
FICSA /C/73/SMR/R.1

London, 13 February 2020

Agenda item 11(g)

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 Estevez (PAHO/WHO), Imed Zabaar (IAEA)
Regional representatives	Anthony Ndinguri (ICAO), Tanya Quinn-Maguire (UNAIDS)

Participants

AP-in-FAO	Line Kaspersen , Jakob Skoet, 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	Jesus Garcia Jimenez, 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 Lunedi, Cosimo Melpignano, Vito Musa
UNIDO	Steven 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/changes due to leadership change in FAO
 - c. Impact on the WHO Transformation
 - d. United Nations Framework Convention on Climate Change
 - e. UNFCCC
 - f. Others
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 objectives of the survey were to ascertain how staff associations were organized, with a view to outlining differences between associations and to helping those 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. The 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. The Committee therefore agreed that it would be appropriate to reissue the survey in the hope that more organizations would participate. It decided to suspend reporting on the results of the initial survey until the second survey had been conducted.
6. Some delegates provided tips on how to prepare for responding to the survey, including printing out the PDF of the survey prior to completing it; and having a dedicated page on the FICSA webpage 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 encouraged members from all organizations to respond.

Update on cost sharing (agenda item 4)

7. The FICSA President (WIPO) elaborated the cost-sharing methodology being applied (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. A Human Resources (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, with the cost sharing being put on hold for either one or both positions for the duration of their term.
9. The FICSA President also confirmed that the Chief Executives Board (CEB) secretariat was willing to manage the pooled funding, as a neutral/independent body, 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 its already served in this capacity, managing pooled funds for its 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, as an active intervention in support of this initiative. 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 administration.
11. The 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 73rd FICSA Council to express its appreciation to the FICSA President and the Executive Committee for their commitment, dedication, and resourcefulness in moving this long-standing issue forward.
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 to provide a report on staff management relations issues from the following organizations.

Impact of FICSA Resolution 72/2 on UNRWA

15. The delegate from UNRWA/ASA elaborated on the situation in his organization, where 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 that were filed requesting inspection from the Office of Internal Oversight Services (OIOS) and the FICSA Council, 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 adopted resolution 72/2, which was duly sent to the 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 the Commissioner General neither recognized 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 (SLWP), the Deputy Commissioner- General resigning, and the Commissioner General being found 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 such time as the vacant posts can be filled.

Impact/changes due to leadership change in FAO

18. The delegate from FAO (AP-in-FAO) reported that staff–management relations had been very poor within the organization for a number of years, but that the atmosphere had changed dramatically with the arrival of a new Director-General on 1 August 2019. AP-in-FAO had had one meeting since then and that 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 General Service 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 be starting with the organization as of 1 March 2020.

19. ILO/AT had just delivered a judgment (Judgment number 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 General Service staff had responded by going on strike for four days and lodging an official appeal with ILOAT, which found in their favour.

Update on the WHO Transformation (pending)

20. WHO delegates provided an overview of the transformation process, initiated by the Director-General. The reform 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 patched-up approach. Staff-management relations had improved, and the Director-General is 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 transformation varied among major offices, which seemed to contradict the notion of one WHO.

21. Further, the transformation had led to restructuring, and therefore a concern that some staff could potentially be laid off. Although the staff association was consulted on the mapping and matching exercises, the 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 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. An UNRWA delegate asked whether a plan had been provided up front, which could then be used as a check to ensure that milestones and objectives were being reached.

23. The WHO delegate said 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 this 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. The UNFCCC delegate reported on a structural review process that had been running for more than two years and provided the context for it. There were 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 benefit 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 Chief of Human Resources, which had been appreciated. Repeated requests had to be

made for certain items, however, such as 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 a guideline 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 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. However, information that was shared with the staff association did not substantiate application of any specific standard practice or rules, 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 exclusively benefit the organization. This included changes to the travel policy and entitlements.

29. UNFCCC 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 the UNFCCC.

Others

30. An update was provided on the current situation at WIPO. While the situation remained difficult, there was a significant development in respect of the ILOAT judgment number 4155, delivered on 3 July 2019. The judgment 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 judgment, the appellants from the staff association requested ILOAT to implement judgment number 4155, and at the same time filed a new appeal against the Director-General's modified interpretation of the judgment. The request for implementation was with the ILOAT, and the new appeal was now 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 were hopeful that, once the new Director-General had taken up 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, for which staff would have to reapply 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 experience with and ideas for the best negotiation practices, querying if there were different tactics for those pertaining to protecting conditions or proactively fighting for changes
34. Delegates highlighted the importance of regular meetings with management and with the staff, access to the executive head, staff surveys to underpin staff representation 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 for 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 impacted 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 all staff representatives undergoing negotiation training.

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

37. Discussion of agenda items 7 and 8 was merged, 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 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. The PAHO/WHO delegate stressed that staff associations should obtain legal advice. An IMO delegate stressed the need always to document such instances.

41. With regard to whistle-blowing, a Co-Chair noted that such staff often lost their jobs and were thus no longer protected. What were the efficacy and accountability of these policies and processes? How can staff associations/unions can ensure that they are properly implemented?

42. The PAHO/ WHO delegate noted the 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 trouble-maker, 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)

43. 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)

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

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