New York, 1 February 2022

Dear Chair of the Occupational Safety and Health Committee,

The 47th Staff Council has taken note of your 26 January 2022 electronic mail where you stated that the senior leadership of the Organization has decided, effective 7 February 2022, to return to the work arrangements that existed before 18 December 2021. You further noted in your correspondence that the “COVID-19 metrics in New York City are currently trending downwards and are more comparable to the situation prior to the Omicron outbreak”. As such, you noted the overall “improved trends and situation in New York”, which would justify a return to earlier arrangements.

We note that the above-mentioned decision was taken without proper consultation with all members of the Occupational Safety and Health (OSH) Committee, including the President of the United Nations Staff Union - New York.

The Council notes, based on data from the City of New York¹, that there was a recent decrease in new COVID-19 cases, hospitalizations and deaths in the past weeks. This gives us all much-needed hope for a prompt return to normalcy in the near future, including in respect of the work of the United Nations in New York.

At the same time, the situation with the COVID-19 pandemic in New York is very far from the one that prevailed prior to the Omicron outbreak. According to official data from the City of New York², as at 28 January:

- There is a “very high transmission” of COVID-19;
- There was a seven-day average of 3,984 confirmed and probable cases compared with 1,923 as at 1 December 2021;
- There was a seven-day average of 196 hospitalizations compared with 73 as at 1 December 2021; and
- There was a seven-day average of 61 deaths compared with 10 as at 1 December 2021.

Furthermore, as of 27 January 2022, the United States Centers for Disease Control and Prevention (CDC) characterized the situation in all five boroughs of New York City, as well as the broader Tri-State area, as one of “high” transmission³. All of the above is also consistent with data from the New York State Department of Health⁴. In addition, the World Health Organization has recently recommended investigations into the characteristics of a new sub-variant of Omicron (BA.2), including immune escape properties and virulence⁵. This sub-variant has now been detected in New York by the State’s Department of Health and this may have an impact on the future evolution of the pandemic in the Tri-State area and beyond.

² Ibid.
³ https://covid.cdc.gov/covid-data-tracker/#datatracker-home
Clearly, based on this data the situation at the New York duty station continues to be of very serious concern and cannot be compared with the one that prevailed prior to the Omicron outbreak.

We wish to emphasize that the vast majority of the United Nations staff stand ready to resume their functions in person at Headquarters when conditions so allow. However, the Staff Council strongly believes 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.

We wish to strongly reiterate our request, as expressed in our resolution 47/16, for the temporary reinstatement of alternate work arrangements (AWA) with immediate effect, whereas all staff should be requested to telework full-time, except for staff performing essential on-site functions at the New York duty station.

We also strongly reiterate our request, as expressed in our resolution 47/17, that such arrangements be re-evaluated by 28 February 2022 based on the evolution of the COVID-19 pandemic in the New York duty station, taking into account, inter alia, the transmission rate, data on hospitalizations and deaths, the availability of COVID-19 at-home diagnostic tests, delays in obtaining results of laboratory COVID-19 tests, as well as the number of staff members infected and in isolation due to contact with infected people.

We also recommend that the additional measures proposed in our resolutions 47/15 and 47/16 be fully implemented by the Administration.

We wish also to remind you that under applicable rules and regulations of the Organization “…staff representative bodies shall be entitled to effective participation, through their duly elected executive committees, in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other human resources policies” (Staff Rule 8.1, ST/SGB/2018/1/Rev.1). Furthermore, general administrative instructions or directives on questions within this scope should be “…transmitted in advance, unless emergency situations make it impracticable, to the executive committees of the staff representative bodies concerned for consideration and comment before being placed in effect” (Staff Rule 8.1, ST/SGB/2018/1/Rev.1). These provisions were clearly not respected in the present case.

We further emphasize the importance that the decisions that relate to the return to the premises be taken in full consultation with members of the OSH Committee, including the President of the United Nations Staff Union - New York, and that such decisions be properly attributed to the competent decision-making body, for transparency and accountability purposes.

Best regards,

Sebastian Cervantes
Chair of the 47th Staff Council