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منظمة الأمم المتحدة
للتربية والعلم والثقافة

联合国教育、
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42 C

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42nd session, Paris 2023

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Item 10.1 of the agenda

STAFF REGULATIONS AND STAFF RULES

ADDENDUM 2

COMMENTS OF THE INTERNATIONAL STAFF ASSOCIATION OF UNESCO (ISAU)

OUTLINE

In accordance with Item 9.2.7 of the UNESCO Human Resources Manual, the International Staff Association of UNESCO (ISAU) submits its comments on the Staff Regulations and Staff Rules (document 42 C/44).

1. The document presented by the Administration on the subject of Staff Regulations and Staff Rules (42 C/44) is a regular report, mandated by the legal texts and required as an obligation of accountability and transparency towards the Organization's governing bodies. It also serves to remind us that there are rules that must be respected. Circumventing or even violating them leads to out-of-court settlements and many lost cases before the International Labour Organization Administrative Tribunal (ILOAT), resulting in unnecessary expense for the Organization.
2. The Staff Regulations and Staff Rules set out the general framework, which is then further developed in the provisions and policies contained in the Human Resources Manual. We must therefore ensure that this general framework meets the requirements of legality, equity and justice, so that the particular rules that derive from it are less likely to generate negative situations for staff and the Organization.



Job: 202303954

3. The first item addressed in document 42 C/44 concerns flexible working arrangements. In this area, the new flexible working arrangements policy, which includes, inter alia, so-called flexible or staggered working hours, does not reflect what the Administration considers to be “a broader well-being initiative”. Imposing core working hours of 10 a.m. to 12:30 p.m. and 2 to 5 p.m. is not likely to “support employees in managing the demands of working life”. In this context, it is important to remember that staff well-being is “the area which had made the least amount of progress” in recent years, according to the Division of Internal Oversight Services (IOS) evaluation of the former Human Resources Management Strategy (IOS/EVS/PI 207, p. 28), which was conducted after the publication of the flexible working arrangements policy.

4. Agile and flexible ways of working are also included in the strategic objectives of UNESCO’s Medium-Term Strategy for 2022-2029. Staff therefore have a legitimate right to expect the Administration to honour its commitments and take into account the conclusions of the IOS evaluation in order to make improvements to the current policy.

5. A policy needs to be able to evolve and adapt to the future. Adapting in this way would, for instance, involve implementing working hours that are truly flexible. Additionally, staff members should not have undue arrival or departure times imposed on them on the grounds that this is in line with the way their team operates. Teamwork should not be used as an excuse to render the reform of working arrangements meaningless, whether it concern staggered working hours or telecommuting. Lastly, the Administration should consider introducing other working arrangements, such as compressed work schedules, which are already being implemented by many United Nations organizations.

6. The second topic addressed in the document is geographical mobility. We welcome the changes made in this area, in particular the decision to allow the Director-General to limit eligibility to apply for vacant posts to internal candidates, and to authorize staff members participating in the mobility exercise to apply for higher-level posts.

7. While ISAU notes with interest the definition of the term “internal candidates”, we feel that its scope is too restrictive. This term covers only those on fixed-term contracts and excludes all other categories of staff, including those hired on Project Appointments (PA) for long periods. This choice is all the more regrettable given that the “internal candidates” category could resolve a number of unfair situations by offering these employees the possibility of finally being recognized and regularized. ISAU therefore requests that long-term PAs be considered as “internal candidates” and be able to apply for posts advertised within the framework of geographical mobility.



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STAFF REGULATIONS AND STAFF RULES

OUTLINE

Source: Regulation 12.2 of the Staff Regulations.

Background: In accordance with the above Regulation 12.2 “The Director-General shall report to each session of the General Conference such Staff Rules and amendments thereto as he or she may make to implement these Regulations”.

Purpose: This report contains the amendments made by the Director-General to the Staff Rules since the 41st session of the General Conference. These amendments affect the Staff Rules concerning hours of work, the Appointment Review Board and the advertisement of posts within the geographical mobility exercise. The Staff Rules as amended are reproduced in the annex to this document.

Decision required: Paragraph 6.

1. The introductory section of the Staff Regulations and Staff Rules provides, under the heading “Implementation”, that “the Director-General, in his or her capacity as Chief Administrative Officer of the Organization, shall give effect to the present Regulations; he or she shall lay down and enforce Rules and Provisions consistent therewith”. Furthermore, Staff Rule 112.2 (a) provides that “[t]hese Rules may be amended by the Director-General in a manner consistent with the Staff Regulations”.

2. In this regard, Staff Regulation 12.2 provides that “[t]he Director-General shall report to each session of the General Conference such Staff Rules and amendments thereto as he or she may make to implement these Regulations”.



Job: 202302252

3. In pursuance of Staff Regulation 12.2, the Director-General duly informs the General Conference that the following amendments have been made to the Staff Rules since its 41st session (2021).
4. The amendments in question, set out in the annex to the present document, and the purpose thereof, are indicated below.

Amendments effective on 19 April 2022

Rule 101.3 – Hours of work

Staff Rule 101.3 was amended to provide clarity on the hours of work, within the context of the policy of Flexible Working Arrangements, which is part of a broader well-being initiative to support employees in managing the demands of working life.

At headquarters, the normal working hours per day shall be 7.5 hours not including time for lunch, and the Director-General shall establish the core working hours. For duty stations away from headquarters, the Director-General shall establish the normal working days in the week, the normal working hours per day, and the core working hours. Specific conditions may apply for staff subject to shift work as established by the Director-General.

Amendments effective on 2 June 2022

In the context of the Geographical Mobility Programme, by Resolution 41 C/Resolution 59, adopted in November 2021, the General Conference amended Staff Regulation 4.4 to allow staff members to be considered for a post at one higher grade, when these posts fall within the remit of the mobility exercise. The following key changes were introduced in the Staff Rules:

Rule 104.1 *bis* – Appointment Review Board

Staff Rule 104.1 *bis* was amended to specify that the Appointment Review Board shall give advice in the context of the geographical mobility exercise on all appointments to a higher-level post, other than Director and Head of Field Office posts.

Rule 104.2 *ter* – Advertisement of posts within the geographical mobility exercise

Staff Rule 104.2 *ter* was introduced to specify that specific posts falling within the mobility exercise may be advertised internally.

5. The amended Staff Rules are reproduced in annex to this document.

Proposed draft resolution

6. In light of the above, the General Conference may wish to adopt a resolution along the following lines:

The General Conference,

Having examined document 42 C/44,

Takes note of the information provided in that document.

ANNEX

AMENDMENTS TO THE UNESCO STAFF RULES

(amendments in bold italic; deletions in strikethrough)

Amendments effective on 19 April 2022

Staff Rule 101.3 - Hours of work

- (a) **While staff members are always at the disposal of the Director-General**, the normal working week at Headquarters shall be 37.5 hours, except during sessions of the General Conference and of the Executive Board, **and the normal working hours per day shall be 7.5 hours, not including time for lunch. The Director-General shall also establish the core working hours.**
- ~~(b) Staff members at Headquarters shall normally work, Monday to Friday inclusive:~~
- ~~— from 9 a.m. to 5:30 p.m. with one hour for lunch, or~~
 - ~~— from 9 a.m. to 6 p.m. with one and a half hours for lunch, or~~
 - ~~— from 9:30 a.m. to 6:00 p.m. with one hour for lunch, or~~
 - ~~— from 9:30 a.m. to 6:30 p.m. with one and a half hours for lunch.~~
- ~~(b) bis It is the responsibility of the immediate supervisors to set the working hours for staff members under their supervision and to monitor the respect thereof. Any exception from the working hours thus set shall be approved in advance by the respective supervisor.~~
- ~~(b) ter Supervisors of the services subject to shift work shall fix the shift schedule for staff concerned.~~
- ~~(c) (b) At duty stations away from Headquarters~~ the Director-General shall establish the **normal working days in the week, the normal working hours per day and the core working hours** ~~for duties stations away from Headquarters~~ in accordance with local UN practices and conditions. **and notify the staff members concerned.**
- (c) **Specific conditions may apply for staff subject to shift work as established by the Director-General.**

Amendments effective on 2 June 2022

Staff Rule 104.1 bis - Appointment Review Board

- (a) unchanged
- (b) unchanged
- (c) **The Appointment Review Board shall give advice in the context of the geographical mobility exercise on all appointments to a higher-level post, other than Director and Head of Field Office posts.**
- (d) Rules of Procedure for the Board shall be established by the Director-General.



Staff Rule 104.2 ter - Advertisement of posts within the geographical mobility exercise

- (a) The term “mobility exercise” as provided in Staff Regulation 4.4.2 means the geographical mobility exercise with a view to reassigning eligible staff members from one duty station to another.**
- (b) The term “internal candidates” as provided in Staff Regulation 4.4.2 means staff members previously appointed on a fixed-term appointment of one year or longer, except Junior Professional Officers, Project Appointments and staff on secondment.**
- (c) For the purpose of the geographical mobility exercise, specific posts are advertised for internal candidates only.**