



Federation of International  
Civil Servants' Associations

FICSA/C/73/R.1



## REPORT OF THE 73RD SESSION OF THE FICSA COUNCIL

*One strong Federation – One strong voice*

Geneva, 16 April 2020

## Abbreviations

Abbreviations of the names of the organizations whose staff are represented by FICSA members are not given here, but spelled out in the participants list, Annex 12 to the report of the Council.

ACPAQ	Advisory Committee on Post Adjustment Questions
ASHI	After-service health insurance
CCISUA	Coordinating Committee of International Staff Unions and Associations of the United Nations System
CCM	Control Convergence Mechanism
CEB	Chief Executives Board for Coordination
FAQs	frequently asked questions
FAFICS	Federation of Associations of Former International Civil Servants
FUNSA	Field United Nations Staff Associations
GS staff	General Service staff
IP staff	International Professional staff
HLCM	High-Level Committee on Management
HR Network	Human Resources Network
IASMN	Inter-Agency Security Management Network
ICSC	International Civil Service Commission
ILOAT	ILO Administrative Tribunal
JABs	Joint Appeals Boards
LSSC	Local Salary Survey Committee
OHRM	Office of Human Resources Management
P staff	Professional staff
PIPs	Performance Improvement Plans
PMDS	Performance Management and Developmental System
PSI	Public Services International
PTC/GSQ	Permanent Technical Committee of the Standing Committee on General Service Questions

PTC/PSA	Permanent Technical Committee of the Standing Committee on Professional Salaries and Allowances
Q&A session	question-and-answer session
TESS project	Technology, Telecommunications Security Standards project
TWG	Tripartite Working Group
UN	United Nations
UNAT	UN Appeals Tribunal
UNDSS	UN Department of Safety and Security
UNDT	UN Dispute Tribunal
UNGA	UN General Assembly
UNISERV	United Nations International Civil Servants Federation
UNJSPB	UN Joint Staff Pension Fund Board
UNJSPF	UN Joint Staff Pension Fund
UNSMS	UN Security Management System

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## **Introduction and opening of the session (agenda item 1)**

1. FICSA President Brett Fitzgerald (WIPO) welcomed both experienced and new delegates to the 73<sup>rd</sup> session of the FICSA Council, and thanked the IMO staff association and Secretary-General, Kitack Lim, for hosting the event. The President also thanked the FICSA Secretariat for its preparatory work.
2. IMO Staff Association President Juan Lyu welcomed delegates to London and IMO, which had hosted the Council's 49th session in 1996, and wished the 73rd Council success in its deliberations. IMO Secretary-General Kitack Lim joined her in these wishes and in welcoming the Council in 2020, to mark the 75th anniversary of the United Nations (UN). Both highlighted the importance of mutually beneficial staff-management relations to create healthy and effective workplaces that could act on the UN's common values and accomplish its objectives. Bringing together 30 staff associations and unions and 55 others with associate, consultative or observer status, FICSA played a vital role in building and maintaining beneficial staff-management relations, particularly in promoting communication and cooperation through the exchange of experience and solutions.
3. The Council observed a moment of silence to honour the memory and service of colleagues who had lost their lives while serving the UN and its specialized agencies.

## **Cooperation with ICSC**

4. Addressing the Council, ICSC Chair Larbi Djacta described ICSC's participation as a welcome opportunity to continue to enhance its relationship with FICSA and anticipated productive discussions. Following the ILO Administrative Tribunal (ILOAT) judgement questioning ICSC's authority to establish post-adjustment levels, the UN General Assembly (UNGA) reaffirmed this authority and urged all common-system agencies to cooperate with ICSC to restore the consistency and unity of the post-adjustment system. These had been lost because different agencies in Geneva were now using different post-adjustment multipliers, as a result of the ILOAT judgement. UNGA also approved all ICSC's recommendations except that on the education grant, which it deferred to 2021.
5. At its spring 2020 session, ICSC would welcome FICSA's input and cooperation as it addressed topics including: contractual arrangements, the results of the Global Staff Survey, post-adjustment issues, including a review of the methodology and the level of children's and secondary dependents' allowances, the Noblemaire Study, a review of the implementation of the

recruitment incentive, a report of the working group on the review of GS salary-survey methodologies, and conditions of service in the field. Open communication and partnership with FICSA would be important in ICSC's review of the operational rules under the post-adjustment system for Professional (P) staff and the methodologies for local salary surveys for General Service (GS) staff, which would continue into 2021 and had a rather technical nature. In 2020, ICSC would also monitor conditions of work and life in duty stations with extreme hardship and review parental leave entitlements. The ICSC Chair pledged to continue to lead ICSC to improve conditions of service in order to create a more modern and sustainable UN Common System.

6. As part of dialogue with FICSA, the ICSC Chair and Executive Secretary Regina Pawlik held a question-and-answer (Q&A) session with delegates. Delegates seized that opportunity to make many queries, and a lively give-and-take ensued. The questions and answers are included in Annex 2.

### **Credentials (agenda item 2)**

7. FICSA General Secretary Evelyn Kortum (WHO/HQ) noted that 28 out of 30 full members were present. IPU had given its voting proxy to WHO/HQ, but WTO in Madrid had not provided a proxy. No member was in arrears. The FICSA President welcomed delegates from FICSA's new full member, UNIDO; and the staff representative body for EBRD, which now had consultative status; as well as observers from representatives of the World Maritime University, to the Council. The list of participants comprises Annex 12.

### **Election of officers, adoption of the agenda and organization of the Council's work (agenda items 3, 4 and 5)**

8. As officers for the 73rd session, the Council elected Alfredo Parroquin-Ohlson (IMO) as Chairperson, and Catherine Kirorei Corsini (WHO/HQ) and Eva Møller (FAO/WFP-UGSS), as the 1st and 2nd vice-chairs, respectively. The Council also approved the appointment of Mary Stewart Burgher as rapporteur, and that of Deborah Bryant and Tatiana Parkhomenko (IMO) as its polling officers.
9. The FICSA General Secretary informed the delegates in Plenary session of all details relative to the organization of the work for the entire week including the dates and times of all planned social events.
10. Further, the Council elected Imed Zabaar (IAEA) as Chair of the Ad Hoc Committee on Strategic Development and Nizar Zaher (OSCE) as Chair of the

Ad Hoc Committee on Administrative and Budgetary Questions. Finally, the Council adopted the agenda as presented (Annex 1).

11. The FICSA General Secretary informed the Council that the proposed changes to the FICSA Statutes would be presented and discussed in the Ad hoc Committee on Strategic Development, following which that Committee's recommendations thereon would be submitted to Council's Plenary session on Friday for approval.

### **Constitutional matters (agenda item 6)**

12. The FICSA General Secretary informed the Council that the proposed changes to the FICSA Statutes would be presented and discussed in the Ad hoc Committee on Strategic Development, following which that Committee's recommendations thereon would be submitted to Council's Plenary session on Friday for approval.

### **Questions relating to membership status in FICSA (agenda item 7)**

13. The FICSA President reported that, on 20 December 2019, the Executive Committee had received written notice from the ITU Staff Union of its withdrawal from FICSA and had transmitted that to all full and associate members in accordance with Article 8 of the FICSA Statutes. Under Article 8, that withdrawal would become effective on 19 June 2020, unless the ITU staff union informed the Executive Committee in writing of a new decision to maintain its membership before that date. Owing to some confusion about the issue as expressed by some ITU Staff Union representatives, the FICSA Executive Committee had sought a legal opinion; that opinion was that the requirements of Article 8 were mandatory for both the ITU Staff Union and FICSA, so the former would remain a FICSA member until 19 June. FICSA would therefore charge ITU for its dues until the effective date of its withdrawal and would recalculate the dues if ITU changed its decision.
14. A member of the ITU delegation informed the Council that the staff union would hold an extraordinary staff assembly on the issue on 21 February 2020, as the decision to withdraw had come from a minority of members. He urged other FICSA members in Geneva to support ITU's retention of its membership.
15. Delegates working in a variety of duty stations across the world expressed their regrets about ITU's planned departure, their solidarity with its staff and their desire to work with them and the Staff Union to resolve any issues and, if possible, retain ITU as an active FICSA member. Some asked what issues

might have led to ITU's decision. In addition, one speaker welcomed UNIDO's return to FICSA membership.

16. The Council expressed strong support for the ITU Staff Union and staff. FICSA was eager to clarify the situation and the new Executive Committee would take up this task. The stated grounds for withdrawal were FICSA's voting methods and levels of dues. The Executive Committee hoped that the 2020 budget would deal with the dues issue, and it could explain FICSA newly adopted electronic voting methods more clearly to the ITU Staff Union. In addition, FICSA members in Geneva could approach ITU staff informally to offer support and information.

### **Report of the Executive Committee for 2019-2020 (agenda item 8) and FICSA's achievements in 2019**

17. The FICSA President gave an overview of the Executive Committee's achievements – both in working with interlocutors to protect staff rights and improve their conditions of service, and in improving its own working methods to increase its effectiveness – as described in its annual report (see FICSA/C/73/4). FICSA participated in the deliberations of the following formal interagency organs: the UNGA Fifth Committee, ICSC and its ACPAQ, the High-Level Committee on Management (HLCM) and the Human Resources (HR) Network. It also took part in the Inter-Agency Security Management Network (IASMN) and had observer status with the UN Joint Staff Pension Fund Board (UNJSPB).
18. FICSA had done its utmost to give staff's input to discussions of issues affecting conditions of service: for example, in ICSC working groups to review post-adjustment methodology (including the participation of three expert statisticians from the staff federations in the ICSC task force to review the conceptual framework of the post-adjustment index) and the operational rules governing the determination of post-adjustment multipliers. In the upcoming meeting of the Operational Rules Working Group, FICSA would demand reintroduction of the 5% gap-closure measure. It also took part in the ICSC working group to review of the salary-survey methodologies used to establish salaries of local and GS staff, and two sessions of the Tripartite Working Group (TWG) on the classification of difficult duty stations. In addition, FICSA had taken part in the work of HLCM working groups on the Implementation of the Mental Health Strategy, the Duty of Care (including for non-staff) and After Service Health Insurance (ASHI). After a survey on sexual harassment in the UN workplace had been conducted, FICSA had provided input to the new Enabling Environment Guidelines for the United Nations System, which were

intended to support efforts to create a working environment that embraced equality, eradicated bias and was inclusive of all staff.

19. Following the Geneva-based organizations' implementation of the ICSC decision to lower the post-adjustment multipliers/levels following its 2016 round of cost-of-living surveys, FICSA had coordinated the approximately 2,000 legal appeals filed by P and higher-level staff in Geneva with ILOAT, to contest that decision. ILOAT had found in favour of staff. Although ICSC subsequently expressed disagreement with the ILOAT judgements, and UNGA had supported the views of ICSC late in 2019, FICSA had requested UNGA to ensure the separation of powers between the legislative (UNGA) and the judiciary (ILOAT). UNGA agreed that it could not interfere in the work and mandate of ILOAT, so its judgements stood. Unfortunately, Geneva-based staff in the P and higher categories working for organizations that were not under ILOAT jurisdiction, however, still had to wait for the judgement(s) of the UN Dispute Tribunal (UNDT)/UN Appeals Tribunal (UNAT). As a result, two different post-adjustment multipliers were in place in Geneva.
20. FICSA had also written letters to the ILO Legal Office in response to pressure from some specialized agencies in relation to proposed changes to the ILOAT Statutes.
21. Further, the Executive Committee had worked full out to implement the recommendations of the functional review in 2019, in order to improve the efficiency and effectiveness of its work for staff. It had carried out the vast majority of the recommendations, particularly those on modernizing its work procedures and making effective and efficient use of its resources to deliver its mandate. Those efforts helped enable FICSA to address members' requests to cut dues by reducing the draft budget for 2020 by 25%.
22. The measures taken had not only streamlined processes and procedures but also increased the number and transparency of communications with members and raised FICSA's profile.
23. Pressure on staff to do more with less continually increased. Staff associations/unions should take that as a wake-up call to further involve large numbers of staff in there and FICSA's work. In keeping with its core mandate, FICSA needed to focus on global issues, and cannot become involved in the cases of individual staff members. The FICSA President asked the Council delegates, who would all participate in the work of the various FICSA standing and ad hoc committees, to focus on making decisions that would provide high-level policy and strategic guidance to the Executive Committee, rather than requesting lower-level tasks.

24. The Council took note of the Executive Committee report with due consideration being given to the comments made during the discussion of it.

**Cooperation with sister Federations (agenda item 9)**

25. Statements from FICSA’s sister Federations, the Coordinating Committee of International Staff Unions and Associations of the United Nations System (CCISUA) and the United Nations International Civil Servants Federation (UNISERV), were provided to delegates. Both stressed the importance of cooperation and solidarity to accomplish the three federations’ shared goals of serving the staff whom they represented.
26. FICSA had signed agreements of cooperation with CCISUA and UNISERV, although the latter stipulated that its cooperation agreement with FICSA did not bind it to automatically include cooperation with CCISUA. These agreements enabled FICSA to issue joint statements with CCISUA and with UNISERV, when both parties agreed to that in advance, and to send common or joint letters to interlocutors on topics on which they agreed. In addition, the three federations jointly paid for statisticians to take part in the Advisory Committee on Post Adjustment Questions (ACPAQ) and in the International Civil Service Commission (ICSC) task force on the review of the conceptual design of the post adjustment methodology.

**Election of the Executive Committee and Regional Representatives for 2020–2021 (agenda item 10)**

27. The Council Chair announced the nominations received (in alphabetical order) for election to the Executive Committee for 2020–2021 (see FICSA/C/73/5/Add.2/Rev.1). In plenary, the candidates briefly outlined the strengths that they could bring to the offices that they sought, and their priorities for the coming year. A Q&A session took place for the position of President. Table 1 lists the candidates for the Executive Committee and Regional Representative positions, and those who were elected.

**Table 1. Candidates for the Executive Committee and Regional Representative positions, and those elected**

Offices	Candidates (organizations)	Those elected (organizations)
<b>Executive Committee</b>		
President	Diab El Tabari (UNRWA) Tanya Quinn Maguire (UNAIDS)	Tanya Quinn Maguire (UNAIDS)

General Secretary	No election this year	No election this year
Treasurer	Kay Miller (WHO/EURO)	Kay Miller (WHO/EURO)
First and second of two Members for Compensation Issues	Pilar Vidal Estévez (PAHO/WHO) Imed Zabaar (IAEA)	Pilar Vidal Estévez (PAHO/WHO) Imed Zabaar (IAEA)
Member for Regional and Field Issues	Véronique Allain (SCBD)	Véronique Allain (SCBD)
Member without Portfolio	Brett Fitzgerald (WIPO) Eva Møller (FAO/UGSS)	Brett Fitzgerald (WIPO)
<b>Regional representatives</b>		
Africa	Anthony Karanja Ndinguri (ICAO)	Anthony Karanja Ndinguri (ICAO)
Americas	Jesús García Jiménez (ILO ITC)	Jesús García Jiménez (ILO ITC)
Asia	Rajesh Mehta (WHO/SEARO)	Rajesh Mehta (WHO/SEARO)
Europe	Juan José Coy Girón (AP-in-FAO)	Juan José Coy Girón (AP-in-FAO)

### **Decisions of the Council (agenda items 11, 12 and 13)**

28. All Council delegates spent the bulk of their time during the 73rd session working in FICSA's seven standing committees and two ad hoc committees: the standing committees on Legal Questions, Human Resources Management, Social Security/Occupational Health and Safety, Conditions in the Field, General Service Questions, Professional Salaries and Allowances and Staff-Management Relations; and the ad hoc committees on Strategic Development, and Administrative and Budgetary Questions. In addition to meeting individually, the standing committees on Legal Questions and Professional Salaries and Allowances, and the two ad hoc committees held joint meetings.
29. Each committee debated relevant issues on the respective agendas, made recommendations on those issues for the Council to consider and adopted a report. Comprising annexes 3–10, these reports list the committees' membership and agendas, describe their deliberations, give their recommendations and list officers and core-group membership for 2020.
30. As was customary, a member of each committee presented its report, recommendations and future membership to all delegates in the Council's final plenary session. The full Council took note of the committee reports, discussed

and amended the recommendations submitted, and then adopted them as the decisions presented here.

## Legal Questions

31. The Standing Committee had discussed FICSA's progress in negotiating a collective contract for legal insurance for members; ways to protect staff's acquired rights and the desirability of UN organizations' moving to a proper two-tiered judicial system, whether by replacing the internal appeals bodies with a true tribunal or by subscribing to the jurisdiction of UN Dispute Tribunal (UNDT); and the need for guidance related to the right to privacy of UN staff and policies on data protection in various UN organizations. The Standing Committee's full report comprises Annex 3.

## Decisions

- **The FICSA Executive Committee should present a summary of the questions sent by staff to the FICSA Secretariat during the year, the answers provided and the general conditions that will result from the negotiations for a collective legal insurance contract for international officials.**
- **The FICSA Executive Committee should prepare:**
  - **a brief summary containing guidelines for staff representatives, to defend the legal requirement of a neutral appeal instance process within the internal justice system, including a written record and a written decision providing reasons, facts and law; and**
  - **a recommendation that staff representatives include UNDT as the most appropriate intermediary instance in case an organization is part of, or becomes part of, the UNAT two-tiered system of justice.**
- **The FICSA Executive Committee should provide an informative summary, with guidelines related to the protection of privacy and the security of personal data, based on the best standards currently in force.**

## Human Resources Management

32. The topics addressed by the Standing Committee included conditions for dismissal through staff performance appraisal, assessment and/or evaluation; UN organizations' increasing use of non-staff personnel; the desirability of officially recording staff association duties in the performance evaluation workplan; the progress of restructuring processes in various organizations and

its effects on staff; and the differential application of benefits/entitlements of P staff. The Standing Committee's full report comprises Annex.

## **Decisions**

- **The FICSA Executive Committee should raise the issue of the use of non-staff at the upcoming ICSC session and call on organizations to establish guidelines to ensure that the use of consultants is only for a limited period for projects in specialized areas, where the requisite expertise, skills or knowledge is not readily available within the organizations.**
- **The Executive Committee should approach One HR, which provides independent human-resources services, to understand the principle that it applies to organizational redesign and share that information with its membership, to help staff associations determine in advance whether they will accept guidance from One HR during restructuring.**
- **The Standing Committee Chair should facilitate the process of information exchange among members undergoing any form of restructuring; agencies' documents would be placed on the FICSA SharePoint, to be shared on request for reference purposes only, and not circulated outside FICSA. The SharePoint should also include the sharing of standard practices across organizations, prevailing policies in their agencies, to serve as a point of reference/basis for discussions with management.**
- **The FICSA Executive Committee should:**
  - **conduct research to understand the grounds for moving forward on this issue, to map all organizations' practices on whether lunch breaks are paid, and move on its links to working hours and salary levels; and**
  - **pursue with the relevant bodies, based on the health and wellness of staff, the inclusion of a thirty-minute lunch break within the eight-hour workday, so that lunch breaks are paid.**

## **Social Security/Occupational Health and Safety**

33. The Standing Committee's discussions tackled topics including the issue of ASHI, with particular focus on the implementation of the Mental Health Strategy and the HLCM Duty of Care Task Force; issues related to the UN Joint Staff Pension Fund (UNJSPF), particularly attempts to reduce the seats on UNJSPB allocated to specialized agencies; and medical coverage of locally

recruited staff of UN agencies. The Standing Committee's full report comprises Annex 5.

### **Decisions**

- **The FICSA Executive Committee should voice its concern about the UNGA resolutions on cost containment, regarding paragraph 5 from A/RES/73/279 B, on the issue of ASHI through the appropriate channels.**
- **In view of UN organizations' lack of progress in implementing the Mental Health Strategy (MHS), the FICSA Executive Committee should:**
  - a. **remind FICSA members to pursue all avenues towards MHS implementation as a matter of urgency; and**
  - b. **to facilitate access to tools to assist staff, managers and leaders to implement the MHS at an organizational level.**
- **The FICSA Executive Committee and FICSA members *should continue their ongoing efforts* to reach out to UNJSPF participants' representatives and inquire what steps are being considered to counter the pressure to reallocate seats on the UNJSPB and what kind of support the staff representative bodies may be able to provide in this context.**
- **The FICSA Executive Committee should explore the option of hiring a consultant to map the different health insurance plans across the UN Common System, in order to allow FICSA members to benchmark, ideally in consultation with the Federation of Associations of Former International Civil Servants (FAFICS).**
- **The FICSA Secretariat should ask members to provide information on how their health insurance premiums are calculated and implemented, and share the information received with them. The FICSA Executive Committee should explore the possibility of developing training on health insurance.**

### **Conditions in the Field**

34. The Standing Committee received updates on the IASMN session held in June 2019 and the annual ICSC meeting to review the classification of hardship duty stations for Asia and the Pacific Region and raised questions about the rules and regulations in the UN Common System concerning the carrying of

firearms by security guards. The Standing Committee's full report comprises Annex 6.

35. The Council noted the Standing Committee's suggestion that FICSA explore the possibility of creating a dedicated webpage and an e-learning platform, specifically targeted to the membership deployed away from headquarters, for the benefit of newly appointed staff representatives.

### **Decisions**

- **The FICSA Executive Committee should continue participating actively in the meetings and deliberations of IASMN, to raise issues of common interest and concern that may be brought up by the FICSA membership.**
- **The FICSA Executive Committee should continue advocating staff interests during the regular ICSC meetings devoted to the classification of hardship duty stations.**
- **The Executive Committee should ensure that the next round of ICSC classification of hardship duty stations duly consider factors such as the level of pollution and corresponding mitigation measures, respect for sexual diversity and disparity in the conditions of service.**
- **The Executive Committee should put in place an information process, such as an e-platform, to provide timely information to the FICSA membership affected by future classification reviews, to raise awareness among the local UN community of the importance of providing the right responses to questionnaires to ensure proper classification.**
- **The FICSA Executive Committee should ask the UN Department of Safety and Security (UNDSS) for guidelines on the roles and responsibilities of armed guards, the potential for special indemnities and the minimum requirements for carrying a firearm, to ensure the highest level of security. It should also write to IASMN for further guidance on this matter.**

### **General Service Questions**

36. The Standing Committee agreed on a set of questions to be submitted in writing to ICSC, to secure written responses (Annex 2). It considered the report and adopted the recommendations of the Permanent Technical Committee of the Standing Committee on General Service Questions (PTC/GSQ); and discussed both technological changes affecting the future of the GS workforce

and challenges faced by GS staff in applying for positions in the P category. The Standing Committee's full report comprises Annex 7.

## **Decisions**

- **The FICSA Executive Committee should ensure that the vital role of the Local Salary Survey Committee (LSSC) is maintained and strengthened during the review of the survey methodologies.**
- **Further, the FICSA representatives on the ICSC Working Group should ensure that the concerns raised by LSSCs prior to the review are taken into consideration. Funds should be allocated to facilitate the participation of the FICSA representatives on the ICSC Working Group and to conduct studies/analysis when required.**
- **The Executive Committee should recommend to the ICSC Working Group that the pilot surveys not be rushed and changes be thoroughly studied and analysed prior to any decisions. FICSA should develop training materials to assist LSSCs during pilot surveys.**
- **The Executive Committee should strengthen the role of the LSSC by using the FICSA website as an information resource and repository of all relevant information regarding GS salary-survey methodology, such as LSSC members' responsibilities and roles, frequently asked questions (FAQs), past issues and solutions, and exchanges of views among members.**
- **The Executive Committee should develop an early-warning system on trends for all duty stations (an information and coordination network of the LSSCs with clearly designated focal points from staff associations/unions that are members of FICSA) on comprehensive salary surveys and interim adjustments.**
- **The FICSA Executive Committee should conduct a study on the impact on staff's workload and mental health and well-being of the digitalization and the use of artificial intelligence to implement organizational change and prepare a readiness plan to assist staff representatives and their staff associations/unions.**
- **The Executive Committee should consider providing training in East Africa, according to the request from the Regional Representative for Africa to hold a workshop in Arusha, Tanzania for members of the LSSC.**

## Professional Salaries and Allowances

37. The Standing Committee compiled questions to be submitted in writing to the ICSC, to secure written responses (Annex 2), and considered the discussions of the Permanent Technical Committee of the Standing Committee on Professional Salaries and Allowances (PTC/PSA). It examined the progress made during the previous year in reviewing the methodology for cost-of-living surveys for P and higher-category staff in Group II duty stations. As the next round of surveys should occur in 2021, the ICSC Secretariat had little time to secure the approval of a new survey methodology and operational rules. It also discussed differences between UN agencies in the requirements and qualifications needed for eligibility for P-staff positions. The Standing Committee's full report comprises Annex 8.

### Decisions

- **The FICSA Executive Committee should:**
  - **advise relevant staff associations not to participate in cost-of-living surveys for P and higher-category staff at Group II duty stations, if the old methodology is used, and to file appeals if ICSC insists on proceeding with such surveys;**
  - **continue to be actively involved in updating the methodology and the operational rules for these surveys and keep the membership informed of progress; and**
  - **monitor on a quarterly basis changes to post adjustment, reach out to the relevant organizations in affected duty stations when discrepancies are found, and provide support, information and guidance.**
- **The Executive Committee should create a matrix displaying the differences between the old and the new methodology. FICSA should gather the members' views, to come to a position on which methodology should be adopted.**
- **The Executive Committee should approach the ICSC Secretariat to provide training on the proposed new methodology(ies).**
- **The Executive Committee should urge the HR Network and heads of agencies to apply ICSC standards for job classification and qualification requirements for P-staff positions, including periodic updating of job descriptions, especially when a restructuring exercise was foreseen.**

## Staff–Management Relations

38. The Standing Committee discussed both the importance of and the poor response rate to the survey on arrangements for staff associations that had been issued to all FICSA members at the beginning of the year. It considered how to complete the scheme for UN Common System organizations' (having staff associations/unions which are members of FICSA) to share the costs of funding the two full-time FICSA officer positions (President and General Secretary), and reviewed progress in resolving issues in staff–management relations in various organizations – including UNRWA, FAO, WHO, UNFCCC, WIPO and WMO – particularly during restructuring processes. In addition, members shared their ideas for and experience with ways in which staff representatives could affect positive organizational change during restructuring. They also explored staff representatives' involvement in ethics and whistle-blowing frameworks in various UN organizations. The Standing Committee's full report comprises Annex 9.

### Decisions

- **The FICSA Executive Committee should reissue the survey on arrangements for staff associations, with a new deadline and a message that strongly encourages members from all organizations to respond.**
- **All staff associations in organizations having FICSA-member associations/unions and which have not yet committed to the cost-sharing scheme, should follow-up with their administrations on the status of the scheme, and request that they give it due consideration.**
- **The Standing Committee recommended that the FICSA Secretariat request members to share their ethics and whistle-blowing policies and post them on the FICSA website.**

### Ad hoc Committee on Strategic Development

39. Annex 10 gives the full report of the Ad Hoc Committee. It proposed changes to the text of Articles 29, 30, 31, 32a and 36 of the FICSA Statutes and Rule 39 and 39bis of the Rules of Procedure of the Council; these were intended to ensure the accountability of the FICSA Executive Committee, increase length of mandates of Executive Committee members and Regional Representatives from one to two years and limit their total period of service to four years, and ensure the continuity of the Executive Committee's work during the implementation of those changes. In accordance with Article 43 of

the Statutes, changes approved by the Council would “come into force 30 working days after being communicated by the Executive Committee to the membership”. Although the Council decisions appear below, Appendix 1 to Annex 10 presents the new texts within their respective contexts. A FICSA Circular relative to the ratification of the changes will be published shortly after the Council session.

40. The Ad Hoc Committee also reviewed a report by an attorney on the representation of non-international civil servants and consultants by staff associations and unions (Appendix 2 to Annex 10). In a joint session with the Ad Hoc Committee on Administration and Budget, the Ad Hoc Committee followed up on the results of the functional review of the FICSA Secretariat, particularly the effects on the proposed budget for 2020, which included reduced dues for nearly all members and no proposed budget for training.

#### **Decisions relative to changes to the FICSA Statutes and Rules of Procedure**

- **Council adopted the recommendations of the Ad hoc Committee on Strategic Development relative to the changes to the FICSA Statutes and Rules of Procedure as listed in Appendix 1 of Annex 10 to this Report.**

#### **Decision relative to staff associations/unions representing non-staff personnel**

- **Considering the advantages and disadvantages of representing non-staff personnel indicated in the report presented by Neil Fishman (FICSA/C/73/SD/Summary Sheet 6) in Appendix 2, and the different perspectives expressed on the strategic interest of the participants, FICSA members should individually determine whether to include non-staff personnel as members in their respective associations. The Standing Committee on Human Resources Management should follow up and report to the Council on this matter.**

#### **Decision relative to training**

- **To address the concerns raised about the proposed changes in the budget for training, it was agreed to establish a training fund as a transitional measure for the next two years with a maximum amount of CHF 25,000 from the reserve funds. The use of these funds should be limited to member organizations that lack the resources to organize their own training. The Executive Committee should establish terms of reference for this training fund and share it with the membership. Further, the FICSA membership should be encouraged to announce its planned training activities well in advance on the FICSA website.**

## Ad hoc Committee on Administrative and Budgetary Questions

41. The Ad Hoc Committee's full report comprises Annex 11. The Ad Hoc Committee's several meetings included a joint session with the Ad Hoc Committee on Strategic Development. It began its work by considering the FICSA Treasurer's report (FICSA/C/73/A&B/2), an overview of the previous year's budget and the independent reviewer's (auditor's) unqualified audit report for 2018 (FICSA/C/73/A&B/1).
42. The Ad Hoc Committee also discussed the proposed new methodology for assessing dues, which would result in an increase in dues for two members. It was agreed that, prior to implementation of a new methodology, it would be best to firstly allow completion of the transition to the 25% reduced FICSA budget and full implementation of the changes decided by the previous Council in respect of the functional review of the FICSA Secretariat. After a one-year transition period, the 74th Council could assess the impact of those changes and consider proposals to modify the methodology for assessing membership dues.
43. The Ad Hoc Committee then turned its attention to FICSA's proposed budget for 2020 of CHF 485,285, a 25% reduction from the approved budget for 2019 (see Appendix 1 to Annex 11). The total sum of the four chapters of the budget was to be covered by contributions from full and associate members, contributions from consultative members and the use of unspent funds from 2019 (CHF 115,000). As reducing the budget for training (Chapter 3) to zero helped to account for the proposed savings, Committee members discussed the importance to members of FICSA's providing information, coordination and logistical support – as well as funding – for training. The Ad Hoc Committee therefore recommended both that Chapter 3 be removed from the budget and that FICSA establish a separate fund for training.
44. Further, the Ad Hoc Committee debated the status and desired amount of the reserve funds, and the need for terms of reference for their use. Questions were raised about how discounts for early payment of dues were considered when preparing the budget. Finally, owing to the financial situation of WHO/AFRO, as described by its Staff Committee President, the Ad Hoc Committee agreed to write off the outstanding dues owed by WHO/AFRO.

### Decisions

- **The Council established a Training Fund in the amount of CHF 25,000 from the reserves, and the FICSA Executive Committee should draft guidelines to be shared with all members. That would cover a transition**

**period of two years, with a review of the effectiveness of the Training Fund at the end of that period.**

- **The guidelines should include:**
  - **grouping training opportunities by region to ensure full participation;**
  - **ensuring that training is strategic for FICSA members' needs;**
  - **requesting the approval of the Executive Committee to use the Fund for training only if hosts (i.e. smaller organizations with small budgets for training) cannot cover the cost themselves;**
  - **confirming a minimum number of participants, set in agreement with the hosting member association/union, for each workshop organized by FICSA, at least 15 working days prior to the date of the event;**
  - **creating a subaccount for this to keep track of the revenues and total expenditure of each individual workshop and training, and updating of any relevant FICSA financial rules;**
  - **ensuring that the Training Fund is similar to the Legal Defence Fund/Indemnity Fund; and**
  - **ensuring that FICSA would use any income generated from training activities to replenish the Fund and replenish any shortfall to it from the reserve funds at the beginning of the fiscal year.**
- **The FICSA Executive Committee should establish terms of reference for the level and use of the reserve funds and incorporate them into the Financial Rules before the next FICSA Council.**
- **The FICSA Treasurer should conduct an analysis on the use of discounts in the past and consult an external auditor on the best practices on the subject of discounts/rebates for members for early payment of dues, to report before the next FICSA Council for a recommendation.**
- **FICSA should write off WHO/AFRO's arrears of dues in the amount of CHF 8,750.50, as an exceptional measure granted to ease the financial plight of the member.**

## **FICSA programme and budget 2020**

45. The Council took note of the proposed budget and the changes made to it during the extensive discussion of the proposals. It adopted the budget shown in Table 2 (see also Annex 11) and the scale of contributions shown in

Appendix 2 to Annex 11. As the budget's former Chapter 3 on training had been removed, Chapter 3 now covers FICSA administration.

**Table 2. FICSA budget for 2020**

<b>Chapter</b>	<b>Amount (CHF)</b>
1. Representation	82,600
2. FICSA Council and Executive Committee	37,000
3. Administration	365,685
Total	485,285

### **Election of Standing Committee officers for 2020-2021 (agenda item 14)**

46. The Chairs and Vice-Chairs of the Standing Committees, as proposed in the respective Standing Committee reports, were elected by the Plenary for the period 2020 – 2021.

#### **Intermission – FICSA Logo Award Competition**

47. The FICSA General Secretary announced the results of the competition to choose a new FICSA logo. Among the 15 designs submitted by members, the most popular were those of:

- a. IAEA
- b. FAO/WFP-UGSS
- c. WHO/GSC

48. Accordingly, the Council adopted the IAEA design as FICSA's new logo. IAEA designer Anna Schlosman had prepared a full branding package with the new logo for FICSA Secretariat use.

#### **Date and place of the next Council session (agenda item 15)**

49. The General Secretary announced the date and venue for the 74th Council session: 8–14 February 2021 at the WHO/EURO premises in UN City, Copenhagen. A preliminary draft of the provisional agenda for the 74th session would be distributed later in 2020.

## **Other business and closing of the session (agenda items 16 and 17)**

50. As the Council had no further business, the FICSA President and General Secretary thanked the members of the Secretariat, particularly the Information Officer, for their work to prepare for the session; and the delegates for their hard work, particularly in the standing and ad hoc committees. Special thanks were due to the session's excellent host, the IMO staff association, for its warm welcome.
51. The Chair thanked the Council members for their contributions to the success of the session, as well as the IMO hosts, polling officers and interpreters. Other delegates echoed these thanks. The President of the IMO staff association responded that its members had been honoured to welcome the delegates. The Chair then closed the 73rd session of the FICSA Council.

## **Annex 1. Agenda for the 73rd session of the FICSA Council**

1. Opening of the session
2. Credentials
3. Election of the Chair and vice-chairs and approval of the appointment of the Rapporteur
4. Adoption of the agenda
5. Organization of the Council's work
  - Election of the Chairs and vice-chairs of the ad hoc committees on Strategic Development and Administrative and Budgetary Questions
6. Constitutional matters
7. Questions relating to membership status in FICSA (changes in membership)
8. Report of the Executive Committee for 2019–2020(February 2019-February 2020)
9. FICSA cooperation with the other staff federations
10. Election of the Executive Committee Officers and Regional Representatives for 2020–2021(February 2020–February 2021)
11. Approval of the session report
  - (a) Legal Questions
  - (b) Human Resources Management
  - (c) Social Security/Occupational Health and Safety
  - (d) Conditions of Service in the Field
  - (e) General Service Questions (including PTC/GSQ)
  - (f) Professional Salaries and Allowances (including PTC/PSA)
  - (g) Staff/Management Relations
12. Ad Hoc Committee on Strategic Development
13. Administrative and budgetary questions
  - (a) Report of the Ad Hoc Committee
  - (b) Draft programme and budget 2020–2021
  - (c) The scale of membership contributions to FICSA for 2020
14. Election of Standing Committee officers for 2020–2021 (February 2020–February 2021)

15. Date and place of the next Council session

16. Other business

17. Closing of the session

## Annex 2. Member questions and answers from the ICSC

**The first question** is to understand if the ICSC takes into due consideration the judgements handed down from the ILO concerning the flawed salary surveys, specifically in respect to the inclusion of comparators that are there purely and simply to lower the salary scale. Reference is made to ILOAT judgments 1912 and 1821 “While the necessity of saving money may be one valid factor to be considered in adjusting salaries provided the method adopted is objective, stable and foreseeable (Judgment 1329 (*in re* Ball and Borghini) in 21), the mere desire to save money at the staff’s expense is not by itself a valid reason for departing from an established standard of reference: Judgments 1682 in 7 and 990 (*in re* Cuvillier No. 3) in 6.”

**The second question** is related to the timing for the Commission to decide on the new Methodology I currently under revision;

*Response: According to the timeline approved by the Commission, the revised methodologies are expected to be presented at the seventy-sixth session of the United Nations General Assembly (2021).*

**Thirdly**, the reason for continuing to pursue the idea of using purchased salary data when pilots have not been positive;

*Response: This question is surprising as the pilot application of externally purchased salary data has not yet been done. The Commission did request its working group on the review of salary survey methodologies to evaluate the possibility of using external data in the salary survey process by (a) conducting simulations of different scenarios in which external data could be used and (b) a pilot application of external data conducted in parallel with comprehensive salary surveys. The result of the above-mentioned pilot application will be discussed at the next meeting of the working group.*

*At the moment, the working group has not made a recommendation to the Commission on the possible use of external data.*

**Fourth**, whether Rome will be the first to use the new methodology I similar to past practices.

*Response: The schedule of surveys conducted under the revised methodology I will be decided at the concluding stage of the ongoing review after the revised methodology is finalized. All stakeholders, including staff federations, will have the opportunity to raise any concerns on the proposed schedule before it becomes final.*

**Fifth**, FICSA wishes to learn about any UN common rules or recommendations in regard to special allowances or specific grade levels for security guards carrying arms.

*Response: There is a general guideline in Methodology I to this effect. As stated in paragraph 66 (b) of the methodology, payments to all employees in a job, grade or category or varying in amount from job to job or grade to grade, should be added to the salary of all employees on a job-by-job or grade-by-grade basis, as appropriate.*

**The sixth question** is following the ILOAT judgments on the Geneva pay cut in 2018 (e.g. Judgment No. 4138 concerning WIPO), the complainants' pay slips of March 2018 and all subsequent pay slips are set aside and the organizations instructed to provide them with new pay slips as from March 2018 with a post adjustment multiplier not based on the revised post adjustment index resulting from the 2016 cost-of-living survey.

One of the purposes of the post adjustment system is to ensure uniformity of purchasing power of pay across duty stations, in conformity with the Noblemaire Principle. This is also highlighted in paragraph 11 of the ILOAT judgment No 4138 itself. It would seem obvious that ensuring adherence to this principle would require the recalculation of the post adjustment multiplier, starting in March 2018, also for duty stations other than Geneva which were affected by the 2016 cost-of-living surveys, e.g. Rome and Madrid. The uniformity of purchasing power of pay cannot be ensured if the post adjustment multipliers in different duty stations are based in some cases on the cost-of-living surveys of 2016, which furthermore the ILOAT considers as flawed, and in other cases (i.e. Geneva) on earlier cost-of-living surveys, appropriately updated.

In view of these considerations, what does the ICSC intend to do to ensure adherence to the Noblemaire Principle and equality of purchasing power of pay of international civil servants in all duty stations involved in the 2016 cost-of-living surveys?

*Response: These results of the 2016 baseline cost-of-living surveys at eight headquarters duty stations and Washington, D.C. were approved by the Commission upon the recommendation of the Advisory Committee on Post Adjustment Questions (ACPAQ), which confirmed that the collection and processing of the data collected from these surveys were conducted in accordance with the methodology, procedures and guidelines, approved by the Commission, prior to the data collection. These guidelines, inter alia, provided for the active participation of local survey committees, which are composed of representatives of administrations and staff associations of all UN common system organizations based at the various duty stations. In particular, the local survey committee (LSC) for Geneva was responsible for the development of the list of outlets used for price data collection; it coordinated the recruitment of local price survey consultants that assisted the ICSC pricing teams; and recruited observers to accompany the ICSC pricing teams during price data collection, as well as independent experts who visited the ICSC*

*secretariat to review the analysis for Geneva. It was also fully involved with all aspects of the administration of the staff expenditures survey, including the development and testing of the questionnaire, through its participation at ACPAQ sessions and pre-survey consultations during which these issues were discussed in detail. Due to the excellent cooperation with the local survey committees, the surveys were successfully administered, with unprecedented levels of response that exceed the precision requirements established by ACPAQ. Due to the excellent response rate and the very good cooperation with the LSC in the cost-of-living survey conducted in Geneva in September 2016, the Commission was confident that the results accurately reflected the cost-of-living situation experienced by UN common system Professional staff serving in Geneva, relative to New York. The surveys led to increases in net take-home pay for Montreal and London; status quo for Vienna, Paris, and Washington, D.C., and reductions in net take-home pay for Geneva, Rome, and Montreal.*

*The ICSC has been calculating and publishing, on a monthly basis, post adjustment multipliers for all duty stations, based on the results of the 2016 baseline cost-of-living surveys. These multipliers are, in fact, the figures that ensure purchasing power parity of net remuneration of UN common system staff in the Professional and higher categories, serving in the various duty stations relative to their counterparts in New York.*

*With regard to the ILOAT judgments, both the UN General Assembly and the Commission take it that the Statute of the ICSC clearly provides that the Commission is authorized to promulgate post adjustment multipliers since the Commission's inception more than 40 years ago. In fact, following the publication of the ILOAT judgments, the UN General Assembly, in its resolution 74/255, reconfirmed this authority of the ICSC.*

**Seventh,** how does the ICSC ensure that, in a given duty-station such as Panama City, Budapest, Montréal, Vienna, etc., all P staff are treated in an equal manner in terms of benefits and entitlements, irrelevant of their being staff of the UN Secretariat or of a UN specialized agency?

HR policies should be applied unilaterally and harmoniously taking into consideration the local duty-station related conditions and irrelevant of the set of rules either UN Secretariat or UN specialized agencies. In Montréal there is a situation whereby the IPs of SCBD and ICAO, who send their children to local private schools, are having issues with the way the education grant is reimbursed and the definition of "tuition" by UN standards and by the standards of the local schools.

*Response: According to the General Assembly's decision, education-related expenses eligible for reimbursement include tuition fees, mother-tongue tuition fees, and enrolment-related fees. While the definition of 'tuition' might vary from one country to another, or even from one school to another within the same country, we*

*agree that HR policies should be implemented with the maximum possible level of consistency across the system by different organizations. Otherwise, the observation by the Staff Association is too broad to allow any specific response. We would mention, however, that according to our knowledge, the organizations are working towards common application of guidelines as established by the Commission.*

**The next questions are on Professional Salaries and Allowances**, the next round of cost of living surveys will take place in 2021 and should be done every five years (last one conducted in 2016). As the current methodology is not yet well defined, what methodology will be used?

*Response: The ongoing review of the methodology underpinning the post adjustment system is expected to culminate in a package of methodological proposals and operational rules, as well as guidelines and procedures for data collection and processing, that will be submitted for the Commission's consideration and approval at its session in spring of 2021. Once approved, this package will form the basis of the 2021 round of surveys which is scheduled to be launched in New York in June 2021.*

Following the ILOAT judgments on the post adjustment in Geneva, what are the expectations from the UNAT? If the ruling is different, would it mean the end of the common system?

*Response: The ICSC does not have any insight on the UNAT process. The UNDT has not yet reached a judgment, which may or may not proceed to UNAT.*

No drastic fluctuations in respect to salaries, etc. the exercise should be suspended until the new methodology is defined and rolled out.

*Response: It is not clear what exercise is being referred to here. If the reference is to the determination of post adjustment multipliers on the basis of updated post adjustment indices under existing operational rules, this is an indispensable set of measures to protect net take-home pay of staff from the vagaries of changing macro-economic conditions, and, at the same time, maintain approximate parity of the net remuneration across the system.*

Eleventh question is regarding whether inflation was taken into consideration in the previous exercise.

*Response: Inflation is always taken into consideration in adjustment post adjustment multipliers. We therefore consider the assertion made above as incorrect.*

Has Brexit implications on new methodology to be taken into consideration, if any?

*Response: Brexit has no implications for the new methodology, unless it has a measurable impact on the cost of living experienced by the UN common system staff in the Professional and higher categories, in which case such impact will be measured by both the next comprehensive cost-of-living survey and the regular updating of post adjustment indices and multipliers.*

Thirteenth question is on monthly review of aspects such as exchange rates should be taken into consideration as well as other data that may change.

*Response: Exchange rates are taken into consideration in the monthly updating of post adjustment indices, along with consumer price indices (for local inflation), as well as movements in medical insurance, pension contribution, and out-of-area indices.*

Fourteenth question is on why P staff entitlements in same duty stations (UN v. specialized agencies are not the same - example, entitlements related to education grant are different).

*Response: Entitlements under the education grant scheme are the same across the common system. The calculation of reimbursement amount for tuition, mother-tongue tuition and enrolment-related fees is based on the uniform sliding scale worldwide and the boarding assistance is a lump-sum of \$5,000 no matter where a school at the primary- and secondary-level is located. However, the eligibility of boarding assistance may differ from one organization to another. While the assistance is available, in principle, only to the staff serving in field duty stations, it could be exceptionally granted to staff at "H" duty stations under the discretionary authority of the executive head. This was because the Commission recognized that the eligibility criteria for boarding assistance might, in certain circumstances, compromise the continuity of education for children, in particular those of staff in organizations with rapid or continuous deployment needs, as well as those that currently operate a staff rotation policy requiring staff to move on a regular basis. This would continue to allow staff mobility between the field and headquarters; it is meant for actual mobility cases.*

**Fifteenth question** is about mobility practice for P staff (nationals) when they are relocated to the field. When they are moved to the field is there something to alleviate the 25% of sending their children to school?

*Response: It is not clear in what circumstances the mobility of national staff is practiced by the organizations. The only situation that the ICSC secretariat is aware of is when locally recruited are either voluntarily relocated or relocated by the organization to offices in duty stations within-country. The provisions for relocation expenses in such circumstances are consistent with the regulations, rules and policies of the organizations.*

*The education grant is based on the principle of compensating staff for expenses of an “expatriate” nature and would therefore not apply to locally recruited staff who are serving in their home country.*

Loss of local currency value.

*Response: If you mean devaluation of the local currency relative to the US dollar, this is taken into account in the monthly updating of post adjustment indices, in a manner that ensures stability of net take-home pay. For group I duty stations, the net take-home pay in local currency is stabilized from monthly exchange-rate fluctuations. For group II duty stations, the post adjustment multipliers are kept fixed for four months at a time to stabilize net take-home pay in US dollars against changes in macro-economic indicators. Any sudden and significant devaluations would trigger other operational rules that would protect the net take-home pay of staff.*

Different salaries in different duty stations – methodology should be reviewed to ensure transparency.

*Response: Different salaries in different duty stations for Professional staff are due to differences in the cost of living in different duty stations. However, such different net remuneration has the same purchasing power across the system.*

**Eighteenth and final question on Professional Salaries and Allowances** is on cost of living in Geneva has increased, but there has been no reaction.

*Response: As a matter of fact, the net take-home pay in Geneva was increased in February 2020 as a result of the combined effects of increases in the cost of living as experienced by UN common system staff in the Professional and higher categories serving there and the outcome of margin management action by the Commission.*

**Nineteenth question onwards is on General Service Questions -**

Many Local Salary Survey Committees are not receiving replies from the Survey Specialist/OHRM. In particular, information regarding the comparators and the reasons for dropping them is not shared with the members of the LSSC. As the independent technical body responsible for the establishment of the methodologies, could you please let us know how you plan to improve this situation, what steps will the ICSC take in the future to improve and ensure consistent overall transparency across all duty stations?

*Response: The Commission, through the promulgation of the methodologies, has insisted in ensuring transparency in the salary survey process. In accordance with the methodologies, the responsible agency should consult with the local salary survey committee (LSSC) during all phases of the survey process. For the ongoing review, one of the issues identified relates to the communication among the*

*stakeholders and to staff at large related to salary surveys. This issue will be discussed by the working group in a subsequent meeting.*

What steps is the ICSC taking to address the issue of sharp fluctuations in the results of the implementation of the GS salary survey methodology?

*Response: Sharp fluctuations in survey results have been identified as one of the main issues in the current review. It has been discussed that some of the reasons of such fluctuations are the reduced number of retained comparators and the turnover of such comparators from one survey to the next. The working group has identified the use of external data as one of the possible ways to address this issue. It will also review other proposals aimed at addressing this issue. The staff representatives, along with other working group participants will be closely involved in developing these proposals.*

What is the ICSC doing to enhance the job matching in the upcoming GS salary survey methodology?

*Response: Job matching is undoubtedly one of the key steps in the salary survey process. In order to properly match a job, the specialist and LSSC members must be well trained and be familiar with the methodology. The working group have recommended that the LSSC should receive adequate training that allows them to efficiently perform their role.*

While many of the LSSCs have found difficulties in finding comparators in the labour local market, we understand that the ICSC has selected various vendors that could identify data from more than 100 comparators: What changes to the criteria has ICSC implemented to identify the comparators through the vendors and why the same cannot be implemented to the current methodologies?

*Response: Comparators are more willing to participate in surveys conducted by specialized companies than in those conducted by the UN or other entities. One of the reasons for this is that those comparators revise their own salaries based on the reports of the surveys in which they participate. To most comparators, a report of a survey which includes salary data from hundreds, or even thousands of comparators is more attractive than the report of a survey including only a few employers.*

*The Commission is evaluating data resulting from those surveys and will take a decision with regard to the use of such data in the salary survey process in due time.*

This morning ICSC Chairman called us for our strong support for the review process. With that in mind, we provided the ICSC a list of issues and concerns relevant to the application of the current methodologies: can you let us know

what the ICSC has done with the feedback provided and how the new methodology will address those concerns raised?

*Response: At the beginning of the ongoing review, the Commission reached out to all stakeholders of the salary survey process requesting a list of issues encountered during the last round of surveys. Based on the information received from staff and organizations, a number of specific concerns were identified. Some of these concerns have been discussed by the working group and recommendations have been presented to the Commission on how to address them. Progress in addressing those concerns is tracked by the working group and reported to the Commission.*

What is the ICSC doing to address the issue of different salary scales in specific duty stations? What does the ICSC intend to do to remedy this situation?

Principle: Equal pay for work of equal value.

*Response: The issue of dual scales is currently under discussion by the working group. No recommendations have been issued as of yet, but the views from staff federations, organizations and Commission members will be taken into account in the elaboration of a recommendation to address this issue.*

Implementation of Methodology II salary survey: Are you aware of serious delays in the implementation of results in specific duty stations and major discrepancies? Are you planning any steps to remedy this situation?

*Response: The primary reason for delays is related to issues of employer participation. The working group and the Commission are evaluating options to address this issue including the possibility of using external data in salary surveys, as well as streamlining the overall process.*

At a practical and operational level: How will the review of the methodology address the need for LSSC members to be granted release time and this requirement be enforced in their organizations and corresponding duty stations?

*Response: Paragraph 45 of Methodology I already contain a provision to this effect and ICSC has always insisted that it should be strictly observed. In fact, in a few of cases where it was necessary, the Chair of ICSC has drawn the respective organizations' attention to this provision and the issues regarding release were successfully resolved. Overall, however, we are not aware that this problem is widespread.*

*In the course of the ongoing review, the roles and responsibilities of the stakeholders including the LSSC will be reviewed. Organizations will participate in such discussions.*

From our colleagues, we received information that interns in Egypt would earn more than a GS staff member which indicates that the current salary scales are not reflecting the local labour market. What will you do to address this situation?

*Response: Salaries of GS staff at every duty station are set based on the application of the Flemming principle, this means reflecting the best prevailing conditions of employment of the locality through the implementation of the approved methodologies. The pay of interns, if provided at all, is provided on a different basis and is not dealt with by ICSC.*

**The final question is regarding Human Resources Management.**

What is the position of the ICSC regarding the use of non-staff contracts and consultants within the organizations?

*Response: In accordance with the ICSC Statute, the mandate of the Commission covers staff members only. Any constraints in terms of the current contractual arrangements noted by the organizations or staff federations could be considered by the Commission in the context of the implementation of the framework for contractual arrangements, which is included in the Commission's work programme for its next session.*

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## **Annex 3. Report of the Standing Committee on Legal Questions**

### **Officers**

Chair	Andrés Orías (WMO)
Rapporteur	Juan José Coy Girón (FAO)
FICSA President	Brett Fitzgerald (WIPO)
FICSA General Secretary	Evelyn Kortum (WHO/HQ)
Member, FICSA Executive Committee	Pilar Vidal Estévez (PAHO/WHO)

### **Participants**

AP-in-FAO	Jakob Skøt, Lina Kaspersen, Ny You
FAO/WFP-UGSS	Susan Murray
IARC	Cécile Le Duc
ICAO	Sanya Dehinde, Viera Seben
IFAD	Lixia Yang
ILO ITC	Jesús García Jiménez, Rute Mendes
IMO	Shereen Barry, Newsheen Mahfuz Bhatti, Juan Lyu, Fola Odulana, Alfredo Parroquin-Ohlson, Elene Sarria
ITU	Christian Gerlier
UNAIDS	Andrea Palazzi
UNFCCC	Santhosh Thanjavur Prakasam
UNIDO	Osadolor Akpata, Steven-Geoffrey Eales
UPU	Birahim Fall, Franck Landauer, Stéphane Vuillemin
WHO/AFRO	Hamidou Bague, Guy Parfait Elenga, Symplice Mbola Mbassi
WHO/EMRO	Metry El Ashkar, Salwa Hassan, Tonia Rifaey
WHO/EURO	Antonella Biasiotto
WHO/HQ	Catherine Kirorei Corsini
WHO/SEARO	Ritesh Singh

WHO/WPRO Bess Bodegon, Priya Mannava

WIPO Najib Ben Helal

WMO Jalil Housni

**Members with associate status**

OPCW Romina Catera, Alberto Fernández

**Federation with consultative status**

EMBL Thomas Heinzmann

**Guest**

WMU Anne Pazaver

**Adoption of the agenda (agenda item 1)**

1. The Standing Committee on Legal Questions approved the following agenda:
  1. Adoption of the agenda
  2. Election of the rapporteur
  3. Follow-up of 72nd Council decisions relating to the Committee
  4. Update on the collective legal insurance contract negotiated by FICSA for international officials
  5. Updates on commissioned legal studies through FICSA
  6. Update of the Legal Defence Fund Rules
  7. Other matters brought forward by other standing committees
  8. Workshops and other business
  9. Nomination of Standing Committee officers and core group members

**Election of the Rapporteur (agenda item 2)**

2. The Standing Committee on Legal Questions appointed Juan José Coy Girón as rapporteur.

**Follow-up of 72nd Council Decisions relating to the Committee (agenda item 3)**

3. The Chair of the Standing Committee reminded the participants that at the 72nd Council (2019) the Committee had approved four decisions relating to the Committee.
  - a. The FICSA Executive Committee should write a letter to the Legal Advisor of ILO and stress five points relating to: the withdrawal process per se, the manner in which notifications of withdrawals were given, the effectiveness of withdrawals, the consultations with staff representatives and proposals advanced by member organizations.

- b. The FICSA Executive Committee should seek the opinion of a renowned scholar on UNAT Judgement No. 2018/UNAT/841 (*Quijano-Evans et al. v Secretary-General of the United Nations*) and, in particular, its impact on acquired rights.
  - c. The FICSA Executive Committee should prepare an informative document presenting the offer of a collective legal insurance contract negotiated by FICSA for international officials, to be disseminated as soon as possible.
  - d. The FICSA Executive Committee should assess the proposal made by the Standing Committee on Conditions of Service in the Field on the creation of an additional geographical region for the purpose of representing FICSA in the Middle East, North Africa and Arabic-speaking countries and, by virtue of the mandate conferred on it by Article 36 of the FICSA Statutes, pronounce itself and, if deemed appropriate, proceed to a postal vote during 2019 to settle the matter.
4. The Chair then informed the Standing Committee that the first three decisions had been implemented: the letter to the ILO Advisor, and a follow-up letter, had been sent in February and March 2019, respectively; the study on acquired rights had been finalized and would be discussed under agenda item 5; and the informative document about the collective legal insurance contract had been prepared and would be presented under agenda item 4.
5. With respect to the only outstanding decision, the Chair explained that it had not been possible to close it due to the failure of the initiators of this request, within the Standing Committee on Conditions of Service in the Field, to make any concrete proposals.
6. In reply to a query from the WMO delegate about the member associations/unions that had problems paying their dues, the Chair stated that no concrete requests had been received and that, consequently, the matter would be considered under agenda item 7.
7. A delegate from ICAO referred to the matter of the current composition of the joint appeals boards (JABs) in the UN system and the fact that they did not have decision-making powers as first judicial instance. In response, the Chair said that there was a recent precedent, established by a UNAT ruling, in the sense that JABs' work in a specific organization did not correspond to a neutral intermediary instance when it did not offer a written record and written decision, providing the reasons, based on factual and legal findings, subject to a possible appeal, so there was a conflict of interest when the administration acted as judge and party at the same time. This matter, too, would be discussed under agenda item 7.

#### **Update on the collective legal insurance contract negotiated by FICSA for international officials (agenda item 4)**

8. Further to the debates held at the 72nd FICSA Council regarding a collective legal insurance contract for member staff associations/unions and their membership, the FICSA General Secretary (WHO/HQ) provided information and recalled that FICSA had issued communications in this respect after discussions with the insurance company Fortuna.

9. The cost of the insurance would amount to CHF 100 per person per year if the total number of staff members insured were less than 1,000, and would decrease to CHF 80 per person per year over that number, and pointed out that the contract with Fortuna would be subject to certain restrictions related to coverage, choice of lawyers and procedure.

10. First, while the desire had been to have a global insurance provider, the contract would cover staff whose organizations have headquarters in Geneva (even if they are stationed in other countries) and are covered by Geneva-based jurisdiction (ILOAT, UNAT) . In addition, the insurance company would use Swiss lawyers, which raised the question of how familiar they would be with the international tribunals.

11. In conclusion, the Executive Committee had prepared a MS PowerPoint presentation and a Q&A flyer, both available on FICSA's SharePoint site at <https://unitednations.sharepoint.com/sites/FICSA> to which delegates could refer if they wanted more detailed information. The Q&As would be updated after Council to include the additional queries of delegates.

12. A lengthy discussion followed during which several delegations requested clarifications on different aspects of the insurance contract. The questions referred specifically to:

- a. whether there was a time limit to sign up for the insurance;
- b. whether the number of adherents, which would constitute the basis for the calculation of the premium, referred to each individual association/union;
- c. whether the staff in regional or country offices would be covered, and Fortuna could help with regional and global appeals;
- d. whether the insurance would also cover internal appeals;
- e. whether it would be necessary to name the staff members insured; and
- f. whether retirees could also avail themselves of the coverage through their former staff associations.

13. In response to those questions, the FICSA General Secretary provided the following explanations:

- a. there was no definite limit for signing up, but the sooner it was done, the better;
- b. the number of adherents referred to the total number of people insured: i.e. adding up all the staff signing up from the different associations/unions;
- c. the insurance would cover any case brought before ILOAT or UNAT;
- d. the coverage would apply to internal appeals as well;
- e. according to the latest information it seemed that the insured staff would have to be named; and
- f. retirees could not benefit from the insurance coverage provided by Fortuna.

14. In this latter respect, the FICSA President (WIPO) pointed out that the legal protection insurance covered only employer–employee disputes, and highlighted that retirees had no contractual relationship with their former employers.

15. The WMO delegation requested FICSA to provide the full general conditions of the insurance contract so that they could be shared with staff. The General Secretary said she would send the conditions to the Presidents once the Council session was finished.

**The Standing Committee recommended that the FICSA Executive Committee present a summary of the questions sent by staff to the FICSA Secretariat during the year, the answers provided and the general conditions that will result from the negotiations for a collective legal insurance contract for international officials.**

#### **Updates on commissioned legal studies through FICSA (agenda item 5)**

16. The Chair introduced the authors of the two studies on acquired rights commissioned by the Executive Committee in response to the Standing Committee’s request in 2019 and invited them to present their findings.

17. Mr. Rishi Gulati summarized the contents of his memorandum entitled “Steps FICSA could take to protect acquired rights across the United Nations Common System”. The memorandum essentially attempted to establish the nature of acquired rights, the reasons for their importance and the possible ways to enhance and protect them.

18. The study was prompted by the issuance of UNAT Judgement No. 2018/UNAT/841, which, in Mr. Gulati’s opinion, seriously undermined the acquired rights of UN staff members by limiting the scope of the acquired rights

doctrine (which conventionally protects both past and future rights based on the classification of a condition of employment as “fundamental and essential”) to the rule against retroactivity.

19. In contrast, ILOAT took a broader view of the doctrine of acquired rights. Consequently, a fundamental inconsistency in the meaning and scope of acquired rights now existed across the Common System. Staff members under the jurisdiction of ILOAT appeared to have better protection of their acquired rights.

20. Given this doctrinal discrepancy, Mr Gulati proposed a dual approach for protecting staff rights. For staff of organizations under the jurisdiction of UNAT, FICSA could engage in robust legal and policy advocacy on their behalf; consider intervening in cases through a friend-of-the-court brief; and prepare a model contract containing more substantive protections for staff.

21. For staff of organizations under the jurisdiction of ILOAT, FICSA could provide legal and policy advocacy so as to offer express support for ILOAT jurisprudence; commission fact sheets on ILOAT case law to clarify how the doctrine of acquired rights applied in various fact patterns; consider assisting with litigation before ILOAT where systemic staff rights were at stake; and consider advocating reform in relation to the nature and content of the contract of employment of Common System staff.

22. In the ensuing discussion, involving several delegations, the main concern regarding the issue was to ensure uniformity throughout the Common System so as to guarantee the achievement of its main goal (ensuring equal treatment of all staff) and avoid the risk that organizations might give in to the temptation of “forum shopping” (i.e. subscribing to the jurisdiction of the tribunal they perceived as being more favourable to their interests, to the detriment of those of staff).

23. Ms. Ludovica Moro and Ms. Neha Dubey then presented their study, entitled “Consequences of an international organisation leaving the UN Common System and UN Joint Staff Pension Fund & how to protect the acquired rights of staff”.

24. According to the study, the primary legal consequence of any potential departure from the Common System or UNJSPF would be a breach or violation of a staff member’s acquired rights. The key acquired rights of staff members at risk of being violated in such a case would be the quantum of base salary, equalization and tax adjustments, and the expatriate premium or post adjustment multiplier. The right to accrue pension, the contribution ratio and

tax adjustments to pension contributions were also acquired rights that could be affected by any departure from UNJSPF.

25. Should an international organization decide to leave the Common System or UNJSPF, the co-authors recommended several steps that would be crucial both to protect staff members' legal rights and to act according to international best practice, on the one hand, and the actions that FICSA could take in respect of staff welfare and their protection, on the other.

26. During the discussion that followed, it was stressed that the role of FICSA and individual staff associations/unions was based on organizations' obligation to consult staff; in that sense, ILOAT's jurisprudence was particularly helpful. The ILO Legal Office defined consultation as follows: "Consultation is neither mere notification nor co-decision but a process where a genuine opportunity is given to all parties to express their views, and a meaningful effort is made to take views so expressed into account".

27. Reference was also made to the dysfunctions of organizations' internal justice mechanisms, which created additional difficulties, and the desirability of moving to a real and proper two-tiered judicial system, whether by replacing the internal appeals bodies with a true tribunal or by subscribing to the jurisdiction of UNDT. The FICSA President suggested that the Executive Committee could prepare a brief explaining the importance of signing to UNDT for those organizations already under UNAT's jurisdiction.

**The Standing Committee recommended that FICSA Executive Committee prepare:**

- **a brief summary containing guidelines for staff representatives, to defend the legal requirement of a neutral appeal instance process within the internal justice system, including a written record and a written decision providing reasons, facts and law.**
- **a recommendation for staff representatives to include the UNDT as the most appropriate intermediary instance in case of an organization is part of, or becomes part of, the UNAT two-tiered system of justice.**

#### **Update of the Legal Defence Fund Rules (agenda item 6)**

28. The Chair recalled that the matter of the Legal Defence Fund had been debated in 2019, and it had been decided to revise the Guidelines on its use. He reminded participants that the Fund had been established in 1998 pursuant to Article 14 (b) of FICSA's Financial Rules with an authorized level of CHF 60,000. It was a means of promoting collective action, given the fact that the internal appeal bodies of the UN and its specialized agencies (ILOAT and UNAT) did not

allow for class action but instead considered only complaints filed by individual staff members.

29. At the invitation of the Chair, the FICSA President explained the rationale for the revision and summarized the main changes introduced in the Guidelines. The Fund had been initially set up to provide financial assistance to members of FICSA, to cover partial legal costs associated with appeals dealing with general rights and common interests of a large group of its members. These appeals were to have been brought as “trial cases” on behalf of individual staff members. The need to revise the Guidelines had arisen out of the fact that, in late years, FICSA had received requests from individuals to avail themselves of the Fund in relation to matters that did not fall under its original purpose.

30. To correct this situation, the language in the Guidelines had been tightened to clarify that support to individuals would be provided only in exceptional circumstances and when the cases were of general interest to FICSA’s membership, and that requests for assistance had to be submitted through the respective staff association/union. Further changes had been introduced to clarify the requirements with regard to the recovery of the monies advanced.

31. In summing up this item, the Chair informed the Standing Committee that an Application Form for Legal Support now complemented these revised Guidelines, which was available in FICSA’s One Drive.

**Other matters brought forward by other standing committees (agenda item 7)**

32. The Chair of the Standing Committee on Professional Salaries and Allowances (ITU) referred to a pilot project related to biometric identification badges that was being implemented in ITU and was expected to be rolled out eventually to all organizations. The issue was worrying because of the absence of a right to privacy and data protection policy in ITU. To compound the matter, the company that supplied the badges had been absorbed by another company, which raised questions about access to the data and confidentiality.

33. A Member of the FICSA Executive Committee (PAHO/WHO) said that PAHO was thinking of developing such a policy and suggested that the Standing Committee on Legal Questions could consider recommending to FICSA’s member staff associations/unions to discuss the matter with their respective administrations and encourage them to develop similar policies.

34. The WHO/EMRO delegation informed the Standing Committee that UNDSS had introduced an application (UNDSS Advisory) the year before to

monitor staff in the field that the WHO/EMRO Regional Security Officer had flagged, as there was no clear understanding of how staff data would be protected. A written policy on this matter was therefore essential to ensure the safety of staff.

35. In closing this agenda item, the Chair stated that, in the light of the information provided to the Standing Committee, it seemed advisable to analyse the issue and strive to produce some guidance related to right to privacy and data protection policies in the organizations.

**The Standing Committee recommended that the FICSA Executive Committee provide an informative summary, with guidelines related to the protection of privacy and the security of personal data, based on the best standards currently in force.**

#### **Workshops and other business (agenda item 8)**

36. Concerning workshops, the WHO/EMRO delegation asked whether training could be provided on the preparation of appeals. In response, the FICSA President replied that relevant materials were already available on the FICSA website.

37. No other business was raised.

#### **Nomination of Standing Committee officers and core group members (agenda item 9)**

38. The Chair informed the Standing Committee that he was ready to keep on fulfilling his role until the next (74<sup>th</sup>) Council, to be held in 2021, but that, for personal and professional reasons, particularly related to his recent transfer to Asunción, Paraguay, he would not be able to continue thereafter.

39. Recognizing the value of his work over the past years, the Standing Committee renewed his mandate as Chair and, at his suggestion, nominated Brett Fitzgerald (WIPO) First Vice-Chair and confirmed that Gemma Vestal of WHO/HQ, although unable to attend the present Council, agreed to continue as Second Vice-Chair.

40. Pilar Vidal Estévez (PAHO/WHO), Andrea Palazzi (UNAIDS), Nowsheen Mahfuz Bhatti (IMO), Romina Catera (OPCW), Christian Gerlier (subject to the outcome of the ITU's possible withdrawal from FICSA) and Birahim Fall (UPU) were nominated as core group members.

## **Annex 4. Report of the Standing Committee on Human Resources Management**

### **Officers**

Co-Chairs	Marina Appiah (WHO/HQ), Jesús García Jiménez (ILO ITC)
Rapporteur	Kiranjeet Kaur (WHO/GSC)
Members, FICSA Executive Committee	Véronique Allain (SCBD), Diab El-Tabari (UNRWA/ASA)

### **Participants**

AP-in-FAO	Juan José Coy Girón
FAO/WFP-UGSS	Paola Franceschelli, Silvia Mariangeloni, Susan Murray
IARC	Cécile Le Duc
ICAO	Andrew Brown, Sanya Dehinde, Viera Seben
IFAD	Fabio Tarricone
ILO ITC	Rute Mendes
IMO	Shereen Barry, Nowsheen Bhatti Mahfuz, Alfredo Parroquin Ohlson, Elene Sarria
ITU	Christian Gerlier
OSCE	Ilknur Ozturk
UNAIDS	Andrea Palazzi
UNESCO	Andrea Gisele Burbano Fuertes, Rosa Maria Gonzalez
UNFCCC	Ambretta Perrino Santhosh Thanjavur Prakasam
UNGSC	Cosimo Chimienti, Cosimo Lunedì
UNIDO	Steven-Geoffrey Eales
UPU	Frank Landauer
WHO/AFRO	Guy Parfait Elenga
WHO/EMRO	Tonia Rifaey
WHO/EURO	Antonella Biasiotto
WHO/HQ	Lianne Gonsalves

WHO/SEARO                      Ritesh Singh  
WHO/WPRO                      Priya Mannava

**Members with Associate status**

IDLO                              Margarita Meldon  
OPCW                              Romina Catera, Alberto Fernandez

**Guest**

WMU                              Anne Pazaver

**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. Conditions for dismissal through the performance appraisal, assessment or evaluation (FICSA/C/73/HRM/Summary Sheet 3)
  4. Increase in use of non-staff (FICSA/C/73/HRM/Summary Sheet 4)
  5. Officially recording staff association duties in the performance evaluation workplan) (FICSA/C/73/HRM/Summary Sheet 5)
  6. Organizational restructuring (FICSA/C/73/HRM/Summary Sheet 6)
  7. Any other business
  8. Nomination of Standing Committee officers and core group members

**Election of the rapporteur (agenda item 2)**

2. The Standing Committee elected Kiranjeet Kaur (WHO/GSC) as rapporteur.

**Conditions for dismissal through the performance appraisal, assessment or evaluation (agenda item 3)**

3. The Co-Chair (WHO/HQ) explained how WHO staff are supposed to be evaluated. The reference document was the promulgated policy on “Managing Underperformance”, in order to stimulate discussion, encourage members to share experience with performance evaluations and performance improvement plans (PIPs), and to collectively identify what could be done to improve existing policies so that the individual policies are implemented in their intended spirit: aiming to nurture staff to give their best through their tenure of office in an organization, and ensuring the appropriate use of impartial and transparent process(es) to dismiss consistently underperforming staff. That would ensure a win-win situation for staff and organization.

4. At UNIDO staff performance/PIP was similar to the WHO/HQ experience. Further, staff who were considered to be underperforming were considered

culpable before the fact. In summary, the policy was theoretically positive towards staff but usually negative in its implementation.

5. ICAO had a two-tier process that determined whether or not a staff member should be put on a PIP. Initially, an advisory group was established, comprising an individual chosen by the supervisee, another chosen by the supervisor and a third chosen by both – usually at the same or higher grade than the supervisor – to review the process and assess whether a PIP is needed. This process allowed transparency and fairness, and in most cases, the process stopped there. When the advisory group recommended a PIP, however, the supervisor could initiate one at any time, and supervisors did not wait for an evaluation cycle to elapse before initiating a PIP in most cases.

6. At WHO/EMRO, the Performance Management and Developmental System (PMDS), if used correctly, was one of the greatest tools. Staff whose performance was wrongfully evaluated had sought assistance from the ad hoc Ombudsman, who in turn, had relied on Human Resources (HR) for support in resolving those issues amicably in the interest of both staff and WHO. HR consistently proffered the use of a developmental plan, and the outcome in most cases was unfavourable, especially for those on short-term contracts. Similarly to WHO/HQ, staff with fixed-term contracts stood a better chance of keeping their jobs than colleagues with temporary contracts. Given the manner of handling most cases of underperformance, staff seemed to be taking too much sick leave, and Member States wanted an analysis of this matter. To mitigate the potential harm to staff, the staff association concurrently informed the Ombudsman of the unhelpful consequences of putting staff on a development plan and advised staff not to agree to their proposal. In addition, effectively used PMDS evaluations were useful in WHO/WPRO.

7. At UNFCC performance evaluation was done electronically using a performance device called “ePAS”. The policy allowed the organization to take appropriate measures when a staff member received three negative performance appraisals consecutively. At the end of 2019 a working group on performance management was established, composed of staff members of different grades who fulfilled the terms of reference. Its mandate included ensuring consistency in performance management rating across the secretariat and increasing compliance to performance management processes. The group recognized that responsibility for the performance appraisal process was shared and the poor performance of a staff member could also be considered a reflection of poor supervision. In general, an informal PIP could be implemented at any time during the annual performance cycle when a performance shortcoming is identified, and other support measures, such as training and coaching, could be put in place.

8. ICAO enquired whether existing policies on performance appraisal gave consideration to staff with disabilities by lowering the bar for performance. Feedback from WHO/HQ indicated that WHO's disability policy was driven by equality of access to employment, advancement and retention for people with disabilities. This meant that WHO would hire the best person for the job, regardless of disability. People with disabilities should be provided with reasonable accommodation: that is, necessary and appropriate measures to ensure that they had access to participate and advance in employment and to training or other career development opportunities, on an equal basis with others.

9. To address the misuse of PMDS and PIPs, Standing Committee members proposed that staff associations/unions consider advocating the following at their organizations:

- having a clear strategy for performance management that covers expectations, empowering of employer–employee, providing valuable feedback, setting goals, career path, etc.;
- insisting that people with supervisory roles undergo face-to-face focused training on leadership and supervision, including policies on management under performance;
- requiring that policies on managing underperformance have a checklist for the supervisor on the processes that must be followed before a PIP is made, and that the supervisee also complete the checklist.
- introducing 360 performance review.

10. Members of the Standing Committee saw value in the 360 performance review as an evaluation tool that was worth pursuing in spite of the possibility of malicious use by subordinates and peers, and of a supervisor of a small team being able to identify his/her reviewers, and retaliate in cases where the review discredited him or her.

#### **Increase in the use of non-staff (agenda item 4)**

11. According to research, the prevalence of non-staff in the UN workforce could affect future workforce trends. According to the 2014 Joint Inspection Unit report, the UN workforce comprised 45% non-staff contracts globally, and over 70% at the level of some individual organizations. Action to address this trend was imperative so that staff associations do not become extinct, or staff with contracts the minority.

12. Members of the Standing Committee on Human Resources Management described the numbers and status of non-staff personnel in their workplaces, policies governing their use and whether or on what terms such personnel were covered by their staff associations or unions. A concern was expressed that, if non-staff personnel organized outside a broader staff association, there would be two competing voices negotiating with management.

13. As to the increasing use of non-staff personnel, the Standing Committee recommended that staff associations:

- work towards increasing labour rights for any co-worker; and
- hold their administration accountable on the use and misuse of consultancy contracts and/or demand that they align the provisions of recruitment and consultancy policies to current practice.

**The Standing Committee requested the Executive Committee to raise the issue of the use of non-staff at the upcoming ICSC session and to call on organizations to establish guidelines to ensure that the use of consultants is only for a limited period for projects in specialized areas, where the requisite expertise, skills or knowledge is not readily available within the organizations.**

#### **Officially recording staff association duties in the performance evaluation workplan (agenda item 5)**

14. A Member of the FICSA Executive Committee (SCBD) encouraged the inclusion of work as staff representatives in performance evaluation workplans even though their immediate supervisors would probably not have any oversight on staff committee deliverables. As members shared their experience on that issue, it became clear that practices varied widely between organizations, including practices related to release of staff to do staff association work.

15. The Standing Committee agreed that staff representatives should reflect their work in their evaluation reports. Although supervisors had no way of evaluating the stated objectives, that practice enabled staff representatives to showcase their competencies.

#### **Organizational restructuring (agenda item 6)**

16. A number of Standing Committee members worked in agencies undergoing organizational restructuring. Structures varied to ensure fair outcomes for staff whose position might change as a result, as did the involvement of staff associations and unions.

**The Standing Committee recommended that the FICSA Executive Committee approach OneHR to understand the principle that it applies to organizational redesign and to share that information with its membership, to help staff associations determine in advance whether they will accept guidance from OneHR during restructuring.**

**The Executive Committee should facilitate the process of information exchange among members undergoing any form of restructuring; agencies' documents would be shared on request for reference purposes only using the FICSA SharePoint (and not circulated outside FICSA). The SharePoint should also include the sharing of standard practices across organizations, prevailing policies in their agencies, to serve as a point of reference/basis for discussions with management.**

**Any other business (agenda item 7) - Benefits/entitlements of P staff applied differently, especially concerning change of residence or nationality**

17. Various members described examples of the differential application of benefits/entitlements of P staff. For example, at WHO/EMRO P staff must remain in the office for 42.5 hours per week, whether or not they take a thirty-minute lunch break. As IARC faced difficulties in identifying who should sign as the guarantors for rental contracts of internationally recruited staff; IARC therefore requested other organizations to share the practices, rules and solutions available to them. UNFCCC requested the membership to share prevailing practices in their agencies relating to travel, payment of overtime and separation by mutual agreement. Delegates requested members to send documents to the FICSA Secretariat for uploading.

**The Standing Committee recommended that FICSA:**

- **Executive Committee conduct research on the practices of other organizations (including those outside the UN) with regard to working hours and paid breaks, taking into account ILO rules in place in the forty-working-hour convention; and**
- **pursue with the relevant bodies, based on the health and wellness of staff, the inclusion of a thirty-minute lunch break within the eight-hour workday (so lunch breaks are paid).**

**Training**

18. Staff representatives who had participated in the workshop on job classification in 2019 commended it to the Standing Committee on Human

Resources Management. Members therefore requested the Executive Committee to include that in its training catalogue for 2020. IMO would like to offer to host the classification training workshop on the understanding that FICSA would pay for the trainer.

**Nomination of Standing Committee officers and core group members  
(agenda item 8)**

19. To carry on the work of the HRM Standing Committee during the year, members nominated the following:

- Lianne Gonsalves (WHO/HQ) as Chair
- Ambretta Perrino (UNFCCC) as Vice-Chair
- Steven-Geoffrey Eales Eales (UNIDO) as Vice-Chair.

20. The core group would comprise Cecile Le Duc (IARC), Fabio Tarricone (IFAD) and Antonella Biasiotto (WHO/EURO).

## **Annex 5. Report of the Standing Committee on Social Security/Occupational Health and Safety**

### **Officers**

Co-Chairs	Tanya Quinn-Maguire (UNAIDS), Katja Haslinger (IAEA)
Rapporteur	Bess Bodegon (WHO/WPRO)
FICSA President	Brett Fitzgerald (WIPO)
FICSA General Secretary	Evelyn Kortum (WHO/HQ)
FICSA Treasurer	Kay Miller (WHO/EURO)
Member, FICSA Executive Committee	Pilar Vidal Estévez (PAHO/WHO)
Regional Representative	Rajesh Mehta (WHO/SEARO)

### **Participants**

AP-in-FAO	Juan José Coy Girón, Jakob Skøt
FAO/WFP-UGSS	Paola Franceschelli, Silvia Mariangeloni
ICAO	Viera Seben
ILO ITC	Jesús García Jiménez, Rute Mendes
IMO	Fola Odulana, Edwin Titi-Larty
UNESCO	Elia Matias
UNFCCC	Mary Jean Abrazado, Ambretta Perrino, Santhosh Thanjavur Prakasam
UNGSC	Cosimo Chimienti, Cosimo Lunedì
UNIDO	Osadolor Akpata, Steven-Geoffrey Eales
WHO/AFRO	Guy Parfait Elenga, Symplice Mbola Mbassi
WHO/EMRO	Metry El Ashkar, Salwa Hassan
WHO/EURO	Antonella Biasiotto
WHO/HQ	Marina Appiah, Lianne Gonsalves, Catherine Kirorei Corsini
WHO/SEARO	Ritesh Singh

WHO/WPRO Bess Bodegon  
WIPO Najib Ben Helal

**Member with associate status**

OPCW Alberto Fernandez

**Federation with consultative status**

EMBL Thomas Heinzmann

**Guest**

WMU Anne Pazaver

**Adoption of the agenda (agenda item 1)**

1. The Standing Committee approved the agenda:
  1. Adoption of the agenda
  2. Election of the rapporteur
  3. Staff wellbeing
    - a. Update on the issue of ASHI (FICSA /C/73/SOCSEC/Summary Sheet 3a)
    - b. Implementation of MHS (FICSA /C/73/SOCSEC/Summary Sheet 3b)
    - c. Update on the HLCM Duty of Care Task Force (FICSA /C/73/SOCSEC/Summary Sheet 3c)
  4. UN Joint Staff Pension Fund issues
    - a. Statement by UN Joint Staff Pension Fund
    - b. Update on pension issues (FICSA /C/73/SOCSEC/Summary Sheet 4)
  5. Medical coverage of locally recruited staff of UN agencies (FICSA /C/73/SOCSEC/Summary Sheet 5)
  6. Workshops and other business
  7. Nomination of Standing Committee officers and core group members
  8. Any other business

**Election of rapporteur (agenda item 2)**

2. Bess Bodegon (WHO/WPRO) was elected rapporteur.

**Staff wellbeing (agenda item 3)**

**Update on ASHI**

3. A Co-Chair (UNAIDS) reminded the Standing Committee that after approximately four years in operation, the UN system-wide working group on ASHI had been dissolved the previous year. As reported to the 72<sup>nd</sup> FICSA Council, the ASHI working group had provided numerous recommendations to

the Secretary-General on cost containment before its dissolution. Subsequently, an UNGA decision on ASHI (paragraph 5 from A/RES/73/279 B) requested the Secretary-General to “further explore options for the improvement of efficiency and the containment of costs, including liabilities associated with current and future staff, with a view to reducing the Organization’s expenditure on health insurance plans and its after-service health insurance obligations, and to report thereon at its seventy-fifth session”.

4. The Standing Committee noted with concern the continued pressure to reduce the liability of ASHI and stressed that there should not be any reduction in coverage. This principle of continued coverage under the same conditions should be maintained and should apply to former, current and future staff.

**The Standing Committee recommended that the FICSA Executive Committee voice its concern on the GA resolutions on cost containment regarding paragraph 5 from A/RES/73/279 B on the issue of ASHI through the appropriate channels.**

### **Implementation of MHS**

5. The Co-Chair (UNAIDS) gave a presentation (FICSA /C/73/SOCSEC/Summary Sheet 3b) on the key findings of the 2015 system-wide survey on mental health, the current status of the implementation of MHS since its launch by the UN Secretary-General in 2018 and the contents of the website Mental Health Matters, A Healthy Workforce for a Better World, which was intended to provide a platform for staff and managers to access basic information on living and working with mental health conditions.

6. She reminded participants about two FICSA communications on this topic and encouraged those interested to explore the website, refer to the 2019 FICSA communications on this topic and seek further information and guidance from FICSA as necessary.

7. UN agencies had taken various steps taken to implement MHS. For example, WHO marked World Mental Health Day by activities that included screening of a video on depression, which was much appreciated by staff. While numerous efforts had been made for several years to encourage the WHO administration to participate on the MHS Implementation Board, these had not succeeded. WHO technical experts participated actively in MHS working groups, but there appeared to be a lack of willingness to implement a mental health strategy in WHO, with an apparent preference for implementation of a broader occupational health and safety strategy. As suggested at previous FICSA Council sessions, WHO staff associations were encouraged to engage the administration in discussion on this issue and promote steps towards implementation of an

MHS strategy in WHO in accordance with the recommendations of the UN Secretary-General.

8. ILO ITC raised concerns about FICSA's position and strategy for working to implement MHS, particularly whether there was sufficient focus on the effects of a negative working environment on staff mental health. FICSA could benefit from consulting the recommendations from Public Services International (PSI) on psychosocial risk assessments. The Co-Chair (UNAIDS) suggested that ILO ITC provide a brief paper to the FICSA Executive Committee on gaps in FICSA strategy related to the implementation of the MHS, which could help to inform the FICSA position going forward.

9. While there was a peer support group at WHO/EMRO, EMRO administration had disengaged considerably from it after the departure of the Regional Adviser on Mental Health and Neurological Diseases. In addition, the WHO/EMRO staff association had lobbied the Staff Physician and Director of Administration and Finance to engage a staff counsellor. In addition, the WHO Director of Staff Health and Wellness had launched an initiative entitled "The world's healthiest workforce", which included ways to address staff mental health and was backed by the WHO Director-General. Lack of financial resources was the biggest barrier to implementing measures to address staff mental health.

10. UGSS thought that the Mental Health Matters website was a very powerful tool that staff associations could use to work on mental-health-related matters in their organizations and support work towards the implementation of a mental health policy. While FAO employed approximately 4,000 staff, it had only one staff counsellor. Nevertheless, efforts had been made to organize workshops for staff on topics related to wellbeing, although they were considered inadequate.

11. The Co-Chair (UNAIDS) reminded the Standing Committee that one of the main *raison d'être* for the MHS Implementation Board was to pool resources and knowledge for the use of members. While staff were often unaware of the resources available, she hoped that FICSA would explore ways to facilitate awareness of and access to these tools and resources.

12. At WHO/WPRO, an anonymous helpline called "In Touch" facilitated staff access to professional psychologists free of charge for up to five sessions. If necessary, staff could access additional treatment under WHO Staff Health Insurance.

13. PAHO/WHO thought that organizations had much goodwill, but insufficient resources. FICSA could help by pushing organizations to implement mental health strategies, and staff associations could encourage action by the administration.

14. Some progress had been made at OPCW following efforts from an experienced and enthusiastic Staff Welfare Officer, but these had ended when the individual left the organization. This illustrated the importance of good staff-management relations and of competence and interest in key actors. Harassment had been identified as having a negative impact on staff mental health, and OPCW had held a workshop on harassment in the workplace.

15. The FICSA General Secretary noted that the MHS should not be seen in isolation and that it did not focus sufficiently on sources of work-related mental health issues, such as toxic workplaces.

**The Standing Committee noted with concern the lack of progress in implementing MHS in organizations and requested the FICSA Executive Committee:**

- a. to remind its membership to pursue all avenues towards implementation of MHS as a matter of urgency; and**
- b. to facilitate access to tools to assist staff, managers and leaders to implement the MHS at an organizational level.**

#### **Update on the HLCM Duty of Care Task Force**

16. The FICSA General Secretary (WHO/HQ) summarized key developments (FICSA /C/73/SOCSEC/Summary Sheet 3c), particularly the following. One of the conclusions was that the integration of occupational health and safety (OHS) into risk management processes was to be the key driver for the implementation and improvement of the Duty of Care framework. An interagency OHS forum would be established, headed by WHO, to mainstream OHS and the tools developed by the Task Force, including an assessment of duty-station health risks, a pre-deployment guide, UN living and working standards, training for managers and a system-wide five-year action plan for the implementation of MHS. FICSA would continue to monitor issues and report back.

17. The discussion of this topic identified some confusion about accountability and responsibility for implementing the different frameworks related to staff wellbeing, including duty of care, MHS and OHS.

18. What was the overall FICSA strategy on OHS? ILO Convention 155 provided guidelines in this regard and could be used as a framework for any FICSA strategy going forward. IAEA had developed a policy on OHS and would be happy to share with FICSA membership via the FICSA website. The FICSA General Secretary suggested that FICSA could explore the possibility of creating training on issues related to OHS. ILO ITC volunteered to lead a working group to develop a FICSA position paper on OHS for consideration by the Standing

Committee and the 74<sup>th</sup> Council. Delegates from WHO/EURO, PAHO/WHO, and the FICSA General Secretary volunteered to assist with this work.

### **Conclusion**

19. A working group – composed of delegates from ILO ITC, PAHO/WHO, WHO/EURO and the FICSA General Secretary – would develop a position paper for the consideration of the Standing Committee at the 74<sup>th</sup> FICSA Council. The FICSA Executive Committee would ensure that all available documentation, including the IAEA policy on OHS, be made available to the membership via the FICSA website.

### **UN Joint Staff Pension Fund issues (agenda item 4)**

20. Ms. Rosemarie McClean, Chief Executive of the UN Pension Administration, made a statement to the Standing Committee via Skype. The past problems with delays in paying out pensions had been overcome, and payments were now made within 15 working days. UNJSPF was in good shape and had exceeded expectations. Pension Administration was striving to further improve its services, which would include regular and effective communication with the Funds' stakeholders.

21. The FICSA President requested expeditious implementation of functional reporting in the Geneva office to improve dialogue and interaction between the New York and Geneva offices. Ms. McClean responded that, with the approval of the General Assembly, implementation would be able to go forward and changes would be ongoing. Training would be provided to ensure a similar standard of service as that provided from the New York office.

22. The FICSA Member for Compensation Issues (IAEA) noted that the UNGA resolution with regard to the report of the Board had included disappointment, particularly with the Governance Working Group report on the size and composition of the Board. In response to the question of what the role of the Governance Working Group would be with regard to the GA resolution, Ms. McClean responded that that would have to continue to be discussed and suggested a preliminary conversation involving different parties to obtain more clarity.

23. The FICSA President reported that the annual session of UNJSPB was overshadowed by ongoing efforts on the part of the UN Secretariat participants' representatives to acquire an even larger number of seats on the Board by attempting to take seats away from the specialized agencies. At the same time, UN participants' representatives continue to allege that a backlog remained in the processing of new entitlements, although the report of the Pension Board's

Asset and Liability Monitoring Committee clearly specified that “New pension cases are processed on time and correctly, there is no backlog of entitlement cases”.

24. In its resolution A/C.5/74/L.22 of 27 December 2019, UNGA had requested the new Chief Executive of Pension Administration to promptly engage an independent external entity with expertise in the governance of pension funds to conduct a comprehensive and objective analysis. UNGA further decided “that alternates should be entitled to attend Pension Board sessions only when principal Board members cannot attend, with the exception of the elected alternates of the General Assembly”.

25. The FICSA President stressed the importance of these matters to the participants from the specialized agencies, although they were distracting attention from concerns about the rate of return on the investments of the Fund’s assets. As stated by the Assets and Liabilities Monitoring Committee, “the real rate of return earned by the Fund continues to be the most significant factor in maintaining long-term solvency”.

26. In conclusion, he informed the meeting that FICSA understood that the backlog in processing new pension claims was cleared.

**The Standing Committee recommended that FICSA Executive Committee and FICSA members continue ongoing efforts to reach out to UNJSPF participants’ representatives and enquire what steps are being considered to counter the pressure to reallocate seats and what kind of support the staff representative bodies may be able to provide in this context.**

#### **Medical coverage of locally recruited staff (agenda item 5)**

27. ILO ITC stressed the seriousness of this issue, including the different health insurance plans available, which provided different coverage at different costs for locally recruited staff in non-headquarters duty stations ([FICSA /C/73/SOCSEC/Summary Sheet 5](#)). He suggested that the Standing Committee:

- get information on what is happening with health insurance plans for staff in the field;
- identify the kinds of gaps and differences in coverage in different regions and for different categories of staff; and
- strengthen FUNSAs, and make sure they report their concerns to resident coordinators.

In addition, FICSA should highlight this topic at the highest levels.

28. The Co-Chair reported that there were 25 different health insurance plans that varied hugely, and massive resistance to consolidating them into one. The Medical Insurance Plan normally applied only to locally recruited UN Secretariat staff from organizations such as UNDP. Obtaining more information was critical to better assessing the situation, although there might be restrictions on sharing the information. FICSA could perhaps hire a consultant to map health insurance plans across the Common System.

29. The IAEA Co-Chair reported from a medical directors' round-table meeting addressing different premiums and coverages. Insurance companies (and sometimes the same insurance company) offered different premiums to different organizations. Insurance companies' refusal to disclose information prevented comparisons of the different health insurance plans, so mapping was necessary and desirable. The field duty stations offered yet another challenge due to the variances in the conditions of service.

30. The Co-Chair (UNAIDS) cautioned against accepting the lowest acceptable standard of coverage, as the UN was inclined to do, and urged FICSA to lobby for minimum standards for health insurance plans. In addition, there was a gender issue, as women were usually the lowest paid and therefore suffered most.

31. How could information on the different coverages and plans be obtained, and how could different plans be harmonized? FAFICS had previously conducted a mapping exercise on ASHI plans. ASHI affected all staff, including those who had retired.

**The Standing Committee recommended that FICSA Executive Committee explore the option of hiring a consultant to map the different health insurance plans across the UN Common System in order to allow FICSA members to benchmark. That should ideally be done in consultation with FAFICS.**

#### **Other business – Workshops and other issues (agenda item 6)**

32. FAO/UGSS reported that health insurance premiums had sharply increased, because premium calculations had not included retirees, so premiums had been too low. The increase was perceived as aimed only at ensuring sustainability. That situation hit GS staff disproportionately hard. FAO/UGSS wanted to understand how the 50:50 share and the cap were interpreted in other organizations, whether by overall population or by individual. Also, what was the Standing Committee's position? Knowing this would assist the delegate in returning to the administration with suggestions for a way forward.

33. FAO/UGSS suggested that training on health insurance be added to the FICSA catalogue. It would need to be very technical in nature and include the calculation of health insurance premiums.

**The Standing Committee recommended that the FICSA Secretariat ask members to provide information on how their respective health insurance premiums are calculated and implemented, and share the information received with them. The FICSA Executive Committee should explore the possibility of developing training on health insurance.**

**Nomination of Standing Committee officers (agenda item 7)**

34. The following delegates were nominated as Standing Committee officers:

- Edwin Titi-Lartey (IMO) as Chair
- Paola Franceschelli (FAO/WFP-UGSS) as Vice-Chair
- Katja Haslinger (IAEA) as Vice-Chair.

## **Annex 6. Report of the Standing Committee on Conditions in the Field Officers**

Chair	Cosimo Melpignano (UNGSC)
Vice-Chair	Vito Musa (UNGSC)
Rapporteur	Véronique Allain (SCBD)
Member, FICSA Executive Committee	Diab El-Tabari (UNRWA/ASA)
FICSA Regional Representative	Anthony Ndinguri (ICAO)

### **Participants**

AP-in-FAO	Line Kaspersen
FAO/WFP-UGSS	Eva Møller, Luca Vecchia
IFAD	Lixia Yang
IMO	Ivana Goode, Elene Sarria
UNAIDS	Andrea Palazzi
UNGSC	Cosimo Melpignano
UNIDO	Steven-Geoffrey Eales
WHO/AFRO	Hamidou Bague
WHO/EURO	Sanid Vlajic
WHO/WPRO	Priya Mannava

### **Guest**

WMU	Anne Pazaver
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### **Adoption of the agenda (agenda item 1)**

1. The Standing Committee approved the following agenda:
  1. Adoption of the agenda
  2. Election of the rapporteur
  3. Feedback on IASMN session in June 2019 ([FICSA/C/73/Field/Summary Sheet 3](#))
  4. Update on the annual ICSC meeting to review the classification of hardship duty stations for Asia and the Pacific Region ([FICSA/C/73/Field/Summary Sheet 4](#))
  5. Rules and regulations in the UN Common System concerning carrying of arms by security guards ([FICSA/C/73/Field/Summary Sheet 5](#))
  6. Workshops and other business

7. Nomination of Standing Committee officers and core group members

**Election of the rapporteur (agenda item 2)**

2. Véronique Allain (SCBD) was appointed as rapporteur.

**Feedback on IASMN session in June 2019 (agenda item 3)**

3. The Executive Committee Member for Field and Regional Issues introduced this agenda item by explaining to the participants that IASMN is a network that supports HLCM in the reviews of policies and resources related to the entire UN Security Management System (UNSMS). IASMN's work was highly technical and its discussions focused on the security and safety of UN staff. The efforts of the UNDSS to realign in the context of changing security environments and increasing demands were briefly described. The UN was becoming an easy target as a result of more situations of civil unrest and nationalistic movements. Nevertheless, the deployment of the UN workforce in these countries needed to continue despite the more difficult circumstances.

4. UNDSS had mandated and the World Food Programme had facilitated an IASMN Security-related Technology, Telecommunications Security Standards (TESS) project, to build a new business model for security telecommunications at the level of connectivity, applications and procedures. In practical terms, this meant fixing issues with the current security-communication technologies that actively supported the UNSMS entities in the field and standardizing these technologies while focusing on three technical areas: the VHF radio systems, vehicle tracking systems and mobile satellite systems.

5. Finally, three different safety policies had been officially launched and implemented in 2019.

- The Road Safety Strategy, as part of the UN Sustainable Development Goals, committed all UN organizations to reduce the number of road traffic crashes and associated losses involving UN personnel and vehicles.
- The policy on commercial air travel for staff of UNSMS provided a framework for taking due consideration of aviation safety factors when selecting commercial air operators (including UN chartered flights and donated flights) for official travel of these staff when serving in very challenging environments and difficult conditions.
- The policy on chemical, biological, radioactive and nuclear threats and attacks was meant to minimize the risks for UNSMS staff.

**The Standing Committee on Conditions of Service in the Field recommended that the FICSA Executive Committee continue participating actively in the meetings and deliberations of IASMN, to raise issues of common interest and concern that may be brought up by the FICSA membership.**

**Update on the annual ICSC meeting to review the classification of hardship duty stations for Asia and the Pacific Region (agenda item 4)**

6. The Executive Committee Member for Field and Regional Issues introduced this agenda item by explaining the work carried out by the working group (TWG) – which is composed of representatives from the ICSC Secretariat, UN organizations and staff federations; TWG had met in November 2019 to review the classification of hardship duty stations according to the conditions of work and life. An extensive debate on the revision of the methodology for such classification followed. The difficult topic of designating non-family duty stations, based on factors (such as local conditions) that might receive more consideration today than in the past, raised the interest of participating members. The designation of non-family duty stations was currently based only on family restrictions for reasons of safety and security. The 72<sup>nd</sup> FICSA Council had noted that issues – such as limited medical services, non-availability of housing, isolation of family members in the duty station or availability of goods and services – would be included to better capture the level of hardship of a given duty station. It was therefore confirmed that the revised methodology properly incorporated the local elements underlined above.

7. The Standing Committee raised further elements that should be fundamental in establishing the categorization of a duty station. For instance, pollution in the locality, respect for gender and sexual diversity or disparity in the conditions of service would now be essential for the wellbeing of both internationally and locally recruited staff.

8. The debate also underlined the importance of TWG fact-finding missions. When feasible and financially viable, these had proved to be very useful in improving consideration of the needs of UN staff deployed in the field. A very detailed questionnaire, shared among the UN community in each duty station, was used to collect relevant information.

9. More than ever, TWG's work had proved its importance and relevance for the UN as a whole, in helping UN organizations fulfil their duty of care: they were required to inform their staff of the exact conditions of deployment. Member States had recently paid more attention to this classification process; it was

hoped that TWG's integrity would be maintained to ensure the wellbeing of UN staff.

10. In addition, the participation of staff and the administration (Resident Coordinator or Resident Representative or Designated Officer) in the classification process was fundamental, as this affected not only the entitlements under the hardship and mobility scheme but also on the daily conditions of living of locally recruited staff. It was suggested that staff be given information to raise their awareness about the importance of this exercise and correct completion of the questionnaire. Accurate and up-to-date information provided in questionnaire responses helped to reach a proper classification depicting the actual conditions of life and work in a duty station.

**The Standing Committee recommended that the FICSA Executive Committee continue advocating staff interests during the regular ICSC meetings devoted to the classification of hardship duty stations.**

**The Standing Committee recommended that the Executive Committee ensure that the next round of ICSC classification of hardship duty stations duly consider factors such as the level of pollution and corresponding mitigation measures, respect for sexual diversity and disparity in the conditions of service.**

**The Standing Committee recommended that the Executive Committee put in place an information process (such as an e-platform) to provide timely information to the FICSA membership affected by future classification reviews, to raise awareness among the local UN community of the importance of providing the right responses to questionnaires to ensure proper classification.**

#### **Rules and regulations in the UN Common System concerning carrying of arms by security guards (agenda item 5)**

11. The representative from FAO-UGSS noted that security guards at FAO HQ premises were requested to carry firearms, even though that had not been a specific requirement during their hiring process. Security services in UN agencies operated under strict rules and regulations. Ranks carried more weight in that service than in the overall hierarchies in the UN, as security guards needed to be fully aware of the line of reporting in emergencies. Grades were thus closely connected to responsibilities.

12. At FAO, most guards were hired at both the G2 and G3 levels, and their supervisors had invited them to carry firearms, although their job descriptions did not reflect that. Several members of FAO security staff had wondered about

the appropriateness of that, as they felt obliged to volunteer to carry firearms, while recognizing that doing so was a greater responsibility that was currently not based on their grade. That discussion led those staff to question the classification of their current jobs. The issue was multifaceted and touched on both job classification and the introduction of a hazardous duty allowance.

13. The Standing Committee had no specific knowledge of the issue and felt that the question deserved a comprehensive study on existing UN Common System rules on grade levels and responsibilities, or the special salary indemnities for those guards carrying arms.

**The Standing Committee recommended that the FICSA Executive Committee ask UNDSS for guidelines on the roles and responsibilities of armed guards, the potential for special indemnities and the minimum requirements for carrying a firearm, to ensure the highest level of security.**

**The Standing Committee recommended also that the FICSA Executive Committee write to the IASMN for further guidance on this matter.**

#### **Workshops and other business (agenda item 6)**

14. The Standing Committee suggested that FICSA explore the possibility to create a dedicated webpage and an e-learning platform, specifically targeted to the membership deployed away from headquarters, for the benefit of newly appointed staff representatives. This would help raise awareness of the role of staff representatives and give them the tools to advocate better conditions of life and work, depending on the duty station and the country of operations.

15. In this regard, it was suggested that FICSA members with staff deployed in the field provide to the FICSA Secretariat a list of the countries from which they operate, in order for the Standing Committee to improve the communication flow and its responsiveness.

#### **Nomination of Standing Committee officers and core group members (agenda item 7)**

16. The following delegates were nominated as Standing Committee officers:

- Cosimo Melpignano (UNGSC) as Chair
- Vito Musa (UNGSC) as Vice-Chair
- Line Kaspersen (AP-in-FAO) as Vice-Chair.

17. The following participants in the SC were nominated as members of the core group:

- Véronique Allain (SCBD)

- Anthony Ndinguri (ICAO)
- Diab El-Tabari (UNRWA/ASA)
- Jesus García Jiménez (ILO ITC)
- Rajesh Mehta (WHO/SEARO)
- Luca Vecchia (UGSS)
- Ny You (FAO)
- Lixia Yang (IFAD)
- Ivana Goode, Elene Sarria (IMO)
- Andrea Palazzi (UNAIDS)
- Steven-Geoffrey Eales (UNIDO)
- Hamidou Bague (WHO/AFRO)
- Sanid Vlajic (WHO/EURO)
- Priya Mannava (WHO/WPRO).

## **Annex 7. Report of the Standing Committee on General Service Questions**

### **Officers**

Chair	Marielle Wynsford-Brown (IAEA)
Vice-Chair	Alberto Fernández (OPCW)
Vice-Chair	Silvia Mariangeloni (FAO/WFP-UGSS)
Rapporteur	Alberto Fernandez (OPCW)
FICSA President	Brett Fitzgerald (WIPO)
Members, FICSA Executive Committee	Veronique Allain (SCBD), Pilar Vidal Estévez (PAHO/WHO), Imed Zabaar (IAEA)
Regional representatives	Anthony Ndinguri (ICAO), Tanya Quinn Maguire (UNAIDS)

### **Participants**

FAO/WFP-UGSS	Paola Franceschelli
IAEA	Anne Schlosman
IARC	Cecile Le Duc
ICAO	Andrew Brown
ILO ITC	Rute Mendes
IMO	Shereen Barry, Ivana Goode, Fola Odulana, Edwin Titi-Lartey
UNAIDS	Andrea Palazzi
UNFCCC	Mary Jean Abrazado, Ambretta Perrino
UNGSC	Cosimo Chimienti, Cosimo Lunedì, Cosimo Melpignano, Vito Musa
UNIDO	Osadolor Akpata
UPU	Stéphane Vuillemin
WHO/AFRO	Hamidou Bague
WHO/EMRO	Metry El Ashkar, Salwa Hassan
WHO/EURO	Antonella Biasiotto

WHO/GSC	Aizat Khalid
WHO/HQ	Catherine Kirorei Corsini
WHO/SEARO	Ritesh Singh
WHO/WPRO	Bess Bodegon
WIPO	Najib Ben Helal
WMO	Jalil Housni

**Associations with consultative status**

EMBL	Thomas Heinzmann
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**Guest**

FICSA Consultant	Mauro Pace
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**Introduction**

1. Alberto Fernández (OPCW) and Silvia Mariangeloni (FAO/WFP-UGSS) jointly chaired the meetings of the Standing Committee.

**Adoption of the agenda (agenda item 1)**

2. The Standing Committee approved the following agenda:
1. Adoption of agenda
  2. Election of the rapporteur
  3. Q&A with the ICSC Representatives
  4. Report of the Permanent Technical Committee for General Service Questions (PTC/GSQ)
  5. Technological changes affecting the future of the GS workforce (FICSA/C/73/GSQ/Summary Sheet 4)
  6. Challenges faced by GS staff applying for positions in the professional category (FICSA/C/73/GSQ/ Summary Sheet 5)
  7. Workshops and other business
  8. Nomination of Standing Committee officers and core group members

**Election of rapporteur (agenda item 2)**

3. Paola Franceschelli (FAO/WFP-UGSS) was elected rapporteur.

**Q&A with the ICSC representatives (agenda item 3)**

4. The Standing Committee agreed on a set of questions to be put to the representatives of the ICSC (see Annex 2).

5. The Standing Committee agreed to submit these questions in writing to the ICSC requesting a written response. A final version would be included in the Council report upon such response from the ICSC.

**Report of the Permanent Technical Committee for General Service Questions (PTC/GSQ) (agenda item 4)**

6. The Executive Committee members for Compensation Issues and the FICSA resource person presented the report of PTC/GSQ (see Appendix 1).

7. The Standing Committee on General Service Questions adopted the following recommendations made by PTC/GSQ.

**PTC/GSQ recommended that the Standing Committee on General Service Questions request the Executive Committee to ensure that the vital role of the Local Salary Survey Committee (LSSC) is maintained and strengthened during the review of the methodologies. Further, the FICSA representatives on the ICSC working group should ensure that the concerns raised by LSSCs prior to the review are taken into consideration. Funds should be allocated to facilitate the participation of the FICSA representatives on the ICSC working group and to conduct studies/analysis when required.**

**The PTC/GSQ recommended that the Standing Committee on General Service Questions request the Executive Committee to recommend to the ICSC working group that the pilot surveys not be rushed, and changes be thoroughly studied and analysed prior to any decisions. FICSA should develop training materials to assist LSSCs during the pilot surveys.**

**PTC/GSQ recommended that the Standing Committee on General Service Questions request the Executive Committee to strengthen the role of the LSSC by making use of the FICSA website as an information resource and repository of all relevant information regarding GS salary survey methodology, such as LSSC members' responsibilities and roles, FAQs, past issues and solutions, and exchange of views among members.**

**PTC/GSQ recommended that the Standing Committee on General Service Questions request the Executive Committee to develop an early-warning system on trends (information & coordination network of the LSSCs with clear focal points from Staff Association/Union who are members of FICSA) for all duty stations on Comprehensive Salary Surveys and interim adjustments.**

8. A FICSA resource person proposed the issuance of a resolution to reinforce the request to the Executive Committee to have clear guidelines for the salary survey pilots to be conducted by the ICSC working group. In this regard, the

Standing Committee Vice-Chair recalled the 2019 FICSA Resolution on the review of the general salary survey methodologies (FICSA/C/72/GSQ/CRP.1) and proposed to use it as a starting point and follow up on it.

9. FICSA Resolution no. 73/01 on ICSC Salary Survey Methodology review comprises Appendix 2.

**Technological changes affecting the future of the GS workforce (FICSA/C/73/GSQ/Summary Sheet 4) (agenda item 5)**

10. A Member for Compensation Issues provided background information on the trend among international organizations of doing more with less, and the increase of the use of modern technology and artificial intelligence, which mainly affects GS staff members and their core functions first.

11. Participants reported their organizations' experience with the introduction of new technologies, the lack of proper training and challenges for staff when implementing new technologies.

12. The IAEA representative urged the Standing Committee to recommend that the Executive Committee identify and assist staff to be proactive, not reactive, to the mentioned issues and specific actions taken by management. Staff members and associations should have the know-how to address these issues with management.

**The Standing Committee recommended that the FICSA Executive Committee conduct a study on the impact of digitalization and the use of artificial intelligence when implementing organizational change, on staff's workload and mental health and well-being, and prepare a readiness plan to assist staff representatives and their staff associations/unions.**

**Challenges faced by GS staff applying for positions in the Professional category (FICSA/C/73/GSQ/ Summary Sheet 5 (agenda item 6)**

13. The Member for Compensation Issues (IAEA) briefed participants on the challenges faced by GS staff in their professional development since their entry into an organization. The IAEA Staff Association had worked to remove the barriers to the career development of GS staff to the Professional (P) level; the work had helped several staff members to move to the P category.

14. An FAO/WFP-UGSS delegate noted the possibility of negotiating return rights to a GS post at the previously held grade in their organization. On the same topic, the IAEA representative noted the possibility for staff members to have the same mechanism of return rights, but also staff members could go back to their previously held position from a development reassignment.

15. The IFAD representative reported that it is possible for IFAD staff to move from GS to Professional positions. However, GS colleagues are requested to sit for an additional external assessment which aims at assessing their suitability to serve at the professional level. Nevertheless, there is still room for improvement to allow GS at lower levels to be considered for entry-level professional positions as well.

16. In addition, various representatives noted that geographical distribution also posed a challenge for locally recruited GS staff to advance to the P category.

**Workshops and other business (agenda item 7)**

17. Taking into consideration the ongoing ICSC review of the GS salary survey methodology, the Standing Committee agreed that no training workshops would be conducted in 2020 on Methodology I. Notwithstanding, specific training needs in upcoming regional salary reviews should be taken into consideration.

**The Standing Committee recommended that the FICSA Executive Committee consider providing training in East Africa, according to the request from the Regional Representative for Africa to hold a workshop in Arusha, Tanzania for members of the Local Salary Survey Committee.**

**Nomination of Standing Committee officers and Core Group members (agenda item 8)**

18. The Standing Committee nominated Alberto Fernández (OPCW) as Chair and Silvia Mariangeloni (FAO/WFP-UGSS) as Vice-Chair. Pilar Vidal Estévez (PAHO/WHO) and Imed Zabaar (IAEA) were nominated as joint coordinators of the PTC/GSQ.

19. The Standing Committee agreed to include all participants in its meetings as core group members.

## Appendix 1. Report of PTC/GSQ

Coordinator	Marielle Wynsford-Brown (IAEA)
Rapporteur	Alberto Fernández (OPCW)
FICSA President	Brett Fitzgerald (WIPO)
FICSA Treasurer	Kay Miller (WHO/EURO)
Members, FICSA Executive Committee	Veronique Allain (SCBD), Pilar Vidal Estévez (PAHO/WHO), Diab El-Tabari (UNRWA/ASA), Imed Zabaar (IAEA)
Regional Representative	Tanya Quinn Maguire (UNAIDS)

### Participants

FAO/WFP-UGSS	Paola Franceschelli, Silvia Mariangeloni, Eva Møller
ICAO	Andrew Brown
UNFCCC	Ambretta Perrino, Tracy Tollman
UNGSC	Cosimo Melpignano
WHO/AFRO	Hamidou Bague
WHO/EMRO	Metry El Ashkar, Salwa Hassan
WHO/HQ	Catherine Kirorei Corsini
WHO/SEARO	Ritesh Singh

### Guest

FICSA Consultant	Mauro Pace
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### Introduction

1. Imed Zabaar (IAEA) chaired the meeting of PTC/GSQ. As the Standing Committee adopted all of the recommendations of PTC/GSQ, they are omitted from this Appendix.

### Adoption of the agenda (agenda item 1)

2. PTC/GSQ adopted the following agenda:
  1. Adoption of the agenda
  2. Election of the rapporteur
  3. Report by the Working Group on the ICSC review of the GS salary survey methodology – *Presentation by the members of the FICSA Executive Committee on Compensation issues*
  4. Results and status of salary surveys conducted between 2017 and 2019

- 4a. Report on the GS salary survey results in the Hague
- 4b. 2018 Budapest Comprehensive Local Salary Survey in Hungary and Joint Statement of UN Agencies
5. Lessons learnt from conducting salary surveys in Headquarters duty stations and non-Headquarters duty stations
6. Schedule of GS salary surveys (issued by ICSC)
7. FICSA workshops on GS salary survey methodology I and II
8. Evaluation of workshops held in 2019 and review of the list of trainers and resource persons.
9. Review of the list of PTC/GSQ members
10. Other business

**Election of the rapporteur (agenda item 2)**

3. Alberto Fernández (OPCW) was elected rapporteur.

**Report by the Working Group on the ICSC review of the GS salary survey methodology – *Presentation by the members of the FICSA Executive Committee on Compensation Issues (agenda item 3)***

4. The two FICSA Executive Committee Members for Compensation Issues (PAHO/WHO and IAEA) described their activities and work in 2019 and 2020, carried out with FICSA experts during the meeting of the ICSC Working Group on the review of the GS salary survey methodologies.
5. The last meeting of the ICSC Working Group had focused particularly on the use and scope of external data in the future for the purpose of the GS salary survey methodology.
6. In preparation for the meeting, FICSA representatives, with the FICSA resource person (Mauro Pace) prepared a reference document identifying 47 issues with the current methodology, which was also adopted as a Conference Room Report of the ICSC Working Group.
7. The FICSA representatives on the ICSC Working Group would continue to request the ICSC to consider relaxing the criteria for the selection and retention of comparators. Notwithstanding, the ICSC Working Group had reached consensus on providing flexibility when selecting the representative of the national civil service from a mainstream of ministries instead of the mandatory use of the Ministry of Foreign Affairs.
8. In addition, the ICSC Working Group planned to conduct a pilot with external data from vendors for selected duty stations that had conducted salary surveys in 2019 or before the end of 2018.

## **Results and status of salary surveys conducted between 2017 and 2019 (agenda item 4)**

9. Attendees reported issues identified by the LSSCs in various duty stations. In a number of European duty stations, surveys had not been finalized since 2017, so salaries had not been adjusted to reflect the changes in the local labour market.

### **Report on the GS salary survey results in the Hague (agenda item 4b)**

10. The salary survey in The Hague had remained open since 2016. The duty station had received an increase of 0.7% retroactive to 1 May 2017, an interim adjustment of 1.6% retroactive to 1 May 2018 and an interim adjustment of 2% as of 1 May 2019.

11. Although a positive result, OHRM communication on status updates was reported to be very poor throughout the process; members of the LSSC had not received a final report of the results and had not been able to validate the data collected and used by the survey specialist. Furthermore, coordination between all agencies in the duty station had been poor.

### **2018 Budapest Comprehensive Local Salary Survey in Hungary and Joint Statement of UN Agencies (agenda item 4b)**

12. The comprehensive salary survey in Budapest reflected an increase of 10.3% for General Service (GS) staff and 28.5% for National Professional Officers (NPO).

13. The PTC noted the joint letter sent by FAO, ILO, UNHCR, UNICEF and WHO to the heads of their administrations stating that there was a need to reach out to all FICSA members, to acquaint them with the salary surveys and outcomes so that staff can be well informed and readily understand when the administrations send such communications. In addition, this information should have reached the Executive Committee Members for Compensation Issues and the FICSA resource person before their meeting with the ICSC. The Executive Committee Members for Compensation Issues and the FICSA resource person were requested to contact the organizations for further discussion of this matter and how best to help the LSSCs.

14. PTC members discussed the information provided in the communications and the paramount need for proper training of LSSC members before salary surveys take place in their duty stations.

### **Lessons learnt from conducting salary surveys in headquarters duty stations and non-headquarters duty stations (FICSA/C/73/PTC/GSQ/Summary Sheet 5) (agenda item 5)**

15. PTC/GSQ members received a report on the agenda item and requested that the information sheet on this item be annexed to the PTC/GSQ report (Appendix 1.1).

**Schedule of GS salary surveys (issued by ICSC) (agenda item 6)**

16. The schedule of comprehensive salary surveys for 2020 was noted (Appendix 1.2).

**FICSA workshops on GS salary survey methodology I and II (agenda item 7)**

17. In light of the ongoing review, the Chair proposed to limit training only to those duty stations that are planning to conduct a salary survey in the near future.

18. In this regard, the FICSA President briefly mentioned that for 2020 the proposal by the Executive Committee is to continue providing the trainings but handover ownership of the trainings to the corresponding staff association in each duty station, who will be bearing the cost implications and benefitting from fees charged to potential external attendees.

**Evaluation of workshops held in 2019 and review of the list of trainers and resource persons. (agenda item 8)**

19. The evaluation of workshops is contained in the annual report provided by the FICSA Executive Committee.

20. Due to the ongoing work on the revision of the GS salary survey methodology, it was agreed to maintain the list of trainers as it currently stands (Appendix 1.3).

21. The FICSA resource person proposed to have an updated list from OHRM on any planned surveys under Methodology II in 2020.

**Review of the list of PTC/GSQ members (agenda item 9)**

22. The list of PTC/GSQ members would remain the same as in 2019 (Appendix 1.4).

**Other business (agenda item 10)**

23. No issues were discussed under this agenda item.

## Appendix 1.1. Schedule of comprehensive surveys for 2020

Country and city	Region
<u>Somalia: Mogadiscio</u>	Africa
<u>Benin: Cotonou</u>	Africa
<u>Nigeria: Abuja/Lagos</u>	Africa
<u>Senegal: Dakar</u>	Africa
<u>Lesotho: Maseru</u>	Africa
<u>Sudan: Khartoum</u>	Africa
<u>Tanzania, United Rep. of: Dar-es-Salaam</u>	Africa
<u>Liberia: Monrovia</u>	Africa
<u>Angola: Luanda</u>	Africa
<u>Chad: N'Djamena</u>	Africa
<u>Morocco: Rabat</u>	Arab States
<u>Israel: Jerusalem</u>	Arab States
<u>Kuwait: Kuwait</u>	Arab States
<u>Cook Islands: Rarotonga</u>	Asia and Pacific
<u>Korea, Republic of: Seoul</u>	Asia and Pacific
<u>Samoa: Apia</u>	Asia and Pacific
<u>Philippines: Manila</u>	Asia and Pacific
<u>Bangladesh: Dhaka</u>	Asia and Pacific
<u>Viet Nam: Hanoi</u>	Asia and Pacific
<u>Sri Lanka: Colombo</u>	Asia and Pacific
<u>Ukraine: Kiev</u>	Europe
<u>TFYR of Macedonia: Skopje</u>	Europe
<u>Peru: Lima</u>	Latin America and Caribbean
<u>Colombia: Bogota</u>	Latin America and Caribbean
<u>Mexico: Mexico City</u>	Latin America and Caribbean
<u>Cuba: Havana</u>	Latin America and Caribbean
<u>Dominican Republic: Santo Domingo</u>	Latin America and Caribbean

**Appendix 1.2. FICSA resource persons on GS salary survey methodologies (for the year 2020)**

<b>Name</b>	<b>Working language</b>	<b>E-mail</b>	<b>Location</b>	<b>Trainer</b>
Jeanne d’Arc Matuje Mukamwiza (Methodology II)	English/French	dArc.MatujeMukamwiza@fao.org	Africa	Intermediate
Varghese Joseph (Methodology I & II)	English/French	vjosephvarghese@gmail.com	Europe	Advanced
Edmond Mobio (Methodology I & II)	English/French	mobioed@gmail.com	Europe	Advanced
Mauro Pace (Methodology I & II)	English/French/ Spanish	mauro.pace@fao.org	Europe	Advanced
Imed Zabaar (Methodology I)	English/French/ Arabic	i.zabaar@iaea.org	Europe	Advanced
Irwan Mohd Razali (Methodology II)	English	mohdrazalii@who.int	Asia	Intermediate
Pilar Vidal Estévez (Methodology II)	English/Spanish	vidalpil@paho.org	Americas	Intermediate
Veronique Allain (Methodology II)	English/French/ Spanish	veronique.allain@cbd.int	Americas	Intermediate

### Appendix 1.3. Membership of PTC/GSQ, 2020–2021

Organization	Name	Email address
FAO/WFP-UGSS	Silvia Mariangeloni	silvia.mariangeloni@wfp.org
IAEA	Marielle Wynsford-Brown	m.wynsford-brown@iaea.org
	Imed Zabaar	i.zabaar@iaea.org
IMO	Baharak Moradi	bmoradi@imo.org
OPCW	Alberto Fernández	alberto.fernandez@opcw.org
PAHO/WHO	Pilar Vidal Estévez	vidalpil@paho.org
SCBD	Véronique Allain	veronique.allain@cbd.int
UNGSC	Cosimo Melpignano	melpignano@un.org
WHO/EURO	Kay Miller	millerk@who.int
FICSA	Irwan Mohd-Razali	irwan.mohdrazali@un.org

## Appendix 2. FICSA resolution on ICSC salary survey methodology review

The 73<sup>rd</sup> FICSA Council meeting at the IMO London from 10 to 14  
February 2020,

**Recalling** its resolution No. 72/1 adopted at the 72<sup>nd</sup> Council;

**Having** heard the Executive Committee activity Report of activities 2019/2020;

**Having** carefully examined the information on the status of the current review shared by the ICSC secretariat and the Federation's representatives in the ICSC WG on the Review, which held its 3<sup>rd</sup> meeting at IMO, London from 3 to 7 February 2020;

**Reiterates** FICSA's commitment to continue participating in the Review and its intention to invest adequate resources for full and effective participation in the Working Group;

**Expresses** its satisfaction at the fact that, so far, all stakeholders (i.e. the ICSC, the organizations and the staff federations) are maintaining open and frank communication channels in the Working Group, ensuring that all participants offered equal and fair opportunities to express their views;

**Also reiterates** its concern that some of the changes under discussion, namely:

- the possible use of external data,
- the categorization of duty stations,
- the possibility of running pilot projects to assess the quality of the data during the next round of surveys,
- the re-discussion of transitional arrangement including the use of dual or multiple salary scales,
- the in-dept review of the experience gained during 2012 to 2019, particularly focusing on the fairness and correctness of the alternative salary adjustment procedures adopted for Category V duty stations and other locations,
- the potential redefinition of roles and responsibilities for salary surveys conducted both under Methodology I and II;

**Expresses** its concern for reported delays in the implementation of the results in several duty stations, also noting with concern that, at several duty stations, the results show deeply negative and technically questionable salary adjustments;

**Requests** the Executive Committee and its representatives in the Working Group to do whatever possible, under the current circumstances, to:

- ensure availability of resources for effective participation in and contribution to the Review
- also ensure that the concerns expressed by the FICSA membership receive adequate attention in the Working Group
- further ensure that fair communication is maintained and reinforced with the ICSC and the Responsible organizations, namely UN/OHRM and WHO
- avert the risk that the use or dual or multiple salary scales continues after the Review
- ensure that the pilot testing of external data use – if eventually approved by the ICSC – be conducted in accordance with clear, transparent and technically sound parameters
- ensure that the fundamental role of LSSCs in the salary survey process be considered and enhanced by the Review.

**Finally instructs** the Executive Committee to share the resolution with the ICSC and the Organizations, as appropriate, and keep the membership apprised of future developments.

## **Annex 8. Report of the Standing Committee on Professional Salaries and Allowances**

### **Officers**

Chair	Christian Gerlier (ITU)
Vice-Chair	Santhosh Thanjavur Prakasam (UNFCCC)
Rapporteur	David Lloyd (EMBL)
FICSA President	Brett Fitzgerald (WIPO)
FICSA General Secretary	Evelyn Kortum (WHO/HQ)
Members, FICSA Executive Committee	Veronique Allain (SCBD), Diab El-Tabari (UNRWA/ASA), Imed Zabaar (IAEA)
Regional representatives	Jesús García Jiménez (ILO ITC)

### **Participants**

AP-in-FAO	Juan José Coy Girón, Jakob Skøt, Ny You
IARC	Cecile Le Duc
ICAO	Sanya Dehinde
IFAD	Lixia Young
IMO	Elene Sarria, Juan Lyu
UNAIDS	Andrea Palazzi
UNFCCC	Tracy Tollmann
UPU	Birahim Fall, Franck Landauer
WHO/AFRO	Hamidou Bague, Symplice Mbola Mbassi
WHO/EMRO	Tonya Rifaey
WHO/EURO	Shahin Huseynov
WHO/HQ	Lianne Gonsalves
WHO/GSC	Kiranjeet Kaur
WHO/WPRO	Priya Mannava
WIPO	Lucia Tchougang-Palombo
WMO	Andres Orias-Bleichner

**Member with associate status**

OPCW Romina Catera

**Guest**

WMU Anne Pazaver

**Adoption of the agenda (agenda item 1)**

1. The Committee adopted the following agenda:
  1. Adoption of the agenda
  2. Election of the rapporteur
  3. Report of PTC/PSA
  4. Status of the new methodology following the meetings/discussions throughout the year
  5. Eligibility for P-staff positions: requirements and qualifications needed – differences among agencies
  6. Workshops and other business
  7. Nomination of Standing Committee officers and core group members

**Election of rapporteur (agenda item 2)**

2. David Lloyd (EMBL SA) was elected rapporteur.

**Report of PTC/PSA (agenda item 3)**

3. As the report was not ready when the meeting started, it was distributed electronically to the participants as soon as it was available (Appendix 1).

**Status of the review of the post adjustment methodology following the meetings/discussions throughout the year (agenda item 4)**

4. The Chair reminded the Standing Committee that the new post adjustment/survey methodology was not clearly defined. The two items that were more or less defined were the use of the Törnqvist formula (instead of the modified Walsh and Fisher formula used by the ICSC during the 2016 cost-of-living surveys) and the collection of data prices from the market, not from staff's reported expenditures or incurred costs. Whether removing the staff questionnaire was an improvement was unclear.
5. There were two survey methodologies for the P and higher categories: one each for the Group I and Group II duty stations. The review of the survey methodology concerned the latter.
6. The Chair reminded the Standing Committee that "the overall purpose of the current system of operational rules was to ensure that the adjustment of the salaries of the United Nations Common System staff in the Professional and

higher categories was in line with specific compensation policy objectives, including accuracy, stability and predictability of salary adjustments, as well as simplicity and transparency of the salary-setting process”. The last round of cost-of living surveys had been organized in 2016 and it should be conducted every five years. The next round should therefore occur in 2021, so the ICSC Secretariat had little time to secure the approval of a new survey methodology and operational rules. As the ICSC Chair had told the 73<sup>rd</sup> FICSA Council that “Member States want to close the gap between post-adjustment multipliers in the same duty station”, it was possible that the review of the survey methodology could lead to a reduction of the higher post adjustment multiplier to align with the lower one in such cases.

7. The ICSC Chair had announced to the Council that its Working Group would meet two weeks after the Council, at UNESCO, Paris, to define more closely the operational rules and specifically the Control Convergence Mechanism (CCM). The new CCM could have potential pitfalls and may request an increase of the frequency of revisions. Its impact on staff’s net remuneration was unclear.

**The Standing Committee recommended that the FICSA Executive Committee:**

- **advise relevant staff associations at the duty stations where the old methodology is being used not to participate in the cost-of-living surveys; if ICSC insists on proceeding, that decision to proceed must be appealed;**
- **be actively involved in updating the survey methodology and the operational rules and keep the membership informed;**
- **monitor on a quarterly basis changes to post adjustment, reach out to the relevant organization(s) in affected duty stations when it finds a discrepancy, and provide support, information and guidance.**

**The Committee reiterated 72<sup>nd</sup> Council’s recommendation that the FICSA Executive Committee should create a matrix displaying the differences between the old and the new methodology. FICSA should gather the members’ views to come to a position on which methodology should be adopted.**

**The Committee reiterated the 72<sup>nd</sup> Council’s recommendation that the Executive Committee approach the ICSC Secretariat to provide training on the proposed new methodology(ies).**

**Eligibility for P-staff positions: requirements and qualifications needed – differences among agencies (agenda item 5)**

8. The Committee aimed:

- to gather views on how different agencies handle job classification;
- to discover whether the ICSC standard for job classification is applied in different organizations; and
- to share views and documents on practices that being followed in different agencies.

9. The discussion revealed that: similar roles were not given consistent grades; qualification requirements for similar posts differed; discrepancies appeared even within an organization on level of jobs; some staff did work at a higher grade without due recognition, etc. More common issues included: failure to trigger reclassification when the job description changed significantly; and use of out-of-date job descriptions in process changes/restructuring exercises.

**The Standing Committee recommended that the FICSA Executive Committee urge the HR Network and heads of agencies to apply ICSC standards for job classification and qualification requirements, including periodic updating of job descriptions, especially when a restructuring exercise was foreseen.**

#### **Workshops and other business (agenda item 6)**

10. The Chair expressed concern about paragraph C of the UN General Assembly Resolutions 74/255A and 74/255B, approved on 27 December 2019, which postponed discussion of the ICSC recommendations on the education grant. Those recommendations were related to the sliding reimbursement scales and the boarding lump sum, and they should have a positive impact on staff.

#### **Nomination of Standing Committee officers and core group members (agenda item 7)**

11. While the ITU Staff Union remained a member of FICSA, the following were nominated as officers of the Standing Committee:

- Christian Gerlier (ITU) as Chair
- Santhosh Prakasam (UNFCCC) as first Vice-Chair
- Priya Mannava (WHO/WPRO) as second Vice-Chair.

12. The following were nominated as members of the core group:

- Cecile Le Duc (IARC)
- Birahim Fall (UPU)
- Shahin Huseynov (WHO/EURO)

- Elene Sarria (IMO)
- Imed Zabaar (IAEA)
- Andrea Palazzi (UNAIDS)
- Sanya Dehinde (ICAO)
- Ny You (AP-in-FAO)

## **Appendix 1. Report of PTC/PSA**

Coordinator	Christian Gerlier (ITU)
Rapporteur	Tonia Rifaey (WHO/EMRO)
FICSA President	Brett Fitzgerald (WIPO)
FICSA General Secretary	Evelyn Kortum (WHO/HQ)
Member, FICSA Executive Committee	Diab El-Tabari (UNRWA/ASA)

### **Participants**

AP-in-FAO	Juan José Coy Girón
ICAO	Sanya Dehinde
IFAD	Lixia Young
UNAIDS	Andrea Palazzi
UNFCCC	Ambretta Perrino, Santhosh Thanjavur Prakasam, Tracy Tollmann
WHO/EMRO	Tonya Rifaey
WHO/EURO	Shahin Huseynov

### **Adoption of the agenda (agenda item 1)**

1. The Committee adopted the following agenda:
  1. Adoption of agenda
  2. Election of the rapporteur
  3. Report on the 2019 ACPAQ session in May, review of approved recommendations
  4. Strategize in preparation for the next ACPAQ meetings (provisionally 11-18 May 2020, NY)
  5. The post-adjustment system operational rules
  6. ILOAT judgement regarding the post adjustment in Geneva (FICSA/C/73/PTC/PSA/Summary Sheet 6)
    - a. Status of implementation
    - b. Implications
    - c. FICSA's position
    - d. UNGA resolution(s)
    - e. The way forward
  7. Membership issues
  8. Workshops and other business

## **Election of a rapporteur (agenda item 2)**

2. Tonia Rifaey (WHO/EMRO) was appointed rapporteur.

## **Report of the 2019 ACPAQ session in May, review of approved recommendations (agenda item 3)**

3. The ICSC Task Force for the review of the conceptual framework of the post adjustment methodology had submitted its report to the May 2019 session of ACPAQ for consideration and discussion. Most of the recommendations in that report were approved, but many would first need to be modelled and tested before a final decision on specific items could be taken. The proposed changes that could be implemented without extensive further study would be implemented before the next round of cost-of-living surveys.

4. Use of the newly agreed Tornqvist formula (instead of the modified Walsh and Fisher formula) could yield lower post-adjust multipliers in nearly all duty stations. While recognizing that the use of the Tornqvist formula would be the correct statistical way to go, the staff federations of FICSA (joined by UNISERV) therefore stated that they would not be able to agree to this proposed change in formula unless the ICSC agreed to implement a recalibration factor at the same time, as staff should not have to suffer lower post adjustment multipliers if they are due only to a change in methodologies. The recalibration factor could be incorporated in either the methodology itself or the operational rules that govern its use. At the upcoming ICSC Working Group session on the review of the operational rules, FICSA would insist that the 5% gap closure measure be reintroduced.

5. As to the collection and comparison of prices of goods and the International Service for Remunerations and Pensions (ISRP) rental data, costs/prices are collected by going into local shops selling goods comparable to those for which prices were collected at the base, i.e. New York City.

6. Housing rental data are collected from the ISRP rental data.

7. Data from the questionnaires completed by staff are not used to determining the costs of goods and services but only to establish the weights to be accorded to each element.

## **Strategies in preparation for the next ACPAQ meetings (provisionally 11–18 May 2020, New York) (agenda item 4)**

8. It is extremely important that the staff federations continue to liaise with both the expert statisticians that they jointly fund, as well as with those representing the HR Network/organizations. All need to agree that their support

for the proposed revisions of the methodology be given on the condition that ICSC introduce a recalibration factor.

9. On a more general ACPAQ matter, the FICSA President said that the ICSC Chair is proposing the names of three new people (based on geographical distribution) for nomination to fill two vacant seats on ACPAQ. The vacancies resulted from two ACPAQ members having served many years beyond the maximum allowable term of office.

#### **The post adjustment system operational rules (agenda item 5)**

10. The second and probably final meeting of the ICSC Working Group to review the operational rules would be held in two weeks at UNESCO in Paris. The ICSC Secretariat would undoubtedly put back on the table its earlier suggestion to introduce a new CCM. The staff federations would insist that the previously cancelled 5% gap closure measure be reintroduced into the operational rules for future cost-of-living surveys.

#### **ILOAT judgement regarding the post adjustment in Geneva (FICSA/C/73/PTC/PSA/Summary Sheet 6) (agenda item 6-7)**

11. The FICSA President explained that ILOAT had delivered judgements, on 3 July 2019, in favour of the complainants/staff who had lodged appeals contesting the decisions of the Geneva-based organizations' implementation of the ICSC decision known as the "pay cut". ILO, WHO, IOM, ITU, UPU and WIPO subsequently implemented these judgements.

12. Staff of Geneva-based organizations under the jurisdiction of UNDT/UNAT who filed similar appeals still had not received the judgements. Consequently, two different post-adjustment multipliers are in place in Geneva.

13. ILOAT decided: 1) to set aside the organizations'/ICSC's decisions in this matter; 2) that the complainants would be paid, retroactively, the difference (with 5% interest) between the lower post adjustment multiplier based on the ICSC decision and the higher multiplier in place immediately prior to the organizations' implementation of the ICSC decision.

14. The main two arguments on which the ILOAT based its judgments were: 1) that the ICSC Statutes did not allow ICSC to take decisions on post adjustment multipliers, but only to make recommendations to the UNGA, which in turn decides on them; 2) That the ICSC had eliminated the 5% gap closure measure and then reintroduced it at the level of 3% without giving any scientific or statistical reason.

15. Staff in Madrid and Rome could, theoretically, also request that the basis of the ILOAT judgements be equally applied in their two duty stations. In

practical terms, it could be difficult to get the ICSC Secretariat to provide the subsequent post adjustment multipliers. It might refuse to do so.

**Workshops and other business (agenda item 8)**

16. In organizations that have internal appeal bodies, such bodies cannot make decisions, but only submit recommendations to the executive head, who takes the final decision.

17. A member announced that the mandatory minimum lunch break of 30 minutes is not paid at their duty station and asked whether this could be changed. PTC/PSA passed this matter to the Standing Committee on Social Security/Occupational Health and Safety.

18. It was important to look into the possibility of organizing a workshop on post adjustment methodology in Cairo for a combination of 22 UN agencies.

## **Annex 9. Report of the Standing Committee on Staff–Management Relations**

### **Officers**

Co-Chairs	Viera Seben (ICAO), Eva Møller (FAO/WFP-UGSS)
Rapporteur	Tracy Tollmann (UNFCCC)
FICSA President	Brett Fitzgerald (WIPO)
FICSA General Secretary	Evelyn Kortum (WHO/HQ)
Members, FICSA Executive Committee	Véronique Allain (SCBD), Diab El-Tabari (UNRWA/ASA), Pilar Vidal Estévez (PAHO/WHO), Imed Zabaar (IAEA)
Regional representatives	Anthony Ndinguri (ICAO), Tanya Quinn-Maguire (UNAIDS)

### **Participants**

AP-in-FAO	Line Kaspersen, Jakob Skøt, Ny You
FAO/WFP-UGSS	Paola Franceschelli, Susan Murray
IAEA	Katja Haslinger, Nabil Sahab, Anna Schlosman
IARC	Cécile Le Duc
IFAD	Fabio Tarricone, Lixia Yang
ILO ITC	Jesús García Jiménez, Rute Mendes
IMO	Alfredo Parroquin-Ohlson, Edwin Titi-Lartey
OSCE	Milan Jelenkovic, Nizar Zaher
UNAIDS	Andrea Palazzi
UNESCO	Rosa Gonzalez, Elia Matias
UNGSC	Cosimo Chimiento, Cosimo Lunedì, Cosimo Melpignano, Vito Musa
UNIDO	Steven-Geoffrey Eales, Osadolor Akpata
UNRWA/ASA	Diab El-Tabari
UPU	Birahim Fall, Stéphane Vuillemin

WHO/AFRO	Hamidou Bague, Symplice Mbola Mbassi
WHO/EMRO	Metry El Ashkar, Salwa Hassan, Tonia Rifaey
WHO/EURO	Shahin Huseynov
WHO/GSC	Aizat Khalid
WHO/HQ	Marina Appiah, Catherine Kirorei-Corsini
WHO/SEARO	Rajesh Mehta, Ritesh Singh
WHO/WPRO	Bess Bodegon
WIPO	Najib Ben Helal, Lucia Tchougang Palumbo
WMO	Jalil Housni

**Members with associate status**

IDLO	Ahmed Shehata
OPCW	Romina Catera

**Federation with consultative status**

EMBL	Thomas Heinzmann
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**Guests**

WMU	Anne Pazaver
Lawyer	Neil Fishman

**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. Results of the survey on arrangements for staff associations
4. Update on cost sharing (FICSA/C/73/SMR/Summary Sheet 4)
5. Follow-up on staff-management relations issues:
  - a. Impact of FICSA resolution 72/2 on UNRWA
  - b. Impact of/Changes due to leadership change in FAO
  - c. Impact of the WHO Transformation
  - d. UNFCCC
  - e. Other organizations
6. Effective positive organizational change as a staff representative: approaches, methods, tools (FICSA/C/73/SMR/PA/Summary Sheet 6)
7. Ethics: staff representative involvement in ethics (FICSA/C/73/SMR/Summary Sheet 7)

8. Whistle-blowing frameworks (FICSA/C/73/SMR/Summary Sheet 8)
9. Workshops and other business
10. Nomination of Standing Committee officers and core group members

### **Election of rapporteur (agenda item 2)**

2. Tracy Tollmann (UNFCCC) was elected rapporteur.

### **Results of the survey on arrangements for staff associations (agenda item 3)**

3. A Co-Chair reported on the survey on arrangements for staff associations issued to all FICSA members at the beginning of the year, in accordance with a FICSA Council decision to do so in 2019. The survey objectives were to ascertain how staff associations were organized, to outline differences between associations and to help members with less favourable conditions to advocate for change. In addition, the survey was intended to contribute to developing a collective bargaining process and developing good practices and better understanding of how staff associations function.

4. The Co-Chair noted that the response rate for the survey had been very poor, with only eight organizations responding, which limited the conclusions that could be drawn.

5. Members of the Standing Committee generally agreed on the usefulness of the survey as a means to initiate important conversations with management on staff association arrangements, with the benefit of established benchmarks or common practices in other organizations on hand. They therefore agreed that the survey should be reissued in the hope that more organizations would participate and decided to suspend reporting on the results of the initial survey until the second had been conducted.

6. Some delegates provided tips on how to prepare to respond to the survey, including printing out the PDF of the survey prior to completing it; and having a dedicated page on the FICSA website to facilitate easy access to survey-related information and reference material necessary to completing the survey.

**The Standing Committee recommended that the FICSA Executive Committee reissue the survey on arrangements for staff associations with a new deadline and a message that strongly encourages members from all organizations to respond.**

### **Update on cost-sharing (agenda item 4)**

7. The FICSA President (WIPO) elaborated the cost-sharing arrangements currently under discussion and about to be implemented (see summary sheet 4

from the provisional agenda) and noted which organizations had confirmed their interest in participating in the cost-sharing scheme so far.

8. An HR Network meeting was scheduled for the following week at WIPO, where the participating organizations should reach agreement, with the scheme expected to start soon. Organizations not yet participating would be encouraged to join, and those that did not would still need to fully fund their staff members if elected to the posts of FICSA President or FICSA General Secretary.

9. The FICSA President also confirmed that the Chief Executives Board for Coordination (CEB) secretariat had been proposed to manage the pooled funding, as a neutral/independent body, and to be accountable for the receipt and distribution of funds, with a reconciliation to be conducted at the end of each year. It also had the requisite knowledge and experience, as it already serves in this capacity, managing pooled funds for CEB secretariat staff.

10. Delegates discussed what could be done to encourage their organizations to sign up to the scheme. The FICSA General Secretary suggested that all familiarize themselves with the background documents and initiate a discussion with their management. The FICSA President suggested that the FICSA Executive Committee could provide pertinent information to aid any new FICSA members in presenting the cost-sharing scheme to their administrations.

11. The Standing Committee expressed its gratitude to the FICSA President for taking the lead in pushing to finalize the cost-sharing arrangement: a major achievement for FICSA.

12. The Committee encouraged the 73<sup>rd</sup> FICSA Council to express its appreciation to the FICSA President and the Executive Committee for their commitment, dedication and resourcefulness in moving forward this long-standing issue.

13. The Committee further recommended that all staff associations in host organizations that had not yet committed to the cost-sharing scheme, follow-up with their administrations on the status of the scheme, and request that it be given due consideration.

#### **Follow-up on staff-management relations issues (agenda item 5)**

14 The Chair invited delegates from various organizations to provide reports on issues in staff-management relations.

#### **Impact of FICSA resolution 72/2 on UNRWA**

15. At UNRWA, management had centralized all decision-making, ignoring UN rules and regulations in the name of austerity. A series of measures had been

taken to address this situation including several reports filed requesting inspection from the Office of Internal Oversight Services (OIOS) which finally resulted in an investigation being initiated based on mismanagement.

16. After UNRWA staff sent a message to FICSA about the dissatisfaction they felt at their treatment by the administration, the 72nd Council had adopted Resolution 72/2, which was duly sent to UNRWA management. The UNRWA Commissioner-General reacted by demanding to see the UNRWA/ASA delegate to establish his credibility and standing to make such an allegation and stated that he recognized neither the Staff Association nor the organization's membership in FICSA.

17. The investigation had resulted in the Chief of Staff being placed on sick leave without pay, the resignation of the Deputy Commissioner-General, and the finding of the Commissioner-General to be negligent, but not guilty of misconduct. The Commissioner-General had since resigned, leaving UNRWA with no senior management, although the UN had assigned an Acting Commissioner-General until the post could be filled.

### **Impact/changes due to leadership change in FAO**

18. Staff-management relations in FAO had been very poor for a number of years, but the atmosphere changed dramatically with the arrival of a new Director-General on 1 August 2019. Staff conditions had improved, with the Director-General demonstrating a more open approach and an increased interest, also in resolving personal grievances. While many concrete changes had not yet occurred, improvements had been made in maternity leave, travel and the GS recruitment process, with the latter area seeing a return to issuing vacancy announcements and recruiting locally and not at the global level. A new Human Resources Director would start work on 1 March 2020.

19. ILOAT had just delivered a judgement (Judgement no. 4230) regarding an appeal lodged by the former General Secretary of UGSS; it set aside a decision from 2015, whereby short-term staff could only work for an aggregated period of 55 months. That had further been applied retroactively, resulting in many staff facing sudden unemployment. FAO GS staff had responded by going on strike for four days and lodging an official appeal with ILOAT, which had found in their favour.

### **Update on the WHO's ongoing transformation**

20. The transformation process, initiated by the Director-General, included changes to significant business processes and alignment of major offices. While the agenda was ambitious, staff and Member States criticized the process for

lack of transparency and a patched-up approach. Staff-management relations had improved, and the Director-General was accessible, positive and open to staff concerns, with a willingness to partner with staff to address any arising issues for their mutual benefit. The pace of the Transformation process varied among major offices, which seemed to contradict the notion of one WHO.

21. Further, the process had led to restructuring, and therefore a concern that some staff could potentially be laid off. Although staff associations were consulted on the mapping and matching exercises, requests for input often arrived at the last minute. Further moves of staff may not serve the mutual interests of WHO and its staff because of expected changes in post descriptions and classifications. The HQ Staff Association was keen on partnering with management to ensure transparency and the merit of potential promotions as WHO moved to the next phases of the transformation.

22. A Standing Committee member asked whether a plan had been provided up front, which could then be used to ensure that milestones and objectives were being reached.

23. The response was that a town hall meeting had been held at the beginning of the process, which described the where, what, why and how to staff in advance. In addition, a Global Transformation Team had been established, which had provided guidelines, steps and deadlines. Although management had sent frequent communications throughout the process, especially towards the beginning of step 5, staff in some departments later reported that organigrams had been changed without their knowledge.

24. A Co-Chair stressed that such a process would always have winners and losers; it was important to work with management. FICSA was always there and could work with staff to help where needed.

## **UNFCCC**

25. At UNFCCC a structural review process had been running for more than two years in a context of financial constraints. Many Member States had not paid their contributions; fundraising activities had helped to alleviate some of these constraints. Management, while trying to align with the broader Common System, had adopted an approach that prioritized policies that benefited the organization against previous policies previously devised for UNFCCC as a specialized agency.

26. An Implementation Team had been constituted at the start of the process and had met weekly with the Chief of Human Resources, which had been

appreciated. Repeated requests had to be made, however, for the timelines and process for the structural review to be finalized and published.

27. The staff association was initially told it would not be consulted on guidelines delineating HR-related aspects of the restructuring. This was later rescinded, and the staff association was included in the process. Input was provided, which was taken on board; certain critical aspects of agreed text, however, were later discovered to have been changed before the final version was published and shared with all staff. On seeking further clarification, the staff association was informed that the aspects that were changed were in line with the UN rules and regulations and standard practice. Nevertheless, information that was shared with the staff association did not substantiate the application of any specific standard practice or rule but were rather different practices that were developed by individual organizations.

28. In addition, policies were being aligned with the practices and standards of the UN, although certain exceptions were being made to benefit the organization exclusively. This included changes to the travel policy and entitlements.

29. UNFCCC staff requested a FICSA visit to Bonn to discuss this situation with the management and to address the staff. The Standing Committee agreed that a visit should be made to UNFCCC.

### **Other organizations**

30. At WIPO, the current situation remained difficult, but there was a significant development in respect of the ILOAT judgement no. 4155, delivered on 3 July 2019. The judgement found that the WIPO Director General had abused his power, and ILOAT had decided: to set aside/quash the impugned decisions relative to the illegal creation of an administration friendly stand-alone staff council; and to set aside/quash the elections to that staff council. As the Director General had attempted to diminish the importance and interpretation of this judgement, the appellants from the staff association requested ILOAT to implement the judgement, and simultaneously filed a new appeal against the Director General's modified interpretation of the judgement. The request was with ILOAT, and the new appeal was with the WIPO Appeals Board.

31. On 5 March 2020, the WIPO Coordination Committee of the Member States would meet to consider the nominations for election of a new Director General. Once the Coordination Committee had completed its work, it would submit the name of the recommended Director General-elect to an Extraordinary Assembly of WIPO Member States for their final approval in May 2020. The staff hoped that, once the new Director General had taken up his/her official duties, mutual

respect and peace could be restored at WIPO, so that a healing process could begin.

32. At WMO, owing to the reform process and subsequent restructuring, during the Congress the Secretary-General had requested funds for additional initiatives, which required a 4% budget increase. The Congress only approved a 2% increase and requested the Secretary-General to obtain the shortfall by streamlining administrative costs. As a result, the organization now faced potential staff cuts, as 80 positions out of around 300 were under review. The review process would affect primarily GS posts, which involved redrafting job descriptions; current staff would have to reapply for jobs and may no longer be considered for the newly advertised positions. The staff association was monitoring the ongoing process.

**Effective positive organizational change as a staff representative: approaches, methods, tools (agenda item 6)**

33. A Co-Chair asked participants to share their experience with and ideas for the best negotiation practices, asking whether there were different tactics for those pertaining to protecting conditions or proactively fighting for change.

34. Delegates highlighted the importance of regular meetings with management and with the staff, access to the executive head, staff surveys to underpin staff representatives' suggestions and strategies, ensuring that staff representatives had well prepared for topics of discussion, and ensuring a paper trail of negotiations to be able to retrieve information and decisions. Ideas on how to improve dialogue included sitting with management, rather than at opposite sides of the table. In one case, liaising with a national trade union had been crucial in finding a solution for the conditions of service for a category of contractors working at the organization's premises, which had also affected the staff. Another delegate suggested using interactive online tools to allow for anonymous collection of concerns and questions from staff. An additional tool would be to send an open letter to the management, possibly copying or involving governing bodies.

35. The Co-Chair highlighted the importance of keeping communication channels open, conducting surveys to accurately assess staff sentiments, conducting meetings and training, and using information technology and interactive tools such as "Sli.do" and "Mentimeter" to submit questions and concerns anonymously.

36. Overall, the Standing Committee agreed on the importance of negotiation training for all staff representatives.

**Ethics: staff representative involvement in ethics and whistle-blowing frameworks (agenda items 7 and 8)**

37. The Standing Committee discussed ethics and whistle-blowing together, as the topics were related and often formed part of the same policy. The idea was to discuss good practices in the negotiation and implementation of acceptable ethics framework and effective whistle-blowing protection policy, and to outline the major challenges involved. To open up the discussion, the Committee was briefed on challenges the ICAO Staff Association had experienced with revisions to the ethics framework being made without proper consultation channels or sufficient time for consideration.

38. The Committee agreed that all UN staff should have the same opportunities for consultation on such matters and use the UN Code of Ethics as a starting point when developing individual agency versions. Delegates stressed that staff associations should obtain legal advice, and always document such instances.

39. A Co-Chair noted that whistle-blowing staff often lost their jobs and were thus no longer protected. What were the efficacy and accountability of policies and processes on this topic? How can staff associations/unions ensure that they are properly implemented?

40. A delegate noted that systems were only as good as the people that managed them, and that procedures needed to be robust and that a change of culture was critical in organizations, as people were afraid. In addition, a whistle-blower was perceived as a troublemaker, and this perception would need to change. Having concrete, factual evidence was vital, as that forced the organization to do the right thing.

**The Standing Committee recommended that the FICSA Secretariat request members to share their ethics and whistle-blowing policies and post them on the FICSA website.**

**Workshops and other business (agenda item 9)**

41. A Co-Chair suggested that training be conducted on:

- whistle-blowing, along with being an active bystander
- staff representation and negotiation.

**Nomination of Standing Committee officers and core group members (agenda item 10)**

42. Viera Seben (ICAO) was nominated as Chair and Eva Møller (FAO/WFP-UGSS) as Vice-chair.

43. A core group was not created. All communications would be sent to the list of participants, or to all FICSA members, as applicable.

## **Annex 10. Report of the Ad Hoc Committee on Strategic Development**

### **Officers**

Chair	Imed Zabaar (IAEA)
Rapporteur	Andrew Brown (ICAO)
FICSA President	Brett Fitzgerald (WIPO)
FICSA General Secretary	Evelyn Kortum (WHO/HQ)
Members, FICSA Executive Committee	Veronique Allain (SCBD), Diab El-Tabari (UNRWA/ASA), Pilar Vidal Estévez (PAHO/WHO)
Regional Representatives	Jesús García Jiménez (ILO ITC), Tanya Quinn-Maguire (UNAIDS)

### **Participants**

AP-in-FAO	Juan José Coy Giron, Jakob Skøt
FAO/WFP-UGSS	Paolo Franceschelli, Eva Møller, Susan Murray
ICAO	Sanya Dehinde, Viera Seben
IFAD	Fabio Tarricone, Lixia Yang
ILO ITC	Rute Mendes
IMO	Juan Lyu
UNAIDS	Andrea Palazzi
UNESCO	Rosa Gonzalez, Elia Matias
UNFCCC	Ambretta Perrino, Tracy Tollmann
UNGSC	Cosimo Melpignano, Vito Musa
UNIDO	Osadolar Akpata
UNRWA/ASA	Diab El-Tabari
WHO/AFRO	Hamidou Bague, Symplice Mbola Mbassi
WHO/EMRO	Tonia Rifaey
WHO/HQ	Lianne Gonsalves, Catherine Kirorei Corsini
WHO/SEARO	Ritesh Singh
WHO/WPRO	Bess Bodegon, Priya Mannava

WIPO Najib Ben Helal

WMO Jalil Housni, Andres Orias

**Members with associate status**

OPCW Alberto Fernandez

**Adoption of the agenda (agenda item 1)**

1. The Ad Hoc Committee approved the following agenda:
  1. Adoption of the agenda
  2. Appointment of the rapporteur
  3. Proposed changes to the FICSA Statutes
  4. Issues experienced with some member organizations during the year and lessons learned
  5. Assessment and review of cooperation agreements with other staff federations
    - (a) FICSA/CCISUA (FICSA/CCISUA Cooperation Agreement)
    - (b) FICSA/UNISERV (FICSA/UNISERV Cooperation Agreement)
  6. Membership of non-international civil servants/consultants in staff associations/unions (FICSA/C/73/SD/Summary Sheet 6) – in the presence of Neil Fishman, Attorney at Law
  7. Updates on the Functional Review (FICSA/C/73/SD/7)
  8. Communication Strategy Proposal (FICSA/C/73/SD/7a)
  9. Other matters from standing committees
  10. Other business

**Appointment of rapporteur (agenda item 2)**

2. The Ad Hoc Committee appointed Andrew Brown (ICAO) as rapporteur.

**Proposed changes to the FICSA Statutes (agenda item 3)**

3. The Chair presented a comparative table (FICSA/C/73/SD/1) showing the current text of the Statutes, the suggested changes and the reasons for them. The discussion omitted articles and rules with no changes. Appendix 1 of this report shows all agreed changes proposed to the Council.

4. At the outset, the FICSA President (WIPO) reminded the participants that, in accordance with Article 43, adopted changes approved by the Council “shall come into force 30 working days after being communicated by the Executive Committee to the membership unless otherwise decided by Council or more than one-third of the Full Members objects in writing within the time period”.

5. Regarding Article 29, some members of the Ad Hoc Committee suggested that, while the members of the Executive Committee should be held accountable

for their performance and professional behaviour, the proposed changes should rather focus on overall performance, instead of the number of unexcused absences.

**The Ad Hoc Committee reached consensus on the following text:**

- **Members of the Executive Committee have a duty to participate in the meetings of the Executive Committee and contribute to its work. Sustained non-performance of duty may be considered abandonment of functions, in which case Article 37 of the Statutes shall be applied.**

6. The President explained that Article 30 had been included to ensure continuity of the work of the Executive Committee and in accordance with decision 3.4 of the 72nd Council, following a recommendation from the functional review.

7. While participants agreed to increase the term of mandate to two years, staggered implementation was suggested to ensure continuity. It was therefore suggested that, one Member for Compensation Issues and the Treasurer should be elected in the same year as that in which the President is elected. In the following year, when the General Secretary is elected, the second Member for Compensation Issues, and the members for field issues and without portfolio should be elected.

8. Considering the proposed increase in the term of mandate from one to two years, the majority of the heads of delegations agreed to reduce the maximum period of service from five to four years.

**The Ad Hoc Committee reached consensus on the following text:**

- **In even-numbered years the Council shall elect the President, the Treasurer, one Member for Compensation Issues and the Member for Regional and Field Issues, in this order, for a period of two years. The General Secretary, one member for Compensation Issues and the Member without Portfolio shall be elected in odd-numbered years, for a period of two years. If there is an unexpected vacancy for any of these positions, the election of the officers whose election would normally occur in that year will be conducted first and the other officer(s) shall be elected to serve the remainder of the vacant position's(s') mandate.**

9. The proposed changes to Article 32 were accepted owing to the agreed changes to Article 30, which reads as follows:

- The members of the Executive Committee shall be eligible for re-election, but no member of the Executive Committee **may serve longer than four**

consecutive years.

10. The proposed changes to Article 36 were required to make it consistent with those made to Article 30 and to implement the recommendations of the independent consultants on the functional review.

**The new proposed text reads as follows:**

- **The Regional Representatives shall be elected for a term of two years except when an election is organized to fill an unexpected vacancy. In even-numbered years the Council shall elect the Regional Representative for Africa and the Regional Representative for the Americas and in odd-numbered years the Regional Representative for Asia and the Regional Representative for Europe, all in the above-listed order. If there is an unexpected vacancy for any of these positions, the election of the officers whose election would normally occur in that year will be conducted first and the other officer(s) shall be elected to serve the remainder of the vacant position(s)' mandate.**

11. Consequently, the Ad Hoc Committee agreed that Rule 39 and 39bis of the Rules of Procedure of the Council should be amended to reflect the changes to articles 30 and 36. The proposed new text reads as follows.

**Subject to the provisions of Articles 20, 21, 28, 29, 30, 31 and 32 of the Statutes, elections to the Executive Committee shall be conducted in the following manner:**

**(a) In even-numbered years the Council shall elect the President, the Treasurer, one Member for Compensation Issues and the Member for Regional and Field Issues, in this order. In odd-numbered years the Council shall elect the General Secretary, one member for Compensation Issues and the Member without Portfolio, in this order.**

(b) *[deleted]*

*Rule 39bis*

**Subject to the provisions of Articles 20, 21, 32 and 36 of the Statutes, elections to the Offices of Regional Representatives shall be conducted in the following manner:**

**In even-numbered years the Council shall elect the Regional Representative for Africa and the Regional Representative for the Americas and in odd-numbered years, the Regional Representative for Asia and the Regional Representative for Europe, all in the above-listed order.**

12. The Ad Hoc Committee members discussed the proposed amendments to

the Annexes to the Statutes with a particular focus on the functions of the President and the General Secretary. The proposed changes were necessary to reflect the actual functions being performed and to align with the recommendations of the independent functional review. See the comparative table (FICSA/C/73/SD/1) for more explanation.

13. Although participants agreed to remove the reference to Geneva, in anticipation of reallocating the FICSA Office to another duty station, they emphasized that the General Secretary should operate from the same duty station as that where the FICSA office would be located in the future.

#### **Issues experienced with some member organizations during the year and lessons learned (agenda item 4)**

14. During the past year, many issues had arisen when some FICSA members asked for FICSA's involvement in internal matters that their staff associations/unions should have addressed. Some staff had occasionally communicated with FICSA, without even the knowledge of their staff associations/unions.

15. Recalling Article 35 of the FICSA Statutes, the Chair requested that FICSA members ensure that they follow the appropriate channels of communication. Participants requested that FICSA continue to provide expert advice and only engage in global matters affecting the overall strategic objectives of all its members. Each staff association/union should address its own individual issues.

#### **Assessment and review of cooperation agreements with other staff federations (agenda item 5)**

16. The Committee decided not to discuss this item, since the FICSA President had discussed it while presenting the Executive Committee's report to the Council in plenary session.

#### **Membership of non-international civil servants/consultants in staff associations/unions (agenda item 6)**

17. The Chair invited Neil Fishman, attorney at law, to present a report (Appendix 2) on the representation of non-international civil servants and consultants by staff associations and unions (FICSA/C/73/SD/Summary Sheet 6). Mr. Fishman explained that the question whether to include non-staff personnel as members of an association or union related to strategy and not necessarily to questions of law. The freedom of association empowered staff associations and unions to determine the conditions of eligibility for members.

18. Bearing in mind the need to protect the rights of all workers, the Committee took note of the legal opinion provided by Mr. Fishman.

**Considering the advantages and disadvantages of representing non-staff personnel indicated in the report and the different perspectives expressed on the strategic interest of the participants, the Committee concluded that FICSA members should individually determine whether to include non-staff personnel as members in their respective associations.**

**The Ad Hoc Committee recommended that the Standing Committee on Human Resources should follow up and report to the Council on this matter.**

#### **Updates on the functional review (agenda item 7)**

19. The Committee addressed this agenda item in a joint session with the Ad Hoc Committee on Administration and Budget (Appendix 3).

20. The Chair highlighted that, although the proposed changes resulted in a substantive reduction in the budget and membership dues, they should also be considered as changes in the manner in which FICSA conducted business and in the mindset that requires the membership to engage with and take responsibility for supporting FICSA by providing access to services that they could offer in order to further reduce costs.

21. The representative of ILO ITC thanked the Executive Committee for the proposals and its commitment and reiterated that the need to be more strategic. For example, the discussions on reducing contributions could also offer an opportunity to decrease the reserves by using the remaining unused funds from 2019 to further reduce the calculated dues for 2020.

22. The Regional Representative for Africa (ICAO) expressed thanks on behalf of the Africa Region but highlighted that training is important for that Region and particularly for the Field United Nations Staff Associations (FUNSAs), which could not afford to organize their own workshops. Considering the facilities available, Nairobi was an attractive location for training. The Chair of the Ad Hoc Committee on Administration and Budget responded with the assurance that FICSA would continue to provide logistical support, including online registration, updating and maintaining the training catalogue, negotiating prices with trainers, and providing course material and certificates.

23. The delegate from AP-in-FAO commented that FICSA should have clear guidelines on the use of the reserves and that issue should not be mixed up with the issue of training.

24. The representative from WMO stated that WMO in Geneva would host the meeting of the UN Joint Pension Board for 2020, so FICSA could be represented at no cost.

25. Regarding the use of interns, the Chair of the Ad Hoc Committee on Administration and Budget explained that FICSA follows UN rules and procedures, which currently provide that interns are not paid. If the rules and procedures changed, however, FICSA would definitely update its practices.

26. The delegate from UNFCCC expressed thanks to all and asked whether the 40% reduction in dues would be a continuing trend as this would be useful information for members. The Chair explained that no major increases in the budget should be expected if the FICSA membership accepted the new proposed structure. Future needs and developments, however, may require additional resources if deemed necessary by the membership.

**To address the concerns raised about the proposed changes in the budget for training, it was agreed to establish a training fund as a transitional measure for the next two years with a maximum amount of CHF 25,000 from the reserve funds. The use of these funds should be limited to member organizations that lacked the resources to organize their own training. The Executive Committee should establish terms of reference for this training fund and share it with the membership. Further, the FICSA membership should be encouraged to announce its planned training activities well in advance on the FICSA website.**

#### **Communication strategy proposal (agenda item 8)**

27. The FICSA General Secretary briefed the participants on the status of the draft communication strategy that had been shared with the membership prior to the Council. The Executive Committee would finalize the strategy and present it no later than the next FICSA Council.

#### **Other matters from standing committees (agenda item 9)**

28. There were no other matters brought by other standing committees.

#### **Other business (agenda item 10)**

29. The representative of ILO ITC described some advantages offered by PSI (Public Service International) and suggested that the FICSA Executive Committee explore the possibility to establish an affiliation with PSI as a relationship of this nature may prove beneficial to FICSA.

## Appendix 1. FICSA Statutes as proposed by the Ad Hoc Committee on Strategic Development on 10 February 2020

*Bold italics indicate proposed changes.*

### Article 29

The seven members of the Executive Committee shall be elected by the Council as representatives of the Federation. Each nomination for election shall require the support of the association/union to which the candidate belongs. No association/union may have more than one member serving on the Committee. However, if after conclusion of the election a seat remains empty on the Executive Committee, a member association/union already represented on the Executive Committee may, at that time, put forward a nomination. In electing the Executive Committee, the Council shall strive to balance gender, professional category, and geographical distribution. *[add following text]* ***Members of the Executive Committee have a duty to participate in the meetings of the Executive Committee and contribute to its work. Sustained non-performance of duty may be considered abandonment of functions, in which case Article 37 of the Statutes shall be applied.***

### Article 30

***In even-numbered years the Council shall elect the President, the Treasurer, one Member for Compensation Issues and the Member for Regional and Field Issues, in this order, for a period of two years. The General Secretary, one member for Compensation Issues and the Member without Portfolio shall be elected in odd-numbered years for a period of two years. If there is an unexpected vacancy for any of these positions, the election of the officers whose election would normally occur in that year will be conducted first and the other officer(s) shall be elected to serve the remainder of the vacant position(s)' mandate. Should there be no nominations for any one position, that position in the Executive Committee would remain vacant until a by-election for that position or positions are held. The by-election(s) are held at any time either during or between Councils if initiated by the Executive Committee or if requested by a Full Member eligible to vote and seconded by another Full Member taking into account Article 32(a) and (b) below.***

### Article 31

The members of the Executive Committee shall be eligible for re-election, but no member of the Executive Committee may server longer than **four** consecutive years.

### Article 32 (a)

Should a position on the Executive Committee or that of a Regional Representative be unfilled or become vacant **more than six months prior to a regular election**, the Executive Committee shall arrange for a by-election for the unexpired portion of the term of office of the unfilled or vacated position. Any by-election for **a position** unfilled or **vacated less than six months prior to a regular election** would only be under exceptional circumstances and at the discretion of the Executive Committee. Exceptional circumstances have to be well substantiated in the call for candidates.

### **Article 36**

***The Regional Representatives shall be elected for a term of two years except when an election is organized to fill an unexpected vacancy. In even-numbered years the Council shall elect the Regional Representative for Africa and the Regional Representative for the Americas and in odd-numbered years the Regional Representative for Asia and the Regional Representative for Europe, all in the above-listed order. If there is an unexpected vacancy for any of these positions, the election of the officers whose election would normally occur in that year will be conducted first and the other officer(s) shall be elected to serve the remainder of the vacant position(s)' mandate.*** Candidates for the offices of Regional

Representatives must be serving in the region concerned at the time of their election and be supported by the staff association or union to which the candidate belongs. However, if after the closure of candidatures no nomination has been received for one of the empty Regional Representative seats, candidates from a different region may be nominated provided they have previously served in the region and have the competency and the knowledge of the region in which there is an empty seat. The Council, upon recommendation of the Executive Committee, shall define from time to time the regions (Africa, the Americas, Asia and Europe) for the purpose of the elections of the Regional Representatives as well as their functions.

### **Rules of Procedure of the Council**

#### **Rule 39**

Subject to the provisions of Articles 20, 21, 28, 29, 30, 31 and 32a of the Statutes, elections to the Executive Committee shall be conducted in the following manner:

***(a) In even-numbered years the Council shall elect the President, the Treasurer, one Member for Compensation Issues and the Member for Regional and Field Issues, in this order. In odd-numbered years the***

***Council shall elect the General Secretary, one member for Compensation Issues and the Member without Portfolio, in this order.***

(b) [deleted]

### **Rule 39bis**

Subject to the provisions of Articles 20, 21, 32 and 36 of the Statutes, elections to the Offices of Regional Representatives shall be conducted in the following manner:

***In even-numbered years the Council shall elect the Regional Representative for Africa and the Regional Representative for the Americas and in odd-numbered years the Regional Representative for Asia and the Regional Representative for Europe, all in the above-listed order.***

### **Annex to the Statutes**

#### **President**

This position requires authorized full-time release for the duration of the term of office. The ***President should make every effort to take up his/her duties*** as soon as possible after the election.

#### **The President**

- Coordinates and chairs the Executive Committee
- Represents the Federation at inter-agency meetings
- Works closely with the General Secretary
- Formulates policy in collaboration with Executive Committee (with input from Standing Committees, Regional Committees and FICSA Secretariat staff)
- Is in charge of the Federation's communication with official inter-agency bodies such as the ICSC, heads of member organizations, amongst others
- Organizes the FICSA Council programme, in coordination with the General Secretary, and reports back to the membership
- Is responsible for enhancing collaboration with sister federations
- Is responsible for fund-raising activities

#### **General Secretary**

This position requires authorized full-time release for the duration of the term of office. The ***General Secretary*** should make every effort to take up ***his/her*** duties as soon as possible after the election.

#### **The General Secretary**

- Supervises and leads the FICSA Secretariat staff, consultants and interns
- Works closely with the President
- Coordinates and supports the implementation of Council decisions through a well-organized yearly workplan
- Formulates policy in collaboration with the Executive Committee (with input from Standing Committees, Regional Committees and FICSA Secretariat staff)
- Is in charge of the Federation's communication (internal and ***with FICSA membership***)
- Represents the Federation at inter-agency meetings
- Is responsible for observing the internal control framework for operational and financial processes
- Prepares the Executive Committee report for the FICSA Council (with input from the President and other Executive Committee members)
- Convenes Council sessions and reports to the Membership
- Fosters harmonious relationships with sister Federations
- Assists the President in fundraising

#### **Two Members for Compensation Issues**

- Contribute to the elaboration of policy in collaboration with other Executive Committee members
- Represent, as and when appropriate, together with other Executive Committee members the Federation, in all inter-agency meetings in which compensation issues are discussed (be they HRM, GS or P related or affecting both categories of staff)
- Liaise with the Standing Committees dealing with SMR-HRM/GS/P compensation issues
- Organize activities for capacity-building and succession planning in compensation issues.

#### **Member for Regional and Field Issues**

- Contributes to the elaboration of policy in collaboration with other Executive Committee members
- Represents, as and when appropriate, together with other Executive Committee members, the Federation in all inter-agency meetings in which field or security issues are discussed

- Liaises with the Regional Committees through elected Regional Representatives
- Liaises with Standing Committee dealing with conditions of service in the field
- Authorizes Regional Committees' expenditures
- Organizes activities for capacity-building and succession planning in Field and Security issues.

**Member without Portfolio**

- Contributes to the elaboration of policy in collaboration with other Executive Committee members
- Represents, as and when appropriate, together with other Executive Committee members, the Federation in all inter-agency meetings in which their specific expertise will be useful
- Liaises with Standing Committees, monitor and co-ordinate work of Standing Committees
- Organizes activities for capacity-building and/or succession planning.

## **Appendix 2. Report by Neil Fishman on the representation of non-international civil servants and consultants by staff associations and unions**

1. FICSA has requested legal advice on the representation of non-international civil servants and consultants by staff associations and unions. It has also requested guidance on the advantages and disadvantages of extending the mandate of FICSA-member staff associations/unions to represent non-staff personnel, so that it can guide FICSA members in negotiations with management. These questions are examined below.
2. There is no universal definition within the United Nations system for the terms “consultant” or “non-international civil servant”, which may also refer to individual contractors and individuals working under special service agreements. The United Nations Joint Inspection Unit (JIU), the only independent external oversight body of the UN system mandated to conduct evaluations, inspections and investigations system-wide, refers to this workforce collectively as “non-staff personnel”. At the United Nations system level, non-staff personnel, including consultants, can refer to any person in a contractual relationship with an organization who is not subject to the staff regulations and staff rules.
3. According to a 2019 JIU Report, non-staff personnel, including consultants, make up approximately 35% of the United Nations system workforce. In 2014, the JIU noted that non-staff personnel as a percentage of the total workforce fluctuated greatly depending on the organization, ranging from over 60% of the workforce in UNOPS, UNDP, UNIDO and WFP, to less than 10% in ITU, WMO and WIPO.<sup>1</sup>
4. The criteria for the use of non-staff personnel also varies greatly within organizations and system-wide.<sup>2</sup>

### **Can FICSA-member associations/unions represent non-staff personnel?**

5. For the reasons below, FICSA members can include non-staff personnel, such as consultants, as members because staff associations and unions are free to regulate their affairs, including prescribing rules for membership. In turn, consultants, like all workers, are free to join associations/unions of their choice.

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<sup>1</sup> See *Review of Staff Exchange and Similar Inter-Agency Mobility Measures in United Nations System Organizations* JIU/REP/2019/8, para 78. (2019), *Use of Non-Staff Personnel and Related Contractual Modalities in the United Nations Systems Organizations*, JIU/REP/2014/8, at 4, *Review of Individual Consultancy in the United Nations System*, JIU/REP/2012/5, at 50.

<sup>2</sup> *Use of Non-Staff Personnel and Related Contractual Modalities in the United Nations Systems Organizations*, JIU/REP/2014/8, at 4.

6. Freedom of association is a fundamental right.<sup>3</sup> United Nations member states are obliged to guarantee fundamental rights. International organizations, by extension, are also bound to respect fundamental rights.

7. The ILO Committee on Freedom of Association (CFA) has stated that the eligibility conditions for union membership should be left to the union's discretion<sup>4</sup> and all workers, including self-employed workers, should enjoy the right to establish and join trade unions.<sup>5</sup> The JIU has stated that each staff association or union is empowered to "consider whether and how to take into account the concerns and interests of non-staff categories of personnel, and possibly represent them, which may, in turn necessitate updating of their statutes."<sup>6</sup>

8. In response to a FICSA survey, three FICSA members stated that they include consultants and non-staff personnel as members. In two associations, consultants are full members who pay dues and have voting rights. In the third association, they are associate members who are required to pay dues, but do not have the right to vote or run for office. One organization has specifically referenced non-staff personnel in its recognition agreement with the organization, while another refers to the membership of consultants in its constitution. All other respondents stated that they do not presently include non-staff personnel as members.

9. Examples from unions in the national context demonstrate that membership can be opened to consultants and other non-staff personnel:

- [Services Employees International Union](#) (SEIU), a United States-based 2-million-member union, includes cleaners, irrespective of whether they are employed directly by a property owner or through a subcontracting arrangement.<sup>7</sup>
- Professionals Australia, a 25,000 member employee association from various professions, has a distinct [division for consultants and contractors](#).
- The [Communications Workers of America](#) (CWA) has members who are both employees and independent contractors. Some contractors have started units which are organized as part of a larger CWA local.
- The CFA has advised that a trade union in the education sector may include both public and private sector workers, but each group may need to conduct separate negotiations, being subject to a separate budget and separate regulations.<sup>8</sup>

10. By virtue of not being signatories to human rights treaties, some international organizations consider they are not obliged to grant certain rights, such as the freedom of association. In their view, they would only be bound if a right to association is reproduced in the staff regulations or staff

rules. They may therefore argue that consultants and other non-staff personnel cannot join a staff association or union.

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<sup>3</sup> See *Universal Declaration of Human Rights (Article 20)*, and the *ILO Convention on Freedom of Association and Protection of the Rights to Organise (No. 87) (the “ILO Convention”)*, article 2.

<sup>4</sup> *Compilation of decisions of the Committee on Freedom of Association (CFA)*, 606.

<sup>5</sup> *‘Freedom of Association in Practice: Lessons Learned’*, Report of the Director-General, International Labour Conference, 97<sup>th</sup> Session 2008, at 22; see also *Compilation of decisions of the CFA*, 387.

<sup>6</sup> *‘Staff-Management Relations in the United Nations Specialized Agencies and Common System’*, JIU/REP/2012/10, at 9.

<sup>7</sup> *‘Organizing for Social Justice’*, Report of the Director-General, International Labour Conference, 92<sup>nd</sup> Session 2004, at 102.

<sup>8</sup> *Compilation of decisions of the Committee on Freedom of Association (CFA) 512 view*, they would only be bound if a right to association is reproduced in the staff regulations or staff rules. They may therefore argue that consultants and other non-staff personnel cannot join a staff association or union (or form a separate association).

11. ILO Administrative Tribunal caselaw contradicts this view. The ILOAT has consistently found that a staff union

*[Must be free to conduct its own affairs, to regulate its own activities and, also, to regulate the conduct of its members” [...]. Further, an organization must remain neutral when differences of opinion emerge within a staff union: it must not favour one group or one point of view over another. To do so would be to diminish the right of a staff union to conduct its own affairs and to regulate its own activities.*<sup>9</sup>

12. Some international organizations themselves also have admitted in pleadings before the ILOAT that they are precluded from interfering in a staff association’s affairs due to the principle of freedom of association.<sup>10</sup>

13. In conclusion, the freedom of association empowers staff associations and unions to determine the conditions of eligibility for members. It is within the authority of the association or union to decide to offer membership to non-staff personnel, including consultants. In turn, non-staff personnel can choose to associate or join a union.

### **Should FICSA members represent non-staff personnel?**

14. The question whether to include non-staff personnel as members of an association or union relates to strategy and not necessarily to questions of law. Organizations have consistently asserted that non-staff personnel contracts are needed for reasons of efficiency or because of budget

constraints. However precarious forms of employment implemented by HR departments represent a threat to worker's rights, which FICSA members may need to address. Advantages and disadvantages of representing non-staff personnel are outlined below.

### **Advantages of representing non-staff personnel**

15. In organizations with large numbers of non-staff personnel, staff associations could increase their membership, financial resources and influence by representing them.

16. Staff associations could help improve the conditions and morale of the overall United Nations system workforce by ensuring that organizations comply with international labor principles when hiring non-staff personnel. By extension, this could help protect staff members' rights and their jobs, by preventing outsourcing or weakened employment conditions.

17. The JIU has found that "[i]n many organizations, some non-staff personnel work for long periods with short-term contracts under a *de facto* employment relationship [in violation of ...]

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<sup>9</sup> ILOAT Judgment No. 3106 (2012), para 7

<sup>10</sup> ILOAT Judgment No. 4201 (2019), para 1

*internationally accepted labour principles.*<sup>11</sup> It found that a significant level of non-staff personnel have a *de facto* employment relationship with the organization because they:

- Work under control and direct supervision of staff;
- Work full time from the organization's premises, subject to regular staff hours;
- Are provided with an office, desk, phone and email account;
- Are subject to performance assessments and the same code of conduct as staff;
- Perform duties similar to staff members;
- Receive social benefits such as annual leave, maternity leave and medical insurance;
- Have managerial authority, sometimes over staff members.

18. The Justice for Janitors campaign in the United States illustrates the benefits of bringing non-staff personnel into a union. In the 1990s, in response to a decline in union membership due to outsourcing of cleaning personnel, the SEIU successfully unionized subcontracted cleaners. The SEIU negotiated with building owners and managers to hire only individuals that were part of the union and to pay them union-scale wages. As a result, the SEIU increased its membership, while also protecting the employment rights of all cleaners, including those whose jobs had not been outsourced.

19. There is currently a void in leadership and coordination of non-staff personnel at the system-wide level. The International Civil Service

Commission (ICSC) Statute and Rules of Procedure govern only the employment conditions of staff. The ICSC has no mandate to address non-staff matters. In addition, the United Nations Secretary-General resisted a JIU recommendation to initiate harmonization efforts under the authority of the UN System Chief Executive Board for Coordination.<sup>12</sup>

20. Staff associations and union could help fill this void by organizing non-staff personnel and facilitating negotiations with management and seeking to harmonize conditions of service for non-staff personnel throughout the various organizations.

21. Moreover, international organizations have now recognized that they owe non-staff personnel a duty of care. In October 2019, the High-Level Committee on Management's Cross-functional Task Force on Duty of Care prepared voluntary guidelines on how duty of care issues could be operationalized for non-staff personnel.<sup>13</sup> There may be a role for staff associations and unions to hold organizations accountable for meeting the duty of care to non-staff personnel.

22. This could be a win-win situation for staff associations, staff members, non-staff personnel and the organizations. Staff associations could see increased membership, resources and clout when dealing with management. Regular staff might perceive less risk that their work could be outsourced to non-staff personnel. Non-staff personnel could receive fairer treatment.

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<sup>11</sup> JIU/REP/2014/8, at 6.

<sup>12</sup> Note by the Secretary General, *Use of Non-Staff Personnel and Related Contractual Modalities in the United Nations System Organizations (2016)*, A/70/685/Add.1, at 19.

<sup>13</sup> High-Level Committee on Management 'Cross-functional Task Force on Duty of Care, Final Report, CEB/2019/HLCM/27/Rev.1, 11 October 2019, Annex 4. *Organizations could better comply with international labor principles and ensure staff-wide acceptance of their approaches towards non-staff personnel.*

### **Disadvantages of representing non-staff personnel**

23. It may be challenging for staff members to understand the immediate benefits of opening membership to non-staff personnel. It may not be self-evident to staff members why consultants should be offered membership.

24. The interests of staff members and non-staff personnel may not always be aligned. For example, while it should be beneficial to all workers if non-staff personnel are fully treated in accordance with international labor principles, opinions on how to achieve this may differ. Staff members might prefer that consultants be hired less frequently and with stringent

rules to avoid *de facto* employment relationships. Consultants may favor more flexibility in contract arrangements or may desire benefits traditionally provided to staff.

25. Similarly, while the staff of the organizations are bound by their respective staff regulations and staff rules and the ICSC Code of Conduct, these norms may not always be replicated in the general conditions of contract for non-staff personnel. Organizations may also differ greatly in how they hire non-staff personnel. In some organizations, hiring is managed by an organization's human resources department and in others it is done through procurement procedures. This could lead to different contract modalities that may make it difficult for staff associations to adopt a unified approach towards non-staff personnel, even at the organizational-level.

26. From a practical perspective, if staff associations accept consultants as members, amendments to staff associations' constitutions and by-laws must be made. Staff associations should also consider amending recognition agreements with the organization's management to ensure that they will continue to benefit from recognition.

27. In some cases, it may not be politically feasible at this time for staff associations to include non-staff personnel as members. At least one organization's legal office is of the view that consultants and non-staff personnel do not have the right to associate and/or join the organization's staff association because the staff regulations and rules do not permit it. While this may be incorrect from a legal point of view, there is nevertheless a possibility that staff associations would risk not being recognized if it proceeded to represent non-staff personnel despite management's disapproval.

28. While non-staff personnel are not granted the privileges and immunities that benefit staff, they may be afforded some privileges, which can differ greatly depending on the organization's relationship with its host state. In some instances, non-staff personnel may be designated as "experts on mission". In other instances, they may be purely contractors that have entirely different terms of service. In providing any assistance, staff associations will need to take special note of differences in status and avoid any potential conflicts of interest.

29. Staff associations would also need to consider whether some services provided to staff members could even be provided to non-staff personnel. Some services may be too difficult or costly to offer. For example, non-staff personnel such as consultants are generally excluded from the jurisdiction of the ILO Administrative Tribunal and United Nations Dispute/Appeals Tribunals. Instead, employment grievances are typically resolved through arbitration, which is costly and uncommon.

Staff associations may find it challenging or unfeasible to advise on these matters and current legal expenses insurance regimes might also not cover arbitration.

### **Options for addressing the interests of non-staff personnel**

30. FICSA members could address the interests of non-staff personnel in various ways.

31. Staff associations and unions could consider adopting a unified approach to representing non- staff personnel and collectively decide to admit them as members. As mentioned above, the use of non-staff personnel by international organizations is not uniform. The decision could lead to recognition challenges by certain organizations.

32. FICSA members could individually determine whether to include non-staff personnel as members. Addressing this matter at the organization-level reflects the current status quo. It would also better enable the preferences of FICSA members and their constituents. For some associations and unions, there may be significant benefits to incorporating consultants into membership; for others, representation risks may outweigh benefits. FICSA members however could consider agreeing on principles / key considerations to inform staff representatives' discussions as to whether their respective association should allow non-staff personnel to become members.

33. FICSA also could consider promoting the establishment of an association for non-staff personnel, potentially to be granted consultative status in the future. This would allow for strong coordination and collaboration of non-staff personnel with FICSA members, while reducing the risks of conflicts of interest. The non-staff personnel association could negotiate directly with management of international organizations as needed.

34. Lastly, FICSA members could decide as a group that representing non-staff personnel, while legally possible, is not presently in the interests of its constituents. They could however examine ways to facilitate providing more services to non-staff personnel in a manner that adds value for its members. As an example, FICSA members have expertise in internationally available health insurance and legal expenses insurance regimes, along with other benefits. It could seek to offer competitive packages to non-staff personnel.

**4 February 2020**  
**Neil Fishman, Attorney at Law (Florida Bar)**

## **Annex 11. Report of the Ad Hoc Committee on Administrative and Budgetary Questions**

### **Officers**

Chair	Nizar Zaher (OSCE)
Rapporteur	Anna Tejland (WHO/EURO)
FICSA President	Brett Fitzgerald (WIPO)
FICSA General Secretary	Evelyn Kortum (WHO/HQ)
FICSA Treasurer	Kay Miller (WHO/EURO)
FICSA Information Officer	Irwan Mohd Razali (WHO/GSC)
Member, FICSA Executive Committee	Imed Zabaar (IAEA)
Regional representatives	Tanya Quinn-Maguire (UNAIDS), Anthony Ndinguri (ICAO)

### **Participants**

AP-in-FAO	Line Kaspersen, Jakob Skøt
FAO/WFP-UGSS	Eva Møller, Susan Murray, Luca Vecchia
IAEA	Katja Haslinger, Nabil Sahab
IARC	Cecile Le Duc
ICAO	Sanya Dehinde
IFAD	Lixia Yang, Fabio Tarricone
IMO	Elene Sarria, Edwin Titi-Larty, Fola Odulana
ITU	Christian Gerlier
OSCE	Milan Jelenkovic, Ilkur Ozturk
UNAIDS	Andrea Palazzia
UNESCO	Elia Matias
UNFCCC	Mary Jean Abrazado, Santhosh Thanjavur Prakasam
UNGSC	Cosimo Melpignano, Vito Musa
UNIDO	Osadolor Akpata, Steven-Geoffrey Eales
UNRWA/ASA	Daoud Korman

WHO/AFRO	Hamidou Bague, Symplice Mbola Mbassi, Guy Parfait Elenga
WHO/EMRO	Metry El Ashkar, Salwa Hassan
WHO/GSC	Kiran Kaur, Aizat Khalid
WHO/HQ	Marina Appiah, Catherine Kirorei Corsini
WHO/WPRO	Bess Bodegon, Priya Mannava
WMO	Jalil Housni, Andres Orias

**Members with associate status**

OPCW	Romina Catera
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**Federation with consultative status**

AMFIE	Svend Booth, Janine Rivals
EMBL	Thomas Heinzmann
EBRD	Dinara Abykanova

**Observer**

FICSA Rapporteur	Mary Stewart Burgher
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**Adoption of the agenda (agenda item 1)**

1. The Standing Committee approved the following agenda:
  1. Adoption of the agenda (FICSA/C/73/A&B/CRP.1)
  2. Election of the rapporteur
  3. Reports for review and information
    - a. Independent reviewer's report of the FICSA financial statements for 2018 ((FICSA/C/73/A&B/1), Council Provisional Agenda item 13)
    - b. Treasurer's report for 2019 (FICSA/C/73/A&B/2)
    - c. Reports on the status of the Termination Indemnity Fund, Legal Defence Fund and Staff Development Fund (FICSA/C/73/A&B/3)
    - d. Contributions received from member associations/unions, associate members, consultative bodies up to 31 December 2019 (FICSA/C/73/A&B/5)
  4. Update on new methodology for assessing dues and other sources of income possibilities
  5. Draft programme and budget for 2020 (FICSA/C/73/A&B/4) and proposed scale of contributions (FICSA/C/73/A&B/6)
  6. Other business

**Election of rapporteur (agenda item 2)**

2. Anna Tejland (WHO/EURO) was nominated rapporteur.

**Reports for review and information (agenda item 3)**

3. The Treasurer presented the Treasurer's report (FICSA/C/73/A&B/2), as well as an overview of the previous year's budget and actual amounts and announced that almost all dues had been collected. Many of the savings made in the budget were due to changes in the staffing of the FICSA Secretariat.

4. Questions were raised as to the level of the reserves and FICSA Secretariat costs. The Chair clarified that the former would be discussed later. On the latter, the Treasurer explained that some savings were due to the staff cost for Information Officer, which had been budgeted for nine months, whereas only one month had been used in 2019, as well as certain travel expenses being paid by the staff associations/unions of Executive Committee members.

5. The Ad Hoc Committee debated whether the Termination Indemnity Fund and funds for ASHI should be kept in the budget or separate from it. The Treasurer explained that the Termination Indemnity Fund, which was overprovisioned, should include provisions for ASHI. For 2020, ASHI was included in the budget in case of future expenses related to it during the year.

6. The Treasurer presented the independent reviewer's (auditor's) unqualified audit report for 2018 (FICSA/C/73/A&B/1). The auditor had gone through the financial statements from 2018 and there was nothing outstanding.

7. The Treasurer highlighted that the Termination Indemnity Fund (FICSA/C/73/A&B/3) covered everything that FICSA would be required to pay, should the Federation cease its operations and shut down, and that the amount currently held in it was sufficient to meet all of FICSA's financial responsibilities.

**Update on new methodology for assessing dues and other sources of income possibilities (agenda item 4)**

8. The FICSA Information Officer presented the results of the 2019 Working Group on Dues Methodology (FICSA/C/73/A&B/7). The evolution of dues was further illustrated by the studies from 2015 and 2017, and an in-depth explanation of dues calculation could be found in the 2015 document.

9. The Working Group had made four recommendations.

- a. Professional staff in the field and in headquarters should be given the same weight of 1.0.
- b. GS staff classified as low pay should be given the weight of 0.08 (the equivalent of 16% of the headquarters' weight of 0.5, as low-pay salaries

corresponded to approximately 16% of headquarters’).

- c. Clear guidelines should specify what qualifies as low-pay GS staff.
- d. Half bands should be introduced, to limit the impact of changes in contributions related to changes in staff numbers.

10. The four recommendations would result in an increase in dues for two members.

11. Questions were raised on the impact of the proposed new budget as well as the proposals relative to the methodology for calculating dues. The Chair explained that perhaps the membership should firstly transition to a significantly reduced annual FICSA budget and, after things have stabilized, assess the proposed changes to the dues methodology. This assessment should be undertaken by the next (74<sup>th</sup>) Council. The FICSA President (WIPO) further stated that the new structure should not have any effect on cost-sharing frameworks, as these were based on the current methodology.

**Draft programme and budget for 2020 (FICSA/C/73/A&B/4) and proposed scale of contributions (FICSA/C/73/A&B/6) (agenda item 5)**

12. The Chair presented the proposed budget for 2020 of CHF 485,285, a 25% reduction from the approved budget for 2019 (Appendix 1).

**Chapter 1**

13. The Ad Hoc Committee approved a budget of CHF 82,600, which showed a 14% reduction compared to the approved budget for 2019, as costs related to FICSA representation in various meetings would be lower in 2020.

**Chapter 2**

14. The Ad Hoc Committee approved a budget of CHF 37,000, to cover travel and DSA for members of the Executive Committee, the Information Officer, one intern and the Rapporteur, as well as any unforeseen overrun in the organization of the Council.

15. A suggestion was made that interpretation would not be provided at the 74<sup>th</sup> FICSA Council, unless the host association would cover the cost, as this would lead to a savings of up to CHF 15,000. Disagreement was voiced, and the Chair raised the point that the budget discussion is for 2020 and IMO had covered the interpretation costs for that year.

**Chapter 3**

16. The Ad Hoc Committee approved a budget of CHF 0.00, as training had not been included in the budget; thus Chapter 3 was totally removed.

17. As to the exclusion of training from the budget, there was a general consensus that training was a big part of the value of FICSA to it

membership, and it was consequently agreed that CHF 25,000 be taken from the reserves to set up a separate Training Fund, which would be evaluated during the year and assessed by the next Council. Even where host associations would be able to cover the costs of organizing training, FICSA would be available to assist with the logistics.

**The Ad Hoc Committee recommended that the Council establish a Training Fund in the amount of CHF 25,000 from the reserves, and that the FICSA Executive Committee draft guidelines to be shared with everyone. This would be for a transition period of two years, with the effectiveness of the Training Fund being reviewed at the end of the period.**

**Guidelines should include:**

- **training should be grouped by region to ensure full participation;**
- **training should be strategic for FICSA members' needs;**
- **requests to use the Fund should go to the Executive Committee for approval, only if hosts cannot cover the cost themselves: i.e. smaller organizations with small budgets for training;**
- **for each workshop organized by FICSA, a minimum number of participants, in agreement with the hosting member association/union, should be confirmed at least 15 working days prior to the date of the event;**
- **a subaccount for this would be created to keep track of the revenues and total expenditure of each individual workshop and training, and any relevant FICSA financial rules should be updated;**
- **the Training Fund should be similar to the Legal Defence Fund/Indemnity Fund; and**
- **FICSA would use any income generated from training activity to replenish the Fund, and any shortfall to the Fund would be replenished from the reserve funds at the beginning of the fiscal year.**

#### **Chapter 4**

18. The Ad Hoc Committee approved a budget of CHF 365,685, for the costs related to FICSA administration. That equalled a decrease of 21%, which the Chair explained was based on a reduction of staff costs, as well as a more efficient use of FICSA's resources.

19. The proposed totals under the individual chapters were:

- Chapter 1: CHF 82,600.00
- Chapter 2: CHF 37,000.00
- Chapter 3: CHF 0.00
- Chapter 4: CHF 365,685.00

20. The sum total of the four chapters of the budget was CHF 485,285: the amount to be covered by contributions from full and associate members, contributions from consultative members and use of unspent funds from 2019, totalling CHF 115,000 (Appendix 1).

**The Ad Hoc Committee recommended the use of CHF 115,000 of unspent funds from 2019.**

21. The Ad Hoc Committee adopted the draft budget and scale of contributions for 2020 (appendices 2–4).

**The Ad Hoc Committee recommended approval of the proposed budget for 2020 (see Document FICSA/C/73/A&B/4, Appendix 1) and the scale of contributions for 2020 (see Document FICSA/C/73/A&B/6, Appendix 2).**

**Other business (agenda item 6)**

22. The status and desired amount of the reserve funds were discussed. The Treasurer explained that an external consultant had recommended a reserve equivalent to six months' expenses. As indemnities and obligations in the UN Common System often consist of 12 months, however, the appropriate amount for FICSA's reserves would have to be calculated further.

23. It was agreed that terms of reference for use of the reserves would need to be defined.

**The Ad Hoc Committee recommended that the Executive Committee establish terms of reference for the level and use of the reserve fund and that those be incorporated into the financial rules prior to the next FICSA Council.**

24. Questions were raised as to how discounts/rebates for early payment of dues were considered when preparing the budget, and it was generally agreed that the methods for calculating dues and presenting the budget should be looked into, to take better account of that.

**The Ad Hoc Committee recommended that the Treasurer conduct an analysis on the use of discounts in the past, and that an external auditor be consulted on the best practices on the subject of discount**

**for members for early payment of dues, to report before the next FICSA Council for a recommendation.**

25. Owing to the financial situation of WHO/AFRO, as described by its Staff Committee President, the Ad Hoc Committee agreed to write off the outstanding dues owed by WHO/AFRO, totalling CHF 8,750.50.

**The Ad Hoc Committee recommended that WHO/AFRO's arrears in the amount of CHF 8,750.50 be written off. The Committee stressed that that was an exceptional measure, granted to ease the financial plight of the member.**

26. Considering the non-profit status of UNWG Rome, the Ad Hoc Committee recommended that the Executive Committee reach out to it through FICSA members in Rome, such as UGSS, concerning their three years' arrears of dues.

27. The Chair expressed particular thanks to Nabil Sahab (IAEA) for all his hard work in driving the Task Force and dues calculation.

# Appendix 1. FICSA budget for 2020

## 2020 DRAFT BUDGET in Swiss Francs (CHF)

### Expenditures by Line

	2019 Approved Budget	2020 estimates at 2019 prices	variance 2020 over 2019	variance 2020 over 2019 - %	Price Adjustment *	2020 estimates at 2020 prices
<b>1 Chapter One, FICSA Representation</b>						
1.01 UN General Assembly Meetings & Presence in New York	20,220	14,911	(5,309)	-26.26%	0.6%	15,000
1.02 UNJSPB	4,550	-	(4,550)	-100.00%	0.6%	-
1.03 HLCM	6,066	3,976	(2,090)	-34.45%	0.6%	4,000
1.04 HR Network	2,022	994	(1,028)	-50.84%	0.6%	1,000
1.05 ICSC (Sessions, Working Groups & Committees)	50,550	51,690	1,140	2.26%	0.6%	52,000
1.06 IASMN External Relations, Contingency	2,022	596	(1,426)	-70.50%	0.6%	600
1.07 Travel	10,110	9,940	(170)	-1.68%	0.6%	10,000
<b>Total, Chapter One</b>	<b>95,540</b>	<b>82,107</b>	<b>(13,433)</b>	<b>-14.06%</b>		<b>82,600</b>
<b>2 Chapter Two, FICSA Council and EXCOM</b>						
2.01 FICSA Council	31,341	30,815	(526)	-1.68%	0.6%	31,000
2.02 EXCOM and Regional Activities	2,022	1,988	(34)	-1.68%	0.6%	2,000
2.03 FICSA Council overheads	4,044	3,976	(68)	-1.68%	0.6%	4,000
<b>Total, Chapter Two</b>	<b>37,408</b>	<b>36,779</b>	<b>(629)</b>	<b>-1.68%</b>		<b>37,000</b>
<b>3 Chapter Three, FICSA Training <del>DELETE</del></b>						
3.01 Conditions of Services in the Field			-	0.00%		-
3.02 General Service Questions			-	0.00%		-
3.03 Human Resources Management			-	0.00%		-
3.04 Legal Questions			-	0.00%		-
3.05 Professional Salaries and Allowances			-	0.00%		-
3.06 Staff/Management Relations			-	0.00%		-
3.07 Social Security/OHS			-	0.00%		-
<b>Total, Chapter Three</b>	<b>50,550</b>	<b>-</b>	<b>(50,550)</b>	<b>-100.00%</b>		<b>-</b>
<b>4 Chapter Four, FICSA Administration</b>						
4.01 Staff costs	366,041	291,042	(74,999)	-20.49%	0.0%	291,042
4.02 Consultants/Experts/Additional Assistance post/pre Council	62,000	42,642	(19,358)	-31.22%	0.0%	42,642
4.03 External Audit	3,000	3,000	-	0.00%	0.0%	3,000
4.04 IT services & Digitalization of Documents	15,165	10,000	(5,165)	-34.06%	0.0%	10,000
4.05 Supplies & Materials	2,473	2,446	(27)	-1.08%	0.0%	2,446
4.06 Geneva Office Cost	8,902	8,805	(97)	-1.09%	0.0%	8,805
4.07 Bank Charges	1,750	1,750	-	0.00%	0.0%	1,750
4.08 Contingencies	2,000	2,000	-	0.00%	0.0%	2,000
4.09 Staff Training	1,000	1,000	-	0.00%	0.0%	1,000
4.10 ASHI	2,750	3,000	250	9.09%	0.0%	3,000
<b>Total, Chapter Four</b>	<b>465,081</b>	<b>365,685</b>	<b>(99,396)</b>	<b>-21.37%</b>		<b>365,685</b>
<b>Grand Total</b>	<b>648,578</b>	<b>484,571</b>	<b>(164,007)</b>	<b>-25.29%</b>		<b>485,285</b>

\* Source: International Monetary Fund, Switzerland Country Report, Projected 2020, <https://www.imf.org/en/Countries/CHE>

## Appendix 2. Scale of contributions for 2020

Member / Associate	W'ed Staff	Units	CHF	CHF	CHF	Difference 2019-2020
			2020	2019	2018	
Bioversity	161.71	0.135	464	514	763	-10%
BIPM	58	0.036	124	206	203	-40%
CERN	2061.5	0.99	3,402	5,657	5,596	-40%
ESSA	217.43	0	—	—	1,017	Suspended
CTBTO	229.5	0.18	618	1,028	1,017	-40%
AP-in-FAO	1497.9	11	37,794	57,138	62,179	-34%
FAO/WFP-UGSS	496.5	4	13,743	28,569	28,263	-52%
ECB	3007.5	0.99	3,402	5,657	5,596	-40%
ESO	402.9	0.36	1,237	1,543	1,526	-20%
Global Fund	711.5	0.63	2,165	3,600	3,052	-40%
IAEA	1999.3	11	37,794	62,852	62,179	-40%
IARC	173.01	1.5	5,154	8,571	8,479	-40%
ICAO	567.62	5	17,179	28,569	28,263	-40%
ICCO	16	0.0144	49	75	74	-34%
ICO	16	0.0144	49	80	79	-38%
IDLO	314.6	0.27	928	206	203	351%
IFAD	456.7	4	13,743	22,855	22,610	-40%
ILO/ITC	122.5	1	3,436	5,714	5,653	-40%
IMO	202.12	2	6,872	11,428	11,305	-40%
IOC	25	0.0225	77	118	117	-35%
IOM	1053.9	0.9	3,092	5,657	5,596	-45%
IPU	34	0.34	1,168	1,886	1,724	-38%
ISSN/CIEPS	12	0.0108	37	46	41	-20%
ITER	721	0.63	2,165	2,571	2,544	-16%
ITU	567	5	17,179	28,569	28,263	-40%
OPCW	322	0.27	928	1,543	1,526	-40%
OSCE	207.5	2	6,872	11,428	11,305	-40%
PAHO/WHO	508.6	5	17,179	22,855	28,263	-25%
SCBD	62.5	0.6	2,062	3,428	2,261	-40%
UNAIDS	439.74	4	13,743	22,855	22,610	-40%
UNESCO	1272.14	5.5	18,897	31,426	25,000	-40%
UNFCCC	298.5	2	6,872	11,428	16,958	-40%
UNGSC	133	1	3,436	5,714	5,653	-40%
UNIDO	371.51	0.3	1,031			New Member on Special Status
UNRWA/ASA	29.94	0.2994	1,029	1,890	1,696	-46%
UNWTO	63	0.6	2,062	3,428	3,392	-40%
UPU	138.9	1	3,436	5,714	5,653	-40%
WCO	122.5	0.09	309	309	305	0%
WHO/AFRO	355.99	3	10,308	17,141	16,958	-40%
WHO/EMRO	163.3	1.5	5,154	8,571	8,479	-40%
WHO/EURO	337.15	3	10,308	17,141	11,305	-40%
WHO/GSC	19.34	0.1934	664	928	1,045	-28%
WHO/HQ	1334.52	11	37,794	62,852	62,179	-40%
WHO/SEARO	121.97	1	3,436	5,714	5,653	-40%
WHO/WPRO	159.04	1.5	5,154	8,571	8,479	-40%
WIPO	912.05	9	30,923	15,000	22,611	2018-2019 on special reduced dues
WMO	253.02	2	6,872	11,428	11,305	-40%
WTO/OMC	542	0.45	1,546	2,571	2,544	-40%
<b>Totals</b>	<b>23075.97</b>	<b>105.3259</b>	<b>361,885</b>	<b>555,039</b>		
Consultative and Observer members contribute			8,400	7,800		
Amount covered by reserves			<b>115,000</b>	126,700		

## Appendix 3. Dues and methodology for 2020

### CALCULATION OF THE CONTRIBUTIONS FOR 2020

	CHF
Total budget	485,285
Contributions by Consultative Members: 14 x CHF 600 <sup>1</sup>	8,400
Amount to be covered by funds from Reserves <sup>2</sup>	115,000
Special Request(s) for Reduced Fees	
<b>Total Amount to be covered by funds from Reserves<sup>2</sup></b>	<b>115,000</b>
Total amount to be covered by Full and Associate Members	361,885
Total number of units	105.3259
Value of one unit	3,435.86

### CHF

Band	Weighted number of staff	Units	Member	Associate
1	1100 plus	11	37,794	3,402
2	1000 - 1099.9	10	34,359	3,092
3	900 - 999.9	9	30,923	2,783
3	800 - 899.9	8	27,487	2,474
4	700 - 799.9	7	24,051	2,165
5	600 - 699.9	6	20,615	1,855
6	500 - 599.9	5	17,179	1,546
7	400 - 499.9	4	13,743	1,237
8	300 - 399.9	3	10,308	928
9	200 - 299.9	2	6,872	618
10	150 - 199.9	1.5	5,154	464
11	100 - 149.9	1	3,436	309
12	60 - 99.9	0.6	2,062	186
13	40 - 59.9	0.4	1,374	124
14	<40	WN / 100		

<sup>1</sup>Article 39bis states 'Any association/union holding Consultative Status and with at least seventy-five percent of its Membership comprising retirees of the United Nations common system shall be exonerated from paying fees to FICSA'

<sup>2</sup> Exceptionally for 2020 an amount of CHF 115,000 has been drawn from Reserve funds.

## Appendix 4. Distribution of staff for the purposes of the 2020 contributions

Factor	TOTAL	Prof	Prof	GS	GS	NPO/GS	STAFF	UNITS	Change from 2019
	STAFF	HQ	Field	HQ	Other	Low pay	WEIGHTED		
		1	0.9	0.5	0.5	0.01			
Bioversity	210	87	71	21		31	161.71	0.135	0.09
BIPM	72	44		28			58	0.036	
CERN	2667	1456		1211			2061.5	0.99	
ESSA <sup>1</sup>	385	141		151		93	217.43	0	
CTBTO	277	182		95			229.5	0.18	
AP-in-FAO	1559	948	611				1497.9	11	10
FAO/WFP-UGSS	993			993			496.5	4	
ECB	3230	2785		445			3007.5	0.99	
ESO	443	294	86	63			402.9	0.36	0.27
Global Fund	758	665		93			711.5	0.63	
IAEA	2546	1415	47	1050	34		1999.3	11	
IARC	241	106		134		1	173.01	1.5	
ICAO	797	264	132	273	96	32	567.62	5	
ICCO	19	13		6			16	0.0144	0.01035
ICO	19	13		6			16	0.0144	0.01395
IDLO	396	86	184	22	104		314.6	0.27	0.036
IFAD	639	267	95	175	32	70	456.7	4	
ILO/ITC	175	70		105			122.5	1	
IMO	262	141	4	113	2	2	202.12	2	
IOC	32	18		14			25	0.0225	0.0207
IOM	4888	210	856	72		3750	1053.9	0.9	0.99
IPU	42	26		16			34	0.34	0.33
ISSN/CIEPS	12	12					12	0.0108	0.0081
ITER	858	584		274			721	0.63	0.54
ITU	727	379	35	289	24		567	5	
OPCW	405	239		166			322	0.27	
OSCE	295	120		175			207.5	2	
PAHO/WHO	779	269	182	148		180	508.6	5	4
SCBD	80	45		35			62.5	0.6	0.4
UNAIDS	688	139	193	62	190	104	439.74	4	
UNESCO <sup>2</sup>	2206	664	394	494		654	1272.14	5.5	
UNFCCC	371	226		145			298.5	2	
UNGSC	266			266			133	1	
UNIDO <sup>3</sup>	592	185	20	253	83	51	371.51	0.3	
UNRWA/ASA	2994					2994	29.94	0.2994	0.3307
UNWTO	83	43		40			63	0.6	
UPU	183	90	6	87			138.9	1	
WCO	183	62		121			122.5	0.09	0.054
WHO/AFRO	2046		377			1669	355.99	3	
WHO/EMRO	755		175			580	163.3	1.5	
WHO/EURO	500	238		197		65	337.15	3	
WHO/GSC	243		19			224	19.34	0.1934	0.1624
WHO/HQ	1598	1073		523		2	1334.52	11	
WHO/SEARO	538		131			407	121.97	1	
WHO/WPRO	596		172			424	159.04	1.5	
WIPO	1176	641	15	512	3	5	912.05	9	4
WMO	310	186	15	98	9	2	253.02	2	
WTO/OMC	669	415		254			542	0.45	
<b>Totals</b>	<b>39418</b>	<b>14700</b>	<b>3820</b>	<b>9074</b>	<b>577</b>	<b>11247</b>	<b>23075.97</b>	<b>105.326</b>	

<sup>1</sup> Suspended - dues unpaid for three years

<sup>2</sup> Weighted Number of Staff for Dues and Voting Programme is Halved due to presence of a second staff union

<sup>3</sup> Units times 0.1 (10%) due to special status year one.

## Annex 12. List of participants

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