
The 47th Staff Council,

Recalling its Resolution No. 47/06, adopted on 19 August 2021;

Noting with concern that there is a substantive increase of confirmed cases of COVID-19 and deaths in the United States since 2 August 2021, based on data from the World Health Organization;

Noting with concern also that there is a substantive increase of confirmed COVID-19 cases, deaths and hospitalization in the states of New York, New Jersey and Connecticut since 1 August 2021, including a high level of community transmission in New York County (Manhattan), based on data from the United States Centers for Disease Control and Prevention as of 7 September 2021;

Emphasizing that the safety and health of all United Nations Secretariat personnel should and must remain a paramount consideration for the determination of any work-related arrangements by the Organization;

Noting with appreciation the efforts of the Secretariat to mitigate risk related to the COVID-19 pandemic;

Noting the mandates announced by the Secretary-General in his 13 August 2021 correspondence; namely, mandatory mask wearing when indoors on premises, mandatory reporting of vaccination status by all staff, proof of vaccine to use dining facilities, and mandatory vaccination for staff performing certain designated functions by 19 September 2021;

Noting also the updated version of the human resources policy guidance on “Transition from Phase 2 to Next Normal – Gradual return to the workplace at United Nations Headquarters, New York” circulated via broadcast on 30 August 2021;

Noting with appreciation the participation of Administration officials in the Special Staff Council Meeting on COVID-19 which took place on 24 August 2021;

Noting with appreciation also the repeated assurances from the Division of Healthcare Management and Occupational Safety and Health (DHMOSH) that staff’s individual vaccination status data will not be shared with managers or other third parties, despite the absence of a data protection policy applicable to United Nations staff members, including regarding the protection of medical data;
Noting with regret that, as a consequence of the mandate at Headquarters for staff performing designated tasks to get vaccinated, middle managers are being put in the position where, breaching medical privacy, they are required to ask their team members to report their vaccination status for operational purposes, while para. 6.2 of ST/SGB/2017/1 on sick leave stipulates that any health condition (Covid-19 vaccine not included) should be voluntary reported only to Medical Services,

Noting with regret also that there is a lack of clarity regarding the potential consequences of non-compliance with the new mandates;

Recalling that freedom of religion is embedded in both the Charter of the United Nations and the Declaration of Human Rights;

Cognizant of vaccination hesitancy among some staff members;

Noting with concern that the applicable policy of the Organization on mask wearing in accordance with paragraph 14 and 33 of the human resources policy guidance on “Transition from Phase 2 to Next Normal – Gradual return to the workplace at United Nations Headquarters, New York” may not be consistent with the 14 July 2021 guidance from the World Health Organization, which recommends that individuals wear masks regardless of their vaccination status and without exceptions;

Recalling paragraph 2 of ST/SGB/2009/4, of 18 December 2009, on “Procedures for the promulgation of administrative issuances” whereby “rules, policies or procedures intended for general application may only be established by duly promulgated Secretary-General’s bulletins and administrative instructions”;

The Staff Council hereby,

1. Requests that the mandate issued by the Secretary-General to staff on 13 August 2021 requiring mask wearing when indoors on premises be strictly enforced for all occupants or visitors in all buildings owned or rented by the Secretariat, including but not limited to staff, contractors and delegates, regardless of vaccination status and without exceptions;

2. Requests also that working-from-home arrangements be linked to specific benchmarks based on the reproduction number of COVID-19 (R number) in New York County (Manhattan) and the broader duty station region, and that these benchmarks be clearly communicated to staff. This includes clear epidemiological parameters related to local infection rates that will trigger a return to full-time alternate working arrangements for all staff not required to perform their functions on-site;

3. Requests further that all policies or procedures issued by the Administration pertaining to the COVID-19 pandemic and occupational health and safety issues for United Nations Secretariat personnel in New York be regularly updated in order to comply with guidance from the World Health Organization and the host country’s federal, state and local authorities within 48 hours of the issuance of any such guidance;

4. Requests likewise that detailed procedures to be implemented in cases of any COVID-19 outbreak in buildings owned or rented by the Secretariat, including in regard to the notification of personnel, quarantine and other measures be communicated to all staff;
5. *Requests* the Administration to share results of relevant studies pertinent to air quality, occupancy levels and other matters pertinent to staff welfare and well-being, on a regular basis with the Union;

6. *Calls* on the Administration to centralize the staff vaccination reporting/status verification procedures, including clearance for operational purposes, in such a way that avoids any disclosure of medical information beyond DHMOSH;

7. *Calls also* on the Administration to elaborate a draft policy clarifying the consequences for staff of non-compliance with the new mandates and to present it to the Joint Negotiation Committee (JNC), in accordance with ST/SGB/2007/9, so that it can be debated and agreed upon by both parties; the draft policy should treat non-compliant staff members with equity, consideration and respect, without creating burdens, including of a financial nature, on the Organization and compliant staff members; the draft policy should also define clear roles in addressing non-compliance, in such a way that does not contribute to hostile working environments or interfere with programme managers’ ability to manage their teams;

8. *Further calls* on the Administration to provide reasonable accommodations for staff who did not get vaccinated for COVID-19 because of a medical exemption or a sincerely held religious belief, practice or observance, while ensuring safety for the staff collective, inter alia, through regular testing, masking and distancing measures;

9. *Recommends* to the Administration to consider the possibility of reintroducing alternate working arrangements, including away from the duty station, up to 31 December 2021.

10. *Reminds* the Administration that the Occupational Safety and Health committee is not a staff-management consultation body as per article 8 in chapter 8 of the Staff Regulations and Rules;

11. *Reminds* the Administration of the need to continuously engage and consult staff associations before promulgation of any policy, including – but not limited to – any future policy guidance from Human Resource Management on COVID-19, as per staff regulation 8.1 in ST/SGB/2018/1/Rev.1. An appropriate forum to discuss this would be through the JNC as per ST/SGB/2007/9 and staff consultations at the departmental level, provided for in ST/SGB/274; and

12. *Calls on* the deadline for mandatory vaccinations be extended until such a time as proper staff-management consultations on the relevant policy has been completed;

13. *Instructs* the Leadership to share this resolution with the members of the Occupational Safety and Health committee, as well as with the Chef de Cabinet, the Under-Secretaries-General of the Department of Management Strategy, Policy and Compliance; the Department of Operational Support; and the Department for Safety and Security, as well as the Assistant Secretary-General of the Office of Human Resources and all heads of offices/departments represented in the Staff Council.

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