



**Resolution**

Resolution No.: 48/16

Meeting No.: 48/22

Date: 17 October 2024

**Resolution on OHR Policy Guidelines on Determination of step upon promotion, recruitment or movement to a different category**

*The Staff Council,*

*Noting* the issuance of Policy Guidelines by the Office of Human Resources (hereafter, "OHR") of the Department of Management, Strategy, Policy and Compliance, particularly OHR-PG/2024/4 on 28 March 2024 entitled "Determination of step upon promotion, recruitment or movement to a different category: Implementation of staff rule 3.3 pursuant to General Assembly resolution 78/275", as well as a revised version issued 30 July 2024 under Rev.2 and on 13 September under [Rev.3](#) (hereafter, collectively referred to as "the Guidelines");

*Welcoming* transparency around the interpretation and application of the Staff Rules across the United Nations Secretariat;

*Encouraging* the administration of the UN Secretariat to redouble efforts to promote a stable, upwardly-mobile career pathway for all staff members;

*Stressing* the need to uphold the fundamental principles of justice and equality, particularly the principle that staff members should not be paid less for work performed at the same or higher level than they are currently performing or have previously performed;

*Recognizing* that temporary appointments and assignments are regularly used in the United Nations as a way to respond to fast-evolving operational requirements at Headquarters and in field locations, and *further recognizing* the critical contributions of all staff members, including those serving on temporary appointments and assignments, who already experience uncertainty in the planning of their respective career paths and personal lives as a result of the limited duration of their appointment;

*Considering* that following the adoption of the relevant General Assembly resolution ([A/C.5/78/L.35](#)), the General Assembly directed the withdrawal of



provisional amendments to Staff Rule 3.3 concerning the determination of step, and *noting* that, as a result, the text of Staff Rule 3.3 ended up unchanged following the adoption of the resolution, preserving the exact same level of discretion for the Secretary-General in Staff Rule 3.3(a) in particular;

*Noting*, therefore, that the Guidelines reflect a new interpretation by OHR of the relevant staff rules, rather than a directive from Member States or legislative bodies, and *further noting* that OHR has unilaterally and without guidance from the Member States issued the new Guidelines;

*Expressing deep concern* over negative consequences identified following the implementation of the Guidelines, primarily entailing significant losses in compensation to staff members undergoing a change in contractual status, and even upon promotion, as well as increased difficulty for hiring managers in retaining long-serving, high-performing staff members (see Annex I for examples of real-life cases of affected staff members);

*Expressing concern* over the apparently arbitrary nature of several aspects of the Guidelines, including the introduction without justification of new terms and practices heretofore not seen in relevant policy/guidance (see Annex II), particularly that the tables included in paragraphs 21, 33 and 46 of the revised Guidelines appear inconsistent with relevant provisions of the Staff Regulations and relevant guidelines governing step increase and determination of step on recruitment, creating disparities among staff and between staff members and those deemed “external candidates”;

*Stressing* that such consequences disproportionately impact staff members and hiring managers in Departments that rely on Extra-Budgetary funds, General Temporary Assistance, Temporary Job Openings, and other staffing arrangements that result from the evolving nature of staffing requirements in certain functional areas, the inability of Member States to regularize staffing arrangements for critical functions via the relevant legislative processes, or, more recently, the reported refusal to permit hiring managers to recruit for open positions through regular JOs while being allowed to recruit on TJOs, or;

*Observing* that the Guidelines have created discrepancies in practices surrounding compensation between the UN Secretariat and Agencies, Funds and Programmes;

*Deploring* that the Guidelines were presented without any advance outreach to staff members, notably those who would experience significant salary cuts owing



to their contractual arrangements, or subsequent information of staff through OHR or Executive Offices through outreach and information, and *further deploring* that staff members and hiring managers have found themselves unaware of these guidelines and placed before a *fait accompli* after initiating a change in contractual status or attempting to proceed with a recruitment process;

*Recalling* that these negative consequences were repeatedly brought to the attention of OHR when the Guidelines were initially issued, and that subsequent revisions further exacerbated these consequences;

*The Staff Council hereby,*

1. *Emphasizes* that, as a matter of principle, staff members should not be paid less for work performed at the same or higher level than they are currently performing or have previously performed;
2. *Calls upon* OHR to withdraw the Guidelines and revised versions in light of their unjustified and arbitrary measures and the negative impact on staff that they entail;
3. *Requests* the immediate reinstatement of earlier guidelines and practices whereas heads of entity are given the discretion to award step upon recruitment, in line with Staff Rule 3.3(b), in a manner commensurate with a candidate or Staff Member's experience;
4. *Urges* OHR to consult with and integrate the perspectives of staff members, hiring managers, heads of entity, and Member States prior to issuing or reissuing any further related guidance;
5. *Further urges* OHR to immediately inform all Secretariat staff members in a clear and concise broadcast, as well as a town hall meeting, explaining the implications of the Guidelines, should they remain in place for any period following the adoption of this resolution, and to communicate expeditiously about further consultation and revision of the Guidelines;
6. Instructs the leadership to share this resolution with the Chef de Cabinet, the Under-Secretaries-General of the Department of Management Strategy, Policy and Compliance and the Department of Operational Support, as well as the Assistant-Secretary-General of the Office of Human Resources and all heads of office/departments represented in the Staff Council; and



7. Further instructs the leadership to circulate this resolution via an email broadcast to all members of the United Nations Staff Union.

Adopted	YES / NO
For	17
Against	0
Abstention	0



## Annex I: Selected Cases of Staff Members affected by the Guidelines

*These are real-life cases of staff members affected by the Guidelines, representing various changes in contractual status. These cases are presented as reported by affected staff members, noting that the Staff Council is not in a position to verify the contractual status or grade/step of staff members in Umoja. It is also acknowledged that the details of these cases may have evolved from the time of their reporting. As indicated, three cases involve staff members who are soon expecting changes in contractual status and are anticipating the impact on them. This list is not exhaustive: more staff have been and will be affected.*

### Summary

	<b>Contractual change</b>	<b>Previous Grade/ Step</b>	<b>New or expected Grade/Step</b>	<b>Estimated monthly salary + post adjustment loss (not including impact on pension)</b>
1	TA to TA	P4 Step 7	P4 Step 1	\$1585.07
2	TA to TA	P4 Step 7	P4 Step 3	\$865.81
3	TA to TA	P3 Step 6	P3 Step 2	\$977.79
4	TA to TA	P4 Step 7	P4 Step 4	\$792.69
5	TA to TA	P4 Step 8	P4 Step 2 (expected)	\$1585.07 (expected)
6	TA to TA	G5 Step 7	G5 Step 6	\$235.75
7	FT (Agency) to TA (Secretariat)	P3 Step 9	P3 Step 1 (expected)	\$1955.75 (expected)
8	TA to FT	P3 Step 8	P3 Step 2	\$1,467.00
9	TA to FT	P2 Step 6	P2 Step 1 (expected)	\$924.01 (expected)
10	FT (SPA) to higher-level FT ("promotion")	P4 Step 5	P4 Step 1	\$792.37
11	FT (SPA) to higher-level FT ("promotion")	P5 Step 7	P5 Step 5	\$547.46

### Case Narratives



- 1) A staff member worked in an “H” duty station on a Fixed-Term Appointment from 2018 to 2022, starting at P4, Step 3, and ending at P4, Step 6. From 2022 to 2024, the staff member worked on a Temporary Appointment following the end of the FTA, starting at P4, Step 6, and ending at P4, Step 7. The staff member went on a break-in-service, unaware of the new Guidelines on step. They were offered a new contract for the same position at P4, Step 1, resulting in a monthly loss in net salary and post adjustment of \$1,585.07. The staff member is shocked. Since they are currently out of health insurance status for themselves and their two children, they feel coerced into accepting an effective pay cut that will reduce their family’s standard of living and children’s future, for performing the same, high-performance work as before.
  
- 2) A staff member in an “A” duty station was on a Temporary Appointment since December 2022, reaching the level of P4, Step 7. They had previously been serving at the P4 level with multiple consecutive contracts and breaks-in-service within the same office since 2018. Before that, in 2016-18, they had served on a P3 post in the same office. Following the latest break-in-service, they were offered an appointment at P4, Step 3 (loss of 4 steps), equaling a monthly loss of net salary and post adjustment of \$865.81. The EO explained that this was because of the above-mentioned new Guidelines. The staff member is deeply discouraged after so many years of dedicated service and feels that this constitutes yet another example of discriminatory treatment against people on temporary contracts.
  
- 3) A staff member has been serving in an H duty station since 2017, first as a JPO (fixed term appointment) and then on two different Temporary Appointments at the P3 level, reaching P3, Step 6. The staff member was recently “reappointed” after a break in service, at P3, Step 2. This results in an estimated monthly loss of \$977.79 of net salary and post adjustment. The staff member is demoralized because, due to the fact that their post and those of their colleagues are funded under XB arrangements, they and their colleagues have been on temporary contracts for many years, which has been stressful and uncertain. They feel as if now, they are being “thanked” with a large pay cut for their service despite this instability in their professional and personal lives. The staff member feels this is not conducive to keeping young, motivated talent in the Secretariat.



- 4) A staff member with over 6 years of service in the UN (and nearly 20 in total) was recruited in 2020 on a new Temporary Appointment at P4, Step 6. They served for one year and returned in 2022, receiving a Temporary Appointment of P4, Step 6. They continued working for nearly 2 years, reaching P4, Step 7, by the second year of service. Their TA ended, and upon “reappointment” to the same job, they were offered P4, Step 1 (monthly loss of salary and post adjustment of \$1,585.07). They asked for the offer to be reviewed, resulting in a new offer of P4, Step 6, which they accepted, reasoning that despite the pay cut (\$264.54 monthly) was not as bad as Step 1. They began to work on the new contract, and after three months of working, received a message via Inspira that an Amended Offer of Employment was available. They noticed that the amended offer was at the P4, Step 4, level and effective retroactively, to the initial date of appointment, and would seemingly entail paying back the difference in salary between Step 6 and Step 4 (\$582.15 monthly). Removing 3 steps retroactively would entail a monthly loss of salary and post adjustment of \$792.69 compared to their previous appointment. EO justifies this on the basis of the new Guidance on step determination, but the staff member is unsure of how to proceed given that a contract had been mutually agreed.
- 5) A staff member in an H duty station has been on a temporary appointment funded by XB funding, since 2021, reaching the P4, Step 8, level. They are coming up to a break in service and are anticipating being dropped from Step 8 to Step 2, which would result in an expected monthly loss of post adjustment and net salary of \$1,585.07. They are unsure whether they would continue working for the UN if they were offered a contract at this level. Their supervisor is eager to retain them for their high performance but does not understand the reasoning for having their hands tied to offer such a steep pay cut to a high performing staff member.
- 6) A staff member held a temporary appointment in the Secretariat at G5 Step 7. They applied and were selected for a different G5 position in the same division and took a break in service, after which they were informed that their new step was G5 Step 6, incurring a loss of \$235.75 per month. Neither the hiring manager nor the applicant were aware of these changes during the recruitment process.



- 7) A staff member working in a UN agency holding a Fixed-Term Appointment (funded by XB funding) at Step 9 of their level applied to a TJO in the Secretariat. The staff member was informed after selection that they would be recruited at Step 1. As a workaround to enable the colleague to retain Step 9, OHR proposed an inter-agency loan arrangement, but this ended up having to be an exceptional Secondment of 5 months (a Secondment is usually not less than 12 months), with the intention to renew for up to 2 years, pending funds. This delayed the recruitment and caused the staff member and hiring manager significant stress and uncertainty. This solution could only be temporary because if the Staff Member's lien on the Agency post ends due to end of the funding for XB or for other reasons, the staff member will have to separate, reapply for the same job under a TJO, and return to Step 1 (which would result in an expected cut of net salary and post adjustment of \$1,955.75). Besides the financial and psychological impact on the staff member, the hiring manager will face gaps in staffing, disruptions to continuity, and ultimately the risk of non-retention of a high-performing staff member with years of loyal UN service.
- 8) A staff member has served at a level of high performance for several years, reaching P3, Step 8. They were recently on a temporary appointment given the post is funded under XB. The staff member was offered a fixed-term appointment in the same office with the same responsibilities, performing critical functions with extensive interface with Member States, was offered P3, Step 2, on the Fixed-Term Appointment. This results in a monthly loss in net salary and post adjustment of \$1,467.00, in addition to loss of pension contribution. The staff member recently welcomed a third child and has significantly increased expenses in the current rising cost of living at their duty station. The candidate finds themselves wondering how to maintain their growing family's standard of living. The hiring manager regrets this situation and feels t
- 9) A staff member on a temporary appointment at the P-2, Step 6 level funded on an extra-budgetary basis who has demonstrated exceptional performance and presented a strong candidacy for a fixed term position in the same office with the same responsibilities would anticipate being offered P-2, Step 1, upon recruitment. This would result in an expected net loss of compensation (inclusive of post adjustment, staff assessment, pension contribution, and insurance) of \$11,088.12 per year (\$924.01 per month) compared to the staff member's current net compensation. The





staff member has extensive relevant experience in the private sector and is considering whether a UN career remains a viable option to meet their personal expenses and receive fair compensation for the same work performed in the past at a higher rate of compensation.

- 10) A staff member has served for several years on a Fixed Term Appointment at the P-3 level, and applied for a TJO at the P-4 level last year. After being selected for the position on merit and being deemed performing well enough to be awarded SPA, the staff member reached the P4, Step 4, level on SPA, carrying out managerial responsibilities. Recently, the staff member was pleased to learn that they were selected for a Fixed-Term post at the P-4 level after a competitive process. They received an email from their Executive Office congratulating them on their “promotion” and began to carry out their higher-level responsibilities, with managerial responsibilities. However, they were surprised when they received, without notice or explanation, a Personnel Action indicating that they would now be working at P4, Step 1, translating into a monthly loss of net salary and post adjustment of \$792.37. They are dismayed that the high level of performance that resulted in their “promotion” could also lead to their compensation being reduced.
- 11) A staff member held a Fixed Term Appointment in the Secretariat since 2014, at the P4 level. In 2019 they were selected for a TJO at the P5 level, and soon began receiving SPA and ultimately reaching the level of P5, Step 7. They were recently promoted to the P5 level, conducting the same work, but received P5, Step 5, resulting in a monthly loss in salary and post adjustment of \$547.46. They are finding it difficult to understand how a “promotion” could mean they are paid less.

### **Annex II: Concerns with Specific Aspects of Language in the Guidelines (summary and non-exhaustive)**

The Staff Council notes that several terms appear in the Guidelines accompanied by definitions that do not appear in Staff Rules. Furthermore, the Guidelines contain no justification for decisions taken with potentially far-reaching implications. The Staff Council notes that such unilateral interpretations should not be deemed to set a precedent for the interpretation of terms in the staff rules, and that policy guidelines on determination of step are not the proper forum for



such measures. Acknowledging that the below concerns may reflect a misunderstanding rather than intentional measures, The Staff Council would underline the need for clear communication and request that such aspects be clarified by OHR. These matters include, but are not limited to:

- Interpretation of the term “promotion” (Para 3.);
- Use of the term “reappointment”, which does not appear in the staff rules (Para 5.);
- Determination that changes of category are “new appointments”, effectively creating the conditions for staff members achieving a G-to-P move to experience an unwarranted cut in salary (Para 4.);
- Arbitrary imposition of limitations on the discretion of heads of entity to award steps at a higher level than Step 1, and stipulating formulae for which no objective criteria are presented and which differ between categories (ref. tables throughout the Guidelines); note that the P3 level, for example, is arbitrarily capped at Step 5 regardless of the number of years of experience, and furthermore is subject to a more restrictive awarding of step per year of experience on average.
- Determination that periods of work amounting to less than one year “will be disregarded”, which is severely prejudicial, has no basis in the Staff Rules, and retroactively contradicts generally accepted formulae for calculating years of experience in recruitment processes (Para 23.a, Para 35.a, and other locations);
- Contradiction between Staff Rule 3.4 (c) and the Guidelines, which stipulates that “the level of pensionable remuneration ... shall be maintained until it is surpassed by that applicable to the staff member’s grade and step in the Professional category” (Para 24.b).