

# OAS STAFF ASSOCIATION

## 2011-2012 ANNUAL REPORT OF THE STAFF COMMITTEE July 2011 - July 2012

### I. INTRODUCTION

The 2011-2012 Staff Committee presents the tasks that it has performed and the results that it has achieved during its tenure to the staff of the General Secretariat of the Organization of American States. This document provides details on the activities undertaken by the Committee, as well as on the actions and participation on the Mixed Committees on which staff members are represented.

### II. PERSONNEL MATTERS

The 2011-2012 Staff Committee, which took office on July 11, 2011, focused its efforts on analyzing the delicate financial situation which the OAS is facing, its impact on the staff and their acquired rights.

It is important to highlight the goals achieved by and for the members of the Staff Association, and to mention that some of these goals could not be achieved without working jointly with the General Secretariat.

#### i. Achievements and activities

In carrying out its functions, the Staff Committee placed particular emphasis in ensuring that the decisions and actions taken by the Secretariat that affect the staff, respect all applicable rules and are carried out in a transparent and consistent manner, thereby protecting the interests of the staff. The Staff Committee's work generally focused on improving dissemination of information affecting the interest of the staff, on advancing in the application of rights already recognized in the Member States and on better coordination with other international organizations.

Among the results and activities and carried out by the Staff Committee, the following can be highlighted:

- 1. The interests of the staff have been represented with respect to non-compliance with the applicable rules in cases of workplace harassment, differential treatment, salary, performance evaluation, terminations and auditing of posts.**

#### Activities:

- a) Convocation and holding of a Special Assembly of the Staff to inform and decide the course of action regarding the possibility of not receiving the salary for the month of November 2011.
- b) Meetings with and presentation of papers and proposals to relevant authorities of the General Secretariat on specific issues.

- c) Advice and follow-up on staff affected by a unilateral change in the terms of their contracts (transfer of 27 staff originally funded by the Regular Fund to the ICR in October 2011).
- d) Personalized attention to 200 inquiries received on labor matters.
- e) Accompanied and provided advice to staff before meetings with the General Secretariat to address specific situations.
- f) Presentation of investigation requests before competent authorities referred preliminarily to the President of the Staff Association.
- g) Representation of the staff in various Joint Committees.
- h) Meeting with members of the Board of External Auditors.
- i) Holding of 49 meetings of the Staff Committee, representing a 100% increase in the number of meetings.

**2. Knowledge of the members of the Association was improved on issues related to budget, human resources policies and practices and on the rights and obligations of the staff.**

**Activities:**

- a) Preparation and publication of concept papers:
  - *Recommendations of the Staff Committee to the 2012 proposed program budget, as well as its possible impact on the Organization.*
  - *Comments and Proposals of the Staff Committee to the "Progress Report on the Comprehensive Human Resource Management Plan (Phase One)," document CP/CAAP-3096/11 add. 4 rev. 1.*
  - *Comments of the Staff Committee to the "Progress Report on the Comprehensive Human Resource Management Plan" CP/CAAP-3096/11 add. 5.*
- b) Holding of three Informative Sessions for the staff to present the concept papers prepared by the Committee and to discuss and report on the budgetary situation of the Organization and its possible impact on the staff.
- c) Preparation and presentation of various documents and information requests to the Secretary General on specific situations that directly affect staff.
- d) Creation of a bilingual information service *FYI* to inform staff about their rights and obligations.
- e) Regular communication with staff through the *Staff News*.

**3. Improvement in the understanding of Member States on the rights and obligations of the staff within the framework of the CAAP.**

**Activities:**

- a) Permanent presence in and presentation of documents prepared by the Staff Committee to the Committee on Budgetary and Administrative Affairs (CAAP), of the Permanent Council.
- b) Courtesy visits to the Permanent Missions to the OAS.
- c) Presence of members of the Staff Committee at meetings of the decision-making and political bodies, including the CAAP, the Permanent Council (PC) and the General Assembly (GA).

**4. Approval was obtained FOR paternity leave and adoption.**

**Activities:**

- a) Joint meetings and consultations with representatives of the Secretariat General.
- b) Analysis of documents, preparation of proposals, surveys and presentation of these to the relevant authorities.
- c) Consultations and requests for advice to International Organizations.

**5. Progress was made in the development of instruments that govern the ethical behavior of staff members.**

**Activities:**

- a) Joint work meetings and consultation with representatives of the General Secretariat.
- b) Collaboration in the drafting of the proposed Code of Ethics to be submitted for consideration by the Member States.
- c) Consultation and requests for advice to International Organizations.

**6. Recognition of benefits and rights of married staff without distinction regarding the sex of the spouses.**

**Activities:**

- a) Meetings with and formal information requests to the General Secretariat to address specific issues or raise concerns and/or specific recommendations.
- b) Preparation of proposals documents, surveys and presentation of these to the competent authorities.

**7. Improved and increased coordination with other Staff Associations of International Organizations, especially through participation in FICSA.**

**Activities:**

- a) Active participation in forums organized by the Federation of International Civil Service Officers (FICSA).
- b) Participation in training offered by FICSA.
- c) Consultation and requests for advice on various topics of interest of staff.
- d) Coordination with International Organizations in the Washington, D.C. area to identify new benefits and joint services.
- e) Request of support from International Organizations regarding specific situations .

**8. Increase in actions of the Staff Committee calling for compliance with the General Standards on pending and non-scheduled competitions (both for long-term contracts and continuing contracts)**

**Activities:**

- a) Work meetings and consultation with representatives of the General Secretariat in order to address specific issues or raise concerns and/or specific recommendations.
- b) Preparation of proposals and documents, and presentation of these to the competent authorities.
- c) Examination of the competition lists and of the criteria for establishing priority order.
- d) Accompanied and provided advice to staff.

**9. Established a Crisis Subcommittee responsible for reviewing cases of terminations and dismissals.**

**Activities:**

- a) Establishment of the Crisis Subcommittee.
- b) Preliminary consultations among members.

**10. Increased recreational activities and interests of the staff**

**Activities:**

- a) Execution and sponsorship of recreational activities
- b) Exploration of new services and benefits for contributing members.

**ii. Priority Topics**

The following highlights the main issues addressed by the Committee 2011 - 2012:

**i. Budget for 2011/2012 - Impact on staff**

The Committee continued its deliberations on the 2012 Program Budget and attended all meetings of the CAAP that addressed budget and personnel issues. In that sense, the Committee prepared and published a document with recommendations on the proposed 2012 program budget focusing on the need for respect and compliance with applicable rules, particularly regarding the regularization of long-term and continuing contracts, as well as the separation from service of staff members that began in 2011 and that, given the approved budget for 2012, will also be necessary this year. In its budget analysis, the Committee identified a situation in violation of the provisions of Article 21 of the General Standards regarding the contracting of trust positions and informed the Secretary-General and the staff as a whole. Likewise, the Committee informed the staff through *Staff News* of all documentation discussed by the CAAP which has implications on the staffing situation, in order to keep staff abreast of negotiations and further improve communication channels. The Committee noted, at the time, that budgetary constraints were not a basis for non-compliance with the General Standards and to promote a differentiated treatment among the staff.

The Personnel Committee convened and held three information sessions and a Special Meeting aimed at informing staff of the CAAP's deliberations for approval of the 2012 budget, human resources policies and the draft resolution, the reduction of posts proposed by the General Secretariat to implement the 2012 and 2013 budgets, and the possibility of non-payment of salaries in November 2011.

**ii. Regularization of the contractual status of staff: competitions (expired short-term contracts, reclassifications and competition for continuing contracts)**

As is well known to the staff, there are large numbers of staff whose contract terms are irregular according to the applicable norms. In this regard, the Committee -- on the basis of the calendar prepared by the General Secretariat which schedules 60 competitions per year, in groups of 15 per quarter -- continued to request that the General Secretariat accelerate the competitions for pending positions and offered proposals to accomplish this objective. The Committee also stressed the transparent and consistent compliance with applicable standards to ensure that all staff eligible to compete for their posts, were added to the calendar. This includes all positions funded by specific funds and the Indirect Cost Recovery Fund that have served the General Secretariat for more than three consecutive years without a competition. The Staff Committee will need to resubmit to these requests because to date incorporation of these competitions to the schedule has not been assured.

As for the delay in convening a competition for continuing contracts, on several occasions and in various means, the Staff Committee requested that the General Secretariat open this competition immediately. For over two years, the percentage of staff under career and continuing contracts has been below the statutory minimum established by the General Standards and Staff Rules. The General Secretariat has reported that these competitions will be held in the last quarter of 2012. Consequently, the incoming Staff Committee must monitor this process to ensure respect for the norms and the prompt completion of these competitions, considering the legal implications of this irregular situation.

**iii. Career Path**

Although the process for selection and promotion are regulated by the Staff Rules and the General Standards, the Staff Committee has identified situations of non-compliance with these rules. In particular the Committee identified a practice employed by the General Secretariat called "*career path*," which has undermined the rules. This practice is highly detrimental to the Secretariat considering that, instead of hiring the best candidate from the job market, the requirements of a given post are tailored to the professional qualifications of an individual in order to guarantee that person employment in the Secretariat.

The secret practice of *career path* has favored and continues to favor a small number of arbitrarily selected officials, is discriminatory, unfair and violates all applicable rules in the selection, promotion and ascent of staff. The Staff Committee has repeatedly requested that this practice, which is contrary to the interests of officials, the General Secretariat and

the Member States, be eliminated, and will continue to reiterate this request until the staff is given assurances of its total elimination

#### **iv. Civil Unions and Marriage**

After several years of working with the General Secretariat, recognition of marriages registered in any OAS Member State, whether of different or same sex spouses, was achieved in 2012. This advancement entails recognition of the rights and benefits for spouses under applicable norms.

Considering that the Secretariat has chosen to distinguish between marriages and civil unions (domestic partnerships), no progress has been made in the legal recognition of the latter. The Staff Committee reiterates its commitment to staff and will continue to work toward achieving recognition of civil unions, which it considers a matter of equal treatment and non-discrimination amongst staff members -- principles recognized by other international organizations in the Washington D.C. area. It is therefore expected that future efforts will continue toward the institutional recognition of these unions.

#### **v. Paternity Leave**

The General Secretariat has made changes to its regulations to ensure recognition of paternity leave, thanks to the work and support offered by the current and previous Staff Committees. In this regard, Staff Rule 106.6 has been modified to recognize that any parent, who is not the biological mother, is entitled to paid leave of 4 weeks.

#### **vi. Performance Evaluation System**

The Staff Committee has reiterated on several occasions the need to have an evaluation system that is fair, transparent, that ensures equal treatment of all staff, and that recognizes the good performance of officials.

In that sense, we have requested and held meetings with representatives of the General Secretariat to review the current state and the results of the implementation of the pilot performance evaluation conducted in 2010, as well as the incomplete evaluation process conducted in 2011. The Committee also stressed the need to form the Joint Performance Evaluation Review Committee and to adjust the rules on performance evaluations. Not having these tools would generate legal implications for the administration when moving forward with performance evaluations.

On June 26, 2012 a meeting was held with the Secretariat for Administration and Finance (SAF), the Department of Human Resources (DHR) and the Department of Legal Services (DLS) in which the applicable regulations were reviewed and adjustments to the system and its regulations were agreed to, in order to have the model ready as soon as possible. The performance evaluation system and its regulations are currently being updated by the SAF and the DLS, and the Committee shortly expects to conduct a final review of the instruments prior to implementation – a matter which should be attended to by the incoming Committee.

### **vii. Review of the General Standards - Comprehensive Human Resources Strategy**

By mandate of the General Assembly, the General Secretariat has presented proposals for a Comprehensive Human Resources Strategy to the CAAP, to ensure an efficient, transparent and competitive recruitment process within the General Secretariat for all applicable types of contracts. The presentation of this proposal has included topics of particular interest to the staff, such as the review of the rules applicable to hiring, the transformation of trust positions to fixed term contracts and its impact on the budget of the Organization, the reclassification process, the performance evaluation system, recruitment strategies, the competition process to attain staff positions, and the need for transparency in all processes and policies for the promotion and development of staff.

Throughout its 2011-2012 term, the Staff Committee has followed this debate in the CAAP closely and has prepared and presented a number of documents in response to the proposals of the Secretariat. At the request of the Member States, and at the invitation of President of the CAAP, the Staff Committee also had the opportunity to present its comments to the proposed strategy at the CAAP meeting held on February 21, 2012.

As a result of this process, the specific General Assembly resolution on human resources called for the General Secretariat to submit a revised version of the Comprehensive Strategy for Human Resources by August 2012, so that the Permanent Council may consider it after this discussion at the CAAP. The Staff Committee will monitor this process closely, especially considering the willingness of Member States and the General Secretariat to include the Committee in participating in developing the strategy and in ensuring that the staff's perspective is present in the relevant deliberations and in the content of the document.

### **viii. Code of Ethics**

The Staff Committee provided input and held meetings with the Department of Legal services regarding the proposed Code of Ethics, which is still pending approval by the Permanent Council. This has been a collaborative work experience with the Department of Legal Services which must continue in order to define the implementation mechanism, which remains pending. On the matter, the Committee must remain attentive and ready to support the General Secretariat in developing the necessary mechanisms to launch and implement this important instrument in a transparent and consistent manner.

### **ix. Ombudsperson**

The Committee has attempted to advance in, and continued to insist on its request made since 2006 to have an *Ombudsperson* within the Secretariat. The Secretary General received three candidates from the 2009-2010 Committee, who offered to provide their services on a pro bono basis, as well as a proposal for the duties to be carried out by this position. This information was also shared with the Chief of Staff to the Secretary General who committed to follow up and attempt to provide a response. The Staff Committee will continue to monitor this issue.

### **III. JOINT COMMITTEES AND WORKING GROUPS**

The Joint Committees continued to perform their duties. The Staff Committee appreciates the commitment and hard work of staff representatives who participate on these committees. Additionally, the Staff Committee made progress in monitoring the activities of the working groups to address specific issues of interest of staff. The following paragraphs highlight the most important topics:

#### **i. Joint Committee on Parking**

The Parking Fund is in a healthy state, it has sufficient resources to meet recurrent and projected annual costs, and it is estimated that the Fund will have a surplus of \$368,083 at the end of 2012. Despite this, the Parking Committee, at the request of the General Secretariat, was tasked to consider a proposed increase in the monthly fees paid by staff that use the parking facilities. Concerning this request, representatives of the Staff Association to that Committee requested the SAF to provide detailed information clarifying the need reasons justifying an increase in fees, as well as detailed financial information on the use of the Fund resources, in order to facilitate a decision and to consider the proposal seriously. In the absence of information and concerns regarding inconsistencies in the data that was provided, the staff representatives did not feel that they were able to reach an informed decision, and again requested the information that was not provided. However, in June 2012, the General Secretariat proceeded to unilaterally announce an increase in fees, without consensus of the Committee. The Staff Committee does not assent to this unilateral decision, reached in disregard of the traditional practice of adopting joint decisions, and requests that dialogue and transparent management of resources be favored over unilateral decisions of this type.

#### **ii. Joint Committee for the Medical Benefits Trust Fund**

During the period 2011-2012 the Trust Fund for Medical Benefits had a positive return of 0.63%, representing a net profit of \$ 868,063. This percentage is lower compared to the ideal portfolio investment policy, which yielded a return of 2.75%. This was due to the different behavior of mutual funds which could not equal the market they are following. The cash flow remains positive, one of the premises emphasized by the actuaries, to maintain and reach the actuarial requirements and the annual increases in premiums jointly met by employees and the Secretariat.

The meetings contemplated for the close of each quarter were held and appropriate adjustments were made to both the internal investment policy, following the recommendations of the investment advisor, and the re-balancing required. To date, a process is being followed to implement the recommendation of the external auditors who requested an audit of the claims and collection system that is managed by Blue Cross Blue Shield.

#### **iii. Joint Committee on Insurance**

During the year 2012, the contract to administer the OAS health insurance fund with CareFirst BCBS was renewed. While the General Assembly approved a 2% increase in



health insurance contributions in the 2011 (2012?), the proposal of the General Secretariat of a 2% increase to health insurance premiums for 2013 is subject to approval by the Special Session of the General Assembly scheduled for November 2012.

As of March 31, 2012, the value of the portfolio of health insurance fund (net assets) amounted to \$ 31.5 million, while the value of the statements of financial position amounted to \$ 33.3 million, which represent good news. As of June 2011, the average age of participants was 48.8 and the number of participants (members) increased to 2,140.

The Standards for Participation in the health insurance of the GS/OAS to former officials have not been modified. However, the Committee continues its deliberations on a proposal to update these rules. It should be noted that all payment for doctor, optometrist, dentist and hospitals visits, as well as other services and benefits come from this fund. Moreover, although the use of generic drugs continues to rise, almost doubling the number of brand name prescriptions, the amount paid for generic prescriptions represents less than a quarter of the total amount paid for drugs.

#### **IV. Personal interest activities**

##### **i. Leo Rowe Fund Loans**

During the period 2011-2012, the Staff Association guaranteed 28 student loans through the Leo S. Rowe Fund, granted to contributors to the Staff Association in the amount of \$142,649.61, in order to contribute to human development of OAS staff and their families. The Staff Association, through an agreement with the recently renovated Leo Rowe Fund, acts as guarantor of loans given to contributing members of the Association.

##### **ii. Terry Woods Award**

The Terry Woods 2011 Award was awarded to Ambassador Gillian Bristol, Permanent Representative of Grenada to the OAS, and to Ambassador Albert Ramdin, Assistant Secretary General of the OAS. The award was presented in the framework of the Awards Ceremony of the General Secretariat Staff, and were added to the plaques displayed in the General Services building (TL).

This award is given annually by the Staff Association, to commemorate the work of Mr. Terry Woods, to officials who have provided extraordinary service to OAS staff – whether in the promotion, advancement or protection of their rights – and contributed to their welfare or improvement in their employment conditions.

##### **iii. New benefits for contributing members of the Staff Association**

During the 2011 – 2012 period, 43 new contributing members of the Staff Association were registered, representing a net increase of 21 members, taking into account labor separations. The Staff Committee has started a systematic study to identify new benefits for contributing members, such as the acquisition of legal insurance and/or the hiring of free and permanent legal advisory services for contributing members. Additionally, work

on the promotion of services for staff entering the organization has been conducted in order to attract new contributing members.

The Committee proceeded to review current benefits and decided to approve two new benefits, presented during the Staff Assembly on February 17, 2011, during the tenure of previous Committee. The new benefits include reduced rate packages for movie tickets to "AMC Theaters," and special rates for bike rentals with "Capital BikeShare." In addition, the Committee has held discussions with other international organizations to join efforts and provide common services and benefits, such as the possibility of PAHO and the OAS staff to access the *Bretton Woods Recreation Center*.

In the first quarter of 2012 a new health insurance provider was acquired for people working with G5 visas.

#### **iv. Recreation and interest**

The Personnel Committee, on behalf of the Association, organized, promoted and/or supported recreational activities and interests of staff. To date, the Committee has contributed to the following activities conducted or sponsored during its period of operation:

- Annual Exhibition of Art Group, July 2011.
- Support for the registration of the OAS football club (OAS F.C.Fairfax Sportplex Indoor), July 2011.
- Organization of the Annual OAS Bazaar, November 2011.
- Organization of Children's Year End Party, December 2011.
- Support for the Health Fair organized by the Department of Human Resources, April 2012.
- Support for the OAS 5K Race, June 2012.
- Promotion and dissemination of cultural and general interest activities in Washington D.C.
- Management of the OAS Gift Shop.