



EIGHTEENTH ITEM ON THE AGENDA

**Human Resources Strategy: A review
of progress and impact****Introduction**

1. This paper reports to the Programme, Financial and Administrative Committee (“the Committee”) on the overall implementation of the ILO Human Resources Strategy (“the HR Strategy”) adopted by the Governing Body in November 1999.¹ It considers the progress and impact of the HR Strategy since 1999, taking into account the recommendations made by the External Auditor on the Strategy in the report submitted to the Committee at its March 2003 session and the views and recommendations expressed by the Committee at its March and November 2003 sessions.² Appendix I to this paper summarizes the Office’s continuing responses to the Auditor’s recommendations. The main elements of the Strategy remain valid. However, and in response to the concerns of the Committee, the Office has refined the Strategy as described in detail below and set priorities to achieve as many as possible of its objectives within the resource limitations.
2. The External Auditor’s report noted that the initial HR Strategy was a wide-ranging document that sought to improve all areas of human resources management in the ILO. The key to the success of the Strategy is to gain support from management at all levels. The Director-General launched the “Strengthening management for delivery and results” initiative in December 2002, aimed at identifying the key challenges facing the Organization and suggesting solutions for maximizing results. A considerable amount of time and effort have been deployed by senior management during the past year in this regard. Progress has been made on several fronts such as: review of several human resource policies and practices, improved communication with staff (e.g. more regular meetings with staff, better use of the web site for transmission of information), better alignment of responsibility, authority and accountability functions, enhanced information sharing (e.g. the Common Decent Work Vision and tools for implementation), streamlining of some financial and administrative procedures and direct involvement with

¹ GB.276/PFA/16. Developments in relation to the HR Strategy have been reported in separate papers to each subsequent session of the Committee.

² GB.286/PFA/14: “A review of the implementation of the ILO’s Human Resources Strategy: Report by the External Auditor”.

line managers in developing and executing Office-wide policy. Through the Decent Work Agenda, a more integrated approach to the different aspects of the work of the ILO and coherence in policy design is being reinforced.

3. The implementation of the HR Strategy is at the heart of this initiative. Without effective human resource policies, the Organization would not have the capacity to deliver optimum results. As such, the Senior Management Team gave special emphasis to it in 2003. A comprehensive review of several HR policies and practices surrounding staff mobility, succession planning, recruitment and selection, gender equity, training and grading was undertaken for subsequent implementation. This is an ongoing process and the Senior Management Team is committed to monitoring progress during 2004.
4. HRD is now working with executive and regional directors and line managers through ongoing systematic staffing reviews to assess the overall staffing situation, improve succession planning and the timeliness of decision-making on staffing issues in individual work units. Through this process, it will be possible for HRD to provide early support to line managers to plan action concerning vacant posts, grade structures, mobility and succession planning. Data are available on expected retirements, transfers, and the creation of new posts.
5. In 2003, HRD initiated a series of monthly meetings with line managers to keep them informed of latest developments and seek their views before preparing policy papers for the Senior Management Team. The remit of these meetings with line managers was expanded to facilitate communications not only on HR developments but also on priorities being addressed by other support departments that require line manager knowledge and involvement. A retreat with line managers was conducted in November 2003, which, inter alia, focused on developments in the forward programme and budget cycle and provided HRD with the opportunity to consult on the draft staff mobility policy.
6. The Office continues to work closely with the Staff Union on HR policy matters and the Joint Negotiating Committee has carried out intense and constructive work throughout the year, allowing views to be shared and policies to be developed jointly. Collective agreements are an integral part of the HR Strategy. To date, three of the seven collective agreements have been revised: the procedural agreement which set the foundation for the collective bargaining system and the two agreements on work-related grievances. The latter two have been revised and are submitted to the Committee in Appendix II as described in paragraphs 28 to 32 below. Work has also begun to revise the collective agreement on a procedure for recruitment and selection, as described in paragraph 18.
7. At the November 2003 session of the Committee, it was noted that the revised agreements would ensure that implementation be subject, where appropriate, to the authority of the Governing Body concerning approval of amendments to the Staff Regulations or of the resources necessary to enforce a collective agreement. This measure was taken to address concerns raised previously that in some instances it was stated that the provisions of a collective agreement should take precedence over the Staff Regulations in the event of conflict between the texts.
8. The next section of the paper outlines progress made on the HR Strategy since 1999 and of issues arising during implementation. It summarizes additional policy matters that have been addressed since the 1999 Strategy was presented to the Committee. Finally, the paper elaborates the Office's proposed priorities under the HR Strategy during the next few years.

Implementation of HR Strategy – Progress and issues

9. At the November 2003 session of the PFAC, the Committee requested a more comprehensive document to compare current HR initiatives against those set out in the 1999 Strategy. Overall policy aims have not changed significantly since. However, as mentioned in the External Auditor's report, the Strategy was ambitious and required continued refocusing in the light of limited resources. The Office will continue to refine its policies to attract high-quality staff and enable them to work in an efficient and cost-effective working environment. Commentary below follows the structure of the 1999 Strategy paper.³

Personal and career development

(a) *Personal Development Plans (PDPs)*

10. PDP pilot exercises for the Social Protection Sector and the Americas have now been finalized. A total of 117 completed PDPs were received from both pilots. The Social Protection Sector has already commenced implementation of some interventions set out in the sector's training plan and a workshop was organized in Turin on the Decent Work Agenda and social protection, with participants from headquarters and the African region late in 2003. Individual development and training plans will be prepared for each participant after the information on the sector's training plan has been validated. The PDP exercise for the Americas was finalized in September 2003. Consolidation of the data is nearly complete and a report is being prepared by HRD along the same lines as for the Social Protection Sector.
11. In September 2003, an external evaluation of the PDP scheme was carried out. The report provides an interim review of the PDP pilot exercises and comments on the integration of the PDP with a new performance management and rewards system. The main strengths identified in the evaluation are that PDPs provide: a formal system by which staff members express their own views on their development needs and obtain feedback; a clear framework within which a staff member and manager can hold a discussion; and an opportunity for a work unit to formalize its plans for development and implement them within its business objectives. On the other hand, the cycle time from commencement of the process to action on individual plans was considered too lengthy and the report recognized that to implement the PDP system throughout the Office in its current format would require considerable additional resources on an ongoing basis as the PDP is not a one-off exercise. The Office has taken note of the recommendations arising from the PDP evaluation, bearing in mind the financial limits and the need to consider other areas of the HR policy that also require attention.

(b) *Performance appraisal*

12. The Office intends to work closely with line managers and the Staff Union in 2004 to develop a new performance appraisal system that will facilitate the recognition and reward of good performance as well as provide a means of identifying underperformers and devising ways to address the issues involved. In approaching this task, it might be noted that the External Auditor recommended that the Office clarify the continued use of the

³ GB.276/PFA/16, "ILO Human Resources Strategy".

performance appraisal system in relation to the introduction of PDPs and concluded that the PDP system should be kept separate from that system. The Auditor also advised the Office that in reviewing the system it take positive steps to ensure that appraisals are fair, balanced and accurate.

13. During 2003, HRD carried out an analysis of the Office's current system and examined the experience of a number of other agencies to identify good practices within and outside the United Nations system as a basis for proposing an effective internal performance management system. The revised system will provide a more consistent appraisal cycle for regular budget officials and require workplans to be established to indicate what outcomes are expected of an official, integrating the individual's appraisal with the unit's work and programme planning.

(c) Workforce rejuvenation

14. Table 1 below indicates that the average age of staff in the Office remains high, with almost one-quarter of all Professional staff aged over 55 and about one-third aged below 46. The introduction of the Young Professional Career Entrance Programme (YPCEP) and other recruitments at the P.2/P.3 level in recent years account for the increase in the level of younger staff. The Office has been developing a more effective approach to succession planning in order to ensure that, as more staff leave upon retirement, younger officials will be recruited, and institutional knowledge and experience will be maintained. Good progress has been made during the last five years with 62 per cent of new appointments since 1999 being of persons below 45 years of age, most at lower grade levels. Since 2002 the Office has been taking concrete steps to re-establish a more appropriate grade distribution, particularly at the P.2/P.3 levels, where younger staff are to be recruited.

Table 1. Age distribution of Professional higher category staff, 1999-2003

Age	1999		2000		2001		2002		2003	
	No.	%								
Over 55	166	24.7	174	25.7	186	26.2	203	28.8	177	24.4
46 to 55	307	45.6	326	48.2	329	46.3	290	41.2	310	42.7
36 to 45	161	23.9	139	20.6	147	20.7	155	22.0	177	24.4
35 and below	39	5.8	37	5.5	48	6.8	56	8.0	62	8.5
Total	673	100.0	676	100.0	710	100.0	704	100.0	726	100.0

15. Following the recruitment of a group of young professionals in both 2001 and 2002, the YPCEP ran into a number of difficulties, particularly a lack of long-term funding, which prevented the recruitment of a new intake of young professionals in 2003. The External Auditor recommended that the Office carry out a review to ensure that funding is in place; that managers understand the benefits of taking the graduates from the programme; and that the programme offers best value for the ILO. An external evaluation of the YPCEP began at the end of 2003. The report has not yet been finalized; however, interim conclusions indicate that, although the programme has enabled the Office to make progress on some key HR policies, e.g. on national diversity, mobility and lowering the average grade of Professional staff, the programme has suffered from a lack of long-term funding and difficulties in securing buy-in by programme managers.

16. To address the funding issue, beginning in early 2003, the Office commenced the process of integrating young professionals onto existing regular budget posts, i.e. posts for which funding is secure into the future. This involved matching the profiles of young

professionals to vacant posts, which has been a difficult exercise to undertake, given the limited number of P.2/P.3 posts currently available. By January 2004, nine of the 20 young professionals had been fully integrated and posts have been identified for the integration of another four within the coming months. The remaining young professionals will be integrated onto regular budget posts as soon as possible. The Office has also allocated a portion of the 2000-01 cash surplus to contribute toward the cost of the young professionals that had not yet been integrated. The Office remains committed to the recruitment of younger officials as a key HR policy objective.

Prospection, recruitment and selection

- 17.** The main issues relating to prospection, recruitment and selection raised by Committee members in previous sessions, and by the External Auditor, were that the Office had to take steps to fill vacancies more quickly through a transparent and merit-based mechanism, taking into consideration staffing policy goals concerning high competence, gender and national diversity.
- 18.** Work has begun to revise the collective agreement on a procedure for recruitment and selection that was signed in October 2002. One significant interim change agreed by HRD and the Staff Union Committee concerns better use of assessment centres. The Office now only uses assessment centres for selection of external candidates and for internal candidates who are applying for management positions and General Service officials short-listed for selection into the international Professional category under the regular budget. Staff who have been recruited through the competitive process in the G.1-G.4 band no longer require assessment prior to being considered for promotion through selection or reclassification into the G.5-G.7 level; and staff in the P.1-P.3 band no longer require assessment to be considered for promotion into the P.4-P.5 band.
- 19.** In future, and as a further step, priority will be given to assessment of candidates for management-level vacancies. Assessment will be carried out for individual staff development purposes where resources permit. This is in line with the External Auditor's recommendations that it would be more effective to concentrate resources on the selection of managers and future managers. A first management-level assessor training session was carried out during 2003 and a second session is planned for 2004. Modalities are being established for the systematic use of assessment for the selection of managers.
- 20.** In terms of competition duration, until recently the measurement of time required to fill a vacancy has been from the date the request to fill the post was submitted to HRD to the date when the post was filled. Using this methodology, the Office reduced the average duration required to process competitions by half from 379 days between January to June 2001 to 195 days between July and December 2003. However, this method of calculation can be misleading. For instance, HRD often receives a request to fill a vacant post before the departments/sectors and regions have provided the relevant job description, when a post has not yet been established and graded and before funds clearance has been obtained.
- 21.** HRD now measures the duration of a competition after the department has fulfilled the above requirements, i.e. from the date of HRD's announcement of a competition to the date on which selection recommendations are submitted to the Director-General for decision. The Office is committed to reducing the average recruitment and selection time to five months by the end of 2005.
- 22.** A number of initiatives are being developed to reduce delays in filling vacancies in the future. In this respect, progress is being made to manage and run assessment centres more smoothly. The Office has produced a framework for the reduction in administration and

strengthening of the quality of Professional-level assessment centres. This has reduced the time required by assessors from three days to one day, while making the methodology more robust through cross checking of competencies to ensure that all competencies are measured through multiple exercises. The reduction in length facilitates the scheduling of assessment centres and the assessment schedule will be established one year in advance to facilitate assessor involvement and competition planning.

23. The Office's applicant tracking system has also facilitated the processing of vacancy announcements and follow-up action. Candidate and vacancy files are retained by the system and can be searched and processed electronically. A revised version of the tracking system, which will allow computerized shortlisting of candidates, was elaborated during 2003. The new version will be introduced during 2004. It is anticipated that developments to the system will contribute to reducing durations required to process competition files.

Job classification and grading

24. At its 280th Session (March 2001), the Governing Body noted the *Collective Agreement on Arrangements for the Establishment of a Baseline Classification and Grading* and the establishment of the Independent Review Group (IRG). Due to a large number of outstanding appeals, eight additional members of the IRG were nominated in May 2003. At the end of January 2004, 64 cases were pending IRG recommendations. Moreover, HRD issued a circular on job grading in June 2003 and emphasized the importance of greater managerial responsibility in workforce planning, management and accountability. At the same time, line managers were provided with guidance on job grading. In order to ensure consistent application of the grading standards, HRD remains responsible for examining all requests for grade review.
25. The International Civil Service Commission (ICSC) has recently promulgated the New Master Standard for classifying Professional and higher categories jobs in all UN Common System organizations effective 1 January 2004. The New Master Standard has taken into account developments in common system workplaces since the existing standards were developed and is simpler to implement than the current system. It is based on a holistic approach with linkages to performance management and competency development. This represents a significant improvement over classification systems currently in use within the common system. HRD is developing organization-specific illustrations according to the model provided in the New Master Standard for each grade determining factor and at each grade level.

People management skills

Staff learning and development

26. Members of the Committee have expressed their desire in previous sessions to see greater emphasis on staff training and management development. The present ILO Staff Training Programme provides only limited support to building management capacities and improving technical competencies of staff. The core of the programme – courses in languages, information technology and GS staff development – is sound and should continue. Training modalities remain limited (e.g. distance learning is underutilized) and most training courses remain generic in design, are delivered by outside consultants and do not generate spin-offs in the form of manuals and guidelines adapted to ILO needs. Moreover, participation of staff at courses organized by HRD is essentially voluntary and a minimum training requirement (in terms of days per year) has not yet been implemented across the Office. The Governing Body approved the use of part of the 2000-01 surplus to

build management capacity and strengthen methodologies and prepare training materials that can be used in future years, as described in paragraph 37. A comprehensive proposal has been prepared by HRD, including a detailed workplan for implementation until the end of 2005. Approval is expected in the first quarter of 2004.

27. As provided for in the *Collective Agreement on Personal Development Plans*,⁴ a Joint Training Council (JTC) is currently being established. It shall provide advice on an ongoing basis in relation to the strategic direction of the Office's policies and programmes on staff learning and development.

Employee relations

Grievance handling

28. At its 279th Session (November 2000), the Governing Body noted the *Collective Agreement on a Procedure for the Resolution of Grievances* and approved the amendments to the Staff Regulations necessary to put it into effect.⁵ At its 280th Session (March 2001),⁶ the Governing Body noted the *Collective Agreement on a Procedure for the Prevention and Resolution of Harassment-Related Grievances* and confirmed the amendments to the Staff Regulations necessary to put it into effect at its 282nd Session (November 2001).⁷
29. Both these agreements provided for their review two years after they came into operation. The Office, through the Joint Negotiating Committee, therefore undertook in early 2003 to review their operation, involving extensive consultations with staff, management and the persons and bodies responsible for its functioning. In keeping with the main mechanisms (facilitators, Ombudsperson and Joint Panel) put in place by the two agreements, their review was aimed at ensuring, within existing resources, a simpler, and more effective approach to preventing and resolving work-related conflicts. Such a review process has now been concluded and both agreements will be replaced by a single *Collective Agreement on Conflict Prevention and Resolution*, to be signed shortly (the new Agreement and related amendments to the Staff Regulations and associated administrative circulars feature in Appendix II). The system embodied in the new Agreement consists of three basic elements: conflict prevention; informal conflict resolution; and a formal grievance procedure.
30. The new system has been designed to establish fair, transparent, efficient, and effective procedures for the prevention and resolution of workplace grievances. These procedures are based on respect for, and recognition of, the rights and responsibilities of all ILO officials and take into consideration the multicultural working environment in the ILO.
31. While the right of staff members to bring a formal grievance is preserved under the new system, its main objective is to encourage the prevention and informal resolution of workplace conflicts through facilitation and mediation wherever possible. Accordingly, the new procedure strengthens the role of the facilitators and shifts the role of the

⁴ Signed by the Office and the Staff Union on 3 August 2001.

⁵ GB.279/PFA/12.

⁶ GB.280/PFA/11.

⁷ GB.282/PFA/8/1.

Ombudsperson from that of an investigator to that of a mediator. Informal conflict resolution is no longer part of the formal procedures for the resolution of grievances. Regarding the latter, they have been simplified and streamlined through a unified process and body, the Joint Advisory Appeals Board, the only exception being the handling and administrative resolution of sexual harassment grievances, through fast-track confidential investigation.

32. The new collective agreement includes proposed amendments to the Staff Regulations as well as a number of agreed administrative circulars (see the annexes to Appendix II).

Additions to the original HR Strategy

Contract policy reform

33. It has been noted in previous sessions that the current contractual provisions in the ILO, which are characterized by too many contract types, complexity in employment arrangements and cumbersome administrative processes, are not consistent with new management approaches in the Office nor with operational needs. The issue of contractual arrangements has been addressed at the ICSC and it was agreed that it was important to establish a consistent framework by reducing the number of different contracts in the United Nations system and standardizing their description. Most recently at its 58th Session in August 2003, the ICSC requested its secretariat to prepare a model contract for each of the three categories proposed as the result of its discussions, namely (a) *continuing appointments*, (b) *fixed-term appointments* and (c) *temporary appointments*, with subgroups in each category that would clearly distinguish key characteristics. The Office will discuss ways with the Staff Union to reduce the types of contract from six to three while awaiting further developments at the ICSC.
34. HRD issued an Office Circular (series 6, No. 630) in August 2002 setting out the procedures to be followed for officials employed under inappropriate contractual conditions. As a result of the various initiatives taken to regularize the situation of persons employed long term on temporary contracts as mentioned in previous reports to the Committee, only six remained to be resolved by 31 December 2003. A working group was set up comprising administration and Staff Union members to review remaining cases and HRD has developed a database to monitor the types of short-term contracts awarded in the Office.

Work-life initiatives

Employment of persons with disabilities

35. Since early 2003, HRD has been in contact with the Staff Union Committee with a view to developing a document concerning the promotion of employment of persons with a disability in the ILO. The Staff Union Committee has established an informal working group on this subject and HRD has worked with this group throughout the year. A draft document prepared by the working group was presented to the Joint Negotiating Committee in January 2004 and a policy paper will result from this exercise in the first quarter of 2004.

Domestic partners

36. Since a document was submitted on this issue to the Governing Body in November 2001, the ILO has been involved in the development of a policy concerning the recognition of domestic partners within the United Nations system. A meeting of the HR network in July 2003 requested the ILO to be the lead agency to advance this subject within the common system. Accordingly, an Inter-Agency Working Group was organized in September 2003 and a draft document was produced and submitted to the United Nations High-Level Committee on Management (HLCM) at its meeting in October 2003. The HLCM, in principle, agreed to move ahead with the subject and further requested the ILO to take a lead within the HR network to prepare a new document to be submitted to its meeting in March 2004. In January 2004, the United Nations Secretary-General issued a bulletin on family entitlements according to which all marriages and domestic partnerships recognized as valid under the law of the country of nationality of a staff member will qualify that member to receive entitlements provided for spouses. The HR network will be considering this development in the context of submitting a revised proposal to HLCM. The results of this process will be shared with the Committee at the November 2004 Governing Body session.

HR policy imperatives – The way ahead

HR management plans and role of line managers

37. As reported in November 2003, the Office has continued to take steps to reinforce the importance of line managers to the ongoing implementation of the HR Strategy. In this regard, the Senior Management Team will be reviewing the initiative commenced by HRD late in 2002 to conduct ongoing staffing reviews with managers of departments, sectors and regions. The objectives of this process are to ensure better forward staff planning, taking into account the Office's key HR policy objectives (on grading, age, gender and diversity) while at the same time ensuring that the quality of staff is not compromised, and to reduce delays in filling positions on vacancy. Priority is being given to facilitating transfer of staff at the same grade level between positions, thereby eliminating the need for competitions in some cases. HRD is working with PROGRAM to refine this process and to ensure that forward staffing obligations across the Office are clearly identified and can be resourced from available funds.

Staff learning and development

38. During the last decade the transformation of the economic and social environment around an emerging global economy has altered the strategic focus of the ILO's policies and programmes.⁸ These developments require a reshaping of the Office's management, technical and general capabilities through a new organizational learning and development framework, which provides for ongoing acquisition by managers and staff of the knowledge and competencies required to fulfil the Organization's role in meeting these external challenges.
39. The Governing Body has approved the use of a part of the 2000-01 surplus for non-recurrent investment needs arising from declining real regular budget resources over a number of biennia, internal strategic reforms, expanded ILO visibility and increased

⁸ Report of the Director-General to the ILC, *Decent work*, 87th Session, June 1999.

demands for its services. Inter alia, the surplus provides funding to address management challenges associated with achieving results-based improvements in the effectiveness and efficiency of programme implementation and support services; improved performance management and evaluation; and skills upgrading and rejuvenation. The development of the Programme and Budget proposals for 2006-07, to be submitted to the Governing Body in March 2005, will include explicit earmarking of resources for staff development purposes.

40. In the light of this situation and work associated with the strengthening management initiative outlined in paragraph 2, HRD has recently prepared a new learning and development framework (LDF) for the Office to encourage continuing personal and career development of managers and other staff. Pilot initiatives under the framework will be initiated relying on 2000-01 surplus funds. This development follows a period of working with line managers to identify capacity “gaps” in the Office, the main areas of deficiency concerning strategic planning and programme (including country programme) management; financial and budget management; HR management; and technical cooperation project design and evaluation. The LDF will align management and staff training approaches and activities with the ILO’s strategic objectives and programme initiatives. In this context, careful consideration will be given to addressing individual and collective development needs identified during the PDP process and as an outcome of assessment centres and the normal performance appraisal cycles. Delivery modalities (and the role of Turin and the United Nations Staff College in this regard) will also be assessed to ensure the cost effectiveness of the overall learning and development strategy. Resources will also have to be identified to provide training on the new systems created by the IRIS project. Specific programmes for newcomers and young professionals should also be retained but modified to improve their effectiveness and increased in frequency. In addition, many headquarters and field units initiate other training on an ad hoc basis, but this needs to be more clearly linked to developing ILO-specific core and related competencies.

Progress on key HR indicators

Gender balance

41. Table 2 below indicates that, overall, the percentage of females in the Professional grades and above in the Office has risen steadily from 31.1 per cent in 1999 to 37.6 per cent in 2003; however, the majority still tend to be at lower Professional levels.

Table 2. Percentage share of females in the professional higher category staff, 1999-2003

	1999	2000	2001	2002	2003
Executive and regional directors	21.4	21.4	8.5	20.0	20.0
D.2	9.1	16.0	18.2	16.0	22.7
D.1	11.7	17.4	19.7	26.4	26.5
P.5	18.7	20.3	22.6	24.7	26.4
P.4	34.0	35.7	36.2	44.1	44.7
P.3/P.2	55.6	55.6	54.4	59.8	60.4
Overall	31.1	31.8	32.8	36.2	37.6

42. At the March 2003 Governing Body the Office submitted its Programme and Budget proposals for 2004-05, within which the Director-General made a commitment to increase female representation at senior levels (i.e. P.5 to D.2) from its level at that time of 25 per

cent to 33 per cent by the end of 2005. In order to achieve this target, a number of measures are being applied. Within the framework of human resources management planning, gender equity goals shall be set for each sector and department; HRD and line managers shall identify female staff who have the potential to be promoted to the senior level; and connected to this will be the need to develop a “fast-track” training programme to develop the capacity of these staff members to assume higher functions.

National diversity

- 43.** In line with the repeated concerns of Committee members that the Office improves national diversity, steps have been taken to reduce the number of under- and non-represented countries. In 2001 and 2002, 27 out of 72 and 21 out of 56 persons respectively that were recruited into the Professional and higher categories were nationals from under-represented States, including those recruited under the Young Professionals Programme. In 2003, 12 out of 52 recruitments came from under-represented countries.
- 44.** The Office is continuing to explore how it can attract candidates from under- and non-represented countries. These measures include prospection drives, examples of which were launched in Japan and Africa during 2003. Other initiatives include detachment arrangements with governments, other United Nations agencies, institutions and companies, workers’ organizations and technical cooperation project contracts to allow for potential candidates to be identified.

Grade structure

- 45.** Appropriate handling of job grading is a key instrument for implementing the overall HR Strategy. The initial grading exercise following the adoption of the HR Strategy in 1999 resulted in an overcrowding towards the upper Professional levels. Table 3 shows that, since 1999, the numbers of staff in management/technical grades, especially at the P.5 grade, have increased, whereas the numbers for P.4 and below have decreased.

Table 3. Regular budget officials at Professional and Director level, 1997-2003 expressed in percentage terms

Grade	1997	1998	1999	2000	2001	2002	2003
P.1	0.2	0.2	0.2	0.2	0.2	0	0.2
P.2	4.0	4.8	4.2	4.3	2.8	4.0	3.5
P.3	20.1	18.2	17.1	18.6	16.0	15.0	14.8
P.4	31.2	32.6	30.0	28.1	27.2	26.6	27.8
P.5	32.6	31.7	34.3	35.5	39.4	40.0	40.4
D.1	8.9	9.1	10.4	10.1	11.3	10.3	9.8
D.2	3.0	3.4	3.8	3.2	3.1	4.1	3.5
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0

- 46.** The Director-General made a commitment at the March 2003 session of the Governing Body to control overgrading and to return the Office to a balanced, rational and justified grading structure. This process cannot be completed quickly and will require a number of years before an optimal structure can be built. Grading is interlinked with some of the Office’s key HR policies, especially gender equity at Professional levels and above, staff mobility, recruitment and national diversity, and reducing the age profile. Some of the policies are complementary, for example, reducing the average grade structure is consistent with efforts to bring in younger staff at lower levels; however, it is less consistent with other policies such as improving mobility and gender equity at management level.

47. The Office has been taking steps to redress the grading imbalance. HRD and PROGRAM, in collaboration with departmental, executive and regional directors, will develop an appropriate grading structure and prepare and implement an operational plan to adhere to the new grading structure within a given time frame. Better succession planning at departmental/sector level will identify those posts being freed upon retirement, transfer of a staff member to the field or vacancy for other reasons that can be regraded to a lower level. HRD will also provide training for line managers on work organization and planning, job analysis and grading. In addition, reforms planned to accord better recognition and provide appropriate rewards to good performers will assist in taking some pressure off the grading system.

Mobility

48. The majority of the ILO's operational work is carried out in the field and the Office recognizes the need to continue to improve the services it provides to its constituents at that level. If these services are to be of high quality and responsive to real problems and issues, service at field as well as headquarters levels will be a "must" for many Professional staff during their careers. The Office also encourages mobility for the contribution it makes to enhance a single international civil service that shares common values and cultural norms.
49. The Director-General agrees with the Committee's view that a more effective mobility policy is needed. In parallel with developments at the level of the ICSC, work in the Office is progressing in this area. Following a series of consultations across headquarters and field offices during the second half of 2003 to gather the views of staff and managers at large, HRD has now prepared a first draft of the mobility policy and has shared it with executive and regional directors, line managers and the Staff Union before its finalization. The new policy seeks to redress policy inconsistencies identified during the consultation process, address issues related to internal ILO culture, and clearly define roles and accountabilities to ensure a better implementation of the policy. Particular emphasis is given to the need to implement effective work-life policies in support of staff rotation. The Senior Management Team will review the new mobility policy framework early this year so that it can be operational in the second trimester of 2004.

Safety and security of staff

50. Field security reviews had been included within the HR Strategy in previous sessions of the PFAC. Security and safety of staff has become a priority issue and, as decided at the November 2003 session of the Governing Body, a separate paper on this matter is being submitted to the Committee addressing issues of security in premises at headquarters and in the field.⁹

Monitoring and evaluation

51. Committee members have frequently requested that the Office sets targets for its HR objectives. The External Auditor's report identified criteria to evaluate the success of the HR Strategy. The Office has consequently identified performance indicators to measure the impact of the HR Strategy. The indicators will be measurable, using as much hard data as is available to assess performance. The criteria identified by the External Auditor are

⁹ GB.289/PFA/4.

being considered, in addition to the key indicators set out in the 2004-05 programme and budget on gender equity, recruitment time and work-related grievances.

52. Benchmarking performance against similar functions provided by other United Nations organizations will also allow the ILO to determine how successful it has been in implementing the HR Strategy. HRD has already used benchmarking in its review of grading and of performance appraisals and will extend this to other policy areas in due course.

Amendments to the Staff Regulations

53. The Office and the Staff Union have agreed to propose minor amendments to the Staff Regulations of an administrative nature. They are set out in Appendix III.

54. *The Committee may wish to –*

- (a) note progress made in implementing and adapting the HR Strategy, taking account of the challenges encountered;*
- (b) endorse the future direction of the HR Strategy outlined in paragraphs 37 to 52 of the paper and, in this context, note the Office's steps to implement an effective monitoring and evaluation HR Strategy ;*
- (c) recommend to the Governing Body that it approve the text of the draft Staff Regulations contained in Annex I to Appendix II, as well as those set out in Appendix III;*
- (d) request a further report on implementation of the HR Strategy for its March 2005 meeting.*

Geneva, 24 February 2004.

Point for decision: Paragraph 54.

Appendix I

Summary of action taken to address external audit recommendations

Audit recommendation	Response to audit recommendation
On personal and career development:	
1. In order to ensure that the Personal Development Plan system works well, I recommend the ILO institute a training programme for all staff in the use of the electronically based PDPs; and that sufficient IT resources are made available for the launch.	Training programmes have been established for the pilot schemes identified in paragraph 10.
2. To ensure the effective implementation of PDPs, I recommend that the ILO take steps to accurately assess the training requirement which will flow from the development needs identified in PDPs, and put appropriate resources in place.	See paragraph 10. Part of the Office's training budget for 2004-05 will be allocated for the implementation of PDP activities.
3. I recommend that the ILO clarify the continued use of the performance appraisal system in relation to the introduction of PDPs and take positive steps to ensure that appraisals are fair, balanced and accurate.	Performance appraisals will remain separate from the PDPs. The Office is reviewing its performance appraisal mechanisms as described in paragraphs 12-13.
4. To ensure that the best use is made of the graduates from the Young Professionals Programme, I recommend that the ILO take appropriate steps to ensure that funding is in place; that managers understand the benefits of taking graduates from the programme; and that the programme offers best value for the ILO.	The current scheme is being evaluated by an external consultant, as described in paragraph 15. HRD is working closely with departments, sectors and regions to integrate YPs onto regular budget posts as soon as possible.
On prospection, recruitment and selection of staff:	
5. To improve efficiency and effectiveness, I recommend that the ILO review the present recruitment process; and simplify the roles of HR, line managers and the Staff Union, to concentrate on the assessment process and cut down the number of administrative stages involved in recruitment.	The recruitment process is now considerably quicker than before, however the Office agrees that more work is needed to further streamline the process. Paragraphs 17-23 describe current initiatives. This will include streamlining the ADC process as mentioned in point 7 below.
6. I recommend that the role of assessors should be enhanced by a greater recognition of their role in the performance assessment process.	Recognition of assessors will be reflected in performance appraisals. Line managers will be requested to include reference to this responsibility when commenting on an assessor's normal functions. Consideration will also be given within the new "rewards" framework to recognizing the work of assessors and other staff who provide valuable contributions within the internal Office community beyond normal work requirements.
7. To assist the effective operation of the assessment centres, I recommend that the ILO consider using them more selectively and that systematic succession planning be used to predict and run competitions for groups of vacancies.	HRD, in cooperation with the Staff Union, will now be using assessment centres on a more selective basis as described in paragraph 18. Through the staffing review process, HRD and line managers are now carrying out succession planning and identifying prospective vacancies with a view to determining appropriate action.

Audit recommendation	Response to audit recommendation
8. To encourage the use of assessment centres for the development of the individual, I recommend that they be used to encourage staff who wish to test their abilities against required competencies.	See response to point 7 above. Continuing resource limitations will restrict HRD's ability to conduct ADCs for individual development purposes. When such opportunities are offered, participation will be on a voluntary basis.

On classification:

9. In order to make the system workable and efficient, and to avoid complex bureaucracy and a plethora of appeals, I recommend that the ILO reconsider the existing procedures in the light of a review of the collective agreement.	Within the framework of overall review of existing collective agreements, the grading agreement is scheduled to be reviewed during 2004.
10. I recommend that the ILO take steps to make more staff, and particularly managers, better aware of the requirements of classifications and that they be given appropriate training in the essentials of evidence and procedural requirements.	Initiatives taken by the Office to address this recommendation are described in paragraph 24.
11. I recommend that the ILO continue efforts to eliminate the inappropriate use of short-term contracts by the time the new contracts system comes into place.	A joint working group comprising management and Staff Union representatives was set up in August 2003 to monitor this situation.

On people management skills:

12. I recommend that each sector in the ILO consider establishing a training strategy, produced as part of an overall HR Strategy for the sector, in order to provide resource managers with a basis for decisions on how to prioritize their own resources and the ILO training resources more generally.	This accords with the Office's view that line managers need to take greater responsibility for decision-making in personnel matters. Each sector and region should over time recruit its own HR specialists, who would then form an expanded HR network throughout the Office. The Office has been developing a new LDF and associated strategy, which will require more active involvement in and management by departments, sectors and regions. To fund this initiative on a more realistic and sustained basis, the Office would like to see its budget for training increase from the current 0.7% of the overall administrative budget to 2% during the biennium 2006-07 and beyond.
13. In order to support change management and the successful implementation of the HR Strategy, I recommend that the ILO give priority to a management training programme and that this should be a part of a wider review of training strategy across the ILO.	The issue is being addressed under the management challenges component of the 2000-01 surplus proposals. To assist in the development of the training strategy, HRD carried out an assessment of the ILO management and technical capacity needs at the end of 2003.

On employee relations:

14. To ensure that grievance procedures operate for the mutual benefit of both staff and management, I recommend that the ILO review the timescales and details of the procedures, with the aim of securing a more streamlined system that relies to a greater extent on local managers.	These issues are addressed by the revised collective agreement on work-related grievances as set out in paragraphs 28-32.
15. I recommend that the role of the Ombudsperson be reviewed to address the currently conflicting roles of mediator and investigator.	See response to 14 above, paragraph 31 refers.

Audit recommendation	Response to audit recommendation
On external awareness:	
16. In order to take forward the exchange programme as it was intended, I recommend that the ILO establish an agreed set of contracts and terms and take steps to actively seek potential staff exchanges.	The Office has exchange programmes with the private sector (e.g. Michelin) and from government institutions (e.g. the Japanese Ministry of Health, Labour and Welfare). There are also currently 16 national officials on detachment from their government to the ILO.
17. I recommend that wherever possible the HR Department should seek to streamline existing administrative procedures and increase the number of professionally trained staff dealing with strategic HR matters.	HRD intends to increase the number of its professionally trained human resource experts during 2004-05, subject to resource availability.
Other overall recommendations arising from audit findings on implementation:	
18. I recommend that the HR Department establish a communications strategy as a matter of priority, in order to identify the needs of all the ILO staff for information on changes and developments under the HR Strategy generally.	Internal and external communications working groups have been set up in HRD to review communications issues. HRD is working closely with the Senior Management Team and PROGRAM and FINANCE to identify the different information needs of staff. HRD's website is being updated and now includes a set of frequently asked questions. Monthly meetings have been established with line managers to discuss HR, PROGRAM, FINANCE and internal administrative issues and the feedback from this initiative has been extremely positive.
19. I recommend that the ILO identify a single focal point within the HR Department, to be responsible for reviewing the impact of each element of the HR Strategy on other elements and to provide a link to ILO staff on the benefits of the strategy .	HRD's organigram shows a person responsible for each main area of operations, policy and administration. The HR management team will be responsible for coordinating the overall HR Strategy .
20. In the light of the uncertainties and potentially large commitment of resources arising under the HR Strategy , I recommend that the ILO carry out a comprehensive review of resource implications and the likely costs of the full implementation of the HR Strategy for future years.	The overall HR Strategy is being critically reviewed. Some cost savings have already been identified as detailed above, e.g. shortening the duration of ADCs and focusing them on management-level positions, and integrating young professionals more quickly into regular budget posts.
21. In order to provide a measure of the success of the HR Strategy, I recommend that the ILO identify and apply appropriate evaluation criteria.	HRD will develop performance indicators and benchmark achievements against other United Nations organizations. This has already been done for gender balance, grading and mobility compared to other United Nations organizations and targets have been set for recruitment, gender equity and work-related grievances in the 2004-05 programme and budget document.
Work that can be carried out immediately:	
Review global staffing needs and, where advisable, group together competition requests to hold joint recruitment and assessment centres rather than individual events.	HRD is reviewing various ways in which staff planning and recruitment processes can be improved. HRD already groups ADCs whenever possible.
Agree an incentive for assessment work, for example a time allowance for all assessors and members of groups and panels.	To be reviewed in the context of 6 above. By limiting ADCs in the manner outlined in 7 above, it is expected that the time taken to administer ADCs will reduce significantly. HRD is also examining possible ways in which the current ADC P- and GS-level platforms can be reduced in length. Training a larger group of assessors will also broaden the burden of assessment responsibilities.

Audit recommendation	Response to audit recommendation
Clarify the role of performance assessments in relation to the PDP arrangements.	This will be carried out in 2004.
Produce simplified guides and checklists for staff and management covering the action needed for grievances and on any other relevant HR issues.	Work is in progress. The FAQs that are being developed on HRD issues could serve as part of such guidelines.
Hold a series of workshops with managers from all sectors to explain HR requirements and agree how to measure implementation.	HRD's close involvement with line managers through the staffing review process provides an ongoing mechanism for dialogue on a broad range of HR issues. In addition, since early 2003, HRD has held a series of meetings with line managers once per month to discuss the latest HR policy matters. An end-of-year retreat of line managers was held in November 2003 to discuss a range of HR and PROGRAM issues.
Consider the future programme for assessment centres with a view to concentrating on managers or potential managers.	The assessment of managers/prospective managers and supervisors, and external candidates at the professional level will be the priority for assessment centres.
Provide periodic information to all staff on the progress in each HR area; on what HR expect from staff; and on what staff can expect in terms of service from HR.	See response to 18 above.
Inform early decisions on the funding of the longer term management training programme.	HRD is developing a training strategy within a new LDF as discussed in 12 above.
Examine the links between the strands of the HR Strategy and the impacts that each strand has on the other.	The links between various elements of the HR Strategy are being considered as policies are developed or updated (e.g. on mobility, gender equity and job classification and grading).
Establish brief workshop-based training for HR staff in client relations and service issues.	HR General service staff have attended training courses on communication. As noted earlier, HRD has prepared a set of FAQs that are now on the Intranet site.
Establish evaluation criteria for the HR Strategy .	See response to 21 above.

Appendix II

Collective Agreement on Conflict Prevention and Resolution

Between the International Labour Office and the ILO Staff Union

Preamble

Within the framework of the *Recognition and Procedural Agreement between the International Labour Office and the ILO Staff Union*, dated 27 March 2000, as amended on 6 November 2003, and in accordance with paragraphs 1 and 2 of article 27 of the *Collective Agreement on a Procedure for the Resolution of Grievances*, dated 13 September 2000, and paragraphs 1 and 2 of article 25 of the *Collective Agreement on the Prevention and Resolution of Harassment-Related Grievances*, dated 26 February, 2001, the Parties reviewed the operation of both grievance Agreements and have renegotiated them in the light of this review. Arising from this renegotiation, both of these Agreements are replaced by this *Collective Agreement on Conflict Prevention and Resolution*.

The purpose of this Agreement is to establish fair, transparent, efficient and effective procedures for the prevention and resolution of workplace conflicts and grievances. These procedures are based on recognition of, and respect for, the rights and responsibilities of all officials working in a multicultural environment.

The Agreement establishes a conflict prevention and resolution procedure consisting of three components as follows:

- prevention;
- informal conflict resolution; and
- formal grievance resolution comprising a general grievance procedure and a sexual harassment grievance procedure.

Particular emphasis is given to ensuring that problems are addressed quickly through dialogue and at the level closest to where the problem arises.

Article 1 Prevention

The Parties are committed to promoting a work environment where all officials can discharge their professional responsibilities in an efficient and effective manner and where each individual is treated with respect, dignity and courtesy. To this end, policies and strategies aimed at preventing grievances shall be developed and promoted. These include training, information, the development of policy statements and periodic reports by the bodies set up under this Agreement, as appropriate.

Article 2 Informal conflict resolution

Informal conflict resolution is designed to provide a voluntary, flexible, confidential and informal process for the resolution of workplace problems. The Parties are committed

to ensuring that effective informal conflict resolution mechanisms are in place and to encouraging their full use in good faith before formal grievance procedures are invoked.

Informal conflict resolution is not a first step in the general grievance procedure or in the sexual harassment grievance procedure but is a stand-alone process. It is a valuable and resource-efficient means available management, individual officials, or groups of officials confronted with the same workplace problems, to resolve these problems quickly and informally. For these reasons, it is flexible, applies to all types of workplace problems, is not bound by any time limits, no records of the proceedings are maintained and the process is confidential to the Parties.

The following informal conflict resolution options are available:

- third-party assistance;
- facilitation; and
- mediation.

Third-party assistance

An official may request the assistance of the Human Resources Development Department (HRD), a higher-level chief, the Staff Union, or an ILO official or former official to assist with the informal resolution through dialogue of a workplace problem.

Facilitation

An official may request the services of a facilitator to assist in informal resolution through dialogue of any workplace problem. The role of the facilitator is to enable confidential dialogue between the parties to a workplace problem so that they can explore options for its informal resolution. All facilitation proceedings shall be confidential to the parties and no records of the proceedings shall be maintained.

A pool of trained facilitators at headquarters and in the field shall be drawn from ILO officials and appointed by the Mediator. A list of trained facilitators can be obtained from the Mediator's Office. The work of a facilitator shall be considered official duties and officials who are facilitators shall be released to the extent necessary from their normal duties for this purpose.

Mediation

An official may request the services of the Mediator to assist with the informal resolution of any workplace problem. These services shall be provided in accordance with the general principles, practices and procedures governing mediation. All mediation proceedings shall be confidential to the parties and no records of the proceedings shall be maintained. However, if the Mediator becomes aware of an imminent risk of serious harm to an individual, he/she will inform the Office and any other relevant authority.

The Mediator, who shall not be an ILO official at the time of appointment, shall be nominated by joint agreement of the Parties. The terms and conditions of appointment of the Mediator shall be determined by the Office within the framework of the provisions of this Agreement.

Article 3
Formal grievance resolution

All grievances shall be processed in the same way with the exception of sexual harassment grievances. Sexual harassment grievances shall be dealt with through a separate fast-track procedure that recognizes the importance of dealing with such complaints expeditiously and in strict confidence.

Processing a grievance through these procedures requires a substantial commitment of time and resources. Grievances that are found to be frivolous or vexatious shall be summarily dismissed. Grievances that are found to be malicious may be considered to constitute serious misconduct.

General grievance procedure

The Parties to a general grievance procedure are the official concerned and the Office. This procedure shall consist of the following stages:

- review by HRD;
- review by the Joint Advisory Appeals Board.

Review by HRD

An official who wishes to initiate a grievance procedure concerning his/her terms and conditions of employment shall notify HRD in writing within **6 months** of the occurrence of the matter giving rise to the grievance.

HRD will review the matter and take a decision within **3 months**. This review may be suspended by agreement between HRD and the official concerned for a maximum period of **3 months** to facilitate informal resolution of the grievance.

Review by the Joint Advisory Appeals Board

(a) Procedure

If the official does not accept the decision of HRD or no decision is communicated to the official within the time allowed, the official may file a grievance with the Joint Advisory Appeals Board within **1 month** following the decision or expiry of the time allowed for a decision by HRD. A standard form is available to facilitate the filing of a grievance.

The Joint Advisory Appeals Board (JAAB) shall submit its report to the Director-General normally within **3 months** and the Director-General shall take a final decision within **2 months** of its submission. The Director-General may consult as she/he considers appropriate before taking this final decision. The JAAB shall be advised of the Director-General's decision. In the absence of an express decision within this **2-month** period, the JAAB shall provide the Parties with a copy of its report and the official shall be entitled to imply acceptance of the recommendations of the JAAB.

A pool of Chairpersons, who shall not be ILO officials, shall be appointed by the Director-General on the recommendation of the Joint Negotiating Committee.

The Board members shall be drawn from a pool of officials nominated by the Parties to this agreement. Each Board shall consist of a Chairperson and 2 officials.

The outcome of the general grievance procedure is subject to appeal to the ILO Administrative Tribunal in accordance with its Statute.

(b) Composition and role of the JAAB

The JAAB is a body of peers operating within an industrial relations framework in accordance with procedures and the basic principles of fairness and justice generally recognized in international administrative law. Its role is to advise the Director-General as to the merits of the specific claims submitted to it, based on an examination of the relevant facts and documents, having regard to the official's contract of employment, generally recognized principles of international administrative law, existing collective agreements, Staff Regulations and other rules governing the terms and conditions of employment. There shall be no external legal representation before the JAAB.

The JAAB is composed of at least three chairpersons, who shall not be ILO officials, appointed by the Director-General on the recommendation of the Joint Negotiating Committee, and of two groups of members, who shall be serving officials, nominated by each of the Parties. The chairpersons and members shall be independent in the exercise of their functions. Each case shall be examined by a panel comprising a chairperson and two members, one from each group. The panel shall organize its meetings, oral proceedings and hearings in the most cost-effective manner for the Office.

Participation in the work of the JAAB shall be considered official duties and officials who are members of a panel shall be released to the extent necessary from their normal duties for that purpose.

In order to simplify and streamline specific appeals procedures provided for in the Staff Regulations, the JAAB shall assume responsibility to hear any such appeals, a list of which is provided in the amendments to Chapter X of the Staff Regulations contained in Annex I.

Sexual harassment grievance procedure

The Parties affirm their commitment to a working environment that is free of all forms of harassment, in particular sexual harassment.

Sexual harassment is defined as any unwanted conduct of a sexual nature in a workplace or in connection with work that, in the reasonable perception of the person concerned, is used as a basis for a decision which affects that person's employment or professional situation, or creates an intimidating, hostile or humiliating work environment for that person.

The following procedure should be read in conjunction with the policy statement on sexual harassment contained in Annex II. This procedure recognizes that allegations of sexual harassment require speedy, confidential and effective examination.

The sexual harassment grievance procedure shall consist of the following stages:

- review by HRD;
- investigation.

An individual¹ who believes that he or she has been subjected to sexual harassment as defined above is encouraged to attempt to resolve the matter directly or through the informal procedures set down in article 2 of this Agreement.

An individual who believes that he or she has been subjected to sexual harassment as defined above and who wishes to initiate a formal grievance procedure, shall notify HRD in writing within **6 months** of the occurrence of the behaviour which gave rise to the grievance.

The matter will be reviewed by HRD within **1 month** and the individual shall be notified of the measures HRD intends to apply, which may include referring the matter for investigation.

If the individual is not satisfied with the measures proposed by HRD or no proposal is communicated to the individual within this period, the grievance shall be submitted to independent investigation within **1 month** of the communication of a proposal or the expiry of the time allowed for that communication.

A pool of trained investigators shall be drawn from ILO officials and appointed by the Director-General on the recommendation of the Joint Negotiating Committee. The assignment of the grievance to an investigator or investigators shall be notified to the official, HRD and any other Parties directly involved.

The investigator or investigators shall submit a report to the Director-General normally within **3 months** from the assignment of the grievance. This report shall contain findings as to the facts as well as suggestions, where appropriate.

The Director-General shall take a decision within **2 months** of the submission of the report. He shall communicate it to the individual and any other Party directly implicated together with a copy of the report, having regard to any privileged information necessary to protect third parties. If no decision is taken at the expiration of this period, the investigator shall provide the official with a copy of the report (subject to the restrictions noted above), and the individual shall be entitled to imply acceptance of the findings as to the facts and a rejection of the grievance.

The outcome of the sexual harassment grievance procedure, including an implied rejection of the grievance, is subject to appeal to the ILO Administrative Tribunal in accordance with its Statute.

Article 4 *Class actions*

The Parties have agreed that, subject to the adoption by the International Labour Conference of an amendment to the ILOAT Statute to this effect, provision shall be made in the Staff Regulations regarding complaints brought by the ILO Staff Union against decisions affecting its rights or status under the relevant legal provisions or impinging upon the legal rights under the Staff Regulations of the staff as a whole or of a category of the staff.

¹ Officials, job applicants and any other individuals with a contractual relationship with the Office, such as interns, external collaborators and technical cooperation personnel.

Article 5
Whistleblowing

Without prejudice to the right to pursue grievances, where an official becomes aware of non-compliance with ILO internal rules and procedures (other than financial rules covered by other specific procedures), breach of the standards of conduct of the international civil service or concealment thereof, she/he may either transmit the information to the relevant authority within the Office or to the Mediator who shall transmit the information to the relevant authority for appropriate action. The relevant authority and the Mediator shall be responsible for protecting the anonymity of the official.

Article 6
Final provisions

This Agreement shall come into operation progressively during 2004 on dates and in a manner to be determined by the Parties conditional on the various mechanisms being effectively in place. Arrangements will be made to provide for the processing of grievances during any transitional period.

This Agreement shall be implemented by means of the agreed Staff Regulations and circulars appended to it in accordance with article 8, paragraph 4 of the Amendment to the Recognition and Procedural Agreement, signed on 6 November 2003. The Office shall submit to the Governing Body any proposed amendments to the Staff Regulations necessary to give effect to this Agreement.

No terms of this Agreement or its annexes shall be suspended, modified or otherwise amended except by means of a written agreement signed by the Parties. Either Party may terminate this agreement by giving six months' notice in writing to the other Party.

A copy of this Agreement, the amendments to the Staff Regulations and the related circulars shall be posted on the Office web site.

Signed in Geneva, _____, in two copies, in the English language, by the representatives of the Parties duly authorized to that effect.

For the Office:

For the Union:

Annexes

Annex I – Amendments to the Staff Regulations and related rules

Annex II – Policy on sexual harassment, Administrative circular

Annex III – Informal conflict resolution mechanisms, Administrative circular

Annex I

Amendments to the Staff Regulations and related rules

Text proposed for deletion appears in square brackets, text proposed for inclusion appears in bold.

Chapter 6 **Advancement, appraisal and change of grade**

Article 6.4 *Withholding of increment*

...

3. Where it has been decided that an annual increment shall be withheld, the official may, if he considers that the decision has been based on an erroneous evaluation of his performance or that the decision has been made for reasons unconnected with his performance, appeal within [eight days] **one month** of receipt of the Reports Board's decision to the [Director-General, who shall refer the matter to the Joint Committee for observations and report before deciding] **the Joint Advisory Appeals Board**.

Article 6.11 *Transfer to duties and responsibilities attaching to a lower grade*

...

3. Before a decision to transfer an official to duties and responsibilities attaching to a lower grade is taken on the ground of unsatisfactory performance, a proposal to do so, stating the reasons for which it is made, shall be communicated in duplicate to the official who shall initial and return one copy and who shall be entitled to appeal to the [Joint Committee] **Joint Advisory Appeals Board** within [eight working days] **one month** of the receipt thereof on the ground that the proposal is made on the basis of an erroneous evaluation of his performance or for reasons unconnected therewith.

Chapter 10 **Staff relations and administrative bodies**

[The following text replaces article 10.5 concerning the Joint Committee.]

Article 10.5 *Joint Advisory Appeals Board*

1. A Joint Advisory Appeals Board shall be established to assist the Director-General in making any final administrative decision:

- concerning any grievance filed in accordance with article 13.3 of these Regulations;
- concerning a proposal for the application of a sanction other than warning or reprimand under Chapter 12 of these Regulations;
- concerning a proposal for termination for unsatisfactory services under articles 11.4 or 11.8 of these Regulations;

- concerning a proposal for termination on reduction of staff under article 11.5 of these Regulations;
- concerning an appeal against withholding of increment under article 6.4 of these Regulations;
- concerning a proposal for transfer to duties and responsibilities attached to a lower grade under article 6.11 of these Regulations;
- or as may be otherwise required under these Regulations or other relevant rules.

2. The Joint Advisory Appeals Board is composed of at least three chairpersons appointed by the Director-General on the recommendation of the Joint Negotiating Committee, a group of at least three serving officials nominated by the Office and a group of at least three officials nominated by the Staff Union. For the purpose of these nominations and appointments, account shall be taken of the need to ensure gender, cultural, linguistic and professional diversity.

3. Where the circumstances of the case so require, the Office and the Staff Union may be requested to designate ad hoc members.

4. The following may be appointed as chairpersons: former ILO officials or serving or former officials of the United Nations or of the specialized agencies. Only serving ILO officials may be nominated as members or ad hoc members of the Joint Advisory Appeals Board and their participation shall be considered official duties.

5. On each occasion on which the functions assigned to the Joint Advisory Appeals Board require to be exercised, a panel composed of a chairperson and one member from each group shall be set up.

6. The Joint Advisory Appeals Board shall be assisted by a secretariat, the members of which shall be appointed by the Director-General in agreement with the Staff Union.

7. The procedure before the Joint Advisory Appeals Board shall be governed by the provisions of Annex IV to these Regulations.

Chapter 11 **Cessation of service**

Article 11.5

Termination on reduction of staff

(a) The Director-General, after consulting the [Administrative Committee] **Joint Negotiating Committee**, may terminate the appointment of an established official if the necessities of the service require a reduction of staff involving a reduction in the number of posts. An established official whose appointment is terminated under this paragraph shall, during the two years after the date on which its termination becomes effective, be offered appointment to any vacancy for which the Director-General, after consulting the [Administrative Committee] **Joint Negotiating Committee**, considers that he possesses the necessary qualifications.

...

(c) An official whose appointment it is proposed to terminate under paragraph (a) above shall be entitled to appeal to the [Joint Committee] **Joint Advisory Appeals Board** on the grounds that the termination is proposed without due consideration having

been given to his competence, efficiency and official conduct, and to his length of service. Such an appeal, to be receivable must be submitted to the **Joint Advisory Appeals Board** not later than [eight days] **one month** after the official has received notice of the proposed termination.

Article 11.8

Termination for unsatisfactory services

...

2. Before a decision to terminate the appointment of an official under this article is taken, a proposal to do so, stating the reasons for which it is made, shall be communicated in duplicate to the official, who shall initial and return one copy, and who shall be entitled to appeal to the [Joint Committee] **Joint Advisory Appeals Board** within [eight days] **one month** of receipt thereof on the ground that the proposal is made on the basis of an erroneous evaluation of his performance or for reasons unconnected therewith.

Chapter 12 Discipline

Article 12.2

Procedure for application of sanctions

...

2. Subject to the provisions of article 12.8 of the Staff Regulations, in the case of any sanction other than warning or reprimand the **official shall have the right to refer the proposal** [shall then be communicated] to the [Joint Committee] **Joint Advisory Appeals Board** within one month **from its receipt** [for observation and report to the Director-General]. Reference to the [Joint Committee] **Joint Advisory Appeals Board** may be waived with the agreement of the official concerned.

Chapter 13

[The following text replaces Chapter 13 concerning the procedure for the resolution of grievances.]

Conflict resolution

Article 13.1

Informal conflict resolution

1. An official¹ who considers that s/he has been treated in a manner incompatible with her/his terms and conditions of employment, including the right to work in a place that is free of sexual harassment, should attempt to have the matter solved through dialogue. To this end, the official may at any time, without prejudice to the right to file a grievance in accordance with article 13.2.1 or article 13.2.2 within the time limit specified therein:

- (a) rely on the mediation or facilitation mechanisms established by the Director-General on the recommendation of the Joint Negotiating Committee;

¹ For the purpose of Chapter XIII, the term “official” does not comprise officials in the executive directorate level.

- (b) request the intervention of the Human Resources Development Department or a higher level chief;
- (c) request the assistance of any official, former official or the Staff Union.

2. An official who faces any other work-related problem may, at any time, resort to the mechanisms referred to in paragraph 1 above with a view to its informal settlement.

3. There shall be no formal record of the informal processes referred to above.

*Article 13.2
Grievances*

1. An official who wishes to file a grievance on the grounds that s/he has been treated in a manner incompatible with her/his terms and conditions of employment shall, except as may be otherwise provided in these Regulations or other relevant rules,² request the Human Resources Development Department to review the matter within six months of the treatment complained of. The procedure for the examination of general grievances related to the terms and conditions of employment is governed by article 13.3.

2. An official who wishes to file a grievance on the grounds that s/he has been subjected to sexual harassment shall request the Human Resources Development Department to review the matter within six months of the conduct complained of. The procedure for the examination of sexual harassment grievances is governed by article 13.4.

*Article 13.3
Administrative resolution of general grievances
related to the terms and conditions of employment*

1. The Human Resources Development Department shall review any grievance under article 13.2.1 and notify the official of a reasoned decision within three months of the receipt of the grievance. Where the Human Resources Development Department and the official agree that the matter may still be solved through informal conflict resolution, this time limit may be suspended in writing up to three months. In the event of such a suspension, the official shall confirm in writing to the Human Resources Development Department, no later than the expiration of the agreed suspension, whether s/he still wishes the matter to be formally reviewed and decided upon.

2. If the official disagrees with a decision under paragraph 1 above or in the absence of an express decision within the time allowed under the same provision, s/he shall be entitled to file a grievance with the Joint Advisory Appeals Board within one month of its notification or the expiration of the time allowed in the absence of a decision.

3. Should an official disagree with a decision or proposed decision in respect of which special procedures² apply, s/he shall be entitled to refer the matter to the Joint Advisory Appeals Board to the extent and within the time limits provided for in the relevant procedure.

² Special procedures apply to compensation claims (Annex II) and the review of performance appraisals (Chapter 6) as well as for appeals in respect of selection and recruitment (Annex I, paragraph 17), discipline (Chapter 12), job grading (relevant administrative circular), termination for unsatisfactory services (articles 11.4 and 11.8), termination on reduction of staff (article 11.5), and withholding of increment (article 6.4) and transfer to a lower grade (article 6.11).

4. The Director-General shall take a final decision within two months of the submission of the report by the Joint Advisory Appeals Board and communicate it to the official together with a copy of the report. A copy of the decision shall also be communicated to the Board. In the absence of an express decision within this deadline, the Board shall provide the official and the Human Resources Development Department with a copy of its report and the official shall be entitled to imply an acceptance of the recommendations contained in the report.

Article 13.4

Administrative resolution of sexual harassment grievances

1. Sexual harassment is defined as any unwanted conduct of a sexual nature in a workplace or in connection with work that, in the reasonable perception of an official, is used as a basis for a decision which affects his/her employment or professional situation, or creates an intimidating, hostile or humiliating work environment.

2. The Human Resources Development Department shall review any sexual harassment grievance under article 13.2.2 within one month and notify the official of the measures it intends to apply, including, where appropriate, referral to independent investigation or any interim measures.

3. Should the official disagree with the proposed action or in the absence of any proposal, the grievance shall be submitted to independent investigation within one month of the notification of the proposed action or the expiration of the time allowed for the review.

4. There shall be at least three officials trained as investigators, appointed by the Director-General on the recommendation of the Joint Negotiating Committee. The investigators shall designate among themselves a coordinator, responsible for assigning any case to the investigator or the investigators best suited to conduct the investigation, having regard to their availability and to the specific skills that may be required in each case.

5. The assignment of a case to an investigator shall be notified by the coordinator to the official, the Human Resources Development Department and other parties directly involved, who shall have one week to comment on the suitability of the investigator or investigators. The coordinator shall have one week from the receipt of any comment from the abovementioned parties to confirm or modify the selection of the investigator. This decision is not subject to appeal.

6. The investigator shall conduct any inquiry necessary to elucidate the case and shall draw up a report comprising a summary of the allegations, the investigative measures undertaken, the findings and suggestions where appropriate. This report shall be communicated to the Director-General within three months of the assignment of the case, except where, in the investigator's opinion, exceptional circumstances require additional time. When communicating the report to the Director-General, the investigator shall notify the parties that the investigation has been concluded.

7. If in the course of the investigation it becomes apparent that the conduct complained of does not constitute sexual harassment but that it may constitute treatment incompatible with other terms and conditions of employment of the official, the investigator shall refer the matter to the Human Resources Development Department for consideration under article 13.3.1 and inform the official having filed the grievance accordingly.

8. The Director-General shall take a decision within two months of the communication of the investigator's report. The decision shall be transmitted to the official having filed the grievance and to any other party directly implicated together with a copy of the report, subject to any privileged information necessary to protect third parties. In the absence of an express decision within this deadline, the investigator shall provide the official having filed the grievance with a copy of the report subject to the restrictions noted above, and the official shall be entitled to imply acceptance of the findings as to the facts and rejection of the grievance.

Article 13.5
Judicial appeals

1. An official shall be entitled to file a complaint against an express or implied decision under articles 13.3.4 or 13.4.8 with the Administrative Tribunal of the International Labour Organization.

2. The Director-General may, in agreement with the official, exempt the latter from the obligation to exhaust internal procedures by authorizing him/her to challenge a decision directly before the Administrative Tribunal.

Annex I
Recruitment procedure

Grievances

17. An official who has requested feedback from the responsible chief in accordance with paragraph 13 above [may request the advice of the facilitators or the Ombudsperson provided for under the Procedure for the Resolution of Grievances. If the official] and **who** is not satisfied with the written response provided by the responsible chief under paragraph 14 above, [he or she] may submit a grievance to the **Joint Advisory Appeals Board** [provided for in the Procedure for the Resolution of Grievances, where he or she alleges] **within one month from the receipt of the written response on grounds** that the decision was based on a procedural flaw or unfair treatment.

Annex IV

[The following text replaces Annex IV concerning the review procedure and procedure of the Joint Committee.]

Procedure of the Joint Advisory Appeals Board

1. Any case brought to the Joint Advisory Appeals Board shall be filed with its Secretary by means of the form prescribed to that effect, in four copies, in any of the three official languages of the Office. Any communication relating to the case addressed to the official shall be written in the language used by the official or in any other official language that s/he is able to understand. The official may appoint a representative, who shall be a former or serving staff member of the Office, the United Nations or a specialized agency, or a Staff Union representative, to act on her/his behalf during the procedure before the Board.

2. The secretary shall verify that the form and documents appended to it meet the necessary requirements and shall call upon the official or the official's representative to correct it, if necessary, within one week.

3. When the above requirements are met, the secretary shall forward one copy to the Director of the Human Resources Development Department. The latter shall appoint a

representative, who shall be a former or serving staff member of the Office, the United Nations or a specialized agency, to act on behalf of the Human Resources Development Department during the procedure before the Board.

4. Neither party shall have the right to external legal representation before the Board.

5. The Human Resources Development Department shall dispatch its comments on the case in four copies to the Secretary of the Board within one month of receipt of notice from the Secretary.

6. During the completion of the written submissions, the secretary shall coordinate with the chairpersons and members of the Board to determine the composition of the panel that will deal with the case, having considered any objection raised by the official or the Human Resources Development Department as to the participation of any particular person in the Panel.

7. After the composition of the panel has been determined, the secretary shall forward to the chairperson and members of the Panel the written submissions of the parties.

8. The panel shall hold as soon as possible a preliminary meeting to determine:

- (a) whether the case is clearly irreceivable or devoid of merit;
- (b) whether the case is to be dealt with as a matter of urgency;
- (c) the need for any further written submissions or inquiry;
- (d) the disclosure of any privileged document requested by either party and the time allowed for the parties to comment on any document so disclosed;
- (e) the need for the appearance of the parties or any witnesses;
- (f) the date of any hearing so decided.

9. If the panel unanimously considers that the case is clearly irreceivable or devoid of merit, it shall address without delay a summary report to that effect to the Director-General. Such report shall contain:

- (a) a summary of the proceedings;
- (b) the outcomes requested by the official and the Office;
- (c) the grounds on which the panel considers the case to be clearly irreceivable or devoid of merit;
- (d) the signature of the chairperson and members of the panel and the date.

10. Where a panel considers that exceptional circumstances could warrant the adoption of interim measures pending the disposal of a grievance, it will inform the Director-General accordingly.

11. In all other cases, the secretary shall notify the parties of the date of any hearings decided by the panel or an indication as to the time frame in which the panel is likely to examine the case.

12. Any hearing shall be held in private at the time decided by the panel and shall be presided over by its chairperson. Hearings may be attended by the official and his/her representative, the representative of the Human Resources Development Department, witnesses called by the Panel and the members of the Board's secretariat. The representatives of the official and the Human Resources Development Department may each attend hearings accompanied by one other person meeting the conditions specified respectively in paragraphs 1 and 3 above. Participation in hearings shall be considered official duties.

13. The panel shall deliberate in private.

14. The panel shall address its report to the Director-General within three months of the conclusion of the written submissions by the parties, except where exceptional circumstances require a longer time frame. Such report shall contain:

- (a) a summary of the proceedings;
- (b) the outcomes requested by the official and the Office;
- (c) a summary of the arguments put forward by each party;
- (d) a statement of established relevant facts, including reference to the document or witness statement on which the findings are based;
- (e) reference to any interim communication under paragraph 10 above;
- (f) its recommendations on each of the conclusions of the parties, including the grounds;
- (g) an indication as to whether the recommendations are unanimous or by majority, as well as any minority views that may be added;
- (h) the signature of the chairperson and members of the panel and the date.

15. The secretary of the Board shall notify the official of the date of issuance of the report under paragraphs 9 or 14 above.

16. Where the panel's report is written in a language that the official is not able to understand, the Office shall arrange for its translation into the language of the grievance on time for its communication to the official in accordance with article 13.3.4 of these Regulations.

17. All proceedings of the Board are confidential. Any breach of confidentiality shall be considered serious misconduct.

18. The expenses necessary for the proceedings of the Joint Advisory Appeals Board shall be borne by the Office.

19. The Joint Advisory Appeals Board shall report annually to the Joint Negotiating Committee on activities undertaken and general trends of its work.

Administrative circular, Series 6, No. 639

Job grading procedure

Appeal under the grievance procedure

...

22. However, a staff member may file a grievance with the **Joint Advisory Appeals Board** within [30 days] **one month** from the notification of the decision or from the date when the decision was due on grounds that the decision was flawed by a material breach of a rule of procedure or unfair treatment. The procedure for an appeal to the **Joint Advisory Appeals Board** is governed by [Articles 13.2.2 and 13.2.3] **article 13.2 and Annex IV** of the Staff Regulations.

...

Annex II

Circular No. 543 (Add. 1) Personnel

Series: 6

Policy on sexual harassment

1. It is the policy of this Office that every person has the right to be treated with dignity and respect and to be free from all forms of harassment in the workplace. All forms of harassment are contrary to the high standards of conduct required of all officials under article 1.2 of the Staff Regulations and may lead to disciplinary action. Staff members shall observe common courtesy and considerate behaviour towards each other regardless of rank or contractual status.
2. The ILO is a multicultural workplace and working relationships between persons at the Office must take account of this. Within the context of this multicultural environment, all officials are expected to observe the highest possible standards of behaviour, respecting the dignity and personal integrity of their colleagues. All staff members and technical cooperation personnel are expected to take responsibility for their own actions and to conduct themselves in accordance with this policy. Directors and supervisory personnel are responsible for providing and maintaining a harassment-free working environment. They should make every effort to prevent harassment from occurring, as well as to take effective and prompt protective measures once the director or supervisor becomes aware of the harassment, to ensure that behaviour of this type ceases immediately.
3. Sexual harassment at the workplace or in connection with work constitutes unacceptable behaviour that will not be tolerated either at headquarters or in the field. The Office places the highest priority on the prevention and elimination of sexual harassment in the workplace, bearing in mind that sexual harassment may be detrimental to an individual's physical and psychological well-being, lower morale and disrupt the working environment. The Office wishes to emphasize that all complaints of sexual harassment will be investigated seriously and that disciplinary sanctions will be applied, as appropriate. Any proven false and malicious or vexatious accusations of sexual harassment will be deemed to constitute a violation of the above standards of conduct and disciplinary sanctions will be applied, as appropriate.
4. Sexual harassment at work is defined as *any unwanted conduct of a sexual nature in the workplace or in connection with work, which, in the reasonable perception of the person concerned, is:*
 - (a) *used as a basis for a decision which affects that person's employment or professional situation, or*
 - (b) *creates an intimidating, hostile or humiliating work environment for that person.*
5. It is essential to emphasize that sexual harassment refers to conduct which is unwanted and unwelcome to the recipient. As this is the key factor that distinguishes it from friendly, flirtatious or other relations that are freely and mutually entered into, it is important that a person who believes that she or he is the victim of sexual harassment clearly communicates this (either directly or through a third party) to the official engaging in the unwanted and unwelcome behaviour.
6. Some examples of physical conduct of a sexual nature, which, if unwanted and unwelcome, may constitute sexual harassment include touching, patting, pinching or any other unsolicited physical contact. Verbal conduct of a sexual nature may include

unwelcome verbal advances, sexually oriented comments about physical appearance, requests for sexual favours and continued suggestions for private social activity after it has been made clear that such requests and suggestions are unwelcome. Offensive verbal conduct could also include jokes of a sexual nature, offensive flirtation or lewd remarks, comments on a person's sexual orientation, or remarks of a sexual nature, such as expressions of sexual interest that are addressed directly to the person. Non-verbal conduct of a sexual nature may include the display of sexually suggestive pictures, objects or written materials, or sexually suggestive gestures.

7. Sexual harassment may occur between a superior and a subordinate (often in the context of *quid pro quo* harassment) or between co-workers (often in the context of *hostile environment* harassment). An example of *quid pro quo* sexual harassment would be found where a supervisor either offers improved terms and conditions of employment to the victim in exchange for sexual favours or threatens to take negative action in regard to the victim's employment situation if the request for sexual favours is refused. Verbal or non-verbal conduct that creates a sexually offensive working environment may also constitute sexual harassment. An example of *hostile environment* harassment would be found where one or more co-workers subject a victim to comments of a sexual nature that are sufficiently offensive and pervasive as to have a negative impact upon the victim or his or her working environment. Sexual harassment may be directed by the harasser against a person of the opposite sex, or may be directed against a person of the same sex.
8. An individual who believes that she or he has been or is being harassed, should make personal written notes of relevant events, as soon as possible after the incident(s) has (have) occurred, noting date(s), place(s), a short description of what happened and the names of any witnesses and/or of any third parties to whom the incident might have been mentioned. The official may also wish to discuss the incident(s) with a colleague or a friend.
9. The Office encourages officials to attempt to resolve harassment-related issues through dialogue and informal conflict resolution. Individuals are therefore encouraged to notify the presumed harasser that his or her behaviour is unwelcome and unacceptable. The objectionable conduct should then immediately cease. Where the relative power or status of the persons involved or other considerations make direct discussions difficult, the individual is nevertheless encouraged to attempt to resolve the matter informally through seeking dialogue and/or assistance from other persons as provided for in Annex I of this circular.

Disciplinary sanctions

10. Proven cases of sexual harassment will be subject to any one of the sanctions (*warning, reprimand, censure, discharge and summary dismissal*) provided for in Chapter XII (Discipline) of the Staff Regulations as appropriate in accordance with the gravity of the case (former paragraph 10).

Special procedures and other measures

11. In view of the seriousness with which the Office views sexual harassment in the workplace or in connection with work, special procedures are set forth in Annex I of this circular for the confidential and speedy investigation and handling of such cases. Additionally, information and training will be provided to staff to ensure a full understanding of this policy and procedures.

Juan Somavia,
Director-General.

Annex III

Administrative circular

Informal conflict resolution mechanisms

I. General

1. While the primary responsibility to ensure that all officials can discharge their professional responsibilities in an efficient and effective manner in a conflict-free work environment lies with management, this cannot be achieved without the active participation of each staff member. Many work-related problems arise because of poor communication, lack of understanding or lack of gender or cultural sensitivity. Relatively minor difficulties can escalate into conflict, and ultimately lead to costly administrative or judicial proceedings. Therefore, all officials have a responsibility to attempt in good faith to solve work-related problems through dialogue.

2. In order to encourage and facilitate dialogue within the Office as a means to ensure that potential conflicts are dealt with at the earliest possible stage, officials may request the assistance of any colleague, former colleague or the Staff Union, or the intervention of a higher level chief or the Human Resources Development Department. The Office shall also make available the services of an impartial mediator, assisted by facilitators at headquarters and field duty stations.

II. Mediator

3. There shall be established within the Office the position of Mediator.

4. The Director-General shall, in agreement with the Staff Union, appoint a Mediator from among persons with the competence, experience and skills necessary for the discharge of the duties assigned to the position, for a term of office of two years, renewable by the Director-General in agreement with the Staff Union for not more than one further two-year term.

5. The Mediator shall not, at the time of appointment, be a serving or former official or other employee of the Office and shall not have an immediate family member who is employed by the Office. Upon expiration of his/her term of office, the Mediator shall not be appointed as an official for a period of five years.

6. The Mediator shall:

- (a) assist on request any official or other person with a contractual relationship with the Office in the resolution of work-related problems through dialogue or mediation;
- (b) select the officials to be appointed as facilitators at headquarters;
- (c) participate in the selection of the facilitators in field duty stations;
- (d) provide coordination and guidance to headquarters and field facilitators;
- (e) provide and coordinate periodic training for headquarters and field facilitators;

- (f) inform officials of his/her role and functions, the names, role and functions of facilitators and any other information considered to be of general interest to the staff, subject to the provisions in paragraphs 8 and 17 below;
- (g) report annually to the Joint Negotiating Committee on activities undertaken, on the assessment by staff members of mediation and facilitation mechanisms and on expenditure of the budget allocated to the Mediator's office;
- (h) assist in the prevention of conflict in the Office through periodic reporting to the Joint Negotiating Committee on systemic work-related problems;
- (i) discharge any other function that the Joint Negotiating Committee may request from him/her.

7. In addition, the Mediator shall be responsible for conveying to the relevant authority for appropriate action any *prima facie* credible concern of non-compliance with ILO internal rules and procedures (other than financial rules covered by other specific procedures), breach of standards of conduct or concealment thereof communicated in confidence to him/her by a staff member.

8. The Mediator shall maintain confidentiality with respect to all matters, documents and identities of the persons coming before his/her office except insofar as disclosures may be necessary to enable the Mediator to carry out duties. The Mediator shall not disclose any such information without the express consent of the person concerned, except:

- (a) where the Mediator becomes aware of an imminent risk of serious harm to an individual, in which case the Mediator shall inform the Office and any other relevant authority as soon as practicable; the Office shall acknowledge in writing receipt of this information;
- (b) where the discharge of the Mediator's duties is at issue in any proceeding for his/her removal from office.

9. The Mediator shall not be compelled to testify or produce evidence in any internal or judicial administrative proceeding with respect to any matter involving the exercise of the duties referred to in paragraph 6 above.

10. The Mediator shall maintain data about staff members' assessment of his/her functions and those of the facilitators.

11. The Office shall provide the Mediator with the facilities necessary for the performance of the duties referred to in paragraph 6 above.

III. Facilitators

12. The function of facilitator shall be established within the Office to enable confidential dialogue between the parties to a workplace problem so that they can explore options for its informal resolution.

13. There shall be at least six facilitators at headquarters, appointed by the Mediator from among serving officials for a term of two years, renewable for similar periods. Appointment as facilitator shall cease upon the official's cessation of service.

14. Facilitators at headquarters shall:

- (a) assist on request any official or other person with a contractual relationship with the Office in the resolution of work-related problems through dialogue;
- (b) participate in training organized by the Mediator;
- (c) refrain from facilitation in any case where they may have a personal interest;
- (d) refer to the Mediator any problem for which they need assistance;
- (e) report annually to the Mediator on activities undertaken.

15. There shall be at least one facilitator for each region appointed by the Mediator from a list of candidates provided by the Joint Negotiating Committee for a term of two years, renewable for similar periods. Appointment as facilitator shall cease upon the official's cessation of service.

16. Facilitators at field duty stations shall, in addition to the functions referred to in paragraph 14 above, assist on request any official or other person with a contractual relationship with the Office in the resolution of work-related problems through basic mediation.

17. Facilitators shall maintain confidentiality with respect to all matters, documents and identities of the persons coming before them, except insofar as disclosures may be necessary to enable them to carry out their duties. Facilitators shall not disclose any such information without the express consent of the person concerned, except where they become aware of an imminent risk of serious harm to an individual. In such cases, they shall inform the Mediator as soon as practicable.

18. The facilitators shall not be compelled to testify or produce evidence in any internal or judicial administrative proceeding with respect to any matter involving the exercise of their facilitation duties.

19. The function of facilitator shall be considered official duty. A list of facilitators shall be maintained by the Mediator's office.

Appendix III

Proposed amendments to Staff Regulations

Text proposed for deletion appears in square brackets, text proposed for inclusion appears in bold.

Article 3.17

In the early days of information technology, mid-month changes to payroll operations were complex, involving much manual administrative intervention. With the advent of the Integrated Resource Information System (IRIS), such complexity will be removed. In addition, the amendment proposed below will align coverage under the Staff Health Insurance Fund with all changes of family status. The amendment would take effect at the time of operational implementation of IRIS.

Article 3.17

Effective date of application or suppression of entitlements arising from changes of family status

Changes in family status affecting entitlements under articles 3.1, 3.9, 3.10, 3.11, 3.12 and 3.13 of the Staff Regulations shall be taken into account in the application of these articles as from the ~~[first day of the month following the]~~ date of the change.

Article 7.3 (c)

The subparagraph (c) provides for the payment for night refreshment to the officials who work certain hours in the evening. The amount of such payment is fixed in the subparagraph at Swiss francs 4.50. This amount was calculated on the basis of the price of a sandwich and a drink in the ILO cafeteria and has been applicable for many years. The amount is no longer adequate and it is proposed to link the amount to the rate of daily subsistence allowance (DSA) in Geneva to ensure that the amount remains adequate in the future. The new calculation on the basis of current rate of DSA would give an amount of approximately Swiss francs 8.00.

Article 7.3

Night differential

(a) ...

(b) ...

(c) Officials of the General Service category who are required to work beyond 8 p.m. without a break for an evening meal, or who are required to work a prescribed tour of duty beginning at or after 8 p.m., or who are required to work overtime after 11 p.m., or who are required to work at least two hours' overtime after a tour of duty ending later than 8 p.m., shall be paid an additional sum ~~[of 4.50 Swiss francs]~~ to compensate for night refreshments, **such sum to be the equivalent of 2.5 per cent of the daily travel subsistence allowance in Swiss francs applicable at Geneva at such time.**

(d) ...

(e) ...

(f) ...

(g) ...

Article 11.15

The attention of the Office has been drawn to an inconsistency in the terminology of this article, by comparison with other articles of the Staff Regulations. The amendment below is proposed in order to avoid the possibility of overpayments in the future. It would take immediate effect.

Article 11.15
Repatriation grant

(1) ...

(2) [~~When both husband and wife are officials of the Office,~~] **Where both spouses are officials of the Office, or one is an official of the United Nations or a specialized agency**, the repatriation grant is payable at the single rate to each of them. When they have a dependent child (or children), the grant shall be paid to each of the spouses under conditions established by the Director-General in order to avoid double payment.

(3) ...