

REPORT OF THE STANDING COMMITTEE ON PROFESSIONAL SALARIES AND ALLOWANCES

Chair	Christian Gerlier (ITU Geneva)
Rapporteur	Gaston Jordan (ICAO Montreal)
FICSA President	Diab El-Tabari (UNRWA/ASA Lebanon)
FICSA General Secretary	Gemma Vestal (WHO/HQ Geneva)
Members, FICSA Executive Committee`	Gaston Jordan (ICAO Montreal)
	Jason Sigurdson (UNAIDS Washington DC)
Regional Representatives	Bernadette Fogue (WHO/AFRO Brazzaville)
	Jesus García Jiménez (ILO/ITC Turin)
FICSA Information Officer	Brett Fitzgerald

Participants

AP-in-FAO	Roberto Bonafede Juan José Coy Girón
IAEA	Lisa Villard Imed Zabaar
ICAO	Walter Parks Ray Reynolds
IFAD	David Nolan
IMO	Blanca Pinero Gisela Vieira Irene Waite
ITU	Henri-Louis Dufour Akim Falou-Dime Carmen Montenegro
UNAIDS	Tanya Quinn-Maguire
UNESCO	Maria Helena Capelli Miguel

	Amani El-Scheikh
UNWTO	Maria Teresa Fernández
UPU	Birahim Fall Stéphane Vuillemin
WHO/AFRO Brazzaville	Lusamba Kabamba
WHO/EURO Copenhagen	Matthias Branbach
WHO/HQ Geneva	Tim Nguyen
WHO/SEARO New Delhi	Rajesh Mehta
WHO/GSC Kuala Lumpur	Kiran Kaur
WHO/WPRO Manila	Rachelle Anyayahan
WIPO	Olivier Steele
WMO	Andrès Orias

Member with associate status

CERN	Isabelle Mardirossian Jean-Pol Matheys Ghislain Roy
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Guests

CCISUA	Catherine Comte Tiberghien
NATO	Andie Hill Hassink Wilhelmus

Adoption of the agenda (Agenda item 1)

1. The Standing Committee adopted the following agenda:
 1. Adoption of the agenda
 2. Election of the rapporteur
 3. Report of the PTC/PSA
 4. Review of the Standing Committee's recommendations adopted at the 70th FICSA Council

5. The status of implementation of the compensation package in various duty stations and determination of uniformity of implementation. (Council decision FICSA/C/70/D/43)¹
6. Review of the compensation package for Professional staff deployed in the field and its potential and upcoming impact on those staff members (Council decision FICSA/C/70/D/24)² (FICSA/C/71/PSA/1)
7. Update on litigation pertaining to the revised compensation package
 - CCISUA update regarding its litigation at the UNAT
8. Implications of the negative results of the cost-of-living surveys (staff mobilization, liaison work with HR Network and litigation)
9. Review of the cost-of-living methodology (agreement to create a tri-partite working group) and lobbying to reinstate the 5% gap closure measure (GCM)
10. Update on the litigation planned by Geneva-based organizations against the pay cut
11. ICSC WG meeting on the review of pensionable remuneration
12. Requests for training/workshops in 2018
13. Harassment
14. Other business
15. Nomination of Standing Committee officers and core group members

2. The Chair opened the meeting at 18:55 on 5 February and the Standing Committee (SC) adopted the agenda with the addition of item 13, « Harassment ». For want of time constraints, the Standing Committee on Professional Salaries and Allowances only met for about 40 minutes at its first sitting.

Election of the rapporteur (Agenda item 2)

3. Mr. Gaston Jordan (ICAO), Member of the FICSA Executive Committee, was elected rapporteur.

Report of the PTC/PSA (Agenda item 3)

4. The Chair asked if there were any comments on the Report of the Permanent Technical Committee (PTC/PSA) that had been prepared by Mr Juan Coy (AP-in-FAO), in the absence of Ms. Andrea Leveque, but not yet published. There being no comments, the Chair suggested adding the appeals of WHO/EURO Copenhagen, FAO and PAHO. The Standing Committee took note of the PTC/PSA report (see annex).

¹ Study the implementation of the compensation package and, on the basis of its findings, make recommendations to the ICSC pertaining to adjustments and the uniformity of implementation.

² The Executive Committee should work, in collaboration with the Standing Committee on Professional Salaries and Allowances, on drawing up a table showing the adverse changes for field staff following the review of the compensation package for Professional staff.

Review of the Standing Committee's recommendations adopted at the 70th Council (Agenda item 4)

5. The Chair cited the recommendations, all of which had been implemented:
 - (a) Member associations/unions should inform the staff members in their organizations of the need to draw attention, in a timely manner, to situations where they had suffered losses in respect of the changes implemented as a result of the comprehensive review so that they could be considered as possible test cases for appeals. FICSA would focus on three test cases at an expected cost of CHF 30,000, of which CHF 15,000 would be required of FICSA and CHF 15,000 of CCISUA.
 - (b) Study the implementation of the compensation package and, on the basis of its findings, make recommendations to the International Civil Service Commission (ICSC) pertaining to adjustments and the uniformity of implementation.
 - (c) The FICSA delegation to the upcoming ACPAQ should voice concern over the lack of transparency in the cost-of-living survey process owing to the survey coordinator's report not being shared with the local survey committees or staff representatives.
 - (d) Alert the membership to the planned workshops in the field, as well as explore with the ICSC the possibility of holding an HQ methodology training session on the post adjustment system in either New York or Europe.
6. The action taken on the above recommendations was noted.

Status of implementation of changes to the compensation package and uniformity in application (Agenda item 5)

7. The Chair introduced the item and the representatives of ILO, UNAIDS, IAEA and ICAO intervened to describe the status of implementation of the new compensation package in their respective organizations.
8. It appeared that phases 1 and 2 were being implemented quite consistently, whereas phase 3 (education grant) presented challenges in different organizations as not all the changes had been approved. Several organizations had yet to adopt new rules or were waiting for the UN to pave the way.
9. At the IAEA, an appeal had been launched against the elimination of boarding fees at HQ duty stations. At ITU some appeals were foreseen on the elimination of boarding fees at HQ duty stations. FAO obtained the reimbursement of capital assessment fees in those cases where staff members were transferred to other locations by the administration. The ILO was trying to negotiate the creation of a fund from the savings to support GS staff in the field who also needed to resort to private schools. An exception would be IFAD where boarding was maintained regardless of the duty station and 100 per cent of the CAF was reimbursed.

10. The Standing Committee concluded that there was no general uniformity in terms of implementing of the changes, especially with respect to phase 3 (education grant), which remained an issue.

Table of changes to the compensation package (Agenda item 6)

11. Mr Jordan summarized the main features of the table: the fact that apart from phase 1, the new provisions applied to all Professional staff and not only to those in the field. The aim was to group all the changes in one document and present them in a concise and practical manner.

12. Representatives of FAO, WHO and CERN intervened after the summary. Following a comment on the new recruitment incentive, the discussion shifted to the matter of pay-for-performance. It was recalled that the incentive was a one-time measure only designed to allow the recruitment of certain talent whereas that was a different issue altogether, pay-for-performance was to be avoided at all cost.

13. The participants noted the table, saying that it should be revised as new developments occurred.

The Committee recommended that members inform the Executive Committee of the implementation of the compensation package as a whole and in particular phase 3 in the organizations, so that the Executive Committee could gather as much information as possible. That information could be useful to the membership in their appeals and the Executive Committee should continue updating the table yearly with the information received.

Update on litigation (Agenda item 7)

14. The President of FICSA described the current status of litigation, pertaining to the appeals lodged by staff on the global effects and the education grant. Emphasis was placed on the UN Dispute Tribunal (UNDT) judgement rendered in late December, which upheld acquired rights. However, the UN Secretary-General might lodge an appeal against that judgement. The three Staff Federations had written to the UN Secretary-General asking him not to appeal against the judgement.

15. Member associations/unions should continue to identify cases that might be appealed on the basis of that judgement and relay that information to FICSA. A proposal was made that FICSA consult its lawyers to determine the next steps to be taken.

The Standing Committee recommended that the FICSA membership share the UNDT judgement UNDT/2017/098 with their respective executive heads and discuss the implications that the judgement bore on the manner in which they implemented the new compensation package.

Implications of the negative results of the cost-of-living surveys (Agenda item 8)

16. The President of FICSA described the negative results, the context and the latest developments with regard to the cost-of-living surveys, in particular the misleading statements by the ICSC, the elimination of the 5 per cent gap closure measure and the introduction of a new measure at 3 per cent he showed how the cut was being portrayed as being only 2 per cent in Geneva (to Member States, organizations, certain commissioners and staff representatives).

17. Participants asked what the way forward should be. The CCISUA representative, Ms. Catherine Comte Tiberghien (ILO), called for more mass mobilization in preparation for the upcoming ACPAQ meeting. It was suggested that FICSA act in an intelligent and strategic manner and not burn its bridges with the ICSC. It was decided that FICSA should continue action on three fronts: (i) mobilization, (ii) litigation (increase number of appeals), and (iii) continue to engage with the ICSC.

The Committee recommended that in their interaction with the UNGA Member States and other relevant bodies, the three Staff Federations should emphasise the fact that the ICSC had provided misleading information regarding the actual impact of the post adjustment revision.

Review of the cost-of-living methodology, reinstatement of the 5% gap closure measure and creation of a tripartite WG (Agenda item 9)

18. The ICSC recruited a consultant, a senior statistician, Mr. Silvester Yung, former statistician of ILO, to review the post adjustment methodology. FICSA needed to receive his report well ahead of the ACPAQ meeting that would start on 26 February 2018. The ICSC was not willing to set up a tripartite working group for the review. The mobilization and lobbying of the three staff federations must continue in an endeavour to obtain the reinstatement of the 5 per cent gap closure measure.

The Committee recommended that the Executive Committee participate in the review of the methodology and keep the membership informed of any developments.

Update on litigation planned against the pay cut by the Geneva-based organizations (Agenda item 10)

19. The FICSA General Secretary, Ms. Gemma Vestal (WHO/HQ Geneva), described the developments over the past three months:

- A statistician from the organizations had exposed the flaws in the application of the methodology
- The FICSA lawyers had been consulted on a legal strategy to challenge the resulting cut
- The ICSC Executive Secretary had been invited to explain the functioning so that FICSA fully understood the relationships between its different sections and divisions
- A legal workshop on appeals at the ILOAT was conducted at the FICSA Council (presented by Ms. Renuka Dhinakaran)
- Executive heads were helping indirectly by granting leave to bypass internal justice bodies

- A template was ready and hundreds of Professional staff in Geneva would sign it, thus permitting the launch of a mass appeal.

20. The Standing Committee noted the strategy in place for litigation in Geneva and the extent to which it could serve as a model in other duty stations.

ICSC WG meeting in Madrid to review pensionable remuneration (Agenda item 11)

21. The item was transferred to the Standing Committee on Social Security/OHS.

Training needs (Agenda item 12)

22. The General Secretary of FICSA proposed setting aside USD 2,000 (out of the USD 7,000 allotted to each Standing Committee) to provide further training for litigation with respect to the new compensation package.

23. Noting that there was a lack of knowledge among staff representatives on the technical aspects of the post adjustment, one participant proposed that an ad hoc group of four members at the most exchange mails to identify the features of a technical training course that would put staff representatives on an equal footing with the Commission and communicate those features to the ExCom.

24. The ad hoc group would comprise Mr. Christian Gerlier (ITU), Mr. Olivier Steele (WIPO), Mr. Birahim Fall (UPU) and Mr. Gaston Jordan (ICAO). It would quickly get to work by email and prepare the list of features by the end of February.

The Committee recommended that the Executive Committee prepare the terms of reference for a technical training course on post adjustment issues, based on the list of features prepared by the ad hoc group.

Harassment (Agenda item 13)

25. As explained to the heads of delegations, all Standing Committees had been invited to review a draft resolution on harassment that would be adopted at the 71st session of the FICSA Council. It would enable the Federation to stay ahead on the matter that was currently at the forefront. The resolution, it was explained, would cover all forms of harassment, not just sexual harassment.

The Standing Committee recommended that the resolution under Council agenda item 11 be adopted and issued as soon as possible.

Any other business (Agenda item 14)

26. No items were raised under the heading.

Nominations of standing committee officers and core group members (Agenda item 15)

27. Mr. Christian Gerlier (ITU) was nominated as Chair and Mr. Walter Parks (ICAO) as first Vice-Chair and Mr. Juan José Coy Girón (AP-in-FAO) as second Vice-Chair.

28. Eight other participants would be core group members:

Henri-Louis Dufour (ITU)

Birahim Fall (UPU)

Akim Falou Dine (ITU)

Bernadette Fogue (WHO/AFRO Brazzaville)

Rajesh Mehta (WHO/SEARO New Delhi)

David Nolan (IFAD)

Ghislain Roy (CERN)

Lisa Villard (IAEA)

Irene Waite (IMO)

Imed Zabaar (IAEA)

Annex

REPORT OF THE PERMANENT TECHNICAL COMMITTEE OF THE STANDING COMMITTEE ON PROFESSIONAL SALARIES AND ALLOWANCES (PTC/PSA)

3 February 2018, 14:30

Chair	Christian Gerlier (ITU Geneva)
Rapporteur	Juan José Coy Girón (AP-in-FAO Rome)
President, FICSA	Diab El-Tabari (UNRWA/ASA Lebanon)
Information Officer, FICSA	Brett Fitzgerald

Participants

ITU	Henri-Louis Dufour
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Member with associate status

OPCW	Megan Lehmann
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Adoption of agenda (Agenda item 1)

1. The provisional agenda (FICSA/C/71/PSA/CRP.2) was adopted.

Election of the rapporteur (Agenda item 2)

2. Mr. Juan José Coy Girón (AP-in-FAO) was elected as rapporteur.

Report on the 2017 ACPAQ meetings (Agenda item 3)

3. FICSA delegations attended two ACPAQ meetings in New York City. The first was held from 19 to 27 February 2017 and the second an additional session, from 29 to 30 June 2017. Mr. Henri-Louis Dufour (ITU) made a brief presentation summarizing the work carried out by the FICSA delegation that travelled to New York (from 13 to 17 November 2017) at the time the Administrative and Budgetary Committee (Fifth Committee) of the United Nations General Assembly was discussing ACPAQ-related matters, particularly post adjustment issues.

4. The delegation comprised of the President, the General Secretary and the Information Officer of FICSA plus Mr. Dufour himself. The delegation held meetings with the representatives of several countries, including Brazil, Israel and Italy as well as with the Chair of the Fifth Committee and representatives of the International Civil Service Commission (ICSC). The President of FICSA also held informal meetings with different national delegations and the heads of several organizations. Finally, the FICSA delegation, together with the delegation of CCISUA, met with the Chair and the two Vice-Chairs of the G77 countries.

5. In those meetings, the FICSA delegation tried to advance the Federation's position with regard to the review of post adjustment, it emphasized the 2015 revision to the operational rules of the methodology for the review was flawed further to which the ICSC should not have changed the rules along the way.

Strategize in preparation for the next ACPAQ meetings (29 February to 5 March and the summer of 2018) (Agenda item 4)

6. Mr. Brett Fitzgerald, FICSA Information Officer, explained to the Committee that the ICSC Chair did not acknowledge the agreement reached at the Commission's session held in Vienna in July 2017 whereby a tri-partite working group would be established to continue discussing and, if appropriate, fine-tuning the survey methodology relating to post adjustment revision.

7. The ICSC Chair apparently intended to bring a senior statistician, Mr. Silvester Yung, former ILO statistician, to the next ACPAQ meeting to present a report that would defend the Commission's work and refute the conclusions of the three expert statisticians who had been commissioned by the HR Network to review the revised methodology for the place-to-place surveys and who had identified serious flaws in it.

8. Mr. Fitzgerald informed the Committee that FICSA had asked one of the three expert statisticians, Mr. Kieran Walsh, to be part of the Federation's delegation to the next ACPAQ meeting. Mr. Kieran Walsh, however, had already agreed to accompany the HR Network delegation, so FICSA had asked another of the three experts, Mr. Steve MacFeely (UNCTAD's Senior Statistician); he had agreed to join its delegation. The third expert statistician, Ms. Valentina Stoevska, would also attend the meeting as part of the CCISUA delegation.

9. Mr. Fitzgerald therefore felt that FICSA had made the necessary arrangements, pending the election of the new Executive Committee members and subsequent identification of the exact composition of the delegation.

Any need for workshops? (Agenda item 5)

10. Mr. Diab El-Tabari (UNRWA/ASA), FICSA President, was of the view that, given the uncertainty regarding the outcome of the next ACPAQ meetings and ICSC sessions, it might be a good idea to schedule tentatively a couple of workshops late in the year. In so doing once the situation was clearer the Executive Committee could decide whether it would be necessary to hold them (if the ICSC made any further revisions to the methodology).

11. The PTC/PSA suggested that the Executive Committee might wish to ask the ICSC to provide further training on post adjustment issues as well.

Membership issues (Agenda item 6)

12. Some concern was expressed about the reduced participation and whether the Committee was really useful or necessary. Mr. Dufour (ITU) pointed out that its permanent

character was what made the PTC/PSA worthwhile, by reason of its continuity and the participation throughout the years of some people extremely well versed in the subject matter.

Other business (Agenda item 7)

13. Mr. Coy Girón (AP-in-FAO) enquired about the status of the appeals in relation to the compensation review that the Council had agreed to finance. Mr. El-Tabari explained that initially the idea had been to support three test cases of different types (i.e. related to different aspects of the compensation package). However at the Geneva ‘symposium’ with lawyers it had been suggested that appeals should focus on overall loss or show cumulative damage, as that would provide better chances buttressing the argument that acquired rights had been breached.

14. To date, FICSA had contributed USD 10,000 to appeals filed by five PAHO staff members using a lawyer from Bretton Woods Law. In the case of WHO, Mr. Laurent Chambost had been introduced to Me Christopher Bollen, whom he had requested to go to WHO/HQ Geneva for an information meeting with affected staff. The information session at WHO/HQ Geneva duly took place occur and most staff were annoyed when it transpired that they were most likely time-barred.
