

Questions answered

[20:13] Marina Parsons (Guest)

Please confirm that the HQ should be only in Switzerland. It means that we cannot consider applying - we are in the UK. Thank you

As a FICSA member, the SA/Union can receive legal support for the internal justice process. However, as EBRD is under an International Tribunal other than ILO or UN, Fortuna would not support the costs going beyond the internal justice system.

[20:18] FONTAINE, Christopher (Guest)

How often is the staff list sent to Fortuna updated? Our staff association has changes in its membership month-to-month.

[20:19] Maureen Murphy Richardson (Guest)

If we are only billed once per year how can more people join throughout the year?

From Mentimeter: If SA only get billed once a year, can people access the insurance only at one point in the year, e.g. in January, or at any time during the year?

New members can be sent to the FICSA Secretariat at any time. The Secretariat will forward these on a regular basis to Fortuna, Alexandre Brunet. At the end of the year, Fortuna will adjust the fees including those that were added.

[20:28] MENDOZA, Mar Angelo (Guest)

can we add an allowance of 5 extra members to ensure they're included?

Yes, you can. Although Fortuna would prefer names. If names are not immediately known, they need to be submitted to the FICSA Secretariat as soon as they are available.

[20:36] FONTAINE, Christopher (Guest)

My question is similar to Tabita's and Natalia's: the submission of the claim is "upon discussion" with the staff association president. What does that mean? What is the president supposed to check exactly?

The FICSA Secretariat will be working with FORTUNA on guidance for presidents or their designates to define their roles and clarify the scope and responsibilities.

[20:32] NEMIROVA, Natalia (Guest)

Why do we have to speak with the Insurance company and the lawyer through staff association and not directly and confidentially? If I understand correctly - after the case is evaluated by staff association and FORTUNA, it can be rejected?

[20:47] NEMIROVA, Natalia (Guest)

I think that there should no "middle man" between a staff member and the insurance company
The SA/union is the entry point for staff who would like to put forward a legal issue. The President will need to sign off on the claims form to be sent to Fortuna. There may be instances where there are conflicts of interest. In case of conflict of interest or perceived conflict of interest, you may submit the form directly to FORTUNA without the signature of the President of the SA/Union. FORTUNA will confer with FICSA in an anonymous manner. Any case can be rejected provided that it is frivolous.

[20:33] Jonathan Lang IPU (Guest)

May I ask if all members of a staff association need to join Fortuna or if association members can opt-in/opt-out?

Not all members of the SA/Union need to join. It eventually is up to the Committee as to how it wants to handle this matter, depending on your modality. Some SAs/unions include legal protection in their dues, therefore this implies all members are covered unless the SA/Union provides an opt-out option. Some may introduce a separate fee for legal insurance, payable only by members who would like to subscribe to the legal insurance

[20:34] millerk@who.int

Legal help would only be at the ILOAT or UNAT level? No help with the internal agency levels?

[20:42] Maureen Murphy Richardson (Guest)

What level of support is given during the internal justice system of a particular organization? If someone is going through the investigation and grievance/appeals system of their own organization, is legal advice available through the insurance?

Legal support will be provided for internal justice procedures, including negotiations.

[20:35] Elene Sarria (Guest)

Could someone that is not a member of the staff association request to join FORTUNA and pay the FORTUNA dues only?

Such an arrangement would be up to the SA/Union to define.

[20:38] MARKOVA, Elena (Guest)

If I have already legal insurance in Switzerland, would I need FORTUNA?

Legal insurance in Switzerland does not cover the ILO and UN Tribunals, neither the internal justice processes in FICSA member organizations. Therefore, the answer is 'yes', you would need FORTUNA membership in the insurance scheme negotiated by FICSA.

[20:47] Brown, Andrew (Guest)

Dear FICSA colleagues, Thank you very much for this interesting and informative presentation. It was my understanding that ICAO would not be able to benefit from FORTUNA. However, based on the reply to Juan L. , my ICAO colleague, this may not be the case. The ICAO SA ExCom will need to communicate further with you (FICSA/FORTUNA) to confirm this. Until then, again, thank you.

FORTUNA confirmed that ICAO, Montreal can be covered by FORTUNA in both, the internal and international justice sphere as they fall under the UN Tribunal. Therefore, it is not necessary to have the HQ in Geneva as previously understood from FORTUNA. It is essential that the FICSA member is covered by the ILO or UN Tribunal no matter where it holds its sessions (Geneva, New York, or Nairobi).

[20:48] MENDOZA, Mar Angelo (Guest)

First Open Online Session on Fortuna Insurance; 14 July 2020, 2-3pm Geneva time

Do we have data on average, how much more a staff member would pay after the \$15,000 is exhausted in common cases?

It really depends on the case, on the issue, the length of the case. We do not have any data as this is confidential usually.

[20:58] TETZ, Simone Renee (Guest)

What if a staff member has initiated a case before knowing about the Fortuna insurance option? Or before their SA offered this option? Would they be excluded?

Once you have signed and paid up with FORTUNA you can start your case immediately. However, any ongoing cases would not fall under the insurance coverage.

[20:59] NOWACKI, Julia (Guest)

How many persons does FICSA already have for signing up to the insurance?

Currently a few hundred. We definitely need to get more in order to reach the 1000 limit so that we can profit from the lower fees.

From Mentimeter: Will paying UN Staff Association members have the choice on who will be their legal representation

FORTUNA has its own lawyers. However, the [claims form](#) will ask the reasons for why you would want to have your lawyer of choice. FORTUNA has approved the lawyers on the [FICSA official list of lawyers](#) and you might choose one from there and explain why.

From Mentimeter: Is there an advance consultation service available?

Check out the [MoU](#) FICSA has with its lawyers. It provides free consultation services. Please also check with your SA/Union if they have contracts with lawyers to provide these.

From Mentimeter: What is the minimum number of members required to get an attractive coverage for an organization? Can individual members sign up or does it have to be a minimum number of employees?

From Mentimeter: Is it 1000 for all FICSA as a whole or 1000 per Staff Association/Organization

Under 1000 adherents who are FICSA members we pay CHF100/p/y and above 100 adherents we pay CHF80/p/y. There is no minimum, but the more we have the better for us.

From Mentimeter: What are the qualifications of the legal team used by Fortuna? How much experience do they have and how much will they know about our organization?

The team at FORTUNA is constituted of lawyers which various experiences according to their seniority. They are all specialized in various matters. There are 10 lawyers in Nyon, Switzerland and there is also a team in the German part of Switzerland.

From Mentimeter: What are the advantages of insurance vs using lawyers directly?

It is cheaper if you have a case to put forward through FORTUNA. Lawyers are expensive and FORTUNA regulates the fees so they are reasonable.

Our organization has a high turnover of staff as 90% are on short-term contracts. I noted that we can submit a monthly list of members to FICSA. But does the payment still only happen once a year or how would this work?

Payment is annual and the staff associations/unions must keep their accounts up-to-date. FORTUNA cannot sign off on contracts for less than a year.

If staff aren't in the organization for the full 12 months for that particular year, would they have to pay for the full year regardless?

Yes, it is an annual payment and a relatively low fee keeping in mind the very high costs that a case might ensue.

Notes from debrief:

1. In case of conflict of interest or perceived conflict of interest, you may submit the form directly to FORTUNA without the signature of the president of the staff association. FORTUNA will then discuss with FICSA on the way forward.
2. Coverage:
 - a. **First level – Internal Justice System** – If the association is a member of FICSA, legal support for cases in the internal justice system is covered. However, if the case escalates to the second level, the coverage is only for ILOAT / UNAT / UNDT.
 - b. **Second level – Tribunals** – ILOAT in Geneva and UNAT / UNDT in Geneva, New York and Nairobi.
3. Staff list sent to Fortuna can be sent every six month. There is no problem if you would like to update Fortuna on a monthly basis as well though it is not mandatory.
4. The billing is done once a year, however additional members added throughout the year will be included in the next billing cycle. The new members will still be able to access the insurance upon approval by the President of the SA/Union and on payment of the insurance fees to the SA/Union.