47th Staff Council Meeting Minutes

The meeting was quorate at 13:23 PM EDT with 17 Units present. The meeting was recorded. Staff Council Chair Mr. Sebastian Cervantes chaired the meeting and Secretary Ms. Kathryn Kuchenbrod took notes. All members of the leadership were present.

1. Adoption of Agenda

The only item on the agenda for this special meeting was for information for the Staff Council regarding the Staff Management Committee (SMC) and preparations for the upcoming SMC meeting.

Agenda was adopted.

2. Discussion on the Staff Management Committee

Mr. Aitor Arauz Chapman (President) gave an overview of the functions and workings of the SMC:

The SMC is a consultation body between Secretariat administration and the staff unions that represent their constituencies. Included are representatives from the four Headquarters staff unions (New York, Geneva, Vienna and Nairobi), the four regional commissions unions (Bangkok, Beirut, Addis Ababa and Santiago) and the field staff union, as well as a few other unions that have observer status, such as UNICEF and UNHCR. On the administration side there is the Office of Human Resources (OHR) policy division and there is strong representation from the Humans Resources Division of the Department of Operational Support (HRSD), which can be a strong ally of the Staff Union. In total there are nine unions on one side and an array of administration representatives on the other. At the moment the main focal point for the administration is Martha Helena Lopez, the Assistant Secretary-General for Human Resources.

The SMC discusses policies that affect staff at the Secretariat level, anything that is government by an ST/SGB, an ST/AI or anything that the Secretary-General controls directly that affects staff at Headquarters, the other duty stations, and the peace missions.
and political missions. Examples include the review of the performance management system, the staff selection and mobility proposal, downsizing policy, flexible working arrangements, and the policy against harassment and abuse of authority. The SMC does not discuss individual issues or issues that are determined at the level of the common system (e.g., leave, compensation), which are determined at the level of the International Civil Service Commission (ICSC). Local issues are also not discussed. Those are addressed at the Joint Negotiation Committee (JNC). Examples include catering, visas, facilities and so on. There is also consultation at the Department level, which is often more effective, but there is some overlap with SMC and JNC consultation.

The SMC usually meets on an annual cycle. The agenda builds up through the year, and there are some ad hoc meetings. Because of the COVID-19 there hasn’t been an SMC meeting in two years, but many issues have been dealt with, and several issues have been closed during ad hoc virtual meetings. There is a concern that the Administration will use this as an excuse not to have future in-person SMC meetings, which have the advantage of the unions being able to force an agenda when the administration will not move on.

The general tone is that the administration will try to bulldoze the unions with the plans they have laid out. In recent years the administration has presented policies in a perfunctory way, without having a clear vision of them, which give the Staff Union the opportunity to present ideas. Regarding the procedure for the SMC meetings. The discussions are based on papers that were submitted by either the management side or the staff union side. The Staff Union can co-write papers with other unions or submit them individually.

The SMC is led by a President, usually an eminent retiree. The President was usually in a very senior position and was responsible for implementing policies so she or he knows which policies are good and which are bad. They are also hard on the unions because they want a consistent voice. The Vice President is nominated by staff. Both are supposed to be neutral. There is also a “Three by Three”, which a is coordination group with three members from the staff side and three from the administration side. They create the agenda and try to keep things going. Then there is the individual voice for staff, one person elected by the staff unions, who gets the opportunity to speak to the General Assembly and when the HR item is presented to the Fifth Committee.

Ms. Barbara Tavora Jainchill (Unit 25) described her experience as President at past SMC meetings. Sometimes people from the administration would try to characterize as consultation casual encounters during which decisions were already made. She noted that the issue of the downsizing policy has been pending at least since 2012. Regarding the mobility issue, the Staff Union didn’t agree to it because staff in New York, Vienna and Geneva were very much against it. The other unions ended up joining the management, and New York was isolated and then pressured to join the consensus. Ultimately, the leadership was attacked and accused of not representing staff. She stated that the
Leadership should not necessarily trust fellow union presidents very much because they have specific interest and they may get into agreements with management, which may not align with the interests in New York.

Mr. Francisco Brito (First Vice President) noted that he also had to stand up and fight for the interests of the Staff Union in New York.

Mr. Ken Rosario (Unit 15) stressed that it is important to identify within the Union experts who can properly address the issues because the management will bring in experts, for example from Ethics or the Office of Internal Oversight Services (OIOS). So, the Union side must be well prepared. Both sides are allowed to have expert advisers.

Ms. Meriam Gueziel (Unit 24) asked whether any papers had been submitted.

Mr. Arauz stated that the Staff Union has no proposed agenda items. The United Nations Office in Vienna (UNOV) and the United Nations Office in Geneva (UNOG) have proposed some items. The Headquarters unions are more powerful and usually work with solidarity with some exceptions. A number of working groups will wrap up and new ones will be created during the upcoming SMC. He will put out a call to Council members who want to be involved in those working groups. Ideally there should be one member of the Leadership and one member of the Staff Council. Mr. Brito stated that volunteers should be subject matter experts or new members who can commit the time. Ms Gueziel suggested discussing the Administrative Instruction (AI) on sick leave modalities and working from home owing to medical issues and an AI on mental health. She stated that the administration is using COVID-19 as an excuse for changing the rules on sick leave and that several AIs address similar issues. She suggested submitting a single document to address all the related issues.

Mr. Egor Ovcharenko (Unit 28) stated that the most important topics include Afghanistan and what it means for staff and COVID-19. He is also concerned about G4 visas and the non-issuance of the laissez passer (LP) for home leave, which is official travel.

Mr. Arauz agreed that the LP issue could be affecting staff in other duty stations, and so it would be a good issue to bring to the SMC. One of the big problems with the AI on mental health is that most practitioners are not medical doctors, so their recommendations is not admitted when determining sick leave. It is important to identify how the rules can be changed to achieve goals for staff.

Mr. Rosario pointed out that the Union used to send representatives on fact-finding missions to the field, which makes management nervous, so they want a joint mission. It has usually worked well in the past as both the Union and management can learn about the issues of concern to staff. Ms. Tavora Jainchill stressed that field mission staff were associate members and we have the obligation to support them. She also reiterated that field staff are associate union members and we need to know what is going on with them.
Ms. Kathryn Kuchenbrod (Unit 30) asked whether there was any kind of conflict of interest with Headquarters in supporting field missions and if in fact we were being stretched too far in trying to address all their issues.

Mr. Brito stated that there was a focal point for national staff who met every three months, then two months, then monthly. They also have the Field Joint Negotiation Committee (FJNC), which addresses the concerns from the missions. As focal point, he is in constant touch with national staff that are currently having serious issues, such as in Afghanistan and Mali.

Mr. Arauz gave an overview of the agenda items for the upcoming SMC meeting. First the standing items then the substantive items: update on continuing contract; update on status on the ST/AI on downsizing; briefing on Afghanistan; status on promulgation of administrative issuances adherence to Sarajevo agreement; update on HR strategy and SG plans concerning human resources; alternate state quarantine costs for travel on home leave; COVID; hours of work; structural issues and organizational support for colleagues at entry-level P positions; administration of justice: ability of tribunals to order reinstatement (specific performance) instead of compensation; oversight of OIOS; competency framework and cross-cutting implications on existing policies; expiration of rosters under ST/AI/2016/1 – waiving of roster expiration; unemployment insurance/salary continuation; and gender, as well as the AOB item: discussion on national staff (locally recruited staff)

Ms. Gueziel stated that overtime for general services (GS) staff was hard won and the administration is using the budget as an excuse not to grant it. We need to push for this because GS staff should not always have to bear the brunt of claims of budget shortfalls. Mr. Arauz asked Ms. Gueziel to prepare a response to management’s position. Mr. Rosario stated that rules for overtime are different in different duty stations, so Staff Union in New York should have its own position.

Mr. Arauz stated that G-to-P and data protection, both critical items, should be added to the agenda.

Mr. Rosario stated that when it comes to the SMC, once a position has been accepted by a union, it’s a done deal even though there may be different practices in different duty stations. An example is that the administration has decided that certain job categories are exempt from G to P, but that applies only to New York. Therefore, we just have our own positions and resolve any issues with other unions before the papers are presented.

Mr. Arauz will ask for other unions’ papers to make sure that there is nothing that we fundamentally disagree with.

Mr. Brito suggested that there could be a system of annual leave donations for staff members to help out staff members in case of medical reasons.
Mr. Gregory Cornwell (Unit 37) has had a lot of requests regarding data protection. He has been told it’s been impossible for GS staff to get overtime, resulting in off-the-books deals with supervisors. Flexible working arrangements are an issue for European staff members, where countries are close together and staff members would prefer to work outside the duty station.

Mr. Arauz pointed out that there is a paper on this topic, and some tweaks were made to address COVID-19. In the upcoming agenda the management is submitting a paper on flexible working arrangements, and union can use the paper to push our position.

Ms. Kuchenbrod asked, regarding the COVID-19 item, whether the question of messaging will be addressed. Mr Arauz stated that he would bring the issue to the OSH committee, stating they need to communicated the return to premises better and using the proper instruments.

Mr. Arauz stated that there is a Teams channel called SMC X where the papers will be uploaded, and the wiki is available for comments.

Adjourned at 14:55 EDT.