

UNITED NATIONS STAFF UNION  
SYNDICAT DU PERSONNEL DE L'ORGANISATION DES NATIONS UNIES

**45th STAFF COUNCIL/45ème CONSEIL DU PERSONNEL**

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**Minutes/Actes**

Meeting No: 45/68  
Date: 8 November 2018  
Time: 13:15  
Venue: Room F  
Quorum: 22/27 Units

**45<sup>th</sup> Staff Council Meeting Minutes**

The meeting was quorate at 1:30 pm with 18 Units present. Staff Council Chair Camille McKenzie chaired the meeting and UNSU Secretary Aitor Arauz Chapman took notes. The meeting was not recorded due to the sensitivity of the issues. Units present were: 3, 6, 10, 11, 13, 14, 17, 18, 19, 20, 22, 23, 25, 26, 27, 28, 29, 31, 34, 37, 38, 39.

**1. Adoption of the agenda**

The Chair announced the presence of the Chair and one member of the Arbitration Committee. The Deputy Chair asked for item 4. "Chair of the Arbitration Committee" to be moved to item 3. The agenda thus amended was adopted.

**2. Adoption of minutes**

Minutes of meeting 67 were adopted.

**3. Hearing with Chair of the Arbitration Committee**

The Council Chair introduced the Chair of the Arbitration Committee (AC), who was accompanied by two other members. The AC Chair reported on their findings in two cases: one filed by the President against the Secretary and another by the Treasurer against the 2<sup>nd</sup> Vice-President. Kenneth Rosario (Unit 39) raised the issue of confidentiality. The recording was paused for the agenda item and non-Council members were asked to leave the room.

The Chair of the Arbitration Committee reported on the initial complaint filed by the President of the Staff Union. The AC had ruled by 3 votes with 2 dissents. They had received a request for reconsideration, which was under review. The related complaint from the Secretary against the President had not been addressed. The AC prioritised their cases in view of the importance of the matter. They had decided to set aside the cross-complaints between the President and the Secretary in order to examine the more serious issue of alleged financial misconduct.

The Chair declared that the Arbitration Committee were disheartened by the disrespectful manner in which the Second Vice President had responded to their approaches. The Chair had personally walked to her office to verify that she had received their emails. They had received no cooperation on her part, in view of which they had reached a stage where they were blocked. They could not sanction an officer without a guarantee of due process, but they could not proceed without her cooperation. He then offered to answer questions.

Eugenia Beldo (Unit 38), without prejudging who was wrong on right, believed that the AC should give respondents a reasonable timeframe to provide their side of events, but also be able to rule on the basis of the facts in front of it after a given deadline. The Chair replied that the Committee could not operate beyond the rules stipulated in the Statute and Regulations.

William Bly (Unit 23) and Kenneth Rosario (Unit 39) recalled Regulation 8.4.1 whereby the AC establishes its own rules of procedure, including what to do in case of non-cooperation. The Chair of the AC reiterated that they could not rule in absence of a hearing with the defendant.

Assistant Treasurer Rosemary Lane pointed out that the AC's job was to work out if the financial regulations of the Union had been violated. The fact that an officer refused to answer did not mean they could not rule on the basis of the information in front of them. Deputy Chair Andraž Melanšek recalled that the 2<sup>nd</sup> Vice-President had stated in an email that she had been interviewed by the AC. That statement needed to be clarified. He felt that the Council's faith in the Arbitration Committee had been betrayed. If it was merely a question of available time, members of the AC should step down. He stressed that the AC was a key body of the Union.

Sherif Mohamed (Unit 27) asked if the Committee decided by consensus or by majority. The Chair replied that AC decisions are adopted based on a 3/5 majority, as per the Regulation. However, he insisted that matters of financial mismanagement touched upon matters of integrity and it was therefore paramount to operate with caution.

Unit 25 Rep. recalled that any judge could rule in absentia. The Chair pointed out that the AC was not a judicial body.

Eugenia Beldo declared that she was floored by the Committee's response. After hearing the Chair, she wondered what value they brought to the Union. They should be able to make a determination based on the facts.

AC member Lina Pekler asked for the floor to request a clarification on the email from the 2<sup>nd</sup> Vice-President mentioning her interaction with the AC. The email would be forwarded to the AC.

Deputy Chair Andraž Melanšek tabled the following motion:

***The Council encourages the committee to develop functioning rules and offers its assistance if needed. However, if they are not able to fulfil their function, they are invited to step down and let other staff members take over.***

The motion was adopted with 8 votes in favour, 4 against and 5 abstentions.

Assistant Secretary Daniel Burden felt that the Council was attempting to manipulate the Arbitration Committee. He was concerned for the AC's independence and integrity. There was a danger of overreach on the part of the Council, which seemed to be willing to pressure the AC until their decisions went way the Council wanted. Sherif Mohamed recognised the AC's independence, but he recalled the deadlines established in the Regulations. He pointed out that the procedure was really quite simple.

The Council Chair thanked the AC members for their attendance.

#### **4. Executive Board report, President's report and summary of communications**

There had been no EB meeting.

The President had circulated her summary of communications. Kenneth Rosario (Unit 39) pointed out that the Council received information on the dates and subject of meetings attended by Leadership, but received no information on the content addressed or positions expressed by each side. He asked either for minutes of those meetings or for a report from Leadership on the issues and disagreements. He once again asked to know if Jan Beagle was under investigation.

The President replied that the summary report was intended to stimulate discussion. Francisco Brito and Jaime Garreta (Unit 37) were also present at the Townhall mentioned in her summary. Both Francisco Brito and she had made interventions. The President had spoken about what she identified as a risk to staff: a top-down approach whereby on 2 Jan some staff members would be sitting on jobs for which they may not meet requirements. Management was focussed on ensuring that staff members are placed against posts, but we had not yet seen a classification or reclassification of posts. Some posts could be reclassified downwards.

Kenneth Rosario pointed out that his own department was going through a realignment. Changes to the schematic designed by the GA needed to go back to the GA. We were doing ourselves a disservice if we did not do the research on what had happened in previous restructuring process. We needed to do a better job of tracking the changes.

The Secretary reiterated his request for the President to submit written reports, with the corresponding references to background documents, on the major issues on which she claimed to represent her constituents. He recalled Statute 14.4, whereby the President was responsible for ensuring "a record of all Union policies in force is available to any member of the Union". No such record currently existed, despite his repeated requests since the start of the mandate.

The President replied that representation should begin at the level of the Unit. Staff representatives should bring issues up to Leadership in a two-way communication. She pointed to the example of the OPPBA reps who were engaged with their managers. Kenneth Rosario pointed out that Staff Reps were being marginalised by the Management who only dealt with the Leadership.

Marie Delbecque (Unit 26) called the question.

Eugenia Beldo agreed that OPPBA reps had a good rapport with their managers. She asked the President to bring along Unit reps when she attended high-level meetings. The President agreed to do so.

### **5. Situation of the Second Vice-President**

Unit 25 Rep quoted the Headquarters Agreement, whereby federal, states and local courts had jurisdiction over acts done in the HQ district. The Second Vice-President should be reminded of the fact. The Assistant Treasurer recalled that on occasion of a similar case in the past, staff members were explicitly barred from reporting to the police by the then USG DM.

Kenneth Rosario recalled his statement at the recent meeting on sexual harassment, where he said that sexual harassment and abuse needed to stop being treated as internal misconduct and treated like the crimes that they were. François Charlier (Unit 3) believed that the same applied to the discrepancies between our health plan coverage and NY State law.

Ahmad Ismail (Unit 20) believed that a general meeting to remove the Leadership ticket as a whole was the best course of action. Partial measures did not address the real issue and would only be patching up the dysfunction. He would work on a resolution for the following week.

William Bly submitted a motion:

***To hold separate meetings to deal with internal Union issues and focus Council meetings on staff issues.***

The motion was seconded and adopted by 7 votes in favour, with 5 against and 2 abstentions.

Sherif Mohamed (Unit 27) believed the reason the Council was not working was the illogical behaviour it often faced. He supported a General Meeting to let staff know what was going on. He did not think the recall of the entire ticket was a decision that could be taken lightly. We should state the facts and let staff decide. He felt the Council had done everything it could formally and informally. Michelle Rockcliffe (Unit 6) pointed out that, when raising the issue before staff, we needed to point out that the institutional mechanisms were not serving their purpose. This was a case of union busting. Eugenia Beldo agreed that the Union was in crisis, but staff were facing major changes. The Union should continue to operate and work for staff. Sarah M'Bodji (Unit 31) concurred that we should set aside our biases to work for staff.

### **6. GSDM / Management Reform**

The Secretary introduced a draft Broadcast submitted by the Deputy Chair drawing staff's attention to Management's delays in publishing of the Downsizing Policy agreed at SMC. Council members suggested amendments to the draft.

The meeting adjourned at 15:10