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To: Chairs, Member Associations/Unions
Members of the Executive Committee
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Presidents, Federations with Observer Status
Chairs and Vice-Chairs of Standing Committees

From: Diab El-Tabari, President

**WRITTEN STATEMENT BY
THE FEDERATION OF INTERNATIONAL CIVIL SERVANTS' ASSOCIATIONS (FICSA)
AT THE 31ST SESSION OF THE HIGH-LEVEL COMMITTEE ON MANAGEMENT (HLCM)**

(UNIDO-IAEA Vienna, 22 March 2016)

Madam Chair, Members and Colleagues of the High-Level Committee on Management,

FICSA looks forward to sharing its views with the HLCM during today's discussions on items which are of utmost importance to the staff including, but not limited to, the implementation of the 2030 Agenda, the one set of principles on operational and administrative aspects, the new business models and the data revolution.

While FICSA is always eager to engage in constructive staff/management relations, we still see within a number of our member organizations an alarming lack of constructive dialogue. FICSA remains gravely concerned by the continuing deterioration in relations in several organizations and continues to advocate for amicable solutions to ongoing alarming situations. Notably, FICSA has been following the problematic developments in WIPO, UPU and the FAO and will continue to do so.

We take this opportunity to thank organizations which have expressed support for an enabling environment for constructive staff/management relations and zero tolerance for abuse of authority and other deviations from established principles of international administrative law and good management practices. We respectfully request the continued support of the HLCM on these and related matters so as to promote productive working relations within all the organizations and to also provide timely remedies should any violation occur.

FICSA would also like to respectfully request that an agenda item entitled "Whistleblower Protection" be included in the next session of this important Committee in the hope that through open and constructive dialogue mutually agreeable changes can be made to the current

whistleblower protection policy outlined in the UN Secretary-General's Bulletin ST/SGB/2005/21 based on the revisions proposed by the Government Accountability Project.

The increase in the use of non-staff contracts to deliver core functions is of extreme concern to staff representatives, as it should also be for the governing bodies of the organizations and the UN Joint Staff Pension Board.

In 2012, FICSA alerted the HLCM to this issue. According to documentation produced by the UN Chief Executives Board, in a system that employs about 185,000 staff members, some 90,000 – i.e. 48.6 per cent of the total workforce – belong to the so-called non-staff category. Such employees can serve for many years on short, precarious contracts, often without the benefit of health insurance for themselves and their families, and can be deprived of other social security provisions such as sick leave, maternity leave and pension.

Non-staff contracts can come in many forms, such as “Special Service Agreement, Individual Contractor Agreement, Service Contract, Government Seconded, Supernumerary Contract, Individual Contractor Contract, External Collaboration Contract, United Nations Volunteer, Individual Consultant, Individual Specialist, Contractual Service Agreement, Consultant, Casual Labour, Visiting Expert, PSA Subscriber, National Project Personnel, National Correspondent, South/South Subscriber, TCDC/TCCT Expert, Editors, Proofreaders, Teachers, Contractual Service Agreement, Agency Field, Ministry Staff, National Staff and Gratis Personnel” (CEB/2011/HLCM/HR/21).

Non-staff personnel are initially less expensive than regularly employed staff; consequently, their popularity has increased in the majority of organizations, with the result that in certain organizations the share of non-staff contracts can be as high as 70 per cent of the total employed workforce.

However, despite perceptions of short-term budgetary relief in an environment of growing constraints, the gains associated with the use of non-staff contracts soon vanish. The devastating effects on organizational climate are clearly discernible – particularly when staff and non-staff personnel work side-by-side in functions that are equally crucial to the success of the organization, but with substantially different conditions of service. Many young recruits – who appear to be the segment of the workforce and who are most frequently offered these contracts – soon become disillusioned and leave the organization, realizing that they were not treated fairly. FICSA also remains concerned about the shift to private security services in a number of settings, which appear to be decisions driven by cost-containment imperatives rather than optimal delivery of security for staff and UN operations more broadly.

FICSA believes that UN entities have a legal and moral imperative to be guided by international labour standards, and in this regard recalls International Labour Organisation (ILO) recommendation No. 198 (2006), which stipulates that if the work requires an employer-employee relationship, the contract should be an employment contract and staff so employed should be accorded the rights they are due. However, if the work entails an independent contractor relationship rather than an employment relationship, it should then be a non-staff contract. We commend the organizations which have sought to apply this distinction and which have taken corrective action where there has been an excessive use of non-staff contracts.

The High-Level Committee on Management, in its 24th session in Washington D.C., recalled that the growing need for the action and services of the United Nations required a cadre of stable and established international civil servants.

As the global need for peace, development, food, security, health and assistance to the most vulnerable populations of the world is on the rise, demands on the UN staff have also become more pressing; however, the recurrent request to the organizations is to “do more with less”.

We were pleased to see that the Chief Executives Board has also voiced its concern and that the HLCM, at the last UN General Assembly session, supported improvement to the proposed compensation package for staff in the Professional and higher category to safeguard delivery of service. Similar to what we saw taking place in the review of the compensation package for the Professional and higher category staff, a continued abuse of the category of National Professional Officers in search for the lowest possible human resources price tag will drive the UN system down and compromise its ability to deliver on its mandate – possibly beyond a very dangerous breaking point where the essence of the international civil service itself will be lost.

FICSA trusts that during this HLCM session, staff and organizations will be able to establish common grounds to address the issue of the second phase of the comprehensive review at the next (83rd) session of the ICSC.

In reviewing the remaining items on the agenda of this 31st session of the HLCM, FICSA takes note regarding the progress on various items and will be making brief interventions where needed, especially with regards to the mandatory age of separation, duty of care, ASHI and issues regarding safety and security.

FICSA wishes to extend its appreciation to both the HLCM and HR Network for voicing their concern about pension payments which had been considerably delayed for new retirees and to the organizations for their call to find immediate solutions to the issue.

FICSA highly appreciates the establishment of a Working Group on the Federation’s cost-sharing proposal for the release of its elected primary officers at the last session of HLCM in London, and recognizes the full engagement of the members of the Group in looking for ways to assist the Federation. We look forward to the official brief on the progress of the Working Group. In the meantime, FICSA will continue developing a business plan for further discussion by the Working Group in the hope that a final positive conclusion can be presented at the next HLCM session.

We thank you for providing the Federation with this opportunity to address the HLCM with some of the concerns raised by the staff it represents and we look forward to continued dialogue, not only with the HLCM but also with the ICSC, the HR Network and the UN Joint Staff Pension Board.

We wish you a successful session.

Thank you.
