



General Assembly

Distr.
GENERAL

A/C.5/37/54
20 November 1982

ORIGINAL: ENGLISH

Thirty-seventh session
FIFTH COMMITTEE
Agenda item 111 (c)

PERSONNEL QUESTIONS

OTHER PERSONNEL QUESTIONS

Amendment of the Staff Regulations

Note by the Secretary-General

1. The basic provisions governing the Secretary-General's relations with the staff are contained in article VIII of the Staff Regulations of the United Nations, which reads as follows:

"Regulation 8.1: (a) A Staff Council, elected by the staff, shall be established for the purpose of ensuring continuous contact between the staff and the Secretary-General. The Council shall be entitled to make proposals to the Secretary-General for improvements in the situation of staff members, both as regards their conditions of work and their general conditions of life.

"(b) The Staff Council shall be composed in such a way as to afford equitable representation to all levels of the staff.

"(c) Election of the Staff Council shall take place annually under regulations drawn up by the Staff Council and agreed to by the Secretary-General.

"Regulation 8.2: The Secretary-General shall establish joint administrative machinery with staff participation to advise him regarding personnel policies and general questions of staff welfare and to make to him such proposals as it may desire for amendment of the Staff Regulations and Rules."

2. Since the adoption of that regulation by the General Assembly in 1952, staff relations have undergone considerable changes as a result of the changing structure of the Secretariat. It has therefore become necessary to bring that regulation up to date to reflect the actual arrangements of staff-management relations in the Secretariat and to lay a sound foundation for their improvement.

3. Following a comprehensive review of the subject undertaken recently with staff participation, it is proposed that article VIII of the Staff Regulations be amended to read as follows:

"Regulation 8.1: (a) The Secretary-General shall establish and maintain continuous contact and communication with the staff in order to ensure the effective participation of the staff in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other personnel policies.

"(b) Staff representative bodies shall be established and shall be entitled to initiate proposals to the Secretary-General for the purpose set forth in paragraph 8.1 (a) above. They shall be organized in such a way as to afford equitable representation to all staff members, by means of elections that shall take place at least biennially under electoral regulations drawn up by the respective staff representative body and agreed to by the Secretary-General.

"Regulation 8.2: The Secretary-General shall establish joint staff/management machinery at both local and Secretariat-wide levels to advise him regarding personnel policies and general questions of staff welfare as provided in regulation 8.1."

4. As compared with the existing provisions, the revised text introduces several modifications, the principal ones being explained below.

(a) The existing text provides for "a Staff Council" as the staff representative body for the entire Secretariat. This was formulated at a time when the Secretariat was largely located at Headquarters in New York, with only a small number of staff serving elsewhere. Over the years, with the expansion of the Secretariat and the assignment of staff to numerous other locations, similar Staff Councils have been established at all major duty stations away from Headquarters. In recognition of this development, the reference to a single Staff Council is replaced by the term "staff representative bodies" in the plural form. Instead of the uniform name of "Staff Council", the generic term "staff representative body" is used to leave it to the staff at each duty station to determine the type and organization of their representative body.

(b) Under the existing provisions, the Staff Council as the staff representative body is established "for the purpose of ensuring continuous contact between the staff and the Secretary-General". Its function consists mainly in being consulted on matters affecting staff welfare and conditions of service. The importance of that role has gained greater recognition over the years so that it is generally accepted that it is in the interest of good administration to have staff

representatives more actively involved in matters that affect staff interests and welfare. As indicated in his first statement before the Fifth Committee in March 1982, the Secretary-General considers a strong and effective staff representation to be essential to a constructive partnership with the staff. He stressed the importance of having a constant, clear and frank exchange with the staff representatives - an exchange not in order to inform about decisions taken, but to share concerns and proposals leading to a more effective use of the human resources of the Organization. The proposed regulation 8.1 elaborates on this relationship by providing that the Secretary-General shall establish and maintain continuous contact and communication with the staff in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other personnel policies.

(c) While staff members would be free to form and organize themselves into staff unions, associations or other groupings, there is a need for the Secretary-General or his designated representative to deal, in his relations with the staff, with only one staff representative body acting as the sole spokesperson of the staff for the issue being discussed. Thus, in order for it to be recognized as the interlocuteur valable in contact and communication with the Secretary-General or his representative, the staff representative body must be elected in such a manner as to ensure equitable representation of all staff members at each duty station. The interest of the Organization as a whole - Member States, the Secretary-General and the staff - in ensuring equity of representation is protected, in the draft, by the provision requiring the agreement of the Secretary-General to the electoral regulations proposed for this purpose in each duty station. Furthermore, to ensure a larger measure of continuity in the staff representative bodies, it is proposed that elections for these bodies take place every two years, instead of annually as under the existing provisions.

(d) The revised text provides that the Secretary-General is to establish joint staff-management machinery at both local and Secretariat-wide levels to advise him regarding personnel policies and general questions of staff welfare. This will replace the present regulation 8.2 which envisages only an administrative machinery known as the Joint Advisory Committee at Headquarters. The new provision will recognize the fact that such joint bodies exist at other duty stations as well, and also at the Secretariat-wide level to deal with matters of interest or concern to all the staff in the Secretariat. At present this latter-type body takes the form of the Secretariat-wide Staff-Management Co-ordination Committee (SMCC) established by the Secretary-General in his Bulletin ST/SGB/176 of 13 June 1980 and reported to the General Assembly in document A/C.5/35/16 of 30 September 1980.

5. As amendments to the Staff Regulations require the approval of the General Assembly, it is recommended that the revised text of article VIII of the Staff Regulations, as set out in paragraph 3 above, be adopted to replace the existing provisions. Following approval by the Assembly of the amended Regulations, the Secretary-General will issue the necessary amendments to the Staff Rules to bring them into conformity with the changes made in the Regulations.