



ANNUAL REPORT
OF THE SIXTEENTH SESSION OF THE
THE UNITED NATIONS STAFF COUNCIL AT VIENNA
FOR THE PERIOD 19 APRIL 1997 TO 19 APRIL 1998

Please bring this report to the Annual General Meeting

Abbreviations

ACC	Administrative Committee on Coordination
APB	Appointment and Promotion Board
APC	Appointment and Promotion Committee
APP	Appointment and Promotion Panel
BMAC	Buildings Management Advisory Committee
BMS	Building Management Section
CAC	Commissary Advisory Committee
CEB	Central Examination Board
CCAQ	Consultative Committee on Administrative Questions
CCISUA	Coordinating Committee for International Staff Unions and Associations of the United Nations System
EOSA	End-of-Service Allowance
ESP	Early Separation Programme
FICSA	Federation of International Civil Servants' Associations
iC	interdisziplinäre Consulanten
ICSC	International Civil Service Commission
ILOAT	Administrative Tribunal of the International Labour Organization
JAB	Joint Appeals Board
JAC	Joint Advisory Committee
JAGGO	Joint Advisory Group on Garage Operations
JDC	Joint Disciplinary Committee
OeSBS	Österreichische Staub-Silikose Bekämpfungsstelle
OHRM	Office of Human Resources Management
OIOS	Office of Internal Oversight Services
PAS	Performance Appraisal System
SMCC	Staff Management Coordination Committee
UNAT	United Nations Administrative Tribunal
UNJSPB	United Nations Joint Staff Pension Board
UNSCV	United Nations Staff Council at Vienna
VBOs	Vienna-based organizations

CONTENTS

	<i>page</i>
INTRODUCTION	5
I. REVIEW OF STAFF COUNCIL ACTIVITIES	7
A. THE INTERNAL JUSTICE SYSTEM	7
1. JOINT APPEALS BOARD (JAB)	7
2. JOINT DISCIPLINARY COMMITTEE (JDC)	8
3. PANEL OF COUNSEL	8
B. THE 1997/1998 REDEPLOYMENT EXERCISE	8
C. LANGUAGE FACTOR IN GS SALARIES	9
D. PERFORMANCE APPRAISAL SYSTEM	9
E. CONTRACT INTERIMS	10
F. CHILD CARE FACILITIES	11
G. OCCUPATIONAL HEALTH AND SAFETY	11
1. ASBESTOS	11
2. OTHER TOXIC SUBSTANCES USED IN THE VIC	14
H. 17 APRIL 1997	14
I. CLOSURE OF THE VIC BETWEEN CHRISTMAS AND NEW YEAR'S	14
J. NEW POLLING OFFICERS ELECTED	15
K. UNITED NATIONS INTERREGIONAL CRIME AND JUSTICE RESEARCH INSTITUTE (UNICRI)	16
L. UN DAY: 24 OCTOBER 1997 AND OPEN HOUSE: 25 OCTOBER 1997	17
M. WORLD AIDS DAY 1997	17
N. CO-HOSTING OF THE 1999 INTER-AGENCY GAMES	17
II. JOINT ADVISORY COMMITTEE (JAC)	19
A. STAFF WELFARE BODIES	19
B. BANKING IN THE VIC	19
C. ANNUAL STAFF RECOGNITION PROGRAMME	20
D. STAFF COUNSELLING	20
E. HOUSING SERVICE	21
F. LANGUAGE TRAINING	21
G. REVIEW OF THE 1995/1996 REDEPLOYMENT EXERCISE AND PREPARATION FOR THE 1997/1998 REDEPLOYMENT EXERCISE	21
1. REVIEW OF THE 1995/1996 REDEPLOYMENT EXERCISE	21
2. PREPARATIONS FOR THE 1997/1998 REDEPLOYMENT EXERCISE	22
H. END-OF-SERVICE ALLOWANCE (EOSA)	23
I. JOINT UN/UNIDO JAC ON HEALTH INSURANCE	23
J. OTHER JAC ISSUES	24
III. COORDINATING COMMITTEE FOR INTERNATIONAL STAFF UNIONS AND ASSOCIATIONS OF THE UNITED NATIONS SYSTEM (CCISUA)	25
A. THE NEW CCISUA BUREAU	25
B. TERM LIMIT FOR STAFF REPRESENTATIVES	25

C.	INTERNAL JUSTICE SYSTEM	26
D.	HUMAN RESOURCES MANAGEMENT	27
E.	SECURITY OF STAFF	28
F.	AGE OF SEPARATION	28
G.	STAFF PARTICIPATION IN ICSC	28
H.	CONDITIONS OF SERVICE IN NON- HEADQUARTERS DUTY STATIONS	29
	1. CONTAMINATION IN THE UNIKOM MISSION AREA	29
	2. IMPACT OF CURRENCY DEVALUATIONS ON GS PENSION BENEFITS	29
	3. STAFF/MANAGEMENT RELATIONS IN ECA	29
I.	COOPERATION BETWEEN CCISUA AND FICSA	30
J.	COMMUNICATION	30
K.	STATUTORY MATTERS	30
L.	FINANCIAL MATTERS	31
M.	OTHER MATTERS	31
IV.	STAFF/MANAGEMENT COORDINATION COMMITTEE (SMCC)	33
A.	REVIEW OF TERMS OF REFERENCE OF SMCC	33
B.	THE NEW CODE OF CONDUCT	33
C.	FACILITIES PROVIDED TO STAFF REPRESENTATIVES	34
D.	TERMINATION INDEMNITY FOR STAFF ON FIXED-TERM APPOINTMENTS	35
E.	FAMILY LEAVE	36
F.	STAFF TRAINING AND DEVELOPMENT	37
G.	GENDER ISSUES	37
H.	HARASSMENT SURVEY	37
I.	EVALUATION OF PAS AND TERMS OF REFERENCE FOR JMC AND GJMC	38
J.	STREAMLINING OF THE PROCESS OF FILLING VACANCIES	38
	1. COLLATERAL REVIEW	38
	2. PRE-REVIEW LETTER	39
	3. ADDITIONAL MEASURES	39
K.	INCREASE OF THE ORGANIZATION'S SHARE IN HEALTH INSURANCE PREMIUMS	39
L.	OFFICIAL HOLIDAYS FURTHER TO GA RESOLUTION 51/211	39
M.	FLEXIBLE WORKING HOURS	40
N.	EXTENSION BEYOND THE AGE OF RETIREMENT	41
O.	CONDITIONS OF SERVICE IN NON-HEADQUARTERS DUTY STATIONS	41
<i>Annex 1:</i>	<i>Staff representatives and alternates</i>	<i>42</i>
<i>Annex 2:</i>	<i>Officers of the Staff Council</i>	<i>43</i>
<i>Annex 3:</i>	<i>Staff nominees on joint bodies and working groups</i>	<i>44</i>
<i>Annex 4:</i>	<i>Issuances of FOCUS</i>	<i>47</i>

INTRODUCTION

The past year saw changes in the faces "across the table" from the staff representatives, and recent months have been spent in a "getting to know you" exercise. The initial impression, of a dynamic and competent senior management, has been positive. The coming year will tell whether the incipient cooperation is cemented by real achievements in matters of concern to the staff, such as job security, career development and health and safety in the workplace. In any case, it is the staff representatives' intention to do their share to bring about such achievements, among other things, by endeavouring to establish the more intensive informal contacts between staff and management on all matters of concern that it is hoped will be one of the fruits of the management retreat recently held in New York on the initiative of the new ASG for Human Resources Management.

On two occasions, in September 1997 and February 1998, the Staff Committee was given the opportunity to bring the Council's major concerns to the attention of the Director-General in cordial and constructive meetings.

In December 1997, the Staff Committee met with the Deputy Director, UNDCP, to learn more about, and discuss the implications for UNDCP staff of, the Programme's increased field presence and rotation scheme.

In May 1997, the Staff Committee also met with the Secretary-General and took that opportunity to obtain his perspective on the (then seemingly precarious) future of UNOV and of Vienna as a United Nations headquarters duty station, and submitted to him the staff's concerns about the lack of career development and training, and the perceived discrimination against Vienna staff concerning mission assignments.

Furthermore, in February 1998, eleven staff representatives met with the new ASG/OHRM, Rafiah Salim, who shared her vision of a revamped and streamlined human resources system in the United Nations, which would be much less bureaucratic and more efficient than the existing one. She expressed the desire to learn from staff representatives what could be done from the Administration side to engender the environment of trust which would make possible the streamlining envisaged. She invited staff representatives to a retreat, to be held in New York in March, at which staff and management would brainstorm on how to modernize the United Nations human resources system. Two UNSCV representatives participated in the retreat and reported that, indeed, the get-together had generated a large number of ideas and practical proposals on how to render the HRM system more effective, and also had contributed to creating a certain team spirit between staff and management concerning the implementation of the Secretary-General's reform plan.

The Council also invested in the training and development of representatives by approving the participation of two staff representatives in the workshop on strengthening staff representation, organized by the Yearly Organizing Reunion of International Civil Services (YORICS), held at Geneva, and by dispatching a delegation of four staff representatives to the XIIIth CCISUA Assembly.

The Council acknowledges with gratitude the management's cooperation and helpfulness in solving the Council's acute space and human resources problems. In May 1997, UNSCV moved to bigger and more conveniently located offices in E09, and, in October 1997, the contract of the UNSCV secretary was converted from part-time to full-time.

Finally, UNSCV would like to thank all colleagues who have in the course of the past year contributed to the effectiveness of staff representation - staff nominees on joint bodies and working groups, the Polling Officers, the Auditors - and the staff at large for their continued support, also by becoming dues-paying members of the Union.

I. REVIEW OF STAFF COUNCIL ACTIVITIES

1. During the second year of the sixteenth session of the United Nations Staff Council at Vienna, a total of 16 regular meetings and one extraordinary meeting were held. Only some of the issues before the Council which are thought to be of major interest to the staff at large are reported on in detail in this chapter. Other items on the Council's agenda that are not mentioned elsewhere in the report included: the abolition of the collateral review process for General Service staff at Vienna; the conducting of a mini-survey on PAS implementation, in May 1997; the possibility of introducing a medical practitioner not affiliated with the Joint Medical Service in the VIC; arrangements for a presentation by an official of the Vienna School Board (*Stadtschulrat*) on the Board's bilingual schooling project; and a presentation by the UNOV Training Officer on the concept of a "learning organization". Also, at most of its meetings, the Council faced the challenge of having to submit nominations for one of the many statutory or other joint bodies.
2. In addition, the Council was consulted and expressed its position on most of the items before JAC, CCISUA and SMCC. Furthermore, staff representatives were kept informed of, and gave their views on, issues before joint VIC bodies such as those for catering, commissary and garage operations.
3. Since the Council had lost several representatives due to reassignment or transfer, by-elections were held in September 1997, as a result of which most of the vacancies were filled.
4. The minutes of the Staff Council are regularly posted on the Council's cc: Mail bulletin board. Anyone who wants more detailed information can access it that way.

A. THE INTERNAL JUSTICE SYSTEM

5. Unlike at other duty stations, particularly New York and Geneva, where the JAB and JDC are bogged down in an incredibly large number of unresolved cases, and where no appropriate counsel for staff is available (see chapter III, para.109), at Vienna, the bodies established under the internal justice system are working well.

1. Joint Appeals Board (JAB)

6. In the course of the past year, the Vienna JAB has been seized with 13 cases, six of which have been submitted recently. In two cases the JAB has issued a report on suspension of action, three cases are currently under conciliation, one case has been transferred following a request for change of venue and one case has been discontinued.
7. At times, due to official travel or annual leave of JAB members, it has been difficult to establish a panel when needed. It has therefore been agreed at the 81st JAC meeting to increase the size of the Vienna JAB by two members each from staff and management, and to have a panel of four chairpersons. Elections for the two additional staff representatives on JAB will be held in early May 1998.

2. Joint Disciplinary Committee (JDC)

8. The new membership of JDC was announced by information circular UNOV/INF.7 - ODCCP/INF.6, dated 20 January 1998. During the past one-year period, the Committee has not been seized with a single disciplinary case.

3. Panel of Counsel

9. The Panel of Counsel was reconstituted and the names of the ten counsel available to assist staff members and to represent them in disciplinary or appeals cases were announced by information circular UN/INF.246/Rev.2 of 13 June 1997.

10. Pursuant to an agreement reached in the UNOV JAC, the Panel also has a Coordinator, whose role is to give preliminary advice to staff, to mediate, if appropriate, and to suggest a suitable counsel if litigation is envisaged.

B. THE 1997/1998 REDEPLOYMENT EXERCISE

11. Following an agreement reached at the 81st JAC meeting, a Joint Vienna Redeployment Panel was established in December 1997, which immediately embarked on its work, and concluded it by mid March 1998.

12. Of the total of 20 staff members who encumbered Regular Budget posts that were abolished on 31 December 1997, seven could be placed by the Panel against another post. Two colleagues in the Professional category and above will be considered for placement at the Secretariat-wide level, and for 11 staff members it was decided to fund them from extra-budgetary resources, although the functions they are performing are core functions of a continuous nature.

13. At a meeting with the Director-General, on 6 February 1998, the Staff Committee brought to his attention the devastating effect that the Panel's decision had on those colleagues who had lost their post and were placed against extra-budgetary funding, many of whom had served the Organization for ten years and more, and who, without any fault on their part, found themselves in a precarious situation, insofar as funding of their functions could be guaranteed only until the end of 1999.

14. The Staff Committee obtained the Director-General's commitment that there would be no involuntary separations, that those staff members who have lost their post would be considered, on a priority basis, for placement against any suitable post becoming vacant in the course of the next two years, and that, should they not fully qualify for a vacant post against which they could be placed, would receive training in those skills that would allow them to meet the requirements of the post.

15. It should be noted that the redeployment panels at Headquarters, New York, had to accommodate some 150 staff members who had lost their post, and that by March 1998, all but 17 could be placed. According to information received recently, the New York Staff Council does not consider the redeployment exercise completed until the very last of the 17 colleagues will have found a post. UNSCV therefore decided to monitor closely, and on a regular basis, the redeployment of the 11 UNOV staff members who remain to be placed.

C. LANGUAGE FACTOR IN GS SALARIES

16. The ICSC, when it reviewed the General Service salary survey methodology in 1992, decided to abolish the 4 per cent language factor which had for many years been a part of General Service salaries. That decision was implemented following the salary survey at Vienna and was announced by UN/INF.525, dated 7 October 1996. On 6 December 1996, four UNOV/ODCCP staff members requested a revision of the administrative decision. The administrative decision being maintained, the staff members concerned were informed on 30 January 1997 that they could submit their appeal directly to UNAT. Later, two subsequent extensions of the deadline for submission of the appeal were granted, pending the outcome of a parallel case brought by the staff of FAO before the ILO Administrative Tribunal.

17. The ILOAT, in its judgement No.1713 *in re* Carreta, Cherubini, Eldon and Pace, delivered on 29 January 1998, decided in favour of the FAO staff concerned. On 9 February 1998, the four UNOV/ODCCP staff members who had submitted their case, informed the Secretary-General of the ILOAT decision and requested a corresponding revision of his administrative decision.

18. At the 82nd meeting of the UNOV JAC, the administration representatives informed the staff representatives that Headquarters had decided not to take any action in response to the ILOAT judgement regarding reinstatement of the language factor. UNSCV has therefore decided to proceed with the submission of its own appeal to UNAT.

D. PERFORMANCE APPRAISAL SYSTEM

19. The Staff Management Coordination Committee (SMCC), at its XXIst session, discussed the Performance Appraisal System (PAS) and agreed that it needed to be revised and simplified. However, UNSCV was disturbed to learn in due course that the Administration intended to revise so important an evaluation tool hastily, by the beginning of 1998, with the 'consultation mechanism' reduced to a one-time comment, in writing, on management's draft.

20. The Council expressed its concern at this approach to the President of SMCC, but to no avail. UNSCV set up a small working group to evolve detailed comments, which were forwarded to Headquarters before the finalization of the revised PAS for 1998. Regrettably, the administrative circular was published without many of our comments having been taken into consideration, and without feedback from the Administration on them.

21. Specifically as regards implementation of the PAS in Vienna, there are also issues that have been considered by UNSCV. Two PAS cycles, 1996 and 1997, should have been completed by now - the 1996 cycle for all UNOV/ODCCP staff, and for about half of the staff the cycle which started in January 1997 and ended in December 1997 (in some sections the cycle is from 1 April to 1 April). However, PAS has not been implemented throughout UNOV/ODCCP in a timely manner. Also, apparently owing to delay in the operation of the Management Review Committee mechanism, many staff members who have duly completed their PAS, have neither seen nor signed their final reports for two consecutive evaluation periods and thus cannot make use of the rebuttal procedure if they find that their evaluation is not correct. In the meantime, placement and promotion is going on, and although staff representatives are satisfied that this is the case, staff members who do not agree with their evaluation may refrain from applying for a new position before their situation has been clarified.

22. At the 82nd JAC meeting, the staff representatives strongly stated their objections to the insertion by the MRC, in some of the few cases where staff had received their PAS reports, of comments suggesting that the first reporting officer had not been strict enough in giving ratings, thereby in some sense undermining the value of a good rating received by the staff member, whose performance was not even known to the members of the MRC. It was of particular concern that a staff member could not appeal against an MRC comment which actually was aimed at his or her supervisor, but could have negative implications for his or her career development. Administration took note of staff representatives concerns, and assured them that the MRC comments would in any case not be entered on staff members' fact sheets, which were the basic tool used by appointment and promotion bodies.

23. UNSCV, when raising the issues mentioned in paras 21 and 22 above at the latest CCISUA Assembly, found that the situation of other duty stations was very similar to that at Vienna. Also, comments for the revised PAS for 1998 submitted by the staff representatives of UNOG, ECA and FSSU had not been considered by management. In anticipation of the continued review of PAS by SMCC XXII, to be held in May 1998, the Assembly decided to impress on management that the staff expected to have more detailed discussions and to work closer with management on any future revisions of PAS.

E. CONTRACT INTERIMS

24. A perennial problem in Vienna has been the situation where staff members are working without a valid contract because no contract extension has been issued by the Administration. Upon inquiry, the Administration typically replies that a contract extension cannot be issued until a financial allotment is received from Headquarters. The Administration often takes the position that the absence of a valid contract does not cause any harm or loss to staff members. In that connection, the UNOV Staff Council has been advised that, in the event of a judicial dispute, the United Nations Administrative Tribunal would most probably hold that a staff member whose contract expires but who continues to provide services to the Organization does not lose his or her status during the interim period.

25. However, the UNOV Staff Council is not satisfied with this practice. The status of staff member, which derives from appointment, is essential in order for the person concerned to enjoy the rights, privileges and benefits provided under the staff regulations and rules and administrative issuances. Staff members without a valid contract find themselves in a precarious situation in that they have no assurance as to the duration of their status. Furthermore, there have been reports of cases of staff members to whom insurance coverage was denied because they did not have a valid contract at the time of the accident or injury. Even if the staff member's coverage under the various group insurance policies carried under the UN umbrella (e.g. group health insurance, travel insurance, life insurance) was not affected by a contract interim (as the administration maintains), there are rights and benefits that can only be enjoyed by staff members expected to continue serving the organization for a certain minimum period of time (e.g. leave entitlement, external studies programme, loans from the staff assistance fund).

26. UNSCV prepared a paper and raised the issue at the recent CCISUA Assembly, proposing that the situation at other duty stations should be briefly reviewed, and that, if there was a consensus regarding the need for remedial action, the issue of contract interims should be placed on the agenda of SMCC XXII, with a view to obtaining a commitment by the Administration to discontinue the practice of contract interims, or to provide the staff members without contracts during interim periods

with written assurances that their status, rights and benefits are not affected by the absence of a valid contract.

27. At the CCISUA Assembly, the issue of contract interims generated a heated debate. In practically all duty stations interims of up to six months have become normal practice. Also, with the freeze on career appointments and an increasing number of staff on fixed-term and short-term contracts, more and more colleagues were affected. It was pointed out that, besides the anxiety and stress put on the individuals who had to work without a contract, contract interims constituted poor management practice, as they lowered staff morale and created additional work for staff in HRM.

28. The Assembly mandated the CCISUA Bureau to seek the commitment of the Secretary-General that fixed-term contracts will be considered as having been automatically extended for an equal period unless the staff member concerned receives written notice, no later than 30 days prior to the expiry of the contract, that the contract will not be extended by the Administration, and that Staff Rule 104.12 will be amended to reflect that principle. The Bureau was further requested to obtain the agreement of the Secretary-General that the practice of issuing short-term contracts for tasks other than occasional, non-recurrent tasks should be reviewed with a view to its being discontinued. Finally, the Assembly decided to request that the issue of contract interims be placed on the agenda of the next SMCC.

F. CHILD CARE FACILITIES

29. In the course of the past year, the Joint Advisory Committee on the VIC Child Care Centre has been busy finding a solution to the shortage of child care places available for VIC parents. During numerous consultations with the Administrations and Staff Councils of the VBOs, representatives of the Municipality of Vienna, UNIDO Buildings Management and one building construction company, the Committee first examined four options for a possible site for a larger child-care facility: the adaptation of space within the VIC, the expansion of the existing child-care building, the purchase of premises in the neighbourhood of the VIC, and the rental of premises in the neighbourhood; then, renting of space being considered to be the least attractive alternative, elaborated detailed and costed project proposals for the other three options. These were screened, and the Advisory Committee recently submitted its recommendations and findings to the chairpersons of the JACs of the VBOs. The Committee endorses the expansion of the existing facilities, which would then cater for groups in the 3 to 6 year age bracket and increase the capacity for children aged 3 to 36 months.

30. Once agreement has been reached in the three JACs concerned that the expansion of the facilities is necessary and desirable, the question of funding of the project will have to be addressed by the Staff Councils of the VBOs.

G. OCCUPATIONAL HEALTH AND SAFETY

31. The Staff Council requested its Committee on Health, Hygiene and Air Quality to look into the air quality in the VIC and in particular, the asbestos situation.

1. Asbestos

32. Asbestos, a naturally occurring mineral belonging to the silicate group, is considered extremely dangerous because its microscopic fibres cause cancer when inhaled. It is present in all the VIC

buildings, in unknown quantities but mostly in the especially dangerous flocculated (or sprayed) form and often in combination with other fire retardant/insulating materials. These materials can be found where there are fire separations, i.e. between offices and adjacent stairways, in corridors near stairways, above certain ceiling panels and on steel beams, fire dampers, electrical cables, cable trays, around lifts, etc. Two surveys were conducted by outside consultants, in 1984 and in 1997, but the findings have not been released to staff.

33. Over the course of the last five months, perhaps partly as a result of some gentle prodding by the Staff Council, it must be said that BMS has seriously addressed the problem and has cooperated with representatives of the Staff Council, meeting with them four times.

34. UNOV, IAEA and UNIDO staff representatives were invited to a special meeting of the BMAC devoted to the asbestos problem, at which some of the findings of the 1997 survey by iC were presented orally. Among the recommendations of the meeting were: that an asbestos safety expert from outside the VIC should be appointed, that the Austrian Government should be approached and that on-going monitoring of the situation should begin.

35. It should be noted that both BMS and iC are of the view that the air-conditioning/ventilation system, which according to BMS uses 100% fresh air and changes the total volume of air in a typical office three times per hour, has an overall positive effect as regards the removal of suspended dust and fibre particles.

The past

36. In 1982, BMS embarked on a plan, after consultations with the owners of the VIC and the Austrian authorities, to paint over vast amounts of the materials in question all over the VIC in what would appear to have been a relatively successful attempt to contain the asbestos. The painting, while nominally "completed" in 1992, continues when work is performed in areas which may contain asbestos.

37. In 1984, BMS requested OeSBS, an outside consultant, to survey the asbestos situation. While it is difficult to assess the completeness or quality of the survey (only one page of the survey's report was released), the following can be said:

- (a) It appears that, whereas the air was tested for asbestos fibres in a few places, no attempt was made to determine where there is asbestos by taking samples during the 1984 survey;
- (b) Some of the conclusions of the 1984 report appear to be flawed and to contradict the conclusions of a new outside consultant, iC, which surveyed the asbestos situation in 1997. For example, in 1984, BMS was praised for using vacuum cleaners during cabling work in asbestos-contaminated areas, but in 1997 they are not to be used at all. In 1984, the resuspension of asbestos during work in contaminated areas does not appear to be a problem and the use of masks is considered optional. In 1997, the recommendation from iC stipulates that work in contaminated areas should only be carried out after working hours and/or on weekends and that very elaborate protective gear, not unlike astronaut suits, must be worn, etc.

38. In spite of the written assertion by BMS (November 1997) that "BMS staff are trained to deal with areas of the VIC where cables penetrate fire protection areas", that "staff wear masks to avoid

inhaling fibres, dust, etc." and that "the professional way BMS deals with all subjects relating to VIC work contributes to fully safeguarding the health and comfort standards of the VIC staff", the Staff Council submits the following, based on its own research and interviews with retired/current staff and ad-hoc workers and eye-witnesses:

- (a) What little training the staff and ad-hoc workers may have had was certainly not regularly applied over the last 15 years;
- (b) It is puzzling that the recent recommendations from iC stipulate that BMS staff must be trained to deal with asbestos, must wear elaborate gear, and that work should only be performed outside working hours, etc., if a "professional" approach has been applied all along;
- (c) There were numerous instances from 1982 to 1997 when work was carried out in areas contaminated with asbestos without observing basic safety measures and where the supervision of such work was, in many cases, inadequate;
- (d) A significant number of ad-hoc workers (without medical insurance), staff members working with or supervising them and subcontractors have probably been exposed to elevated concentrations of asbestos-containing dust during cabling work and efforts to contain asbestos. It is possible that anyone who happened to be near areas where there was work-related asbestos contamination of the air was exposed as well;
- (e) A significant number of perfectly legitimate requests to BMS for information about the asbestos situation by staff members appear to have been treated as uninformed meddling and were either ignored or were answered inaccurately and improperly.

The way forward

39. In the opinion of the Staff Council, the following points still need to be settled:

- (a) It is incomprehensible that adequate financial resources have not yet been identified to deal with the asbestos problem since it is practically impossible to deal with a major health hazard on a shoestring budget. The Staff Council is very pleased to note that the Director-General of UNOV has expressed his full support to the Staff Committee on this aspect of the problem;
- (b) Some areas were apparently missed during the asbestos containment project, as was pointed out to BMS during an asbestos tour led by the Staff Council. In addition, the old paint appears to be cracking in many places and requires touching up;
- (c) The iC report (February 1998) had, as of 2 April 1998, not been released to the Staff Council;
- (d) The OeSBS report (November 1984) should also be released to the Staff Council;
- (e) Since asbestos in the CTBTO area (E tower) has been partly treated and removed, it should be determined whether the same could be done to other areas, above and beyond what has already been done. BMS appears to be looking into this.

40. Staff should not be alarmed if in connection with work done in the VIC, especially in overhead areas, unusually elaborate preparations, plastic sheets, air monitoring devices, etc. are noticed: these techniques, which BMS says will henceforth be applied consistently, make the workplace safer for everyone.

2. Other toxic substances used in the VIC

41. The Staff Council has brought to the attention of BMS that, in a number of recent cases, highly toxic substances such as certain paints, glues, solvents, etc. had been used in the buildings, sometimes improperly. In addition, such substances had been used outside but too close to air intakes and as a result, noxious fumes had been sucked into certain areas of the building, causing physical discomfort to staff. BMS has investigated these cases and has promised to tighten up procedures in the future. The Staff Council intends to propose to BMAC that the ALARA principle (As Low As Reasonably Achievable) be followed as regards the toxicity of such substances.

H. 17 APRIL 1997

42. On 17 April 1997, all the staff members of UNOV who were not required to work, for example, because of providing services to other VIC-based organizations, were given the day off. This holiday was mandated by United Nations Headquarters for New York, Geneva and Vienna, to mark a Muslim day of religious observance. The holiday was imposed, without the normal negotiation procedure for fixing holidays, and in the case of Vienna, without coordination with the other organizations with which the VIC premises are shared, because of instructions from the General Assembly. It was also ruled that the *ad hoc* holiday could not be treated as an additional day off, since that would be unfair to staff in other duty stations and would have unacceptable financial implications in times of crisis.

43. Staff representatives protested. All to no avail. We found ourselves confronted with a *fait accompli*: we were obliged to take the holiday and we had to make up the time.

44. Staff representatives in Vienna felt that it would be totally unacceptable to staff to forgo either the long Christmas weekend, or the long weekend created by a holiday on 27 October. We were able to negotiate the alternative of allowing staff to "work off" the holiday at the rate of half an hour a day by shortening the summer working hours by three weeks, whereby, until the normal end of summer hours, staff were still able to avail themselves of the earlier core starting and ending times.

45. At last year's meeting of the Staff-Management Coordination Committee (SMCC XXI) in New York, the Administration assured the staff representatives that they would do everything they could to see that the list of official holidays would in future continue to be established by negotiation, and that departures from negotiated arrangements that worked to the detriment of the staff would not arise again. (See also paras. 181 to 185 of this report).

I. CLOSURE OF THE VIC BETWEEN CHRISTMAS AND NEW YEAR'S

46. The Administrations of UNIDO and IAEA reached agreement with their staffs regarding a closure from 24 December 1997 to 5 January 1998, by sharing on a 50:50 basis the three working days comprised in that period, e.g., staff would take 1.5 days of annual leave and the Administration would allow them 1.5 days off.

47. UNSCV requested the UNOV Administration to follow this lead. The Council, in its approach to the Administration, made the point that closing down the VIC between Christmas and New Year's would be a money-saving measure, since the considerable cost of heating, air conditioning, lighting and other services could be saved for 11 days. Regrettably, the Administration was not in a position to join with the other organizations in the VIC because NY Headquarters would not give its consent. The UNOV Administration rather proposed that our offices should also be closed down, but that staff would have to take the whole three days as annual leave or compensatory time off. The matter was discussed in the Staff Council, which was unable to agree to an arrangement which would place UNOV/ODCCP staff in a prejudicial situation vis-à-vis other staff in the VIC, and which could also set a precedent for Administration to decide when staff should take their leave.

48. Having been informed that 29, 30 and 31 December would indeed be working days for UNOV/ODCCP, the President wrote to the Director of Administration to request that full services should be made available in the VIC on those days, including air conditioning/heating, catering, medical service, commercial services and the commissary. Regarding the Commissary, an emergency meeting of the Commissary Advisory Committee was called to discuss the matter, and the UNOV staff nominee made a strong case for keeping the commissary open during the three days. This was done, to the benefit not only of the UNOV/ODCCP staff who were on duty, but very much to that of the many staff of other organizations on leave who took advantage of the opportunity to stock up for the new year's holiday.

J. NEW POLLING OFFICERS ELECTED

49. The Polling Officers, after four years of service, resigned at the end of 1997. It was with great regret that UNSCV took note of their resignation, since they had carried out the indispensable duties which give practical effect to the democratic process in our operations in an exemplary fashion. The Staff Council therefore wishes to take this opportunity to thank the outgoing Polling Officers, Rosemarie Bulant, Raulito Dano and Gertraud Fichtenthal, wholeheartedly for the active contribution they made to our corporate life.

50. In accordance with the Statutes of the Staff Union, the Presiding Officer of the UNSCV consulted with the Unit Chairpersons to agree on a new panel of Polling Officers, as follows:

Inge Fontane-Dalwi
José Luis García González
Jill Tobin.

51. The Polling Officers held their first meeting on 5 February 1998 and elected Ms. Fontane-Dalwi as their Chairperson.

K. UNITED NATIONS INTERREGIONAL CRIME AND JUSTICE RESEARCH INSTITUTE (UNICRI)

(This section was submitted by the UNICRI staff representatives)

52. UNICRI has been located in Rome, Italy, since its establishment in 1968 and is part of the UN Crime Prevention and Criminal Justice Programme. The Institute is considered a project, so there are no career posts and all staff are on fixed-term appointments. It receives no funding from the regular budget of the United Nations and is totally reliant on extra-budgetary funds from Member States, first and foremost Italy.

53. In October 1992, the Secretary-General decided to transfer UNICRI from Rome to Turin, Italy. A series of steps have since been taken, aimed at obtaining the necessary funding to implement this decision, and on 15 January 1997, a law was passed by the Italian Parliament providing for the refurbishing expenses and maintenance of the Institute in Turin. The latest date for the relocation to Turin (there have been eight other unofficial dates, approximately every six months) is 1 November 1998.

54. Starting in 1994, staff morale was undermined owing to the abandonment of UNICRI's old contractual policy, established in 1981, and in spite of efforts by staff representatives both in Rome and in Vienna, as well as a long appeals procedure in protest against the total lack of a uniform contractual policy for all staff members, the conclusion was that Headquarters confirmed that no contractual policy would be applied for all UNICRI staff members until the move to Turin had taken place. Until then, expiring contracts would be extended only within the expiry date of the latest allotment granted to the Institute, or, in the case of GS staff, up until the latest date given for the envisaged move, if this fell before the above-mentioned date.

55. Even this policy has not always been followed and various reasons were, and still are, given for *ad hoc* contract extensions: the arrival of a new Director, a limited UNICRI budget, the fact that a post was judged a project post, i.e. a project within a period, etc. As a result of the still unclear situation vis-à-vis Turin, for the past five years GS staff, even those with more than 25 years of service, have continued to receive short-term contract extensions of less than one year.

56. Since 1993, staff have repeatedly requested that a representative of the staff should be present at any discussion touching on the future of the Institute and that they should receive a written statement concerning the modalities and timetable for the move to Turin (the latest request was made during the last session of the UNICRI Board of Trustees, in November 1997). To date no official briefing has ever been given to staff regarding operational provisions for the relocation, nor have staff received any commitment as to which staff members will be offered employment with the Institute when it moves to Turin, or indeed if it doesn't move at the end of current staff contracts. However, despite threats, "black lists" and rumours of further staff reductions, both on relocation to Turin and before, no contracts were allowed to expire during 1997.

57. Following the initiative already taken at UNOV, in 1997, upon the request of a few staff members, the then Director authorized a work day with flexible hours and permitted one Professional to transfer to a part-time contract.

58. Staff will be welcoming a new Director in the course of this year. The future looks somewhat brighter from the financial point of view, from the work point of view and also as regards the relocation to Turin, since staff have been told that discussions are under way to utilize the facilities soon to be

available in Turin without in any way jeopardizing the potential of UNICRI's new research mandate as an interregional centre for transnational organized crime.

59. However, the fears and the uncertainties remain, since all staff contracts will once again expire at, or before, the end of 1998 (all GS staff contracts will expire on 31 October and all Professional contracts on 31 December except one which expires 30 June).

L. UN DAY: 24 OCTOBER 1997 AND OPEN HOUSE: 25 OCTOBER 1997

60. The three VIC-based Staff Councils invited all staff to join in the lunchtime celebration arranged on United Nations Day. In addition to the reading of the Secretary-General's message, the four longest-serving staff members from UNOV/UNDCP rang the Peace Bell to mark the occasion. The VIC Choir entertained all those braving the elements with a well-chosen medley of songs. A large number of colleagues from all the Vienna-based organizations enjoyed this special day.

61. On 25 October, Open House day, an estimated 11,000 visitors took the opportunity to visit the VIC, to watch the numerous events ranging from performances by international choirs and musicians to a demonstration by police dogs and a presentation ceremony for participants in the UNO-City run, and to inspect the informative exhibitions mounted by all the organizations in the VIC and outside private and communal groups.

62. The tombola proceeds of over ATS 190,000 were distributed to two charitable organizations. The Open House was considered a big success by organizers from the Administration, the UN Information Service and UNSCV, and it was felt that open days in future would be sure to help enhance the image of international civil servants and improve relations between the VIC community and the local people.

63. A big thank you is due to all those among the staff who volunteered their time preparing for both events and who actively participated in so many ways.

M. WORLD AIDS DAY 1997

64. Dr. Doherty, the Chief Medical Officer, and his colleagues from the Joint Medical Service again coordinated with the VIC-based Staff Councils to assist in the fund-raising and information drive on World AIDS Day, 1 December 1997. Many volunteers helped with selling red ribbons and raised Austrian Schillings 37,800. This amount was divided among three children's charities (*Verein zur Unterstützung HIV infizierter Kinder und ihrer Familien* ATS 25,200; *AIDS Hilfe* ATS 6,300; *Buddyverein* ATS 6,300).

N. CO-HOSTING OF THE 1999 INTER-AGENCY GAMES

65. The Council was approached by the coordinator for the 1998 Inter-Agency Games, requesting the Council's agreement to co-host the 1999 Games jointly with UNIDO. This would require a major input in terms of staff time to arrange accommodation for 1,200 participants, transport and sites for various games, as well as financing and preparing a gala evening and donating some trophies. Mr. Karas, UNIDO would be the main coordinator.

66. The Council agreed to co-host the 1999 Inter-Agency Games, to provide a co-organizer, to lend its financial support to the event, to help in finding a suitable venue for the games, and to negotiate with the Administration for the release of staff who would assist in the preparatory work. In that context the Council recalled that for the past two Inter-Agency Games, the members of the UNOV/ODCCP participating teams had not received any special leave with pay (SLWP) but had to take annual leave, while participants from other duty stations of the UN Secretariat and those from specialized agencies had been granted a minimum of 50 per cent SLWP. The Staff Committee will seek a fairer treatment of UNOV/ODCCP participants in the 1998 Games.

II. JOINT ADVISORY COMMITTEE (JAC)

67. During the reporting period, between March 1997 and March 1998, four JAC meetings were held. The following is an account of the major issues negotiated at those meetings.

A. STAFF WELFARE BODIES

68. The effective date for the separation of the formerly joint UN/UNIDO staff welfare bodies was 31 January 1998. The establishment of a separate Staff Welfare Fund, Staff Assistance Fund and Staff Benevolent Fund for the United Nations units at Vienna was announced by UNOV/DGB.2 - ODCCP/EDB.2 of 12 February 1998.

69. A Staff Council working group had drafted substantially revised terms of reference for the future UNOV/ODCCP welfare bodies, as compared to those of the joint UN/UNIDO welfare bodies, and the paper had been submitted to the 79th JAC meeting, on 29 April 1997. That draft was the subject of negotiations at all four JAC meetings and was finalized in November 1997. In December 1997, at a joint UN/UNIDO JAC meeting, the formula for splitting the assets was agreed upon, according to which 30 per cent of the net assets of the Staff Welfare Fund and its subsidiary accounts, as per 30 September 1995, went to UNOV, and the other 70 per cent to UNIDO. Upon separation, the total of assets as per 31 January 1998 transferred to UNOV was ATS 11,284,314 of which ATS 6,579,233 (58.3 per cent) were tied up in loans and 4,705,081 (41.7 per cent) were in cash.

70. In December 1997, UNSCV also submitted its nominations for the office bearers of the Staff Welfare Board (SWB). The composition of the SWB was announced by information circular UNOV/INF.14 - ODCCP/INF.13, dated 3 March 1998. According to its statutes, the SWB has by now established the Staff Assistance Committee (SAC) and the Board of Trustees of the Staff Benevolent Fund. For the time being, and in order to deal with a small backlog of applications for loans from UNOV/ODCCP staff which accumulated during the transition period, SAC is applying the existing criteria for the allocation of loans. These criteria will later be revised by UNSCV.

B. BANKING IN THE VIC

71. Banking had remained on the agenda of JAC ever since the 78th meeting in March 1997 without much progress being made throughout the year. It was only in February 1998 that a breakthrough was achieved on one of the two aspects involved: the possibility for staff members to have their salary deposited in a bank of their choice, outside the VIC. By information circular UNOV/INF.10 - ODCCP/INF.9, dated 24 February 1998, staff were informed of the procedure to be followed and the conditions attached to a change of salary account.

72. The second aspect, the launching of a bidding exercise with a view to ensuring optimal banking conditions and rates for VIC staff, has also gained momentum. UNOV management is preparing the bidding documents and assured staff representatives at the 82nd JAC meeting that they would vigorously

pursue the reaching of an agreement on that issue with their counterparts in IAEA and UNIDO. A UNSCV *ad hoc* working group prepared the staffs' input concerning conditions for retail banking.

C. ANNUAL STAFF RECOGNITION PROGRAMME

73. Management representatives submitted to the 79th JAC meeting, in March 1997, a proposal for an Annual Staff Recognition Programme which was based on similar programmes in IAEA and UNIDO.

74. Although there were substantive differences between staff and management on the implementation of the proposed programme, both sides agreed to the principle. A staff/management working group then elaborated a new proposal, taking into account the decision of UNSCV that, for the time being, only non-monetary awards should be considered and that the focus should be on team recognition rather than on the recognition of individuals. Staff representatives also made every effort to ensure a fair and transparent nomination and selection procedure.

75. At the 81st JAC meeting, held on 13 November 1997, the JAC agreed to the paper presented by the working group and recommended to the Director-General of UNOV and Executive Director of ODCCP the introduction of an annual Staff Recognition Programme. So far, this programme has not been implemented.

D. STAFF COUNSELLING

76. Following discussions in the JAC and in a staff-management working group, the current arrangements regarding the part-time staff counselling service were announced by information circular 542 of 5 May 1997. Since then the two counsellors have been providing 20 hours of service a week, shared between UNOV and UNIDO. Recently, the UNIDO Director-General suspended funding for the shared service, thus jeopardizing its continuity. This was particularly a matter of concern since reports covering the first six months of operation of the service indicated that the hours available to UNOV/ODCCP staff were barely sufficient to meet demand.

77. At the 82nd meeting of the JAC, staff urged the Administration to develop a plan to ensure the future financial stability of the staff counselling service. Assurances were given that the administration would carry out a needs assessment and propose a longer-term solution to guarantee the uninterrupted availability of staff counselling services to UNOV/ODCCP staff.

78. As an auxiliary to the official staff counselling service, staff representatives suggested that a network of volunteers should be established to assist colleagues in crisis situations and to help in mediating conflicts. The JAC Working Group on Counselling, at its meeting on 3 September, addressed this question. One of the staff counsellors agreed to share her experience in setting up networks of volunteer mediators/counsellors. Colleagues who had in the course of 1996 received relevant training, and other staff members interested in counselling, have since met several times and begun to receive further training. The network is expected to become operational before summer 1998.

E. HOUSING SERVICE

79. In last year's Annual Report of the Staff Council, it was reported that, at the 78th JAC meeting, held in December 1996, staff took note, under protest, of the management's decision to withdraw from the Joint Housing Service administered by IAEA, effective 1 January 1998. The reasons given by management for that move were budget cuts and the need to observe a 12-month notice period for terminating participation in the joint service.

80. At the same JAC meeting, it had been agreed that management would identify alternative solutions in the course of 1997, and that a brochure that would assist staff in house hunting would be put together, which would be available before the end of 1997.

81. On 20 January 1998, the President of the UNIDO Staff Council informed UNSCV that his Council would not wish to continue administering the UNIDO housing service beyond end April 1998, when the contract of the person operating the service would expire, and suggested that UNSCV might be willing to take over. However, UNSCV unanimously decided that it did not want to be involved in the administration of a joint UNOV/UNIDO housing service.

82. At the 82nd JAC meeting, held on 6 March 1998, staff representatives informed management accordingly and alerted them that UNOV/ODCCP staff would have no access to any kind of housing service as of 1 May 1998. Management agreed to issue a small brochure on house hunting without further delay and to explore different options for securing a suitable in-house service.

F. LANGUAGE TRAINING

83. Following the decision of UNIDO's Administration to cease managing the joint Language Training Programme, the aim of UNOV staff representatives was to ensure for UNOV/ODCCP staff cost-free access to language training, as mandated by General Assembly resolutions 2080 B(XXIII) of 21 December 1968, 43/224D of 21 December 1988 and 50/11 of 2 November 1995.

84. At the 78th JAC meeting, staff representatives were informed of management's intention to set up a UNOV-administered language training programme, effective 1 July 1997. This indeed took place, and training in the six official languages of the United Nations, free of charge to UNOV/ODCCP staff members, designed to lead to passing of the United Nations proficiency examinations, continues to be offered, under the management of the Training Officer.

G. REVIEW OF THE 1995/1996 REDEPLOYMENT EXERCISE AND PREPARATION FOR THE 1997/1998 REDEPLOYMENT EXERCISE

1. Review of the 1995/1996 redeployment exercise

85. SMCC XX had mandated local JACs to carry out a review of the past, 1995/1996, redeployment exercise. The aspects to be reviewed included:

- The staff-management consultative process at different stages;
- Experience with the (joint) departmental panel review process;
- Acceptance of departmental panel recommendations by the head of department/office;

- Acceptance of appointment and promotion body advice; and
- Communications with OHRM.

86. The issue was taken up at the 79th JAC meeting, at which both management and staff presented a paper reflecting their respective views. Management was satisfied that, overall, the exercise had been carried out with a minimum of hardship for UNOV/UNDCP staff. (It should be recalled that, as a consequence of that exercise, the contracts of two GS staff members were not renewed at the end of 1996). Joint departmental panels, in accordance with ST/AI/415, had been established. However, the work of the GS redeployment panel had been complicated by a number of factors, such as the absence of clear rules of procedure, contradictory instructions received from OHRM, a delay in the finalization of the Early Separation Programme, and an unclear definition of the dimensions to be used for comparing staff members.

87. Management also concluded that there had been no major problems concerning the acceptance of both the recommendations of the departmental panels and the advice of appointment and promotion bodies by the heads of department/office. Staff and management agreed that the staff/management consultative process had been working well at all stages of the exercise.

88. The staff's paper was more critical of the exercise, pointing out that staff nominees on the GS redeployment panel had perceived their role as being one of rubber-stamping decisions taken prior to the panel's meetings, particularly since the only one recommendation that had been at variance with the wishes of the head of division had not been accepted. Other critical comments by the staff related to lessons learned and to what should be avoided in any similar exercise in the future. Staff representatives also placed on record that, unlike at Headquarters in New York, training and out-placement assistance to those colleagues who could not be placed in the course of the redeployment exercise had been inadequate.

2. Preparations for the 1997/1998 redeployment exercise

89. To the 81st JAC meeting, in November 1997, staff and management had again submitted their views in writing on how to deal with the Secretariat-wide abolition of 1,000 posts by 31 December 1997. Management stated that, thanks to the introduction of a conservative approach to post management from 1996 onwards, the impact of post cuts on staff in UNOV and UNDCP would be minimal. The total number of posts to be abolished in Vienna was 59, most of which were vacant. Management thus anticipated that less than ten UNOV/UNDCP colleagues would be affected.

90. The staff, in its paper, recalled the Secretary-General's commitment to protect the staff of the United Nations and to retain them, and urged that maximum use be made of the following measures: freeze on external recruitment, non-retention beyond retirement age, anticipated attrition, mission opportunities for staff who wished to be considered, voluntary conversion to part-time (also for Professional staff) and agreed separation packages. It also requested the Director-General to ensure that all programme managers would fairly consider and accept staff to be redeployed from other divisions or departments.

91. The staff's paper further advocated the abandonment of ST/AI/415 and proposed the use, in the upcoming redeployment exercise, of elements contained in ST/AI/353 on the internal reassignment of staff, including the use of staffing tables as a basic document for the review.

92. Following the receipt, on 2 December 1997, of a statement of guiding principles, administrative tasks and key procedures for internal reassignment from the USG for Management, the JAC agreed on

a set of modalities for local implementation of those guidelines. The Joint Vienna Redeployment Panel was established and provided with specific guidelines which supplemented those received from Headquarters.

93. Details on how the redeployment exercise has been conducted are contained in Chapter I, section B of this report.

H. END-OF-SERVICE ALLOWANCE (EOSA)

94. Last year's Annual Report gave an account of judgement No.766 (26 July 1996) of the United Nations Administrative Tribunal (UNAT) and of the decision of the Vienna Joint Appeals Board (JAB) in the cases brought by a former UNOV staff member. It should be recalled that the UNAT judgement establishes clearly a GS staff member's right to receive both termination indemnity and EOSA, in the event his/her contract is terminated.

95. On the draft for a revised administrative issuance on EOSA policy, which management had submitted to the Office of Legal Affairs (OLA) at Headquarters for advice (see paras. 70-72 of last year's Annual Report), a reply has been received. However, throughout the reporting period, the item was not placed on the agenda of JAC for further negotiations.

I. JOINT UN/UNIDO JAC ON HEALTH INSURANCE

96. The Joint JAC meeting had before it the draft actuarial evaluation report on the group medical insurance scheme, elaborated by a consultant, as well as the conclusions drawn and recommendations made by the Joint JAC Standing Committee on Medical and Life Insurance. The report addressed three issues: structure of tariffs currently applied, a morbidity study and actuarial projections.

97. The trends extrapolated from the past suggested that in 20 years the number of active and retired participants in the group medical insurance would be equal, and that participants without dependents would predominate.

98. The Standing Committee therefore proposed premium adjustments by: (a) changing in the tariff structure, and (b) increasing premiums for ASHI participants. The JAC agreed to the establishment of a working group which would study the introduction of a minimum notional pension as a basis for calculation of ASHI premiums as of 1 January 1999 and to a gradual change in the tariff structure from 1999 onwards.

99. The joint JAC further decided to postpone the next bidding exercise until at least 1999 and to introduce, effective January 1998, a ceiling of AS 20,000 per calendar year, cumulative to AS 40,000 for a two-year period, for all types of dental treatment.

100. The Standing Committee's proposal to base the premiums of part-time staff on their corresponding full-time salary, whereby the Organization's subsidy would be only 25 per cent, did not meet with the agreement of staff representatives. UNSCV held the view that the Organization should defray 50 per cent of the increased premium, since that percentage represented the standard subsidization rate of the cost of health insurance; it was also considered that staff who were already in the lower earning brackets should not be additionally punished by having to pay 75 per cent of their premium. This issue is still to be negotiated in the UNOV JAC.

101. At the same joint JAC meeting, it was also agreed that the latest premium increases of 2.52 per cent for FMIP and 3.03 per cent for SMIP should be absorbed by the reserve fund, so as not to reduce the take-home pay of staff, at a time of stagnant salaries in both categories of staff.

J. OTHER JAC ISSUES

102. Among the many other items that have been on the agenda of JAC, the following may be of major interest:

- (a) Extension beyond the mandatory retirement age for GS staff. The staff representatives sought the JAC's approval of a policy by which extension beyond the mandatory retirement age would be granted to GS staff, at the request of the staff member concerned, up to a maximum of two years, if such extension would enable the staff member to become entitled to the next higher level of end-of-service allowance (EOSA). The JAC agreed to include the EOSA argument in the presentation of superannuation cases to the superannuation committee.
- (b) Career appointments. Staff representatives requested management to continue the review of staff on fixed-term contracts and with five years of continuous service, so that conversion could take place immediately upon lifting of the freeze.

Anyone interested in more details on JAC issues is welcome to come to the Staff Council office and to read, or request a copy of, the JAC minutes.

III. COORDINATING COMMITTEE FOR INTERNATIONAL STAFF UNIONS AND ASSOCIATIONS OF THE UNITED NATIONS SYSTEM (CCISUA)

103. The thirteenth annual Assembly of CCISUA was held at Jerusalem, from 19 to 25 March 1998. UNSCV was represented by Gerda Hasanat (President) and three Council members: Violet Anviah-Golpashin, Angelo Estrella-Faria, and Melissa Tullis. The following is an account of the main issues that were on the agenda of the Assembly.

A. THE NEW CCISUA BUREAU

104. In accordance with the CCISUA Statutes, whereby the Presidency and Vice-Presidency rotate between New York and Geneva, Ms. Lianne Losier, Executive Secretary of the Geneva Staff Coordinating Council, assumed the position of President of CCISUA. The Vice-President of CCISUA is now Ms. Rosemarie Waters of New York. The Presidents of the FSSU and ECA Staff Councils were elected Second and Third Vice-Presidents of CCISUA, respectively.

B. TERM LIMIT FOR STAFF REPRESENTATIVES

105. General Assembly resolution 51/226, on human resources management, provides in part II, paragraph 12, for limitations on the continuous release of staff representatives, as follows:

"12. Recognizes the fact that staff representatives are entitled to an opportunity for career advancement, decides that the period of their continuous release shall not exceed four years, and also decides to limit such release to elected staff representatives only, on either a full-time or a part-time basis;"

106. At the CCISUA Assembly, all members agreed that the establishment of a term limit constituted an infringement of the staff's right to association. Furthermore, there was consensus that OHRM's restrictive interpretation of the resolution was unacceptable. (For further details on that interpretation, see chapter IV, paras. 154 to 157).

107. The CCISUA Assembly thus faced two challenges: (a) how to convince the General Assembly to repeal the above limitation and (b) how to arrive at an agreed interpretation of the resolution at the next SMCC.

108. The following two approaches, elaborated by a working group, were adopted by the Assembly:

- (a) Continued dialogue with the General Assembly: CCISUA will argue the right to freedom of association in oral presentations to the Fifth Committee and the 53rd session of the General Assembly; the results of the survey of international civil labour unions, already initiated by CCISUA, will be included in CCISUA's presentation at the 53rd GA; a briefing kit, including contributions from all duty stations, will be compiled and distributed to

Member States, with the aim of apprising them of the importance of staff representational work and of its contribution to the functioning of the Organization; all actions will be coordinated with FICSA;

- (b) Establishment of an agreed set of definitions at SMCC XXII to the effect that: the limitations in paragraph 12 of GA/RES/51/226 are not self-executing and thus require the issuance of an administrative instruction, in consultation with staff; the term limit should not take into account any representation period prior to the date of issuance of the administrative instruction; the term "part-time" to mean 50 per cent release or more; the term "elected staff representatives only" should not apply to members of joint bodies elected by the staff.

C. INTERNAL JUSTICE SYSTEM

109. Staff representatives from many duty stations made shocking reports on the delay encountered in the resolution of disputes between staff members and the Administration, particularly the alarming backlog of cases before JAB and JDC, the delay with which JAB recommendations are considered on behalf of the Secretary-General and the time required for an application to be considered by UNAT. These facts indicate that the mechanisms for the adjudication of disputes and the administration of justice within the United Nations system are inadequate.

110. The CCISUA Assembly was further convinced that the implementation of reform measures in the recent past, such as the establishment of the Office of Internal Oversight Services (OIOS), as well as those foreseen for the near future, particularly the adoption of the code of conduct and the proposed revision of the disciplinary procedures, required a thorough review of the United Nations administrative justice system.

111. As an *ad hoc* measure, and with a view to clearing the backlog of cases, the Assembly mandated the CCISUA President to seek the agreement of the Secretary-General, on an urgent basis, for the release of the members of JAB and JDC from their duties for a period of no less than ten days, in order to devote themselves to the cases assigned to them, as is currently the practice in some duty stations.

112. To consider in depth the administration of justice, and to elaborate proposals for its reform, a CCISUA working group was established, in which UNSCV will participate. The working group will consider the following issues:

- (a) Procedures for investigation of alleged instances of waste, fraud or abuse by OIOS that ensure that the rights of staff members are fully respected;
- (b) Procedures and rules for the conduct of disciplinary proceedings, including rules on taking and validity of evidence;
- (c) The feasibility of establishing an Ombudsman position;
- (d) Composition and appointment of the Panel of Counsel and qualifications of its members;
- (e) Composition, appointment and qualifications of the members and the chairpersons of JAB and JDC;

- (f) Appointment, qualification and terms of reference for the Secretary of JAB and JDC;
- (g) Feasibility of making JAB and JDC decisions final, without prejudice to direct appeal by either party to UNAT;
- (h) Appointment and qualifications of the members of UNAT.

D. HUMAN RESOURCES MANAGEMENT

113. At Headquarters, New York, a Task Force on Human Resources Management has been established and met twice. After its third meeting, to be held in June 1998, the Task Force will submit its findings and recommendations to the Secretary-General to go before the next session of the General Assembly, in September 1998. The Task Force comprises experts from different regions of the world who have a wide diversity of experience in human resources management in the public and private sectors. Rafiah Salim, ASG/OHRM, is the only participant who is a United Nations staff member. Learning from the "best of the world" being the underlying rationale for the work of the Task Force, it will focus primarily on the need to align human resources management with the reform strategy of the United Nations and on changes in the structure and culture of the Organization.

114. Five working groups have been set up to provide the Task Force with the substantive inputs:
1. Planning for the future; 2. Recruitment and placement process; 3. Staff administration and delegation of authority; 4. Conditions of service; and 5. Staff development, performance management and career support.

115. The lack of their participation in the Task Force has been extremely troubling for all staff representatives. Over the past six months, the New York Staff Committee had repeatedly approached the ASG/OHRM requesting the inclusion of a staff representative in the Task Force, pointing out that staff representatives certainly had a wide knowledge and expertise in all areas of human resources management in the United Nations, and that the Secretary-General had stated his desire to include the staff in all phases of the reform process. While that request had originally been denied, staff representatives have been invited to participate in the five working groups. Only at short notice, Rosemarie Waters, President of the New York Staff Committee and now Vice-President of CCISUA, has been invited to the second meeting of the Task Force, held on 23 March 1998. This was one of the reasons preventing her from attending the CCISUA Assembly. The Assembly dispatched to Ms. Waters a fax containing a collection of views of the representatives of the various duty stations on, and of the problems experienced with, existing HRM policies, requesting her to bring them to the attention of the Task Force.

116. The Assembly was also informed that the New York Staff Committee had nominated one representative each to participate in the five working groups, but that these individuals were entering the discussions of substantive matters in a disadvantaged position, since much work had already been done on those issues without their participation. The Assembly was made aware that management was moving at a rapid pace on some issues and that staff representatives must equal that pace if they were to be effective in ensuring that their points of view were to be respected and made part of the reform process. The Assembly thus adopted a resolution, by which it reminded the Secretary-General that, without the full involvement and commitment of the staff, the reform process would fail, and requested him to ensure that (a) effective immediately, pertinent documentation on all issues before the five working groups be distributed to staff representatives in the global Secretariat, specialized agencies, programmes and funds, to facilitate their participation in the process; and (b) the recommendations of

the Task Force and the outcome of the working groups on different aspects of human resources management be considered to the fullest extent at SMCC, before translating them into policy.

E. SECURITY OF STAFF

117. The security of staff has always had a prominent place on the agenda of CCISUA, as the Assembly is regularly briefed on the difficult and dangerous conditions under which colleagues in UNHCR, UNICEF, the Field Service and peacekeeping missions have to perform their duties. This year, a report on the First Summit on Internal Security of Staff, held in February 1998, and sponsored by the New York Staff Council's Standing Committee on Security and Independence of the International Civil Service, was presented to the Assembly. The Summit had adopted, and sent to the Secretary-General, a "Statement of Principles on International Security of Staff". Those principles were discussed and endorsed by the CCISUA Assembly.

118. The Assembly reconfirmed its commitment to security for all staff employed by the United Nations, with particular emphasis on those staff in necessarily insecure duty stations. It decided to continue stressing the issue of security in statements or submissions to the General Assembly, and intergovernmental bodies.

F. AGE OF SEPARATION

119. UNSCV had submitted to the Assembly a paper on the subject of superannuation committees. The issue had to be reviewed because, at SMCC XXI, there had been agreement that applications for extension beyond retirement age would be reviewed by existing joint bodies, on the understanding that this would be the appointment and promotion bodies. Later, management referred to "existing joint superannuation committees", which, however, are not joint committees as the staff can nominate only one observer for these bodies.

120. At the Assembly, UNSCV's concern was considered together with that of extending the mandatory age of separation to 62 for staff members who joined the United Nations before 1 January 1990, while protecting the rights of those whose current mandatory age of separation is 60. This means that colleagues who joined before 1 January 1990 would be given the option to stay on until age 62.

121. The Assembly recalled related comments by ICSC and representatives on the United Nations Joint Staff Pension Board, that it would be beneficial for the Pension Fund if a sizeable group of participants were to remain in contributory service beyond their "normal retirement age". CCISUA therefore mandated its President to submit the issue to the Fifth Committee with a view to ensuring that staff members who joined the United Nations before 1 January 1990 would be given the option to retire at the age of 62. The issue of the superannuation committees will be placed on the agenda of the next session of SMCC, with a view to clarifying the agreement reached at SMCC XXI.

G. STAFF PARTICIPATION IN ICSC

122. Last year's Annual Report of the Staff Council contains (paras. 24 to 36) an account of the reasons for the decision of CCISUA to continue the boycott of the International Civil Service Commission (ICSC) and the steps undertaken with a view to transforming ICSC.

123. In the autumn of 1997, agreement was reached between ICSC and both CCISUA and FICSA to establish a Working Group on the Consultative Process and Working Arrangements of ICSC. That Working Group, on which CCISUA and FICSA are represented by two delegates each, has so far met twice, in January and February 1998. A third meeting has been scheduled for May 1998. The agreements reached up to now have laid the foundations for a working relationship in ICSC where all parties would be on an equal footing. However, some sticky issues have not yet been resolved.

124. The CCISUA Assembly therefore had to take a decision on whether to return to ICSC or to continue the boycott, bearing in mind that by its continued absence it would forego even the very limited possibility of making an input to ICSC's recommendations. The Assembly was also informed that the three reports of the Working Group on the Consultative Process would be discussed by ICSC at its 1998 spring session, to be held at Rome, from 20 April to 15 May, and that FICSA had decided at its Council meeting (26 to 30 January 1998) that the FICSA participants in the Working Group would attend the ICSC session "as non-participating observers during the discussion of the agenda item relating to the consultative process".

125. The Assembly decided that non-participation in ICSC should remain in effect and that, like FICSA, the CCISUA members of the Working Group should be present during the Commission's consideration of the reports of the Working Group and the development and adoption of related recommendations for the General Assembly.

H. CONDITION OF SERVICE IN NON-HEADQUARTERS DUTY STATIONS

1. Contamination in the UNIKOM Mission area

126. In a paper submitted to SMCC XXI, the Field Service Staff Union (FSSU) had alerted management that contamination from a weapons storage facility had possibly posed a health threat to individuals who had served in UNIKOM for several years. So far, none of the agreements reached at that meeting have been implemented. These would have included the determination of the extent of the health hazard and, if required, the arrangement of medical examinations for all staff assigned to that mission area and the treatment and financial compensation of staff found to be affected.

127. In a resolution, to be transmitted to the Secretary-General, CCISUA expressed grave concern about the lack of implementation of the SMCC recommendations and requested that a series of specific actions be undertaken without further delay.

2. Impact of currency devaluations on GS pension benefits

128. Major currency devaluations, such as that of the Ethiopian Birr, have had a dramatic negative impact on pension benefits of GS staff. The Assembly proposed various measures, to be implemented by the UNJSPF, that would remedy the situation and requested the CCISUA President to explore the possibility of providing for GS staff salaries converted in local currency, but tied to the US dollar amount.

3. Staff/management relations in ECA

129. Staff/management relations in ECA had been strained for several years, and when the issue was once more raised at SMCC XXI, it had been recommended to dispatch a facilitator to Addis Ababa to

help restore constructive staff/management relations. Not only had this recommendation not been implemented, but in February 1998 the ECA Staff Union alarmed all CCISUA members that the duly elected ECA staff representatives had been forcibly reassigned to offices away from Addis Ababa.

130. The CCISUA Assembly thus called upon the Secretary-General to rescind the involuntary reassignments of duly elected staff representatives, to ensure that the ECA Administration ceases to interfere in the affairs of the ECA Staff Union, and to ensure full compliance by the ECA Administration with the provisions of Staff Regulation 8.1.

I. COOPERATION BETWEEN CCISUA AND FICSA

131. While making it clear that CCISUA intends to retain its independence and individual identity, the two federations have throughout the year cooperated closely on issues that were of common interest. A declaration of cooperation was signed by the presidents of CCISUA and FICSA, by which the two federations form a high-level liaison committee, which is to meet at least twice a year with a view to coordinating staff positions on common system issues, i.e. those under consideration by ACC and its subsidiary bodies and by ICSC.

132. A separate line in the CCISUA budget has been created to cover the expenses associated with joint actions, including the issuance of a biannual joint publication which would keep the constituencies of both federations informed about the issues on the common work programme.

J. COMMUNICATION

133. The decisions of last year's Assembly to continue the publication of *CCISUA News* and to produce a *CCISUA Flash* twice a month, in order to keep the staff at large of all CCISUA members informed about the federation's activities, could not be implemented due to a lack of human resources to take on the task.

134. Aware of the importance of enhanced communication and the dissemination of information for staff representational work, UNSCV volunteered at this year's Assembly to be responsible for the production of *CCISUA Flash*. This will involve the coordination of inputs from all CCISUA members with the Bureau and the electronic dissemination of the final product.

K. STATUTORY MATTERS

135. In the course of the past year, CCISUA's effectiveness has been handicapped by an internal conflict, which had its roots in a difference of views as to what was the role of the CCISUA Bureau, i.e. the President and the three Vice-Presidents. For want of a clear definition in the CCISUA Statutes, a sort of "gentlemen's agreement" had formerly characterized the cooperation of the Bureau members. In view the more recent experience of "disharmony", the Assembly decided to establish clear-cut terms of reference for the functioning of the CCISUA Bureau, with the aim of enhancing coordination and consultation among its members. The thus adopted terms of reference will be annexed to the CCISUA Statutes.

136. The Assembly also considered under the agenda item "Changes to the Statutes of CCISUA", an issue which had been discussed at three previous Assemblies, namely, achieving an increased

“democratization” of CCISUA by allowing for elections of the President and Vice-President instead of rotating these positions between New York and Geneva. Although most CCISUA members agree that, in theory, elections would be desirable, they also concede that, in reality, New York and Geneva - aside from being the main contributors to the CCISUA budget - have the expertise and the full-time release of sufficient staff to handle CCISUA matters.

137. While at earlier Assemblies debates of the issue were inconclusive, this year a step forward has been made by requesting the Bureau to (a) collect concrete proposals for amendments to the Statutes from all CCISUA members; and (b) to formulate its own proposal for a revision of the Statutes, which should include, *inter alia* the method for the appointment/election of the Bureau, mechanisms for the removal of Bureau members who cease to enjoy the confidence of the Assembly, rules for the substitution of Bureau members in the event of inability or incapacitation, as well as working mechanisms and financing arrangements for CCISUA.

L. FINANCIAL MATTERS

138. The Treasurer’s report was adopted; the Treasurer was re-elected; a new Finance Committee was elected; and the 1998 budget was approved. In view of the healthy situation of the CCISUA finances, and also to assist some members in the payment of their arrears, the Assembly decided on a one-time reduction of the membership fee for 1998 by 50 per cent. This reduces UNSCV’s contribution to CCISUA from \$5, 000 to \$ 2,500.

M. OTHER MATTERS

139. The Assembly also discussed the following matters:

- (a) **Code of Conduct.** The Assembly reviewed the Code (document A/52/488) with a view to establishing which areas would need to be clarified, improved or amended. Among the staff’s concerns were:
 - (i) That the Code does not apply to consultants and contractors; staff representatives would thus have to ensure that such individuals are not hired to supervise staff members;
 - (ii) That the role of staff representatives needs to be clarified, spelling out that they act on behalf of their constituents and thus should not be held accountable individually for a collective action.

The Assembly then decided to set up a working group, with one member each from New York, Geneva and Vienna, which would further review the Code and formulate alternative or additional text.

- (b) **Career appointments.** The Assembly discussed the counter-productivity of the freeze on career appointments for the Secretary-General’s efforts to reform and revitalize the Organization. The continuing freeze undermined staff morale and gave rise to a growing anxiety among staff on fixed-term appointments, which were often extended on a month-by-

month basis. The Assembly further noted the high rate of junior Professional staff (P-2 and P-3) leaving the Organization, which may be attributable to job insecurity, while such junior staff could play an important role in the reform process, representing the "agents for change" in an ageing Organization.

- (c) **ICSC's revised GS salary survey methodology.** The flaws of the revised methodology and its negative impact on GS salaries at different duty stations were discussed.
- (d) **Date and venue of next Assembly.** The Assembly decided to hold its next annual meeting in March 1999 at ECA headquarters, Addis Ababa.

IV. STAFF/MANAGEMENT COORDINATION COMMITTEE (SMCC)

140. The XXIst session of SMCC took place in New York, from 16 to 24 June 1997. UNSCV was represented by Gerda Hasanat (President) and Helena Harmer (staff representative). Compared to the previous session of SMCC, in 1996, the atmosphere was much better and, basically, negotiations took place in a spirit of good faith. This change was partially attributable to a two-day training course on collaborative negotiation skills, which had preceded the SMCC meeting, and in which most of the staff and management representatives in SMCC participated.

141. The following sections give an account of the negotiations, and of the recommendations submitted to the Secretary-General. In September 1997, the Secretary-General approved the report of SMCC XXI, which contains all these recommendations.

Issues discussed at the XXIst session

A. REVIEW OF THE TERMS OF REFERENCE OF SMCC

142. The terms of reference of SMCC were revised by SMCC XX, in 1996, and the agreements reached were described in last year's Annual Report of the Staff Council (paras. 118-121). The only issue which, in the view of staff representatives, had remained unresolved was a crucial one, as it concerned the very role of SMCC - whether it was considered a body for staff management negotiations or only a forum for consultation of the staff by management.

143. A working group of SMCC XXI therefore revisited that particular paragraph of the SMCC terms of reference and arrived at a Solomonic decision which was acceptable to both staff and management. The revised terms of reference were promulgated under ST/SGB/1997/12, dated 13 October 1997.

B. THE NEW CODE OF CONDUCT

144. In last year's Annual Report of the Staff Council (paras. 17 and 18) it was reported that UNSCV had adopted a declaration on the draft Code of Conduct, in which it rejected the consultation procedure proposed by management (i.e. by correspondence) and protested at the hasty manner in which a document of such cardinal importance was supposed to be approved by staff representatives, in order to permit the Secretary-General to submit it to the General Assembly in May 1997.

145. Pressured by many staff unions of the Secretariat, management then agreed to place the Code of Conduct on the agenda of SMCC XXI. Prior to that meeting, UNSCV sent specific and extensive comments on the Code to the SMCC Secretariat, which were supposedly to be incorporated into a revised draft.

146. At SMCC XXI, the task of negotiating the new Code was assigned to a working group, which met parallel with other SMCC working groups and the plenary, and which had to carry out its task under draconian time constraints. The aim, determined by management representatives, was to deliver a final, agreed-upon product to the Secretary-General by the end of the SMCC XXI session. In a CCISUA

meeting preceding that of SMCC, staff representatives had discussed among themselves whether to accept or to refuse the management's conditions for negotiating such an important document; the majority of CCISUA members had been in favour of supporting the Secretary-General in his endeavour to submit to the General Assembly a new Code of Conduct, which he had referred to as a cornerstone of his reform process.

147. Although notable improvements to the draft were negotiated, the final product is a compromise which remains less than satisfactory to many parties. Staff representatives were particularly concerned about implementing in the Organization universally recognized norms and principles, such as those enshrined in the Universal Declaration of Human Rights and in relevant ILO conventions. For example, staff representatives should enjoy the freedom and effective protection to carry out their mandates, even when taking positions that are less than attractive to management. Of equal importance is the need to ensure due process, clearly making managers accountable for the way in which they exercise their managerial responsibilities.

148. These objectives were not met. The Code now contains provisions that attempt to reduce staff rights to demonstrate, to fight for improved conditions of service, to issue statements to the media, and to contact members of permanent missions.

149. With a view to ensuring that these fundamental issues were addressed, staff representatives recommended that the Code of Conduct be reviewed by the Sixth Committee, prior to its adoption by the General Assembly. Furthermore, at the plenary session of SMCC XXI, the Presidents of the Staff Councils of New York, Geneva and Vienna each made a statement for the record, in which they pointed out their reservations. Finally, after the Code had been adopted by SMCC, it was sent to the Secretary-General with another joint statement by all staff representatives attached to it, in which their concerns and reservations were summarized.

150. The Code of Conduct, as adopted by SMCC XXI, has been submitted to the General Assembly (document A/52/488), and on 31 March 1998, the Assembly decided to invite ICSC to examine the Code, as matter of priority, at its forthcoming (April) session.

C. FACILITIES PROVIDED TO STAFF REPRESENTATIVES

151. By its resolution 51/226 of 3 April 1997, the General Assembly has acted on the proposals of the Secretary-General, based on the recommendations of SMCC XIX, regarding a formula for defining "reasonable time" for the official release of staff representatives. The definition of "reasonable time" is correlated to the number of staff represented, and translates for UNSCV into the following:

President	Full-time release
Vice-President	60 per cent release (or 3 days per week)
Members of Staff Committee	32 hours per month (4 days)
Members of Staff Council	10 hours per month.

152. At duty stations where a more generous release than that arrived at by the "formula" has been granted in the past, exceptions can be made locally, by the Head of Office, based on past practice.

153. The related administrative instruction defining the facilities for, and official release of, staff representatives throughout the Secretariat has not yet been issued. However, UNOV management implemented the official release of UNSCV representatives, as shown above, as of 17 November 1997.

154. Resolution 51/226 also sets a four-year term limit for the continuous full-time or part-time release of staff representatives, in the interest of their career advancement. While, at SMCC XXI, the understanding was that the GA resolution was of a forward-looking nature and that part-time release meant release of 50 per cent or more, the ASG/OHRM later interpreted "part-time" as including all staff representatives, who, once they had completed a four-year term, would not be eligible for re-election. He further requested management to identify individuals who were not duly elected staff representatives but who were performing staff representational functions during official working hours, and to inform those individuals that henceforth such activities would have to be carried out on their personal time. For both of the interpretations of resolution 51/226, OHRM claims that "such arrangements would reflect the spirit and intention of the resolution".

155. In September 1997, OHRM was informed who of the currently serving UNSCV representatives will have completed a four-year term by time of the next Staff Council elections, to be held shortly after the 1998 Annual General Meeting, the implication being that they would not be eligible for re-election.

156. UNSCV, as well as other sister Councils, have vehemently protested at OHRM's interpretation of the GA resolution, which they deem an infringement on the staff's right to association. While staff representatives appreciate the concern for their career development, the constant turnover of staff representatives would result in a loss of institutional memory and deny staff at large their right to choose their own representatives through the democratic process of elections. Under the Staff Rules and Regulations, it is the staff representatives' responsibility to defend staff welfare and rights. Under a system of forced term limitations, it would be impossible for the staff unions to implement that mandate.

157. The CCISUA President has since appealed to Member States to repeal this limitation, and to allow staff unions their basic right - freedom of association. Furthermore, CCISUA has sought a legal opinion on that issue, which should be available soon. A strategy for dealing with the issue of term limits was developed at the XIIth Assembly of CCISUA (see chapter III, section B).

D. TERMINATION INDEMNITY FOR STAFF ON FIXED-TERM APPOINTMENTS

158. Staff representatives urged that staff members who had served on fixed-term appointments for long unbroken periods should be entitled to termination indemnity in case of non-renewal of their contracts. The management representatives stated that consideration could be given to providing such indemnity when staff members were separated at the end of their contracts, under specific circumstances such as organizational downsizing. Although the General Assembly had never agreed to the awarding of termination indemnity in such cases, the management representatives agreed to prepare a paper for the Assembly expressing the need for termination indemnity to be paid to staff on fixed-term contracts terminated because of downsizing. Management proposed that nine years should be the threshold for payment of the indemnity.

159. Staff representatives maintained that the threshold should not be placed at more than five years, since the jurisprudence of the Administrative Tribunal and the resolutions of the General Assembly had established that staff members on fixed-term contracts must be given full consideration for career status at that point.

160. It was agreed that a position on the matter should be developed in time to be considered by SMCC before presentation by the Secretary-General to the fifty-third session of the General Assembly.

E. FAMILY LEAVE

161. The UNOV Staff Council submitted a discussion paper on family leave (SMCC-XXI/1997/5) in which it argued the reasons for the implementation of a comprehensive policy on work/family issues. As a first step towards such a policy, UNSCV proposed the introduction of the following types of family leave, which would also facilitate the sharing of roles traditionally ascribed to women:

- (a) Paternity leave: Three days of paid leave for a male staff member in connection with either the birth of a child or the adoption of a child less than two years old;
- (b) Emergency leave: Up to ten days of paid leave per year, for male and female staff members, to allow them to meet unexpected needs when a family member becomes ill;
- (c) Compassionate leave: Three days of paid leave in the event of death of a close relative (spouse, child, parent, brother or sister).

162. However, at the SMCC session, it was made clear at the outset that family leave could only be considered within the current provisions for uncertified sick leave. Proposals by staff representatives for extra days of certified or uncertified sick leave, or leave with pay for family-related emergencies, were not accepted by management, as such leave was outside the recommendations made by ICSC and CCAQ.

163. To implement a family leave programme, SMCC recommended that:

- (a) Eligible staff should be allowed to use uncertified sick leave, within the current provisions, i.e. up to a maximum of seven days, to attend to family-related emergencies, or for paternity leave in the case of birth or adoption of a child;
- (b) A partial conversion of maternity leave into paternity leave in dual career families should be authorized when both spouses are staff members of the Secretariat; alternatively, the ongoing practice of charging annual leave entitlement for the paternity leave could continue. Managers should be encouraged to allow staff members to utilize accumulated annual leave or advanced annual leave for paternity leave purposes;
- (c) A provision should be included in Staff Rule 105.2 authorizing special leave without pay as a parental leave for up to two years, possibly extended for an additional two years in exceptional circumstances, after birth of a child, with all guarantees of reabsorption;
- (d) A provision should be included in Staff Rule 105.2 allowing staff to be granted special leave without pay, including for travel time, when an immediate member of the family dies, or in the case of a serious family emergency.

164. At the time of reporting, the relevant administrative instruction has not yet been issued.

F. STAFF TRAINING AND DEVELOPMENT

165. SMCC had a preliminary exchange of views on the issue of staff development and training policies. It was agreed that, in the context of organizational reform, there was a need for greater investment in the Organization's most valuable resource, its staff, in order to enable the Organization to continually adapt to changing demands. In this regard, expanding training, learning and staff development programmes to meet both organizational needs and individual career development aspirations was essential. In view of the importance of the subject, it was agreed to place the item on the agenda of SMCC XXII for a fuller discussion.

166. The group then approved a revised text of the draft ST/AI on upgrading of substantive and technical skills (issued as ST/AI/1997/4, dated 30 September 1997), on which UNSCV had submitted comments in March 1997. At the request of staff representatives, heads of departments will have to ensure that staff representatives will be consulted on the development of annual training plans. The latter plans are expected to reflect the views of staff and to incorporate training needs identified as priorities for achieving the department's strategic goals and developing its human resources, as well as individual training requirements identified during PAS discussions.

G. GENDER ISSUES

167. In the context of gender issues, SMCC XXI recommended among other measures the establishment of spouse employment coordinators, within existing resources. The main task of such a coordinator would be to assist trailing spouses - mainly women - to find employment in the local job market. The matter is on the agenda of the UNOV JAC.

H. HARASSMENT SURVEY

168. The harassment survey questionnaire was distributed desk-to-desk to all staff of the United Nations units in Vienna on 3 July 1997, and staff were requested to respond within two weeks. Since many staff were on leave at the time, United Nations Headquarters extended the deadline for receipt of completed questionnaires, first until the end of September, and then until the end of October 1997.

169. Initially, the response rate was not very high, and several attempts were made by the response coordinator, Ms. Maria Luisa Chavez, and by HRMS and the Staff Union to encourage staff to reply. As a result, 312 staff members out of 729 UNOV staff, plus 80 experts did reply. Thus, the response rate at UNOV was 38.5 per cent of all staff, or 42.7 per cent of regular staff only.

170. The intention behind implementation of the survey was to provide the data necessary to provide a basis for revising and/or developing policies, complaint procedures and training programmes, which will be designed to create a harassment-free work environment in the United Nations.

171. Once the results have been analysed by the consultant firm implementing the survey, they will be presented to SMCC, probably at its next session.

I. EVALUATION OF PAS AND TERMS OF REFERENCE FOR JMC AND GJMC

172. In the light of the feedback received on the implementation of PAS, including a submission by UNSCV, SMCC XXI agreed that management, in consultation with staff, would review the PAS process as well as the forms and materials, with a view to simplifying them. An electronic version of the forms for the 1998 cycle would be prepared. Staff development and learning programmes will continue to be delivered throughout the Secretariat to support performance management and to enhance skills in such areas as team-building, work planning, feedback and appraisal.

173. The terms of reference for the Joint Monitoring Committee (JMC) and for the Global Joint Monitoring Committee (GJMC) were finalized and were published under ST/AI/1997/5, dated 14 October 1997. It is now possible for individuals or a group of staff members to submit their PAS to JMC for review, however, not for consideration of individual ratings, but in the context of broader issues of general impact.

J. STREAMLINING OF THE PROCESS OF FILLING VACANCIES

174. In 1996, at SMCC XX, the management's proposal to eliminate the collateral review and the pre-review letters had been discussed. UNSCV had at that time opted for the elimination of both, but later, in view of the fact that the triennial review of the career situation of staff members was not yet being implemented, decided, for lack of a substitute, to opt for maintaining the collateral review. UN New York Staff Council had objected to the elimination of both processes.

175. The same management proposals was therefore again discussed at SMCC XXI. The Vienna staff representatives reiterated UNSCV's position, namely, that:

- (a) The collateral review should be retained at least for staff in the GS category;
- (b) Staff members should be allowed to submit a blanket waiver for being considered as a collateral, since collaterals were being reviewed without their knowledge and the review could result in their being negatively assessed.

176. SMCC XXI reached the following agreements:

1. Collateral review

- (a) Collateral review should be eliminated entirely for staff members in the professional and higher categories, on the understanding that the new administrative instruction contains a paragraph whereby staff are encouraged to submit general applications and be considered for posts (both within and outside their duty stations), as a first step towards the establishment of a viable internal roster. This would enable OHRM and local personnel offices to consider the names of such interested staff, along with other applicants, for appropriate vacancies commensurate with their qualifications;
- (b) It may be retained for staff members in the General Service and related categories in accordance with local preference. This would enable each duty station to set its own policy for locally-recruited staff;

- (c) In duty stations where the collateral review for General Service staff would be maintained, staff members who did not wish to be reviewed as collaterals for any vacancy may submit a blanket waiver to HRM;
- (d) The administrative instruction would indicate that deadlines for receipt of applications were flexible and that applications could be accepted within a reasonable period after the deadline, provided that the staff member had a valid explanation as to why he/she could not forward a more timely application. This procedure would formalize the current practice. It was noted that vacancy announcements were to be posted both manually and electronically for a period of three weeks.

2. Pre-review letter

177. The pre-view letter should be eliminated from the formal process. It was agreed, however, that the vacancy announcement and administrative instruction should contain a statement encouraging staff members to present all relevant information in their application for a given post. The administrative instruction would also contain a paragraph advising staff that they may ascertain from their executive officer or chief of administration whether or not they have been recommended. The staff member would then have the option to submit additional relevant information omitted from the application form directly to the relevant appointment and promotion body prior to its meeting.

3. Additional measures

178. It was also agreed that management would:

- (a) Initiate a questionnaire on skills inventory within the next six months;
- (b) Expedite the issuance of vacancy announcements for foreseeable vacancies well in advance of the actual vacancy.

K. INCREASE OF THE ORGANIZATION'S SHARE IN HEALTH INSURANCE PREMIUMS

179. A joint UNOV staff/administration position paper had been submitted to SMCC XXI on this topic, the argument for requesting an increase of the Organization's share being that the average percentage contribution from staff members in Vienna exceeded the average percentage contributions of the seven headquarters duty stations. During the meeting, UNSCV representatives also pointed out that, in 1983, the Organization's contribution for colleagues in New York had been increased, for the same reason, from 50 to 66.6 per cent.

180. SMCC XXI recommended that the issue should be referred back to the UNOV JAC, which, with the assistance of the Insurance, Claims and Compensation Section at Headquarters, should review the situation and submit its recommendation directly to the Secretary-General.

L. OFFICIAL HOLIDAYS FURTHER TO GA RESOLUTION 51/211

181. Also on this agenda item, UNSCV submitted a position paper (SMCC XXI/1997/6). Management stated that they could not entertain the UNSCV proposals questioning the legality (a) in the context of

an international civil service, of determining two holidays for purely religious reasons and (b) of extending the GA recommendation not to schedule meetings on those two holidays to an obligation for the Secretary-General to declare them official holidays in New York, Geneva and Vienna.

182. Staff representatives from the three affected duty stations pointed out that the holiday on 17 April 1997 had been imposed on staff at very short notice, that staff could therefore not make good use of it, and that staff were not willing to sacrifice for it one of the designated official holidays in 1997. Management explained that the GA would be closely watching the implementation of its decisions and that there was little room for negotiation.

183. After a heated debate, the following was recommended:

1. For 1997: In those duty stations where 17 April 1997 had been designated as an official holiday, final arrangements would be established through staff-management consultations at each duty station, according to local practices and conditions, on the understanding that the final decision would not impinge upon the decision of the General Assembly that there would be only nine official holidays in 1997.

This meant that Vienna had only two choices: to give up one of the holidays already designated for 1997 or to shorten the period of "summer time". (See also paras. 42 to 45 of this report).

2. For 1998 and onwards: To recommend to the Secretary-General to report to the General Assembly at its fifty-second session under the agenda item: "Pattern of Conferences-implementation of resolution 51/211" that the following measures should be taken:

- (a) In no case would any meetings be held on Eid Al-Fitr or Eid Al-Adha, in compliance with resolution 51/211;
- (b) Eid Al-Fitr and Eid Al-Adha (which are already part of the official holidays schedule at more than 30 different duty stations) would be included in the list of official holidays from which the Secretary-General would select, to reflect local conditions and staff-management advice, in setting the nine official holidays for each duty station in accordance with Staff Regulation 1.2 and Staff Rule 101.3.

184. The various solutions arrived at jointly with staff and management at every duty station would then be reviewed at SMCC XXII, with a view to submitting final recommendations to the Secretary-General.

185. On 31 March 1998, the General Assembly surprised all Secretariat staff by deciding that "the United Nations official holidays shall be set at ten days, in order to observe the two holidays of Eid Al-Fitr and Eid Al-Adha at the United Nations headquarters and other United Nations duty stations". Accordingly, 7 April 1998 was declared a holiday for staff of UNOV/ODCCP, and when establishing the ten official holidays for 1999, those two religious holidays will have to be included.

M. FLEXIBLE WORKING HOURS

186. The Geneva Coordinating Council had submitted a paper on 80 per cent part-time work. It was suggested that the issue should be considered by the Geneva JAC, since introduction of such a scheme at New York Headquarters would be difficult to realize. There was an exchange of experience on flexible working hours, as practiced at Santiago, Bangkok and Vienna, and it was decided that information on agreements reached at local JACs should continue to be exchanged through the SMCC secretariat.

N. EXTENSION BEYOND THE AGE OF RETIREMENT

187. The Geneva Coordinating Council had submitted a paper proposing flexible application of retirement age, with a view to eliminating the existence of two different retirement ages, depending on recruitment date. Approaches to individual cases, possibilities for staff to apply for extension beyond retirement age, while protecting the existing retirement options of age 60 or 55, the use of existing machinery for approving such applications and specific situations at different duty stations were discussed. Staff representatives stressed the need for fairness and transparency of the process. It was agreed to recommend that applications for extension beyond retirement age should be considered by existing joint bodies.

O. CONDITIONS OF SERVICE IN NON-HEADQUARTERS DUTY STATIONS

188. The following topics were discussed concerning conditions of service at non-headquarters duty stations, and agreements were reached:

- Contamination in the UNIKOM mission area;
- Mission subsistence allowance policy;
- Mobility element of the mobility and hardship allowance;
- Comprehensive review of the medical insurance policy;
- Representation of field staff in parity committees at Headquarters.

Annex 1

STAFF REPRESENTATIVES AND ALTERNATES

<i>Attendance at meetings of UNSCV from 15 May 1997 to 18 April 1998</i>				
<i>Unit</i>	<i>Representative</i>	<i>Attendance</i>	<i>Alternate</i>	<i>Attendance</i>
ODG/RSDU	POLACZEK, Joelle	6	no alternate	
DACS	ARORA, Sarat	7	NARCISO, Francisco	-
DACS	ANVIEH-GOLPASHIN, Violet	9	SEQUEIRA, Nyorn	-
DACS	SAFDER, Irfan	10	RUANE, Andrew	-
IMS/TES	DATTA, Jean	16	LONCHAMPT, Pierre	2
IMS/TES	HARMER, Helena	15	YIM, Wilfried	3
IMS/TES	MERAL, Françoise	12	KAMINKER, Roger	7
IMS/TES	HASANAT, Gerda	14	WEITHALER, Regina	7
IMS/TES	AOUN, Salem	5	RIVALS, Janine	9
UNDCP	AGUADO BOMBIN, Rosa	8	TULLIS, Melissa ^a	6
UNDCP	JEFFREY, Veronika	16	BOROVANSKY, Melitta	3
UNDCP	DEON, Estela	11	ZERVAAS, Dave ^b	-
UNDCP	SANDOUK, Liliane	7	BLYTH, Daniela	-
UNSSS	ARNOLDI, Richard	3	ANALENA, Pauline	5
UNSSS	ODEN, Ann	7	no alternate	
UNPA	RAHMAN, Rose ^c	6	NATZLER, Gabriele	1
UNIS	HEBER, Anneliese	2	WRESSNIG, Anton	-
CPCJB	WANDZILAK, Emil	14	BOULOUKOS, Adam ^d	5
ITLB/UNSCEAR	ESTRELLA-FARIA, Jose	5	no alternate	
OOSA	THAKER, Jitendra ^e	1	SANIDAS, Matthew ^f	-
There was a total of 16 regular meetings from 15 May 1997 to 18 April 1998.				

^a Replaced Ms. K. Mansur who resigned in August 1997^b Resigned in December 1997^c Replaced Mr. F. Janouch who resigned in September 1997^d Nominated in September 1997^e Resigned in August 1997^f Resigned in February 1998

Annex 2

OFFICERS OF THE STAFF COUNCIL

Staff Council	Presiding Officer	Emil Wandzilak
Staff Committee	President	Gerda Hasanat
	Vice-President	Jean Datta
	Secretary	Veronika Jeffrey
	Treasurer	Estela Deon
	Rapporteur	Vacant
Unit Presidents	DACS	-
	IMS/TES	Smart Eze
	UNDCP	Françoise Maung
	CICP	Burkhard Dammann
	OLA/ITLB	Jernej Sekolec
	UNPA	Harald Schober
	UNSS	Abdulkhaled Marouf
	ODG	-
	OOSA	-
	UNIS	-
Polling Officers	Chairperson	Inge Fontane-Dalwi José Luis García Gonzáles Jill Tobin
Auditing Committee*		Elwood Graham Mathew Kurinjimala Udo Raich

* The Unit Presidents agreed to the extension of term of office of the Auditing Committee from 1 April 1998 until 31 March 2000.

Annex 3

STAFF NOMINEES ON STATUTORY JOINT BODIES, COMMITTEES AND WORKING GROUPS

Joint Advisory Committee	Members	Julio Baez Gerda Hasanat Catherine Volz
	Alternates	Piera Barzano Jean Datta Joanne Greig
Joint JAC Standing Committee on Medical and Life Insurance	Member	Smart Eze
	Alternate	Dimitrios Vlassis
Staff Welfare Board	Chairperson	Pierre Lonchamp
	Members	Sarat Arora Waltraud Jochum William Marvin Olaf-Michael Stefanov
Staff Assistance Committee	Chairperson	Rosemarie Bulant
	Members	Sarat Arora Veronika Jeffrey William Marvin Lilian Sandouk
Joint Appeals Board	Chairpersons	Pierre Lonchamp Beatrice Romero Catherine Volz
	Members	Jean-François Thony Dimitrios Vlassis
Joint Disciplinary Committee	Presiding Officer	Bernard Leroy
	Chairpersons	Burton Bennett Brigitte Doering
	Members	Akira Fujino Gillian Murray Slawomir Redo
Panel on Discrimination and other Grievances	Coordinator	Sergio Camacho
	Members	Brigitte Doering Smart Eze Francis Maertens Beatrice Romero Gabriele Wagner

Panel of Counsel in Disciplinary and Appeal Cases	Coordinator	Martha Souza
	Counsel	Samuel C.H. Chao Maria-Luisa Chavez Alfonso de Tornos Joanne Greig Ralph Krech Susan Mlango Mathieu Mounikou Pavel Pachta Winston Sims Andrew Wells
Appointment and Promotion Board of UNDCP	Members	Gale Day Christina Gynna Oguz
	Alternates	Luis Monroy Peter Storr
Appointment and Promotion Committee	Members	Mohamed Abdul-Aziz Beatrice Romero Raghupathy Sankaran
	Alternates	Marie Blahut Sergio Camacho Herbert Schaepe
Appointment and Promotion Panel	Members	Helena Harmer Eileen McCafferty Mathew Sanidas
	Alternates	Burkhard Dammann Nancy Krauthauf Gisela Wieser-Herbeck
Placement and Promotion Advisory Panel for P staff (UNOV)	Member	Maria-Elena Blanco
	Alternate	Adnan Ramadan
Placement and Promotion Advisory Panel for P staff (UNDCP)	Member	Himmet Kahlon
	Alternate	Cindy Fazey
Placement and Promotion Advisory Panel for GS staff	Members	Vladimir Fenopetov Andrea Teter
	Alternates	Maureen McGregor Elisabeth Scheugl
Joint Monitoring Committee	Members	Christopher Bayne Romain Kieffer

PAS Rebuttal Panel (UNOV)	Chairpersons	Jose M. Gonzalez Garcia Petr Lala Raghupathy Sankaran
	Members	Nicole Galeazzi Brigitte Kubelka Christian Wendlinger
Joint Advisory Committee on the VIC Child Care Centre	Member	Silvia Levissianos
Commissary Advisory Committee	Members	Janine Rivals Dimitrios Vlassis
	Alternates	Sarat Arora Mr. Paul Seramy
Catering Advisory Committee	Members	Sarat Arora Janine Rivals
	Alternates	Françoise Meral Olaf Stefanov
Joint Advisory Group on Garage Operations	Member	Khaled Khalil
	Alternate	Gabriele Wagner

Annex 4

ISSUANCES OF FOCUS

<i>Focus number</i>	<i>Date issued</i>	<i>Subject</i>
UNSCV/XVI/F8	6 May 1997	Second lawyer available for free consultations
UNSCV/XVI/F9	8 August 1997	Do you fee harassed?
UNSCV/XVI/F10	6 October 1997	Do you feel harassed? Please speak up!
UNSCV/XVI/F11	16 October 1997	Medical expenses - cost awareness and cost containment
UNSCV/XVI/F12	1 December 1997	Extraordinary General Assembly of the VIS
UNSCV/XVI/F13	19 February 1998	Election of Polling Officers

