Resolution on the Establishment of a Staff Legal Assistance Committee

The 47th Staff Council,

Recalling that staff members have a right to advice, assistance and protection in regard to all matters within the Union’s competence (UNSU Regulation 1.1 a),

Recalling also that the Union traditionally supports the litigation of individual cases deemed to be of relevance to staff as a whole, or likely to establish jurisprudence relevant to staff,

Noting the 2021-2023 UNSU Budget adopted under Staff Council Resolution RES/47/9 allocates USD 120,000 to Legal Advice and Support for the biennium,

Noting also that all requests for legal assistance require a detailed assessment on the part of the Union before funds can be committed,

Noting further that expenditures that exceed USD 1,000 must be approved in advance by the Council (UNSU Financial Rule 2 a); and expenditures between USD 200 and 1,000 must be approved in advance by the Executive Board (UNSU Financial Rule 2 b),

Underlining that the staff voluntary contribution to OSLA does not constitute a contribution to the Staff Union,

The Staff Council hereby,

Decides to establish a Staff Legal Assistance Committee composed of the following members duly elected at the Staff Council’s 8th meeting of 23 September 2021,

Shirley Abraham
Gabriela Conti
Jaime Garreta
Maurizio Giuliani
Egor Ovcharenko

Decides also that the Staff Council Secretary and Treasurer shall be ex-officio members of the Committee,

Charges the Staff Legal Assistance Committee with assessing requests for legal assistance received from staff by means of the respective form, and in line with the following Terms of Reference,

Decides that financial support for litigation shall be limited to staff members who are dues paying-members of the Union and remain so for the duration of the litigation.
TERMS OF REFERENCE FOR THE STAFF LEGAL ASSISTANCE COMMITTEE

Remit

The Staff Legal Assistance Committee is tasked with reviewing cases submitted by staff members who request financial assistance from Union funds in order to litigate against the Administration. Criteria for recommending support shall be: agreement in principle on the grounds for a complaint, reasonable prospects of success, the expectation that the ruling may establish jurisprudence that is relevant to matters under the Union’s competence or of interest to a broader constituency of staff, and confirmation that the issue is not taken up by OSLA.

Membership

The Staff Legal Assistance Committee shall be made up of 5 members elected by the Staff Council from amongst its members. Additionally, the Staff Council Secretary and Treasurer shall be ex-officio members.

Meetings

The Committee shall elect a Chair at its first meeting. In the Chair’s absence, a meeting may be convened by any other member, who shall be acting chair for that meeting.

Meetings shall be quorate with any five members present and decisions shall be taken by a majority vote. In case of a tie, the meeting chair shall cast a deciding vote.

A meeting shall be held ex-officio within a week of receiving a request through the Staff Council or Executive Board.

The Committee shall report:

a) to the Executive Board within a week of receiving a request when recommending the case for review by a lawyer (fee up to USD 1,000)

b) to the Staff Council within two weeks of receiving a request when recommending the case be referred to a lawyer for litigation. If litigation is recommended, the Committee shall request an estimate from the litigator, to be attached to its recommendation.

c) to either the Staff Council or Executive Board, whichever meets first, when recommending a case not be taken up by the Union.

Reports from the Committee shall be anonymised using the applicant’s initials and avoiding any details that could identify them. The Committee shall retain a record of all cases considered for purposes of invoicing and follow-up.