47th Staff Council Meeting Minutes

The meeting was quorate at 13:20 EDT with 22 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

Mr. Egor Ovcharenko (Unit 28) requested that we get all documents, Presidents Report, Executive Board report and so on earlier so that members of the Staff Council can be prepared. Several of the agenda items were reordered and Return from Premises was removed from the agenda.

The agenda was adopted.

2 Adoption of Minutes

Minutes for meeting 47/8 and 47/9 were adopted.

3 Reports by Units

Ms Ellen Alradi (Unit 10) suggested discussion about a code of conduct for Council meetings and email communications.

Following on Ms. Alradi’s comments, Ms. Meriam Gueziel (Unit 24, Treasurer) agreed that we should not be forwarding emails outside the Council. She stated that she does not think that members from the previous Councils should be copied on emails. Email messages should stick to the point and not bring in negativity. We need to focus on the substance. We need to be careful about dictating etiquette because that can be constraining.

Ms. Barbara Tavora Jainchill (Unit 25) noted that two important bodies, the Health and Life Insurance Committee (HLIC) and the Advisory Board on Compensation and Claims (ABCC) have already, or would soon, lose some of their members, and so the Union needs
to nominate replacements. It is important that we get good members. Mr. Aitor Arauz (President) gave an update on the status of the vacancies and stated that the Executive Board would confirm with Mr. Michael Zilberg of HLIC the number of vacancies and send out a call for nominations.

Ms. Tavora Jainchill stated that it is important for the Council to be involved in selecting the ABCC member, even establishing a committee to assess candidates. The President stated that there are likely to be a small number of candidates, but Ms. Tavora Jainchill stated that it was still important to have a committee to talk with candidates to try to assess whether they are suitable.

Mr. Ken Rosario (Unit 15) reported that although he wrote a paper on issues pertinent to the Department of Safety and Security (DSS), which was accepted by UNISERV, he was not invited to present it at the Staff Management Committee (SMC) meeting and was illegitimately barred from attending the SMC. He also stated that the Union needs to reconsider its relationship with UNISERV, which does not have a designated expert on security. He requested that a committee be formed, with the addition of an external arbitrator, to evaluate the workings of the Council in relation to the Leadership. The President stated that he apologized for sending an email copied to the Council that perhaps should have been handled privately. He also stated that he chose not to include Mr. Rosario at the SMC owing to his unverified positions related to Afghanistan. Unfortunately, the agenda item related to preparation for upcoming meetings had been on the agenda for the Staff Council meeting for several weeks, during which timely discussions could have taken place, but they agenda item was never discussed owing to lack of time. Therefore, he felt he had to make judgment calls. The Council needs to adopt joint positions.

Mr. Egor Ovcharenko (Unit 28) proposed the creation of a standing committee on SMC issues and stressed the need to support the Leadership and the mission of the Union. He stated that he would prepare a resolution.

Ms. Melinda George (Unit 6) asked about the upcoming meeting on pensions. She wanted to know if it was coming from the Council and what the meeting would be able to accomplish. The President explained that it was announcement was sent at the request of Ms. Patricia Nemeth (former President), who is a participants’ representative on the Pension Board, and it is an information session for staff to inform them on what they need to do to prepare for retirement. There was a question as to why Mr. Ibrahima Faye, who is also on the Pension Board was not included in the communication. The President stated that the Pension Board representatives should keep the Staff Representatives in the loop, and he would facilitate the initial contact.

Mr. Patel Noble (Unit 13) called for Staff Council members to communicate with each other respectfully so that the Council acts with unity.
Mr. Jesus Parado (Unit 32) objected that a resolution approved by the 46th Council was not forwarded to the Secretary-General. He further objected to the way the Leadership decided to leave CCISUA and join UNISERV without a two-thirds vote. He noted that there has been a related case with the Arbitration Committee, but the Leadership has not responded.

Ms. Alradi asked about the procedure for presenting positions as the SMC. She also stated that questions about Afghanistan are legitimate, and we should be able to talk about them.

Ms. Tavora Jainchill, in answer to Ms. Alradi’s question, stated that when the delegation goes to the SMC or a Joint Negotiation Committee (JNC) it should represent a position that has been previously discussed and agreed by the Council. The Council needs more training. She supported the concept of a standing working group at the SMC so that we are not caught without a position.

Mr. Ovcharenko stated that it was very important for the delegations to the SMC and JNC to be very well prepared and understand the history because it’s impossible to be done by one or two individuals.

Mr. Rosario reiterated his concerns about the danger staff members under the Taliban regime, which is not a recognized State. He stated that the President’s position was subjective and he acted incorrectly in not including him at the SMC.

4 President’s report

The President stated that regarding the staff members of the Department of Operational Support (DOS) who were subject to punitive action with regarding to vaccination status, he raised the issue at the SMC, and while the representative from the Executive Office was willing to compromise and make accommodations, Under-Secretary-General Atul Khare was firm in his position of wanting to make sure all staff members are vaccinated. The President discussed how the directives were unclear and were being haphazardly implemented. Management was unclear about how they were approaching the whole issue. A partial solution was reached for the affected staff members, but the problem is not resolved. The only way to obtain legal clarity is to bring a case to the Dispute Tribunal. Mr. Patrick Caffrey (Unit 31) stated that one staff member in his Unit wanted to take the case to the Tribunal. The President said that he would follow up.

Mr. Stephane Jean (Unit 11) stated that we needed to work to ensure the safety of all staff and that we should look to the guidance of the federal government of the Host Country (workers to be vaccinated or regularly tested). He will prepare a draft resolution.

Mr. Patel Noble (Unit 13) stated that colleagues in his Unit had the same issues raised by Mr. Caffrey. He has looked over articles 5.3 and 10.2 of the Staff Regulations and Rules and has seen inconsistencies in the legal framework. Another concern is that the Council...
is supporting the mandate without a vote, given that we don’t know the legal basis and why there are no alternatives to vaccination.

The President stated that there is clear support for vaccination among the staff at large. Some are calling for full vaccination mandate for all staff. However, the mandate was not well presented. The real problem is that it doesn’t offer alternatives and doesn’t have a clear legal basis. Therefore, the Leadership is focusing on the ramifications of the lack of clarity. Mr. Rosario stated that our position as a Council is ambiguous. There is an issue of supporting the mandate and vaccination without a vote. The President stated that he thought it would be unproductive to have a resolution coming out for or against vaccination, but it was up to the Council to decide whether to do that.

Ms. Gueziel made a motion to defer any further discussion on the question of COVID-19 issues. It was seconded.

5 Executive Board report

No comments.

6 Finances

Ms. Gueziel stated that the transfer of signatories at UNFCU has been completed. A cheque for about $61,000 was withdrawn from the account and will be sent to MetLaw. Outstanding invoices for the Zoom account and the water delivery have been paid.

Ms. Kathryn Kuchenbrod (Unit 30, Secretary) is following up on Audit Committee.

Ms. Gueziel will be working with Mr. Francisco Brito (First Vice President) and payroll regarding dues that should be going to the New York Staff Union rather than to the Field Service Union, in some cases for years.

Ms. Gueziel state that a payment of over $9,000 was due to Mr. George Irving, the legal adviser, and those funds would be coming from the budget of the 46th Council. The payment to him has been certified and will be made to him this week.

She will be preparing a financial report for August and September and will present it at the 10 October meeting of the Executive Board and at the 14 October Staff Council meeting.

7 Preparation for upcoming meetings

Ms. Gueziel raised the issue of preparation for upcoming meetings, including the SMC and JNC. The President stated that we need to agree on who will speak and who is going to say what at the meetings. It’s unsustainable to go into these meetings without proper
We also need to coordinate with the other unions. He asked for input from Council members on the 20 October meeting of the JNC. Supporting documents are available on Teams. Additional upcoming meetings include the UNISERV General Assembly (the agenda has been circulated) and the HR Network, where the federations are observers.

Mr. Egor Ovcharenko (Unit 28) raised the issue of G-4 visas that he would like to be added to the agenda at the JNC.

Mr. Rosario stated that he didn’t like that the issues raised at the meetings were discussed at the last minute. He suggested that papers be prepared in advance, and he expressed concern that the job categories unique to New York may not be represented adequately. The President stated that preparation for upcoming meetings has been on the agenda for three weeks, but because meetings run over, we have not got to them. In terms of bringing issues to the SMC and other meetings, a rigid position from the Council is not practical, as there needs to be room to negotiate. We can’t have slots for every service category in attendance, as it would be too much. Mr. Rosario stated that all categories need to have input, not necessarily representation. Ms. Tavora Jainchill stressed that it’s important to give general guidelines for meetings with management, agree on a joint position and then negotiate with management. All categories can give input an SMC committee. Mr. Jean stated that it’s critical to have talking points that need to be raised while having flexibility.

**8 COVID-19 Special Leave Without Pay**

*Adjourned: 15:05 EDT*