

*directing council*



PAN AMERICAN  
HEALTH  
ORGANIZATION

XXV Meeting

*regional committee*

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PRESENTATION OF THE 27th STAFF COMMITTEE TO THE  
XXV MEETING OF THE DIRECTING COUNCIL OF PAHO

COMMENTS BY THE DIRECTOR OF PAHO ON  
PRESENTATION OF THE 27TH STAFF COMMITTEE TO THE  
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The Director has the honour to transmit Information Document CD25/INF.4, prepared by the PAHO/WHO Staff Association. In introducing the document, the Director wishes to make the following observations:

Regarding access of the PAHO/WHO Staff Committee to the Governing Bodies, the Director wishes to bring to your attention the fact that their views on those areas that pertain to functions for which they have a responsibility are presented to the Governing Bodies of the World Health Organization by the WHO Staff Committee, as indicated in Document EB-57/SR/4, Summary Record of the WHO Executive Board.

The Organization has made available to the PAHO/WHO Staff Committee during the last 2 years, facilities, personnel, administrative leave, telex, and mail services to help them carry out their responsibilities, with a cost to the Organization of approximately US\$40,000.00 per year. In addition, a considerable amount of staff time is utilized to deal with Staff Committee activities.

As of October 1, 1976, we decided to grant the PAHO/WHO Staff Committee the privilege of participating in the selection of personnel by allowing them to have an observer present at Selection Committee meetings.

The Director wishes to point out that career appointments have been suspended by WHO as of July 1976, following Resolution WHA29.48. In order to conform with that decision, similar action has been taken by PAHO. In 1976, ten professionals and eight general service staff of the Organization received career appointments. While on this subject, it must be emphasized that the Director sympathizes with the advantages to the staff which result from having a career appointment. However, considering the need to staff

the Organization with individuals for specific projects and a financial structure which relies heavily on extra-budgetary resources, it becomes necessary that contract commitments to the staff reflect the ability of PAHO to utilize their services in the future as well as to pay them from budgeted funds.

During 1976 there were 126 staff appointments, and of those the Director found it necessary to appoint 18 individuals without the benefit of a recommendation from a Selection Committee. Of these, 8 were appointed for projects not financed by the PAHO/WHO Regular Budget. In all cases, the individuals appointed met the requirements of the post.

It is felt that progress has been made in engaging the participation of the staff in the process that leads to decisions of the Administration. The Headquarters Program Committee and the Program Subcommittees have provided an opportunity for this purpose. The emphasis of a multidisciplinary approach to programs rather than projects has also increased the participation of the staff not only at Headquarters but in the field. Country Representatives have been directly involved in program decision on an ongoing basis. Periodic staff meetings, directives and other activities have been designed to improve participation and communication among the staff.

The opportunities for training and staff development provided to the staff have increased substantially. A Manpower Planning and Staff Development officer has been appointed for the purpose of implementing a planned program to enhance the knowledge and skills of the staff of the Organization and to maximize our investment in human resources.

Recently WHO abolished the Standing Committee for the review of "staff at the top of the grade", primarily because of their inability to provide feasible solutions. Nevertheless, we are presently gathering data regarding each case where an individual is at the top of the grade and will continue our search for appropriate solutions.

Staff members have also been provided with the opportunity to use the internal appeals procedures when there is reasonable doubt that a staff rule has not been applied correctly. The procedure itself is under review so that it will strike a better balance for the staff member and the Organization. The Director feels that such improvements or changes that may be necessary in this respect should be made within current financial limitations.

There are a number of projects on which the Administration and the Staff Committee have participated jointly. These include committees on general services salary, post classification, flexible working hours, equal rights for women, international recruitment of general services staff, and meritorious increases.

In addition, we have developed a number of personnel programs to benefit both the staff and the Organization on: Appraisal Report systems, Selection Procedures, Staff Development, Training Calendars and other staff training activities. The Staff Committee has been requested to provide their views during the developing stages of the aforementioned programs.

The Director feels that there are areas where much work remains to be done. Our efforts of necessity have to be within our ability to allocate the necessary resources, bearing in mind our main objective which is to serve the Member Governments of the Organization.

Finally, in conveying to you the views of the Staff Committee on selected matters in which the Committee feels that there is room for improvement, the Director, although recognizing that there is an administrative channel for the Staff Committee of PAHO/WHO to air its views before the Governing Bodies of the World Health Organization, has nevertheless taken this decision to transmit them to the Directing Council. It is hoped that this effort on the part of both the Administration and the Directing Council members, will be appreciated by the Staff Committee and recognized as a further expression of our mutual interest to improve the Organization's services to its Member Governments, through a staff which recognizes the privileges as well as the responsibilities derived from being part of our Organization.

PRESENTATION OF THE

27TH STAFF COMMITTEE

TO THE

XXV MEETING OF THE DIRECTING COUNCIL OF PAHO

THROUGH

DR. HECTOR R. ACUÑA  
DIRECTOR

Washington, D.C.

12 August 1977

## INTRODUCTION

By the will of the Governing Bodies, the responsibility for the administration of the PAHO/WHO Secretariat rests with its Director. Also by the will of the Governing Bodies, a Committee representing the staff, called the "Staff Committee," shares the responsibility for ensuring that the rights and the dignity of the staff are respected. This is a serious responsibility which Staff Committees throughout the entire UN Common System attempt to carry out.

In the UN Common System, elected representatives of the staff may present their concerns not only to administrative authorities, but also to their respective Governing Bodies.

It is the hope of the 27th Staff Committee that this report will serve to maintain contact with our Governing Bodies, to bring it up to date on issues of concern to the staff within the Secretariat, and to reiterate Staff Representatives' desire to be called upon to address the Directing Council whenever staff related matters are being discussed.

I. ACCESS TO THE GOVERNING BODIES

In 1974 and 1975 PAHO/WHO Staff Representatives were permitted access to the Governing Bodies through the Administration. At that time the PAHO Staff Committee requested the Administration permission to directly address the Executive Committee of PAHO. The request was rejected at the level of the Executive Committee by one vote.

The following year, the WHO/HQS Staff Association made a similar request to the Executive Board which was approved.

We respectfully call the attention of the Directing Council to Items 8 and 9 of the joint CCAQ/FICSA\* report in which it is stated that staff representatives should have access to the governing body of the Organization for matters within the competence of that body,

*"and that access to a governing body means not only a formal appearance but also freedom of staff representatives to respond to inquiries from members of that body as well as freedom to inform individual members of the staff's point of view."*

We respectfully submit that although Staff and Management inevitably have the same goals, they may differ widely on how they approach their implementation; hence the views of the staff should also be presented to the Governing Bodies of the Organization for their study and revision. There need not be an adversary relationship between the two. However, any reasonable disagreement as to how certain policies affect the conditions of employment of the staff should be given due consideration in accordance with the provisions of Staff Regulation 12.4,

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\* United Nations Consultative Committee on Administrative Questions/  
Federation of International Civil Servants Associations.

*"In case of doubt as to the meaning of the foregoing regulations, the Director is authorized to rule upon, subject to confirmation of the ruling by the Executive Committee at its next hearing."*

In view of the fact that up to now, only "doubts" sustained by the Administration have been brought to the attention of the Executive Committee and the Directing Council, we respectfully request that staff representatives be granted similar access concerning their own view as to whether interpretations given to matters pertaining to conditions of service (which fall within the purview of their obligation under the staff rules) are in the best interests of the staff and the Organization.

## II. RIGHT OF REPRESENTATION

Staff Regulation 8.1 requires that the Director of the PASB,

*"make provisions for staff participation in the discussion of policies relating to staff questions."*

Staff Rule 1220 requires that in any consultation,

*"concerning policy or conditions of service, the duly elected representatives of the staff shall be recognized by the Bureau as representing the view of that portion of the staff from which elected."*

The intent of Staff Regulation 8.1 was clarified by Dr. B. Chisholm to the First World Health Assembly as follows:

*"the intention of the regulation is to provide an opportunity to staff members to participate fully in the discussion of all conditions affecting their service with the Organization, so that in the drafting and in the application of the staff rules the whole staff might have a voice through the Staff Committee which will be set up for that purpose."*

Shortly thereafter Staff Rule 1410 (now 1220), was approved as follows:

*"A Committee appointed by the staff to be known as the Staff Committee shall be established for the purpose of ensuring continuous contact between staff and the Director. The Staff Committee shall be entitled to participate in the discussion of questions relating to appointment, promotion, and conditions of service."*

The term discussion is generally defined as:

*"a consideration of a question in open debate...as a formal treatment of a topic...as a discourse in order to reach conclusions or to convince."\**

The unmistakable intent of the legislators is therefore clear. Staff Representatives are entitled by the will of the Governing Bodies to have a say in those conditions which affect their working life. It is interesting to note that as early as the late forties, the Governing Bodies already had a clear vision of this concept as reflected in the rules.

With regard to the principle of consultation, the International Civil Service Advisory Board (ICSAB) has stated:

*"It is the duty of Management to consult actively and affirmatively with the view to agreement and not to hear the staff out while its exclusive power of decision...consultation is a process not simply of hearing staff views but discussing the issues prior to ultimate decision."*

Not until February 1975, however, did the Consultative Committee on Administrative Questions (CCAQ) deal with this important question of staff Management relations which affect the international civil service.

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\* Webster's Seventh New Collegiate Dictionary.

To this end CCAQ and FICSA agreed to convene a Joint Working Party on Management/Staff Relations. It should be noted that the President of FICSA was unanimously elected to chair the Working Party, which met for one week in the Headquarters of the United Nations in New York. The Working Party produced a report, CCAQ Document 5.41/R30 of 28 February 1975 which was submitted to the consideration of the Administrative Committee on Coordination (ACC).

The Executive Heads of member agencies of the UN Common System, in a meeting of the ACC (Administrative Committee on Coordination), among whom was the Director General of WHO, endorsed the recommendations made in the mentioned document for implementation in the various agencies.

Item 4 to 7 of the said document (CCAQ Document 5.41/R30 of 28 February) read:

*"4. It was agreed that, as a point of departure, it was perhaps necessary and useful to reiterate what should be generally recognized at all levels in all organizations, namely that:*

- ' (a) An active and informed presentation of staff views is an essential element of good management at all levels which it is in the interest of the Organization to encourage and which required as its vehicle a staff representation freely established and formally recognized by management;'*
- ' (b) The staff of an organization have a right to participate in the process of determining their conditions of service;'*
- ' (c) The structure of staff representation in any organization is for decision by the staff themselves;'* but
- ' (d) Recognition of anybody as representing the staff is the prerogative of the executive head to be exercised in conformity with the statutory provisions of the organization itself.<sup>1/</sup>'"*

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<sup>1/</sup> Staff Regulation 8.1  
Staff Rules 1210 and 1220

"5. The relationship between management and staff representatives should be that of a continuous dialogue which at various points in time and in relation to various issues may consist of fact finding exchange of information, invitation of reaction, debate, consultation 'actively and affirmatively with a view to agreement' and negotiation. The objectives toward which such dialogue should be directed are:

- '(a) A maximum exchange of information and viewpoints.'
- '(b) A mutual understanding of issues and motivations.'
- '(c) Agreement on a common point of view if appropriate to the issue under discussion."

"6. Such a dialogue is fully effective only in the context of a conversation between equals and negotiation can take place only if that condition exists. The Working Party gave some thought to an attempt to define what can and cannot be negotiable but concluded that this can only be determined in the context of a given organization at a given moment in history. Generally speaking conditions of employment and staff welfare should be negotiable. Negotiation of an issue is possible, of course, only if that matter is within the competence of both parties. Delegations of authority vary widely and what may be within the powers of an executive head in one organization may be reserved to a governing body in another. Consultation with a view to reaching a common position can and should be pursued wherever the ultimate decision lies (and whether or not the context of the consultation has agreement as its specific objective)."

"7. It was agreed that consultation and negotiation should take place at the lowest practical level and between those best informed about the specific issues. Acceptance and application of this principle, however, requires:

- '(a) That both Organization and Staff Representatives delegate authority and responsibility for effective dialogue to those levels;' and
- '(b) Both sides must restrain any tendency to escalate the consultation to higher levels unless it is really necessary.'"

### III. STAFF CONCERNS

The PAHO/WHO Staff Committee acknowledges that in management-staff relations there have been several recent improvements in our Secretariat, among which are:

1. provision of space facilities for an office and meeting room for the Staff Committee,
2. provision for secretarial services,
3. provision for the use of mailing and telex facilities for communicating with field staff,
4. provision for a Staff Observer in the Selection Committee meetings,
5. plans for career development and staff training.

Expectations of staff in areas mentioned below, however, have not been fully satisfied:

1. the need for a policy statement clearly defining a cohesive career development program,
2. adherence to the requirements of Articles 310 and 376 of Manual Provisions which preclude that certain appointments be made outside the competitive processes,
3. staff participation and communication,
4. input from staff representatives at the initial stage of discussion of proposals which affect the conditions of employment of the staff,
5. top of grade stagnation,
6. adherence to the spirit and intent of Staff Rule 4.4 which

requires that preference be given to serving staff for promotional opportunities when qualifications are equal to those of outside candidates,

7. requirements of due process in matters pertaining to the appeals process,
8. progress in the elimination of discrimination based on sex,
9. tenure of contracts,
10. mechanisms for improving supervisors/staff human relations,
11. equal application of WHO rules to PAHO staff,
12. seemingly unnecessary expenditures.

In its awareness that these concerns and preoccupations influence staff performance, we trust that the Directing Council will encourage continued dialogue between staff and administration toward resolving these matters and as a means of improving the Organization's program.

#### IV. PROPOSAL FOR AN OMBUDSMAN

In an effort to reach a satisfactory solution to some of the aforementioned concerns, the Staff Committee has presented to the Director a proposal for the establishment of an office of an Ombudsman.

The institution of the Ombudsman has universally been held to be an innovative and progressive step in human relations. It is directly connected to the ideal of just conditions of employment, to which this Organization, as a UN agency, is dedicated, and is a direct step towards the improved communications and understanding which are vital in an organization of this nature.

The Staff Committee would not make this proposal were it not convinced of the need and the practical benefits to be gained by instituting such a post. Other organizations which have established the post on an experimental basis have chosen to continue it. At WHO, the jurisdiction of the Ombudsman has been expanded to include EURO. These positive results are compelling evidence of the vital role such a post could play in our Organization, and it is for these reasons that the Staff Committee urges that this proposal be given the most serious consideration.

An equally compelling reason for creating an Ombudsman's position is the ever increasing cost of appeals. It is estimated that legal fees paid to the Organization's attorney combined with the cost of man-hours spent by the Board of Appeal easily equal if not double the projected cost of an Ombudsman.

Staff Representatives, therefore, wish to assure the Directing Council that in their pursuits they do not ignore or forget the fact that public funds, entrusted to our Member Governments by the peoples they serve, finance the cost of the Secretariat.

#### V. CONCLUSIONS

In conclusion, the 27th Staff Committee reiterates its desire to be invited to address the Directing Council when matters of concern to the personnel of the Secretariat are being discussed.

We trust that the Directing Council, in its awareness of the above-mentioned concerns would promote a continuing dialogue between all the concerned parties as a means of improving the Organization's program.

Staff Representatives shall make themselves available to any member of the Directing Council who may wish further information on the concerns herein expressed.

27TH STAFF COMMITTEE