

# **STAFF MANAGEMENT COMMITTEE**

**United Nations**

**Report SMC XII  
16-21 April 2024**



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## **1. Introduction**

1. The President opened the meeting, and the Secretary-General welcomed the participants through a video message. Opening remarks were provided by USG Catherine Pollard, followed by remarks from SRSG/UNFICYP Colin Stewart.
2. The President presented the draft agenda. Staff noted with regret that one paper, “Conditions of work for translators in DGACM”, submitted by staff on time, was not accepted by the President, even though the issue remains ongoing and involves many duty stations. The President reiterated that the determination on this had been made at Staff Management Committee (SMC) XI.
3. **The agenda was adopted. Annex I refers.**
4. Nomination for the office of SMC Vice-President
5. **The staff representatives elected Pamela Villalobos as the Vice-President of the SMC.**
6. Nomination for and appointment of a single representative for staff views to the General Assembly (GA)
7. **The staff representatives designated Milan Dawoh to be the single representative of staff views to the Fifth Committee of the General Assembly.**
8. Nominations for and appointment of SMC Rapporteurs
9. **The staff representatives designated Paul Smith and Meriam Gueziel and management designated Nataliya Myronenko and David Falces as rapporteurs for SMC XII.**
10. Nominations for and appointment of the SMC 3 x 3 Contact Group
11. **Karin Esposito, Laura Johnson and Pamela Odhiambo were nominated as staff representative members, and Katharina Margetts, Miguel Mourato Gordo and Jonathan Ball were nominated as management representative members of the 3 x 3 Contact Group.**

## **2. HR Strategy & SG plans**

12. Management provided a comprehensive update on this topic, referring to the main elements of the strategy, which comprises diversity, agility and accountability, as well as expected developments for 2024 and beyond. These elements will be addressed via key enablers including innovation, digitization, systematic use of evidence and staff involvement. In the area of diversity, initiatives on the system of geographical representation, gender,

rejuvenation, multilingualism, disability inclusion and anti-racism were presented, showcasing progress made to date. In respect of agility, the focus was on capacity building in the areas of efficient planning, hiring, deployment and learning. Finally, in the area of accountability, focus is placed on efforts and progress made in respect of performance management, policy simplification, mental health and well-being and Conduct and Integrity.

13. Staff inquired about approaches to anti-racism in the HR strategy. They also asked about phase 2 of the gender parity strategy, which would be expanded to include GS and NO staff, and if the planned expansion would require any new policy promulgation or changes to the temporary special measures. On management's establishment of a working group on rejuvenation, staff expressed their desire to be included and to participate in the discussions, reflecting the concern that an over-emphasis on rejuvenation could impact internal career development (promotion) opportunities. Staff representatives also sought updates on "Inclusive Hire" within the framework of Staff Selection 2.0 and inquired about the strategic elements relating to accountability, namely monitoring and reporting of misconduct.

14. Management provided clarifications on the issues raised in the above paragraph by staff.

### **3. *Leave bank for medical or family emergencies***

15. Staff presented their paper advocating for the establishment of a leave bank for medical or family emergencies to allow staff who exhaust their leave entitlement to be able to remain in employ and continue receiving an income, remain in the duty station where they are receiving medical treatment, and/or have uninterrupted insurance coverage rather than either going on SLWOP or on disability. Administration of such a bank could be done by management or HR. Staff also stated that they did not have "care-taker leave," which is particularly problematic given that they are more vulnerable due to their international status and often living far away from their families. Another element making creation of a leave bank essential is that the average age of staff in the organization is relatively high. Staff also stated that such a system works well at the level of entire national systems, and it deserves to be looked into for the UN.

16. Management commended staff representatives for looking into this issue, however stressed that any change to the sick leave entitlement would constitute a change to conditions of service that would require recommendation from the ICSC and approval by the General Assembly. Management cautioned staff from raising this issue, including in the context of the ICSC review of the compensation package. Management stated that they stand ready to explore with staff other forms of supporting staff who find themselves in the situations described.

17. Staff thanked management for leaving the door open for future discussion on this issue, however, they pointed out that member states who offer this type of programme do so without

removing any entitlement to staff donating the days.

#### **4. Delegation of Authority (standing item)**

18. Mr. Christophe Monier updated the SMC on the work of BTAD in implementing the delegation of authority framework. Information on performance in 2023 was shared, including Key Performance Indicators. Information was shared in regard to tools and information sharing avenues, improved management dashboards, and in particular the DAVI tool, which allows any staff member to transparently review the structure of delegations of authority in place. In response to questions from staff, clarification was given as to the distinctions between delegation of authority, discretionary decisions, and exceptions. It was noted that while delegations are granted and expire on a regular basis as a natural part of operational changes, there has been no case where the delegation of authority to a head of entity has been revoked.

19. Staff asked whether there had been progress or new trends on geographic appointments. There was also a comment that many staff representatives continue to grapple with how the policy is implemented and whether the SMC Working Group on delegation of authority would be continuing in the coming year. Clarification was sought on the definition and usage of different terms, namely: delegation, discretion, and exceptions, while reflecting on accountability and attribution of responsibility. Staff are concerned that delegation of authority might be misused. In that respect, they asked about how it is being monitored by heads of entity and if there had been any cases where it had to be revoked. They further asked if statistics on the delegation of authority could be shared and asked about the impact of the financial crisis on recruitment and performance indicators

20. Management provided clarifications on the issues in the above paragraph raised by staff.

#### **5. Review of sick leave policy**

21. Staff recognized the organization's efforts to prioritize its staff health and well-being in accordance with its duty of care responsibilities and the associated risks, which include not only occupational security risks but also risks arising from prolonged exposure to high stress situations, as well as any other factors compromising health, security, and wellbeing in the workplace. Staff noted that there may be some grey areas, that efforts can be made to synchronize these frameworks into one policy document for ease of reference and efficacy in their applicability, to the end users, who are staff members. Staff concluded by emphasizing their trust in the process of consultative discussion and are confident that it will lead to favorable agreements for a review of the current sick leave policy to reflect the changes in procedures as well as mental health support mechanisms. In addition, staff asked to consider the inclusion of Flexible Working Arrangements as part of therapeutic treatment and reasonable

accommodation before a decision is taken to retire a staff member on medical disability, and to update a framework for measures for support for critical incident within sick leave policy.

22. Management expressed appreciation for staff interest in health issues, including in mental health issues. Management informed staff of the scheduled upgrade of the system for submission of certified sick leave. Management indicated that there are some areas to update in the administrative instruction on sick leave management and recalled that administrative instructions should reflect the main principles, with procedural aspects covered in guidelines. On the issue of support for mental health, management explained what support is available in the organization and how it is regulated. Management described efforts made in implementing the Mental Health Strategy and providing support to staff after the traumatic events. Management acknowledged differences of coverage among different medical insurance plans, and that this is being reviewed.

23. Staff further noted they were informed of the various plans being reviewed, including in the context of the first mobility exercise, and welcomed the proposed streamlining of the submission of certified sick leave and asked to receive more detailed information when it becomes available. Staff further cautioned that SLWOP should not be considered as a solution for colleagues suffering from mental health issues, some of which may be work-incurred, as SLWOP can have significant negative consequences, such as interrupting the care of ill colleagues. Staff further noted that more should be done with regard to preventive and promotive health measures; among others, this would help improve mental health and avoid negative situations at work, such as those related to abrasive and toxic behaviors.

## **6. Gender parity (standing item)**

24. Management presented updated information and data on positive progress made against the gender parity targets, in the context of the gender parity strategy of achieving parity by 2028. It was highlighted that parity remains a critical element of the diversity portion of the HR strategy and is also linked to efforts on rejuvenation. Challenges remain, principally in the field, and several efforts aimed at addressing these were described. The scope of data collection and presentation will be expanded to include the GS and related categories, with measures developed to take appropriate action. Attention was given to the specific challenges in the field in regard to accommodations for parents, noting that mobility may go some way to being able to address these issues. Management confirmed their engagement with the contact group on gender and suggested that its effectiveness be assessed in one year.

25. Staff expressed their intention to keep the contact group operational in 2024 and to address issues relating to gender parity. With close observation of the data on gender parity, one area that will be examined by the contact group is how to tackle what appears to be substantial decreases in percentage representation of women at different professional levels. With regard to the G2P, most of the GS population is composed of women, and considering this,

there is a need to accelerate and push forward this item to ensure gender parity, as the gender strategy is focused more on professional levels, while it could also focus on the GS category. Management attention was called to the iSeek global page, which seems not to be informative enough and without clear guidance. It was also noted that to bridge the gender parity gap, it was essential to encourage selections of women in/from the field, allowing them to be reassigned to family duty stations and given equal opportunities. With regard to challenges in reaching gender parity in the field, staff suggested looking further into specific circumstances that women face which may limit their opportunities. Furthermore, it was noted that it was important to get more information on the impact of roster management for women, not just on the selection of women, but also in general terms on the rate of women being rostered, as staff continue to see women are less likely to be recommended candidates. Staff stressed the need to keep a gender lens in mind when discussing other issues during SMC XII, such as the issue of Flexible Working Arrangements. The contact group will be composed of staff representatives Patricia Cortes (UN Women), Mona Fattah Vahidi (ESCWA) and Samar Haidar (UNOV/UNODC) and management representatives Hong Kwon, Jennifer Stanzl, and Chidinma Ogbuehi (DMSPC).

### **7. Flexible working arrangements**

26. Staff presented their paper and advised they are not retracting former suggestions made during previous SMCs, acknowledging that FWA are entitlements and not rights. However, they are concerned by current practices and a lack of uniformity of application throughout the UN. Although FWA is not a right, problems in its application can impinge on other rights and principles such as fairness, equality of treatment, and can compound issues and fuel toxic working environments. Staff presented examples of how decisions were made, or not, by managers in granting and managing requests. Specifically, staff mentioned a need for guidance to managers and staff and further clarification of what constitutes a proper justification for denial of requests and clarification on what could be considered as alternative work arrangements. Staff pointed to the need to change the narrative and submission process. Although provisions might be in the ST/SGB, clarifications are not included and this causes disparities in processes, with some staff, especially newcomers, being discouraged to submit such requests. Staff further noted that while FWA was not a right, formulating a request for it was a right. Staff added that it was essential that the Organization adopted a new way of working and advocated for a mindset change to allow for more flexibility to attract and keep staff, specifically if FWA were to be referred to as hybrid working arrangements. It was highlighted that hybrid work was not a benefit for staff members only, but to the Organization as well. Staff shared survey results of large numbers of staff which showed that significant majorities of respondents found that FWA, including hybrid modalities, improved both mental and physical health, reduced stress and enhanced productivity. Recognizing that adopting a hybrid working modality will take time, staff are witnessing a slide-back to the “old normal” and urged renewed action to protect and promote hybrid working arrangements, keeping in mind the specific requirements for staff in the field with critical functions.

27. Management thanked staff for the paper and raising issues related to use of FWA. Management acknowledged that change in behaviour requires time. It was underlined that the ST/SGB on FWA prescribes certain parameters and principles but also affords flexibility. Management explained that more prescriptive norms in this area may result in less flexibility and may have a negative impact. Management explained the circumstances when approval workflow may differ from the approval by the first reporting officer. Management brought to the attention of staff the focus of member states on the issue and the importance of maintaining a positive narrative with them. Management informed staff that a solution for registering all FWA types in Umoja was underway and will be ready in 2024-2025. This will provide management with more data on the use of FWA. Moreover, staff engagement surveys were a good tool for management and heads of entity to monitor the perceptions of staff and take appropriate actions. Management committed to continue dialogue, socialize and raise awareness of leaders, managers and staff on the issue, and to continue monitoring progress.

28. **The SMC agreed that existing guidance on FWA would be reviewed in light of the questions raised by staff.**

#### ***8. Managing Roster memberships effectively and legally***

29. Staff expressed serious concerns that the recent decision of the Secretary-General to immediately discontinue any roster memberships of staff that are older than four or six years (depending on gender), when the new staff selection policy will be promulgated, will be deeply damaging to staff morale. The decision of the SG stands in conflict with prior agreements (SMC IX) between staff and management to remove roster expiration dates. More significantly, staff noted that the immediate discontinuation of valid roster memberships under ST/AI/2010/3 may violate the acquired rights of staff to specific employment conditions as staff who were recommended for positions by CRBs and duly placed on approved rosters. Staff remain deeply concerned about the impacts on staff well-being and engagement, resulting from the retroactive application of expiration dates to previously instated indefinite roster memberships.

30. Staff expressed concerns about the negative implications of the planned new staff selection policy and roster management changes, essentially negating management's Career Satisfaction Framework. Applying a new 2024 policy to remove prior roster memberships that were legitimately earned has an element of unfairness, which was overwhelmingly reflected in the responses of thousands of staff to a 2023 survey conducted by staff unions. Many staff attained their current roster memberships to gain the possibility of career progression opportunities, which are now expected to be lost as soon as the new staff selection policy is released. Staff also raised the concern that more women will be negatively impacted by the loss of roster memberships and queried what data had been collected to see how immediate discontinuation of rosters would impact certain gender, ethnic or geographical groups of staff. Staff noted that the claims about the lack of trust by managers in current roster memberships, observed at specific duty stations or departments, will not be fixed by the immediate



discontinuation of current rosters or the other expected policy changes. Staff proposed that management keep current roster memberships active and suggested a process similar to that taken with the old NCE programme and the new YPP to manage the introduction of expiration dates for new roster memberships, while correctly retaining current roster memberships based on the policy in force at the time. Furthermore, staff requested a discussion session post-SMC XII with management on the career satisfaction framework to propose realistic changes, recognizing the absence of a “career framework” or any “system of internal promotion”.

31. Thanking staff for their inputs, management indicated that the main objective is to have healthy and credible rosters. Management shared the disaggregated data and analysis on the areas requested. While there is no latitude to reconsider the SG’s decisions following SMC XI, management notes that the decision on the 4/6 year time limit has been interpreted such that staff members will retain the roster membership associated with their current post/function as long as they encumber the position. It was further clarified that if a staff member should move to another function (or is downsized or separated in good standing), their roster membership associated with the post they left will be extended for another 4/6 years. Should a staff member move to a function at the same level within the same job code or associated job code (such as through mobility or downsizing), the time limit does not apply, as they continue to perform the same function. The new approach will be data-driven, focused on strategic workforce planning, and management will be communicating with staff on opportunities for roster membership. Management indicated readiness to discuss the career satisfaction framework, noting that progression through the staff selection system requires staff to apply for and be selected for positions, thereby gaining a breadth of experience in a variety of organizational and geographic contexts.

32. **The SMC agreed to further discuss the career satisfaction framework in a future ad hoc meeting.**

### ***9. Temporary special measures for equitable geographic distribution***

33. Management presented the proposal for temporary special measures to address challenges in reaching equitable geographical distribution targets – an issue which is a top priority for the SG and member states. Management clarified that the measures would apply to positions subject to equitable geographic distribution, to selection of external candidates and to job openings. It will not apply to selection against language posts, selection of internal candidates or to temporary job openings. Management further explained that selection of external candidates from countries within range, above mid-point or overrepresented will require submission to ASG OHR with the written analysis and justification. It was highlighted that the introduction of the measures will be supported by a communication strategy, and that the new measures could be included in one administrative issuance covering both geography and gender special measures.

34. Staff thanked management for the presentation and noted there is a clear mandate, recognizing this issue is a priority for the Secretary-General. Staff encouraged management to reflect on the lessons learned from the Temporary Special Measures for Gender Parity to limit the possibilities for the circumvention of the policy's measures. Staff requested management to be mindful that the exception process does not become the default in that the written exception request becomes the way out of compliance with the policy's aims. Staff took note that the policy is targeted exclusively at external candidates and that managers need to have up-to-date data about geographic representation levels. There should also be an avoidance of any unintended effects for other categories and position types. Staff also highlighted that geographical diversity does not fully respond to the needs for other types of diversity, such as racial or economic. Staff asked to regularly receive data (or to have access to the dashboard) on geographic diversity across the UN.

**35. The SMC agreed to management's proposal on the temporary special measures to address challenges in reaching equitable geographical distribution targets, on the understanding that the new AI will be shared for consultation as per established practice.**

### ***10. Staff Safety and Security (standing item)***

36. USG DSS provided a briefing on safety and security, including an update on Myanmar, Ukraine, the Middle East, Yemen, Somalia, Mozambique, Burkina Faso, Sudan, Mali, DRC, Iraq, and other contexts. He emphasized that while in most instances the UN is not a target, there has been an increase in disinformation online, which necessitates enhanced communication on the work of the UN. In response to questions from staff, the USG stressed that the UN is working on an inter-agency basis to bring consistency in support to our staff, including locally-recruited colleagues. He outlined measures being taken to support staff, but recalled that the responsibility to protect remains with the host government. He also recalled that UNRWA local area staff are not part of the UN security management system. The importance of working collaboratively with the staff federations was underlined, particularly in crisis situations.

37. Following the briefing, staff inquired about the number of staff who died in Yemen. Staff advised that one of the biggest challenges for security is the concern about lack of communication and updates in time of crisis. It was understood that reports may not always be detailed due to the sensitivity of the events. Staff thanked USG Michaud for his visit in Beirut and asked for clarification about the situation in the Middle East which is not improving, including some areas which might require separate security procedures. A concern was raised about international staff and implications regarding Appendix D if they wanted to stay and deliver. Staff requested updates on situations across the globe where the UN is present and asked for more details on measures taken to protect staff and their families, including UNRWA colleagues. Staff acknowledged the support and cooperation with field staff and DSS in this regard. Staff also queried the use of third party non-UN security personnel and about the duty of care for those personnel. Staff recognized the support of the USG to staff from downsized

missions and asked the USG DSS to continue with this support to leverage the capacity that already exists within the organization in many entities.

### **11. Security wardens**

38. To build on the discussions started at SMC XI on the issue of security wardens, staff suggested that consideration needs to be given to applying ST/AI/2000/3 on *Overtime compensation for staff members in the Field Service category at established missions* to recognize staff and incentivize them to fill this critical function as it is an important risk mitigation measure. Staff took note of new guidance that was agreed by the IASMN in February 2024 and requested to receive it. Staff understood that while the IASMN provides guidance on the warden system, they noted that IASMN indicated not to be the appropriate body to determine incentives. Staff requested management to take this on with the appropriate management body and report back to the SMC.

39. Management pointed to the fact that this is a common system issue, and therefore for staff federations to raise in the appropriate forum. They acknowledged that the system of security wardens is an important risk mitigating measure for communicating with staff during crises. Regarding re-instatement of Compensatory Time Off, management reminded that it was discontinued in 2019 as it was not in line with Staff Rules and Regulations. Management further mentioned other incentives considered, such as recognition in performance evaluation, priority in attending training, and recognition certificates. Management reiterated that the reinstatement of CTO for wardens is outside of the SMC scope. Management committed to informing staff when the guidelines on the system of wardens are finalized and to providing training to wardens.

### **12. Flag code**

40. Following the tragic and ongoing events in Gaza and the massive loss in lives among colleagues, staff submitted a request to amend Article VII, paragraph 2 of the Flag Code to explicitly establish that the flag of the United Nations shall be flown at half-mast when a staff member is killed in the line of duty, as a result of terrorism, armed conflict, civil unrest or criminal act. Staff noted that this paper was a forward-looking one, not one that was meant to dwell on the past. Staff further noted that the symbolic nature of the request should not undermine its importance as inaction in this regard took a very heavy toll on staff morale. While staff acknowledged the complexity of the events that brought this issue to the fore, as well as the pressure the Secretary General was under at the time, they stressed that the principles of the Charter and the nature of the International Civil Service commit staff to being “nobody’s citizen” and that the most appropriate way to give them due respect and honour is to insulate decisions on the lowering of the flag from any political considerations by amending the Flag Code as requested.

41. On the Flag Code, management thanked staff for submitting the paper, indicating that they share staff views that we all must remember our colleagues fallen in the line of duty and there are many ways of doing this. Management recalled the importance of the UN flag which represents the purposes and principles enshrined in the UN Charter. Given its significance, management stressed that it is the sole authority of the SG to fly the flag at half-mast. The flag code provides guidance to the whole UN family and sends a signal to the outside world. Management further stated that the policy contains sufficient and appropriate provisions allowing the UN flag to be lowered to half-mast. It was also highlighted that the issue of the UN flag is not related to staff conditions of service. In terms of finding a way forward, management expressed their willingness to explore other avenues to pay tribute to colleagues fallen in the line of duty.

42. Staff further noted that other measures suggested, such as helping colleagues and their families, were not sufficient to address the intended purpose of mourning and the suggestion to amend the flag code did not restrict the discretion of the Secretary General, nor did it entail a risk to undermine the dignity of the flag or the prerogatives of member states. Staff requested that the UN flag be lowered for all staff who die in the line of duty and not only when there is a mass casualty event. Staff were further informed by management that the lowering of the flag for staff deaths may be considered under Article 7.2e of the Flag Code, which refers to “other special circumstances”, although no reference is made to staff in this article. Further reference to staff should be clearly stated in the Flag Code instead of relying solely on Article 7.2e.

43. **Disagreement: Management did not agree to the staff request to review the Flag Code.**

44. **The SMC agreed that ways to adequately and timely honour colleagues who die in the line of duty would be explored and further discussed at a future SMC meeting.**

### ***13. Interpretation of staff rule 4.4***

45. Staff presented their paper requesting the elimination of the question regarding authorization to work in another country at the application stage introduced in Inspira. Staff felt that by removing the restriction, it promotes fairness, mobility and diversity within the organization and aligns with our core values and the mission of the United Nations. The current policy interpretation restricts the ability of staff in the GS category to compete for positions even in duty stations where hiring managers are willing to support visa acquisition due to lack of local capacity. It blocks candidates from competing at very early stage. Staff also acknowledged the evolution of visa issuance policies by certain governments, most notably recent changes in the US. By removing this clause, staff would be advocating for more equitable opportunities for GS staff and removing the barrier restricting career opportunities for that category. Staff proposed that management revisit this policy, provided staff meet the minimum work requirements and host countries have no restrictions on applications. Staff also noted that the requirement to be hired within commuting distance, in some areas, is difficult to quantify. At

some point, there might have been some reasons behind these rules, but with new staff, they recommended that eligibility criteria be removed and not add another geographic layer, which would be counter-productive. Staff requested that, if the Inspira question had to remain, it should be reworded to clarify, for example, that staff with European Union nationalities can apply to locally recruited positions in Geneva, which is currently unclear to many candidates. Staff responded that some countries do not grant visas and others accept staff from outside that duty station, but the question blocks all applicants including those who can be accepted in those countries (or have visas facilitated by possible receiving offices). Staff asked for assurances that applicants would not be pre-emptively rejected based on this question alone.

46. Management thanked staff for raising the issue and expressed appreciation for the work of locally recruited colleagues. Management further explained that the guidance on staff rule 4.4 does not relate to the professionalism and skill set of locally recruited staff. Management highlighted the distinction between internationally- and locally-recruited staff, where the latter is recruited at the locality of the duty station and compensation based on best prevailing local conditions. The rule also addresses the expectation of the host country for recruitment from the local market. Management further explained that the guidance imposes no restrictions on employment of applicants who are authorized to work in the country. With respect to the request to consider establishing rosters for local recruitment across locations within a country where the United Nations has multiple duty stations, management indicated that entities may build local rosters at the country level, enabling rapid recruitment. While management maintained their position regarding local recruitment, they indicated that they would review the language of the Inspira questions to ensure that eligible applicants are not excluded.

**47. The SMC agreed that the language of the Inspira question would be reviewed to ensure that eligible applicants are not excluded.**

#### ***14. Time release for staff representatives***

48. Staff discussed time release guidelines currently in place, and requested guidance be issued to all duty stations and official notifications be sent to all managers about time to be afforded to staff representatives to carry out their duties. Staff should also be allowed, for self-assessment only, to include duties as staff reps recorded on e-performance documents. Staff noted that some entities create positions with specific levels, assignments, modalities and funding included in their statutes. But such arrangements are meagre in the secretariat, with discretion being too wide, unfortunate circumstances can be very grave for staff putting themselves forward. Many are prevented being staff representatives because of these arrangements.

49. Management thanked staff for submitting the paper and for the efforts and contributions put forth by the staff representatives. Management acknowledged the need for staff representatives to be accorded reasonable release time and facilities to discharge their

functions properly. Management pointed to the fact that existing framework is outdated and in need of review. They proposed the creation of a working group to address the issue of time release, as well as other facilities provided to staff representatives. The group should aim to develop recommendations quickly, e.g., within six months. The focus should be Secretariat-wide. Management stressed that the SG Report to the GA (A/C.5/50/64) and ST/AI/293 on *Facilities to be provided to staff representatives* should be taken into account in preparing Terms of Reference for the working group.

50. Staff thanked management for the proposal to engage in a working group. They believe that the working group will be a good starting point to reach concrete and harmonized agreements, something that is long overdue, adding that this would also assist in improving staff-management relations.

**51. The SMC agreed that a time-bound SMC working group would be established to develop recommendations on time release and facilities to be provided to staff representatives.**

### ***15. Legal support for staff***

52. Staff presented a paper to explain that they are unable to adequately fulfill their functions and responsibilities without sufficient legal advisory support and resources. Staff explained their position on SMC legal advisory services, including that it is an advisory capacity to the SMC, under the authority of the President, and not limited to procedural matters only. Thus, since the provision of legal advice is, in practice, being limited to SMC procedural matters, and only with the agreement of both staff and management, staff representatives are at a distinct disadvantage in their ability to engage in the SMC, to review policies, and to make proposals to the Secretary-General on behalf of staff. In contrast with management, which has direct and independent access to OLA for policy review, staff representatives are not on an equal footing and have expressed the need for both procedural and substantive legal advice. The need for legal counsel is particularly evident on matters relating to staff rules and topics pertaining to the administration of justice. Amendments to the SMC rules should be devised to provide staff unions and associations of the UN Secretariat with adequate legal advisory support. Staff remarked that the mandate of OSLA includes providing professional legal assistance for staff and could be bolstered through the Voluntary Funding Mechanism to have a dedicated lawyer to support staff unions and associations. Staff requested that all staff union members of the SMC should have access to necessary legal advice, and not only on matters of procedure. On all topics relating to the administration of justice or matters concerning staff regulations and rules, a dedicated OSLA lawyer would be included as an observer/non-member participant. It was proposed that OSLA would be designated as an SMC adviser for substantive consultation purposes of the staff-side, or in the alternative the staff-side would be permitted to include their external lawyers on retainer as SMC observers/non-member participants. Discussion was also started on whether management would alternatively allow staff members

of SMC to include their external lawyers on retainer in SMC meetings. Staff will continue to seek the revision of the SMC bulletin to specify that all members of the SMC, and not only management, have access to legal advisory services, including through the possible provision of funds through the OSLA voluntary funding mechanism.

53. Management acknowledged the complex role the staff unions play in promoting and safeguarding the interests of staff. It was clarified however that OLA as a management body does not provide advice to staff representatives, and that OSLA's mandate is limited to providing professional legal support to staff members. The role of the Legal Adviser to the SMC is to provide legal advice to the President of the SMC on questions of a procedural nature arising under the rules applicable to the SMC, and acting in this impartial role, is not in a position to provide legal advice to the staff representatives nor management. In response to questions from staff on potential involvement of OSLA in SMC, management agreed to consult the Office of Administration of Justice (OAJ).

54. **The SMC agreed that management would consult the Office of Administration of Justice regarding the potential involvement of OSLA in SMC.**

### ***16. Update on the status of working groups***

55. **The Working Group on staff selection and mobility:** The working group co-chairs briefed the SMC on recent progress, including discussions on a paper prepared by staff representatives, covering issues such as incentives for mobility, equal pay for work of equal value, use of the word promotion, shortlisting, and other issues. They referred to the various discussions held on the new approach to staff mobility and efforts to explore non-financial incentives for mobility to align with the General Assembly's request. In terms of next steps, the group will continue to discuss non-financial incentives, develop a final report on issues identified, and later this year work closely with the Mobility Implementation Team on drawing lessons learnt from the first annual global mobility exercise. The main staff selection and mobility WG will determine when to re-start the sessions relating to review of the staff selection policy and the position paper of staff representatives.

56. **The Working Group on administration of justice:** The working group co-chairs briefed on the work carried out in 2023-2024 and on the outcomes of the WG relating to protection against retaliation, including those that might require policy revision or further monitoring. Management clarified that the policy revisions reflecting the agreements are planned for the first half of 2024. The briefing also covered outcomes related to amendments to the UNDT statute. Staff have requested management's views of the new Article 9.4 of the statute, and management has indicated its willingness to engage. On the issue of the recent amendment to the UNDT statute (Article 9.4), management has agreed to present their views to the WG, including how the amendment has been incorporated into tribunal submissions and some of the initial tribunal judgments implementing the amended Statute. The co-chairs provided updates on AOJ WG

meetings and previewed next steps for upcoming meetings, including the review of ST/SGB/2019/8. Both management and staff would present position papers on whether this bulletin is functioning satisfactorily, particularly in relation to whistleblower cases and the need to include retaliation under the definition of prohibited conduct. The matter of anti-racism will also be addressed in possible revisions to the SGB. The WG will reflect on implementation of the GA mandate to apply ClearCheck to any case in which dismissal or separation would be imposed for a staff member's misconduct. Staff representatives have requested more information in the context of the WG on the GA resolution that requests the Secretary-General to provide a comprehensive assessment of the functioning of the administration of justice in his next report. The Working Group will resume meetings in June 2024.

### **17. Appendix D**

57. Staff presented a paper on improving guidance, accountability and transparency of Appendix D of the Staff Rules. Most staff are not aware of Appendix D, and if they are familiar, their only resource is the Appendix itself which does not serve as a practical guide on eligibility nor provide instructions on how to file a claim. The lack of guidance, outreach, and contact information for a focal point in the ABCC-Secretariat to guide staff (or bereaved families) are deterrents to the full use of this mechanism, which contradicts the very reason it was put in place. Examples were provided of HR partners not being aware of Appendix D to properly advise staff (or families). Anecdotal information pointed to the fact that the ABCC-Secretariat has been too slow to respond to the needs of ill or injured staff members (or bereaved families), citing two cases of families waiting five and 20 years respectively for their claims to be processed; no statistical information is available on the processing times of Appendix D claims. It is not only about the process followed by the ABCC-Secretariat that is a cause for great concern, but it is also an issue of disposition and a lack of client-services orientation. Those who file claims are routinely left out of the ABCC-Secretariat's review process and are not invited to provide supplementary information to further substantiate their claim. When claims are rejected, the ABCC decision letter does not provide staff with the recourse for appealing the decision, and emails to the ABCC-Secretariat on this issue go unanswered. Staff were informed by management that the capacity of the ABCC-Secretariat is stretched, but this should not be a justification to allow it to continue to fail staff. A plea was made for the Secretary-General to be a leader by making much needed improvements. While other aspects of Appendix D would merit discussion at the next SMC, staff recommended three actions to provide a minimum level of improvements: establish a UN website to provide staff with equal access to information and practical guidance on filing claims, including a contact name and number to assist ill or injured staff or grieving families (UNOG's website was cited as a good practice); explore ways to allow the ABCC to report on the various metrics without disclosing personal or medical details to ensure the minimum level of accountability and transparency; and require the ABCC to specify in its decision letter to staff what is the recourse for appealing a rejection.



58. Management acknowledged the importance of ensuring that staff members are fully informed about their entitlements and the procedures for seeking compensation for occupational injury, illness, or death, as outlined in Appendix D to the Staff Regulations and Rules. Management reiterated that the SMC covers the UN Secretariat and UN Funds and Programmes only. Management stressed that the ABCC cannot share confidential and sensitive data and acknowledged the concerns about any delays in treating claims which is not only attributable to ABCC and its limited resources, but also to lack of information, documentation and/or medical reports. Staff were informed about the role of family focal points, outreach, training and the availability of a dedicated website and email address. It was clarified that information on the appeal procedure is included in Appendix D. Management committed to look at the website and into providing better guidance to staff at large, HR community and staff representatives. Management agreed to update staff on the progress made in a future SMC ad-hoc meeting.

59. **The SMC agreed that management would:**

- a) Review the existing websites in light of the concerns raised**
- b) Provide information on appeal mechanisms in rejection letter**
- c) Organize a global VTC for UN Sec HR Community on the issue**
- d) Report back to a future SMC ad-hoc meeting on progress and plans**

### ***18. Amending appendix D for suicide***

60. Staff are concerned about lack of resources spent on prevention of suicide and the duty of care to staff in relation to work-related suicide. Appendix D regards self-harm as misconduct. Staff requested that disaggregated data on suicide mortality rate be provided by management; that suicide or self-harm be removed as a ground of exclusion for coverage; and death by suicide be included as a covered service-incurred incident. This would be part of the duty of care and mental health protection of our colleagues. Staff would welcome discussion on this Appendix D anachronism that includes suicide as misconduct, considered a relic of the past. Staff asked management to therefore consider amending Article 1.3 of Appendix D to include death by suicide when it is a service-incurred incident. Staff took note that the ABCC considers such suicide cases in practice; however, by not explicitly referencing it in the Appendix itself (or in internal guidance to staff members), it may result in unequal treatment or may deter a staff member or bereaved family from filing a claim.

61. Management thanked staff for presenting the paper and welcomed discussion on this complex subject that has both medical and legal aspects. Management acknowledged that the language in Appendix D may be interpreted as a blanket exclusion from coverage but stressed that the practice of the ABCC is to review suicide cases just like any other claims submitted under Appendix D. Management also expressed its willingness to look at Article 2.3 (a) of section II of Appendix D to see what changes (if any) could potentially be made. This will require both policy and legal review and endorsement by the General Assembly. Management clarified

that the practice of the ABCC is to review suicide cases claims submitted under Appendix D as any other claims to establish whether they are service incurred. It was further clarified that there are many factors that can lead an individual to take their life and cautioned that any changes to the language of Appendix D would require discussion and approval by the GA. Management acknowledged the lack of data on suicide and confirmed their ongoing commitment to the mental health and well-being strategy, which has a focus on mental health data. Ongoing work was highlighted on developing awareness-raising tools, including prevention of suicide.

**62. The SMC agreed that management would look into the concerns with the wording of Article 2.3 (a), and that the issue would be discussed at a future SMC ad-hoc meeting, on the understanding that any changes to Appendix D would be subject to GA review.**

### ***19. Continuing appointments***

63. Staff described their experiences with the recent continuing appointments review for the 2016-2021 period and the noticeable decline in morale among those who did not receive an award. Staff expressed gratitude for the completion of the exercise but explained their concerns about elements of the process and the outcome. Staff noted many reported cases of incorrect recording of data used for the points allocation system. Examples were given where the arbitrary use of performance ratings from prior periods had resulted in inadequate points to obtain the continuing appointment. Staff suggested that there needs to be more dialogue on possible unintended consequences, especially for women and staff with disabilities, due to the nature of the points allocation that appeared duplicative between mobility and tours of duty in hardship D and E duty stations. Staff believe that future exercises would need to be more transparent and greater efforts taken to reduce errors in the allocation of points. Concerns were also raised regarding points allocated for the “exceeds performance expectations” ratings, which had inconsistent use between different offices. Also, when staff were notified they were not awarded a continuing appointment the email notification was not clear on the appeal process. Many staff mistakenly believed that merely responding to the email was the formal appeal. Staff took note of management’s commitment to review all requests for reviews and to decide when appropriate corrective measures would be taken especially when it was within the limitations of the process.

64. Management thanked staff for raising the issue. Management acknowledged the difficult nature of the retroactive review, changes in Umoja, and the fact that staff members may have changed positions and/or status. Management clarified that all requests from individual staff members regarding 2016-2021 review are being responded to and corrections made - as appropriate - where mistakes were made. Management explained the history of introducing continuing appointments and GA decisions on this type of appointment. Management stressed that the envelope, criteria of review and point allocation system are prescribed by the General Assembly in GA resolution 65/247. Any proposed changes must be considered and approved by the General Assembly. Management informed staff that it would report data on the results of

review for continuing appointments to the GA. Management stressed that it is drawing lessons learnt from the process, including verifying data with local HR offices, and welcomed the consolidated input from staff representatives to lessons learnt.

## **20. Classification of duty stations**

65. Staff recognize that duty station classification falls under the purview of the ICSC, however there are instances where the family nature of a duty station changes, i.e. due to relocation of dependents at short notice and managers are not fully sensitized to apply available mitigation measures to support staff. The organization is slow to apply the Non-Family Duty Stations entitlements designed to support staff and their dependents. Heads of entity are ultimately responsible for the success of the office in the most challenging duty stations and the Organization needs to do a better job to prepare managers being assigned to lead in the Organization's most austere and dangerous duty stations. There is also a need to ensure conformity of processes and entitlements between different UN entities in the same duty station.

66. Management thanked staff for the intervention and recalled that DSS plays a key role in the hardship classification of the duty stations. Management took note of the point raised by staff on preparing managers for serving in hardship duty stations. Management clarified the efforts made in ensuring that managers and leaders are aware of such conditions prior to their deployment and highlighted that visa issues were fully in the purview of the governments. Management explained the entitlements of the staff member in cases where the family can travel to the duty station. Management further indicated that the issues related to the classification of the duty stations are best addressed through the staff federations.

## **21. Streamlining classification appeals**

67. Management presented the proposal to improve the current process for classification appeals, putting in place an independent, technical, and centralized review process to replace the current mechanism of classification appeal committees. Management outlined the rationale for the proposal and highlighted that it would be included in the revision of the AI on *Job classification* that had already been subject to consultation. ST/AI/2018/7 on *Technical bodies* would also be updated accordingly. Management confirmed that the proposed change would not affect the ability of an incumbent to initiate a classification. Management informed that the number of classification appeals is very low, and that the proposed change would be beneficial for staff and management and bring more speed and rigor to the process. Management informed staff that guidelines and frequently asked questions on the classification process would be issued along with the revised AI on *Job classification*, and invited staff feedback on those guidelines/FAQs.

68. Staff recalled that discussions on this topic have been ongoing for a couple of years. They noted that the existing policy and proposed revision include the provision that the incumbent could request a reclassification of their post. This more direct possibility might result in additional classification decision appeals, which to date have been very limited, and staff queried if the new policy would lead to more utilization of the appeal process. Staff acknowledged that the present process is heavy and does not help staff but requested more clarification on the disputes process to be included in the terms of reference.

**69. The SMC agreed that the proposal on streamlining classification appeals would be incorporated into the draft AI on job classification.**

## ***22. Special post allowance***

70. Management presented the paper on special post allowance, noting that the objective was to respond to General Assembly concerns and to put in place a more robust, simpler process in line with staff rule 3.10. The proposal would limit SPA to up to one year in most cases and discontinue SPA panels to streamline the process. The proposed revisions to the policy would reinforce the use of the staff selection system for vacant positions, so that temporary job openings are not used to fill long-term vacancies. Management clarified that the payment of SPA after three months in non-mission entities is GA-mandated. While a more robust process will bring more rigor to the duration of SPA, consideration may be made for circumstances where an exception can be justified. Management clarified that the proposed policy revisions would be shared for wide consultation as per the usual process.

71. Noting that they were not opposed in principle to reviewing the policy, staff have concerns about the proposed changes presented by management. Specifically, they are concerned that the limitations on extension of SPA beyond one year and the prohibition on granting of SPA in the absence of a vacancy advertisement would lead to staff performing higher level functions without the corresponding compensation, undermining the principle of equal pay for work of equal value. In the absence of measures to prevent managers from leaving vacancies unfilled for periods longer than one year or from asking staff to perform functions without advertising the vacancy, staff could be penalized. Staff asked whether the proposed cases in which extensions were allowed were exhaustive and intended to cover every case in which a post was blocked for another staff member. They requested clarification on the consequences of changing the authority for granting SPA or whether the proposed policy change on the decision-making authority was simply a reflection of the status quo. Staff are particularly concerned about the proposed elimination of SPA panels, which they consider a valuable check and balance. They sought and received assurances that the categories of staff who currently received SPA from the first day of assignment would continue to do so. Staff held the position that serving as officer-in-charge should be granted SPA as an exception, despite the lack of a vacancy advertisement.

72. **The SMC agreed that as it has not finalized the discussion, the item will be deferred to the next SMC ad hoc meeting.**

### ***23. Abrasive and toxic behaviours***

73. Staff requested discussion on incentives for managers to resort to informal conflict resolution and other actions that can be taken to support conflict coaching and mediation. Cases of abrasive managerial behaviour that do not necessarily rise to possible prohibited conduct under ST/SGB/2019/8 could be addressed through people-centred conflict resolution intervention programmes. Informal resolution can help resolve challenges around conduct that may foster a disharmonious work environment. In this regard, staff highlighted the need for better training and coaching programmes that would supplement the United to Respect toolkit made available to staff. Having more conversations about the link of abrasive behaviours to disharmonious work environments and toxic workplaces is essential to safeguarding the duty of care and promoting mental health. Staff requested management to engage in future innovative and time-bound pilot projects to promote the systematic use of remedial coaching, training and skills development to temper abrasive behaviours contributing to toxic workplaces. They further stressed the issue of fear of reprisals or retaliation, which sometimes prevents staff from seeking informal conflict resolution when subjected to abrasive behaviours. Staff highlighted the importance of emotional intelligence in recruitment processes. Staff would like to keep this topic as a standing item for future SMC discussions to promote development of innovation to provide managers with the skills and tools to create a healthy working environment.

74. Management thanked staff for the paper and acknowledged that abrasive behaviour has a negative impact on workplace environment. An update was provided on what has been done to foster good behaviour, including induction, the people management index, harassment prevention, management development initiatives, and training. Management stressed that all staff have a responsibility for a harmonious workplace and provided examples of efforts on early prevention and detection of abrasive behaviour, including building capacity of conduct and discipline focal points to detect and handle the instances of such behaviour. Management indicated that the Staff Engagement Survey is a good tool for identifying areas to be addressed. The Office of the Ombudsman provided information on the process for informal conflict resolution. Management stressed that creating a harmonious and enabling environment should be a focused collective effort, and, in this context, confirmed their commitment to continue the dialogue with staff.

75. **The SMC agreed to further exploration of and dialogue about how informal conflict resolution can be promoted through the Office of the UN Ombudsman with the staff representative bodies and development of incentives for staff to resort to informal conflict resolution.**

## **24. Anti-Racism update**

76. The Director of the Anti-Racism Office updated staff on the implementation of the Secretary-General's anti-racism strategy, referring to the Strategic Action Plan (SAP) launched in 2022, which serves as a base document for the Strategy's implementation. The update covered the role of the Anti-Racism Office and work underway to understand concerns of staff and to socialize the action plan. The issue of data was discussed, noting the limited data available and the extent to which nationality data might be used as a proxy. Other actions being taken by the office include raising awareness, internal capacity-building and targeted training, review of policies, and work related to the administration of justice. During the discussion, management provided clarifications on the questions asked, thanked staff for the constructive suggestions and welcomed full engagement from staff to work jointly on issues of racism and dignity for all.

77. Staff inquired about data collection on racism and suggested the creation of a matrix to track the development and completion of each task of the SAP, in which it will be possible to note that the requirement for senior management to include anti-racism in their compact is being implemented and others like the monthly publication on new recruitments at all levels is yet to be implemented. Staff acknowledge that the elimination of racism may not be easy but appreciate the actions being taken in assessing and addressing the issue within the UN. The complex nexus of racism, favoritism or unequal treatment of one group over another should not distract from the fundamental issue of treating all people with kindness, dignity and humanity. Within the framework of the SMC WG on AOJ, there will be concrete discussions on ways to strengthen the anti-racism provisions in policies, specifically in ST/SGB/2019/8. Staff suggested a key issue would be developing the capacity of OSLA on anti-racism litigation and also suggested that the organization could follow anti racism initiatives taken by other organizations to be used as examples.

## **25. Reporting lines and organigrams**

78. Staff expressed concerns about unclear and unfair reporting lines and inaccurate organigrams that are hindering effective implementation of the performance management and development system and creating the possibilities for toxic working conditions and preventing a true enabling environment for gender equality and diversity, equity and inclusion. Incidents of supervision of staff by first reporting officers and second reporting officers at the same or lower level is proliferating, including informally. Supervision among staff of the same level can present challenges and have negative consequences due to the potential for conflicts of interest, undue competition, and a lack of clear hierarchical authority. A lack of a clear chain of command negatively impacts accountability and responsibility, and informal reporting lines can be difficult to detect or monitor. Situations where staff are reporting to the same level can be detrimental to career development prospects and may lack the mentoring or learning relationship that is often present between supervisor and supervisee. Staff requested that organigrams be governed in

an appropriate instrument to ensure accuracy and to give staff the ability to request access to organigrams and administratively challenge reporting lines. In the context of performance management, staff requested revision of ST/AI/2021/4 to clearly specify that the first reporting officer shall be designated at a higher level than the supervisee. Although management indicated that the number of such cases is limited, staff felt that evidence from cases submitted to the staff unions pointed to a broader problem.

79. Management thanked staff for the paper and provided data from the current and last two performance cycles, which indicates that the number of such cases is limited. Examples were provided of when a first reporting officer may be at the same level as the staff member, such as when the first reporting officer is in receipt of SPA. Management acknowledged that there may be specific situations which may require review and invited staff to bring sensitive cases to the attention of their management. It was emphasized that organigrams should be as accurate as possible, and that this would be reinforced with the HR community. It was recalled that the organigrams flow from the budget cycle and any changes are reflected in the next budget cycle.

**80. The SMC agreed that management will request heads of administration to share the organigram of their entity with staff representatives.**

#### ***26. Amending ST/AI/149 Rev.4 Lump-sum options***

81. Staff noted that the policy covering claims for loss or damage to personal effect is over 30 years old, with a recent amendment in 2024 adjusting the maximum claimable levels. During recent large-scale crises, the claims process could be lengthy due to the volume of claims submitted. Staff noted that for some crises, management accommodated requests for an expedited process by offering the option of a lump sum payment, in lieu of the formal claims process. For staff who do not wish to take the lump sum, the normal claims process would still be available. Staff request ST/AI/149/Rev.4 be updated to include the option for a lump sum payment in lieu of the formal claims process covered by the policy.

82. Management thanked staff for raising the issue, and briefed on actions taken recently to increase the maximum reimbursement amounts for loss or damage of personal effects, which are reflected in ST/AI/149/Rev.4/Amend.1 on *Compensation for loss of or damage to personal effects attributable to service*. Management expressed its agreement to revise the ST/AI to allow for the payment of the lump sum in situations involving a large group of staff (similar to the situation in Sudan). It was highlighted that this approach will streamline and expedite the administrative aspects to the benefit of staff.

**83. The SMC agreed to revise the ST/AI to allow for payment of a lump sum in situations affecting large numbers of staff and in the interim while the ST/AI is under revision, to continue to offer the lump sum as an option.**

## **27. Learning and training initiatives**

84. Staff highlighted that recent studies and findings on diversity, equity, and inclusion (DEI) in general put some training and managerial methods and their efficiency into question. Staff expressed their concerns that there is inadequate fairness and equity in the distribution of available training funds and opportunities for the upgrading of substantive and technical skills, which are allocated directly to individual departments and offices, on the basis of annual training plans. Equitable distribution is only within departments/offices, but there is inadequate equity in the allocation between departments and offices. A Learning Advisory Board was established in the 2009 SGB to “advise on the Organization’s learning and development priorities and plans”. Staff are concerned that the organization has stopped being a “career organization” and the notion of career advancement/progression and promotion are no longer in usage or apply to the related staff selection policies. The organization has steadily moved towards more contract precarity, less job security and fewer benefits for long-term service. In view of the upcoming compensation review, providing professional growth and training that has currency and value inside and outside the organization would be a powerful incentive to attract and retain staff, and counterbalance the negative effects of the recent contractual trends mentioned above. Staff expressed concerns that there were planned revisions to the “Learning and development policy,” ST/SGB/2009/9, which were not being fully consulted with staff. These policy revisions should not be exempted from following the established consultative process as required under Chapter VIII of the staff regulations and rules. Moreover, staff objected to indications that the general principles of ST/SGB/2009/9 would be amended to remove the minimum target of five days for professional development per year. While they understood the intentions of management, staff expressed concern that the removal might make it more difficult for staff to request time for training. Formal and full consultation with staff on the development of a new learning and development policy would be essential to avoid further systematic erosion of deliberations and consultations between staff and management.

85. Management thanked staff for the paper and welcomed discussion on the subject. A presentation was provided on the Learning and Development Strategy, various training opportunities and initiatives, budget allocation for training and the ways of evaluation of impact and return of investment, and oversight of learning and development. Management provided clarifications on staff concerns and acknowledged challenges with limited budgets, in particular for upgrading of substantive and technical skills. Management stressed the need to support a wide range of re-skilling and upskilling opportunities and underlined the priority of leadership and management development.

## **28. Step determination**

86. Staff recognized that their proposal had been overtaken by events since the unanimous adoption of the draft resolution A/C.5/78/L.35 by the Fifth Committee. They deplored the



decision of the General Assembly to withdraw the provisional staff rule, thereby disregarding the full professional experience and education of internal and external candidates in the determination of step increments on appointment or selection to higher levels. Staff expressed their appreciation for the conscientious and supportive efforts of management in 2023 and 2024 to develop the now-withdrawn guidance. Staff had also felt compelled to suggest a policy change that would improve the equality of treatment between internal and external candidates, by considering long-serving staff in a prospective manner and by applying to them the same policy and guidance at the occasion of their next step increase.

87. Management acknowledged that the paper presented by staff had been overtaken by events. The recent decision of the General Assembly on the provisional staff rule on step determination was explained, requiring the previous policy guidelines on step determination to be withdrawn. Management provided background on the objective of the previous guidelines, which was to address the unequal treatment between internal and external candidates and the resulting pay gap. Management stressed that the GA decision stands, and that therefore there would be no further consideration on this issue, at least not in the short term. It was confirmed that revised policy guidelines on step determination were under preparation and would be issued shortly.

### ***29. Streamlining the separation process***

88. Staff raised concerns with the time that it takes to receive final payments and pension benefits when separating. With each step of the process relying on predecessor actions, settlement of entitlements can often be delayed especially for award of the disability benefit and separation for health reasons. Particular concern was raised for staff who are incapacitated and cannot submit documentation. Staff noted the overall quick actions from the United Nations Joint Staff Pension Fund once cases reached the fund but cautioned that in some cases there were complications for staff outside of New York. Challenges were especially faced when there were discrepancies between information at the UN and the United Nations Joint Staff Pension Fund. Resolving such issues was complicated after separation since staff no longer had access to Umoja and UN email. Staff reminded management of the agreement at SMC XI about extending access to the UN email account, which has not yet been put into implementation. Staff further noted that some entities had an additional layer of actions to process through shared service centers before files were received by Headquarters or vice-versa. It was further pointed out that bottlenecks could be a result of the liquidity crisis and there was a risk of backlogs due to staff shortages. Staff sought feedback on the UN Digital ID exercise and how this would facilitate an easier process of correcting discrepancies in personal information.

89. Management welcomed the input of staff on this topic and acknowledged that the process is complex. A number of improvements have been made to the separation process over

time, both by the UN Secretariat and with the United Nations Joint Staff Pension Fund. Management provided data on improved timelines for processing pension fund payments after receipt of all required documents. DOS has initiated a separation process review and rolled out a project of looking at separation from the process improvement angle. Management clarified that the Umoja system catered for entering information on behalf of staff members in case staff were not able to do it personally. Information was provided on work underway on a global exit questionnaire which will incorporate the recommendations of the Anti-Racism Working Group to collect the data and analyze it to understand the trends, concerns, and reasons for leaving the organization.

### ***30. Induction and exit guidelines***

90. Staff highlighted that the current induction process lacks consistency across entities, with each entity having its own approach. This leads to staff missing out on valuable information that is typically learned over time or through interactions with colleagues. Staff requested a system wide comprehensive induction programme to help new hires understand their entitlements and obligations. There is also a lack of consolidated information at the global level, in a variety of formats, to aid staff throughout the life cycle of their careers. Noting that unions have seen an increased need from staff for information and guidance, staff suggested using iSeek as an advertising platform to direct staff to materials and resources including interactive online modules or videos and checklists with hyperlinks to policies (one-stop shop) for easy learning and accessibility which could be regularly updated as policies change, taking into consideration equal access to information for all staff. Staff also requested management to maintain open communication channels for staff to ask questions and seek clarification on induction & exit topics.

91. Furthermore, there is a concerning lack of information provided to staff regarding their entitlements upon exiting the organization. Staff added that they are inadequately informed about their entitlements in the event of unforeseen circumstances such as death or disability. Additionally, there is a notable absence of guidance on how staff should communicate these crucial matters with their families, particularly their spouses or partners. It is evident that there is a need for clear and comprehensive sources of information pertaining to both the induction and exit processes, ensuring that all staff members are well-informed about their rights, entitlements, and the necessary procedures to follow regardless of the circumstances.

92. Management thanked staff for raising the issues related to the separation process, and reiterated that onboarding, induction and separation processes involve a number of different stakeholders. Management cautioned that it was not feasible to make these processes uniform as they had a local component. An explanation was provided on the steps undertaken to address the global component of these processes, in particular launching of the global induction project Go2UN available to staff from the time of receiving an offer and first six months of the appointment. Management acknowledged challenges with communicating such efforts and invited staff to provide suggestions on the way the information is provided to staff.

Management committed to provide a briefing to SMC on Go2 UN project and Knowledge Gateway during a separate SMC ad-hoc meeting.

### **31. Personal status**

93. Staff referred to ST/SGB/2004/13/Rev.1, which states that in order to be recognized by the Organization, personal status should be “legally recognized for the purposes of granting benefits and entitlements” with “reference to the law of the competent authority under which the personal status has been established”. They pointed out that the text makes no reference to equivalence or substantial similarity to marriage, which in practice is the benchmark used by the Department of Operational Support to determine which partnerships are recognized for this purpose. Staff acknowledged that the policy refers to personal status for the purpose of dependency benefits and that the word “spouse” is used in the staff rules, but pointed out that the definition of spouse used by many employers covers a broad variety of partnerships. They stressed that they were not requesting any policy changes but only to apply the existing policy by recognizing all relevant partnerships legally recognized for the purposes of granting benefits and entitlements. At the very least, staff should have access to better information on which partnerships were recognized by the Organization and the process for determination.

94. Management thanked staff for raising the issue, acknowledging that the recognition of personal status was a complex and a sensitive issue. Management highlighted that ST/SGB/2004/13/Rev.1 on *Personal status for purposes of United Nations entitlements* allows the Organization to recognize personal status by reference to the law of the competent authority under which the personal status has been established, which effectively protected the rights of staff members who would otherwise not be able to receive relevant benefits and entitlements if the reference was only to the law of their country of nationality. It was further clarified that guidance for HR practitioners has recently been updated, including a set of FAQs.

### **32. Budget and programme of work 2024**

95. The SMC Secretariat made a presentation on the SMC Budget. It was recalled that the SMC budget is approved as part of the regular budget of the Office of Human Resources. It was confirmed that the previous trend of yearly expenditures exceeding the allotment has continued. This year the trend was confirmed. It was also highlighted that the current fiscal environment is not conducive to requesting an increase.

96. Management clarified that the cost of travel of management representatives is not charged to SMC budget but is taken from other funding sources. Further explanations were provided on the impact of the liquidity crisis on a broad range of travel and meetings. Management recalled that the holding of SMC this year was considered as priority.

### **33. Equitable overtime management**

97. Staff recalled that staff rule 5.1 (a) on working hours “A staff member may be required to work beyond the normal number of working hours whenever requested to do so”, does not provide for a limit to overtime and noted that such a limit is required to ensure protection of staff from exploitation, long overdue. In addition to giving staff members the right to refuse too much overtime, staff stressed the importance of equitable distribution of overtime, taking into account staff readiness to perform overtime work. Referring to staff rule 5.1 (c), which stipulates that “occasional compensatory time off may be granted to staff members serving in the Professional and higher categories and in the Field Service category at the FS-6 and FS-7 levels who have been required to work substantial or recurrent periods of overtime”, staff stressed the need for adequate compensation for overtime work of all staff, specifically for those working in regions where the work week commences on Sundays. The consistent requirement to work and travel during weekends and holidays has a detrimental impact on their work-life balance and, consequently, their mental well-being. Therefore, staff called for formally expanding the provisions of ST/AI/2000/3 to the entire Secretariat (namely, that overtime during working days is compensated 1.5 times the regular rate and overtime during weekends and holidays 2 times that rate). An additional point was made on the increasing practice of managers not to grant overtime to GS staff due to constrained funding or a worry that there was insufficient capacity to manage an increase in leave days; enhanced communication to managers was needed to remind them on GS conditions of service and the potential for staff to burn-out under such circumstances.

98. Management thanked staff for the paper and acknowledged the issues raised. Management described ongoing discussions related to issues such as excessive overtime and highlighted the potential impact on staff health and well-being. A number of principles were proposed for consideration:

- Staff may not work more than 40 hours of overtime per month;
- Staff may not work more than 20 hours of overtime per week;
- Staff must be provided at least 10 hours of time off between shifts on two different days;
- Staff must be provided at least 3 days off in every 2-week period, of which 2 days must be consecutive;
- The provisions on night differential, compensatory time off and overtime are compatible with provisions on flexible working arrangements.

Clarifications were provided regarding the need to ensure that overtime is authorized, and it was acknowledged that the liquidity crisis can impact workload. In reference to travel, management highlighted that efforts are made to minimize travel on weekends when possible, but that it is important to maximize working time during official business travel. It was confirmed that the issue could be further discussed at a future SMC ad-hoc meeting, once management has had the opportunity to do further work on this.

99. **The SMC agreed to review the subject of overtime at an ad hoc SMC.**

#### ***34. Review of Previous SMC Agreements***

100. Staff and management members of the 3x3 Contact Group agreed to review the list of agreements during the course of the week, with a proposal for closure to be reached at the close of the SMC session.

101. Agreement was reached before the close of proceedings and the summary of the outcome is attached in annex.

102. **The SMC agreed to close the proposed agreements, and to annex the list to the report.**

**Annex: Review of previous agreements**

<b>Topics</b>	<b>Meeting</b>	<b>Agreement</b>	<b>Decision</b>
<b>CRB membership</b>	Ad hoc of 07 Sept 2022	It was agreed to increase numbers of members of CR bodies.	close
<b>Gender Parity, Gender Focal Points and Contact Points</b>	Plenary of SMC XI in Brindisi 24-29 April 2023	The SMC agreed to retain gender as a standing item and designated the following staff side contact points: Michael Lund, Gloria Otieno, Pamela Villalobos, Karin Esposito	close
<b>Gender Parity, Gender Focal Points and Contact Points</b>	Plenary of SMC IX Bonn of 4-9 October 2021	The SMC agreed that the contact point would ensure continued engagement, including on data gathering and analysis, outreach including at senior levels, and targeted workforce rejuvenation as an enabler for parity.	close
<b>Flexible Working Arrangement (FWA)</b>	Ad hoc of 23 February 2022	It was agreed that the topic of FWA would be added to the SMC X agenda, and that staff representatives would make specific proposals, including those at the implementation level.	close
<b>Long Service Award</b>	Ad hoc of 19 Oct 2022	It was agreed to include staff with 40 and 45 years of service into the long service awards.	close
<b>New recruitment tools</b>	Ad hoc of 18 Oct 2019	Changes made to the system did not affect the policy and that was why Staff was not consulted, however, expressed her commitment of keeping Staff informed when major changes were made to the platform.	close
<b>Outsourcing – proposal to develop a policy on non-employment contracts</b>	Ad hoc of 13 May 2020	It was agreed to follow-up/continue discussions in a parallel manner outside SMC.	close
<b>Resident Coordinators Policy</b>	Ad hoc of 1 July 2021	It was agreed to request a legal opinion. The Secretary will draft text and circulate prior to sending to the legal counsel.	close
<b>Protection Against Retaliation</b>	Ad hoc of 23 Feb 2022	It was agreed that this topic/paper will be sent to the existing WG on AOJ, with the understanding that it will not be ready for SMC X in Valencia.	close
<b>Relaunching of the WG on GS career prospects</b>	Ad hoc of 7 Dec 2022	It was agreed to relaunch the WG on GS career prospects.	close
<b>Restrictive JOs</b>	Ad hoc of 5 Aug 2021	It was agreed that staff should escalate such concerns in the duty station and then to DOS and/or OHR if and when necessary.	close
<b>Roster Management and Recruitment/Staff</b>	Plenary of SMC X of	The SMC agreed to the principles presented in the Management paper. The SMC working group	close

<b>Policy Selection</b>	Valencia 23-28 April 2022	on staff selection and mobility will continue to discuss. (see also in under WG actions)	
<b>Select LGBT Issues in the Secretariat</b>	Ad hoc of 13 May 2020	It was agreed that the 3x3 Contact group should consider this topic as a future agenda item.	close
<b>SMC process</b>	Ad hoc of 10 Jun 2020	It was agreed that Management would circulate the list of upcoming policies (SGB/AIs) and that the deadline for comments on the SGB on OLA will be extended until Wed 17 June 2020.	close
<b>Administration of Justice - WG</b>	Plenary of SMC X of Valencia 23-28 April 2022	It was agreed that the Secretary should write to the Co-Chairs of the WG on Justice requesting them to re-start their work, copying the 3x3 CG members.	close
<b>Administration of Justice - WG</b>	Plenary of SMC X of Valencia 23-28 April 2022	It was agreed that the Secretary would circulate an email asking for new members/volunteers for the working group on Justice.	close
<b>Administration of Justice - WG</b>	Plenary of SMC X of Valencia 23-28 April 2022	It was agreed to establish the WG and that the Co-Chairs would meet to draft a workplan and report back to SMC.	close
<b>Administration of Justice - WG</b>	Administration of Justice and Review of ST/AI/2017/1	The SMC agreed to re-activate the Working Group on AoJ to review its TOR and composition and resume its work in June 2019.	close
<b>Administration of Justice - WG</b>	Ad hoc SMC 30 August 2023	The SMC agreed to endorse the AoJ WG report.	close
<b>Delegation of Authority - WG</b>	Plenary of SMC X of Valencia 23-28 April 2022	It was agreed that the Delegation of Authority working group should revert to the SMC in one month.	close
<b>GS Prospects - WG</b>	Ad hoc SMC 27 June 2023	It was agreed to approve this WG report and proposals therein.	close
<b>GS Prospects - WG</b>	Ad hoc of 7 Dec 2022	It was agreed to relaunch the WG on GS career prospects.	close
<b>GS Prospects - WG</b>	Plenary of SMC X of Valencia 23-28 April 2022	It was agreed that the composition of the GS Prospects working group would be revisited by 30 April; then at the subsequent meeting of the rejuvenated WG, the TOR would be revisited.	close
<b>GS Prospects - WG</b>	Plenary of SMC IX Bonn of 4-9 October 2021	The SMC agreed to (i) reactivate the WG and update its composition, (ii) expand the ToR to include a topic on compiling relevant data, elaborating scenarios and building compelling arguments to achieve the removal of the G-to-P barrier, (iii) to review whether there are other issues for the WG to discuss, and (iv) consider	close

		the related agenda item on the UNSU paper as reviewed and discussed.	
<b>Staff Selection</b>	Plenary of SMC XI in Brindisi 24-29 April 2023	SMC agreed to have an ad-hoc meeting in a few months to discuss MEU and CRB procedure	close
<b>Staff Selection &amp; Mobility - WG</b>	Ad hoc of Sept 20 2022	The staff representatives agreed to the proposal by the ASG OHR for the WG to review issues preventing the finalization of the mobility policy, and that the WG would report back to the SMC on October 11th for a meeting	close
<b>Staff Selection &amp; Mobility - WG</b>	Ad hoc of Aug 9 2022	The ASG OHR proposed a fuller, dedicated discussion at the Ad hoc SMC meeting in October.	close
<b>Staff Selection &amp; Mobility - WG</b>	Ad hoc of May 25 2022	They agreed to an information session to further discuss these issues.	close
<b>Staff Selection &amp; Mobility - WG</b>	Ad hoc of Feb 28 2022	The SMC agreed to approve the 2nd interim report of the working group and include salient points into the Ad hoc SMC meeting summary (see annex).	close
<b>Whistleblower - WG</b>	Ad hoc of 22 Apr 2020	It was agreed that for the Whistleblower WG SMC members would provide inputs to the Secretary for consolidation, then pass onto the Co-Chairs of the WG.	close
<b>Administration of Justice - Proposed Amendment to the UNDT statute</b>	Ad hoc SMC 8 June 2023	It was agreed that the matter would be assigned to the AOJ WG with a 2-week turnaround. The ASG OHR agreed to having external advisors and observers to the WG. GLD representatives would participate only for this item. It was agreed that another Ad hoc meeting would be scheduled at end of June.	close
<b>Continuing appointment</b>	Ad hoc SMC 2 August 2023	Given limitations on time, it was agreed to continue the following topics at future Ad hoc SMC meetings	close
<b>GGST</b>	Plenary of SMC XI in Brindisi 24-29 April 2023	SMC agreed with the proposal to discontinue the use of the GGST	close
<b>Management of Appointments</b>	Plenary of SMC XI in Brindisi 24-29 April 2023	The SMC agreed that guidance would be provided to entities to grant initial fixed term appointments of up to two years where funding allows	close
<b>Professional status of UN nurses</b>	Ad hoc SMC 2 August 2023	Given limitations on time, it was agreed to continue the following topics at future Ad hoc SMC meetings	close



<b>Rosters : Mutual Recognition of Rosters in the UN Common System</b>	Ad hoc SMC 2 August 2023	Given limitations on time, it was agreed to continue the following topics at future Ad hoc SMC meetings	close
<b>Mobility Policy</b>	Ad hoc SMC 2 August 2023	Given limitations on time, it was agreed to continue the following topics at future Ad hoc SMC meetings	close
<b>Development of Instructions on Artificial Intelligence (AI)</b>	Ad hoc SMC 2 August 2023	Given limitations on time, it was agreed to continue the following topics at future Ad hoc SMC meetings	close
<b>Continuing appointment</b>	Ad hoc SMC 2 August 2023	Given limitations on time, it was agreed to continue the following topics at future Ad hoc SMC meetings	close
<b>Administration of Justice - WG</b>	Ad hoc SMC 30 August 2023	The SMC agreed to endorse the AoJ WG report.	close
<b>Update on the rewards and recognition framework</b>	Ad hoc SMC 30 August 2023	It was agreed to defer the topic	close
<b>Covid</b>	Ad hoc of 26 Jan 2022	It was agreed that the COVID update by Medical Services and the topic, 'protection against retaliation' would be taken first. Given the limitations on time, it was agreed to defer the other COVID related discussions (FWA and home-leave) to a subsequent meeting and move to the next topic.	close