributions are voluntary. The ESA staff association shares the same problem as FAO and does not think that forcing the staff to contribute would be possible. And yet the staff association has the obligation to represent all staff, except agency staff that falls under national law. I am not sure what the legal basis is for imposing compulsory contributions.

Contribution from BEI: At the BEI there is staff representation with no contributions, because by definition the staff association represents all the staff. The bank gives 70 000 € a year to spend as they like, for example on lawyers, consultants etc. In addition to that, the convention on which the staff association is based says that they must be given the means necessary to conduct their work. That is the legal basis on which they could demand even more money for important court action.

Contribution from FAO: The FAO staff association has a membership and a non-membership list and there are three levels regarding the conflict of interest. General policy issues are for everyone. For questions of promotion and redeployment, membership or non-membership is not a criterion on which a selection or a discussion can be based. The FAO staff association thinks that any staff representative body that uses it as a criterion would damage themselves. And there are the individual cases which require legal aid, and this is where the staff association makes a difference because the defence fund should first be spent on those whose contributions help to build that fund, rather than on people who do not contribute at all.

With regard to representativeness, the staff association has seen its representativeness decline drastically over the last 10 years because of heavy downsizing, where the older union-minded people have left. The younger people are coming in on temporary contracts, are in a precarious situation and are unsure as to whether joining the staff association is a good or bad idea. So staff representativeness has fallen from 70% to 55% in the past 10 years. This was used in 2009 by a deputy Director-General who declared that the staff association did not represent everybody and, therefore, the FAO needed an alternative representation system. He did not succeed in setting up such a system. However, it does not mean that there is not a problem. They are trying to find a solution by recruiting external expertise, as OECD has already done.

With regard to what they receive from the administration, the staff association gets a room, a desk, and chairs. The secretary is paid for by the contributions, they also pay for every photocopy, fax and telephone call, and the computers.

With regard to automatic membership, the staff association can envisage that it will be difficult, but they are very interested in it and will try to implement it.

Contribution from CERN: With regard to automatic membership and an opt-out scheme, discussions have taken place inside the staff association, but no decision has yet been made.

With regard to the comment made by the JIU, the representativeness is not only about numbers, but about quality: if the staff representatives have a long historical memory, they will have much more impact.

Contribution from UNESCO: Sur la question de la représentativité, en ce qui concerne l'UNESCO, c'est un phénomène relativement nouveau. Jusqu'en 1981, il n'y avait qu'un seul syndicat, et en 1983 les Etats membres ont autorisé la création d'une deuxième association du personnel. Il y a donc actuellement 2 associations du personnel à l'UNESCO, toutes catégories confondues (services généraux et professionnels). Seuls les membres actifs sont pris en compte pour déterminer la représentativité de l'une ou l'autre association. Les retraités n'ont pas le droit d'adhérer à une association du personnel à l'UNESCO, ainsi que les contrats d'assistance temporaire alors qu'ils travaillent sur le site. Le budget est alloué par les Etats membres, et voté tous les deux ans. L'administration a alors l'obligation de consacrer cette somme aux deux associations. En 1989 l'administration a introduit le critère de 15 % de membres parmi le personnel actif, ce qui a créé une compétition, une rivalité entre les associations du personnel car 25 % du budget est donné équitablement aux deux associations, puis les 75 % restant en fonction du nombre d'affiliés. Cela se traduit par l'oubli des activités de substance pour laisser place à la course aux adhésions. Aujourd'hui, l'UNESCO ne dépasse pas les 40 % de membres actifs, toutes associations confondues. L'avenir paraîtrait aller vers un apaisement car les associations ont fini par comprendre que cette compétition n'arrange ni l'une ni l'autre. Au niveau des fédérations, il y a une forte pression vers l'union et l'unité d'action, en tout cas sur les points essentiels. Un autre problème à l'UNESCO est celui de la motivation des collègues, car l'objectif prioritaire est celui du nombre d'adhérents au détriment du traitement des questions de fond. Les collègues rejoignent l'association du personnel quand celle-ci est capable d'obtenir des résultats ce qui est de plus en plus difficile pour des raisons comme les contraintes budgétaires, les changements d'administration, etc.