Staff Communication No. 9

References:

Staff Communications:

No. 1 Spec/16/57       No. 5 Spec/87/57
No. 2 Spec/34/57       No. 6 Spec/110/57
No. 3 Spec/35/57       No. 7 Spec/110/57 Add.1
No. 4 Spec/42/57       No. 8 Spec/22/58

GATT Documents:

approved on 29 November 1957, S.R.12/20

U.N. Publications:

Statutes of the Staff Association of the European Office of the United Nations
of May 1955 and Amendments of 6 December 1955.

GATT STAFF REPRESENTATION


and

Adoption of GATT Staff Association Statutes

The staff meeting convoked by Communication No. 8 was held on 11 February
1958. The electoral group of the P. grades was represented by fourteen out of
seventeen staff members. The electoral group of the G. grades was represented
by thirteen out of nineteen members. Mr. Staehle agreed to act as Chairman
of the meeting, which dealt with the following items:

1. Report of the staff representatives on the events in the year 1957/58
   (a) Pension Fund

   Attention was drawn to the fact that the GATT staff had joined the Pension
   Fund with effect from 1 June 1957 (see Staff Communication No. 5).

   The advantage of having joined the Fund at that date, is that the
   GATT staff are not affected by the fundamental changes in the Pension Fund
   which have been put into effect since that date and which might have made the
   affiliation of GATT more difficult.

Spec/32/58
(b) **Contracts**

At the staff meeting on 25 April 1957 (Staff Communication No. 4) the staff requested the staff representatives to try to achieve an improvement in the situation concerning contracts so that the existing temporary indefinite contracts would become permanent contracts.

In this connexion the staff representatives reported that this problem had been taken up by the CONTRACTING PARTIES and a decision had been reached that "CONTRACTING PARTIES should authorize the Executive Secretary to apply the relevant provisions of the United Nations Staff Rules and Regulations concerning the granting of permanent appointments". The Staff Review Board (to which reference will be made later) was instructed "to advise the Executive Secretary with respect to the granting of permanent appointments and to express their views as to the most appropriate system to be applied in the case of the secretariat of the CONTRACTING PARTIES". (Report of Budget Working Party 1957 paragraph 35, approved by the CONTRACTING PARTIES on 29 November 1957)

(c) **Administrative Tribunal**

The CONTRACTING PARTIES authorised "the Executive Secretary to conclude an agreement with the Administrative Tribunal of the ILO to advise him in the case of any appeal by staff members against an administrative decision alleging the non-observance of their terms of appointment, including all pertinent rules and regulations and against disciplinary action" (Budget Report 1957, paragraph 38). This will provide access to an international tribunal, in this case to the Tribunal of the ILO, which corresponds to the wishes expressed by the staff on 25 April 1957 (Staff Communication No. 4). The representatives reported that the ILO Tribunal had already been approached by the Administration. (Note: on 15 March the Administrative Council of the ILO decided that the GATT staff shall be granted access to the ILO tribunal).

(d) **Staff Rules and Regulations**

Insofar as the setting up of staff rules and regulations are concerned the CONTRACTING PARTIES have taken a decision whereby the Executive Secretary was instructed "to submit to the CONTRACTING PARTIES at their next session draft staff rules and regulations which should be based on the United Nations Staff Rules and Regulations (Replacement of temporary indefinite appointments by permanent appointments) will be reproduced in Staff Communication No. 10; Spec/83/58.
Rules and regulations, with such modifications which, in his opinion, would be needed in view of the small size of the GATT secretariat" (Report of the Budget Working Party 1957, paragraph 30). This decision was appreciated as being in conformity with the ideas expressed by the staff on 25 April 1957 (Staff Communication No. 4).

At the staff meeting on 11 February it was pointed out that it would be in the interest of the staff to have rules which followed as closely as possible the existing rules of the United Nations, since the interests of the U.N. staff were taken care of by a very efficient staff organization, while the staff of a small organization (such as the GATT), could hardly equal effectiveness. By following closely the U.N. staff rules and accepting that all future changes in these rules would in principle apply equally to GATT, the staff would avoid many difficult problems arising from the staff-administration relations.

(e) Staff Review Board

In accordance with the decision taken at the 12th Session of the CONTRACTING PARTIES a Review Board was set up. The relevant paragraph (Report of Budget Working Party 1957, paragraph 39) reads:

"The Working Party welcomed the decision taken by the Executive Secretary to set up a Review Board to advise him with respect to granting permanent appointments. It also welcomed the decision taken by the Executive Secretary to ask the Review Board to consider whether the grading of the posts in the Manning Table, in the professional category, is consistent with the standards applied in the United Nations. It agreed that the conclusions of the Review Board should be submitted for information to the member of the Intersessional Committee, together with the comments of the Executive Secretary. It is recommended that the Intersessional Committee should be authorized by the CONTRACTING PARTIES to approve any changes in the Manning Table for 1958 and in the budget estimates for that year, which would result from the decisions taken by the Executive Secretary on the advice of the Review Board to regrade individual posts.

* 14 April 1957
2. **Acceptance of GATT Staff Association Statutes.**

Finally the meeting on 11 February dealt with the voting on the GATT staff statute which - as was decided at the meeting of 25 April 1957 (Staff Communication No. 4, Spec 42/57) - should be closely based on the statute of the European Office of the United Nations. The rules were read out at the 11 February meeting with the suggested changes so as to adapt these rules to the needs of the GATT staff. The GATT Staff Association Statutes, as adopted unanimously by the meeting, are attached.

It was also decided, with the consent of all staff members present, that these rules should become operative as soon as they were approved by the Executive Secretary.

Polling officers should be nominated and an election of staff representatives should be held four weeks after the rules became operative.

End of the meeting

19h.30

M. WISLON

F.K. LIEBICH
GATT STAFF ASSOCIATION STATUTES
- approved on 11 February 1958 -
by the Staff Assembly

The provisions of the Statutes of the Staff Association of the European Office of the United Nations shall, with the modifications given below, apply fully to the GATT Staff Association.

Changes in the United Nations Statutes subsequent to the adoption of the GATT Statutes shall become effective mutatis mutandis for the GATT secretariat three months after they have been made known to the Staff Assembly, unless such changes are rejected by a simple majority Assembly vote.

The GATT Staff Association Statutes shall remain in force even if GATT should be transformed into or taken over by a new organization (e.g. the OTC). In this case the necessary technical changes are to be proposed by the representatives and approved (by simple majority vote) by the Staff Assembly.

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Modifications necessary to adapt the Statutes for the purpose of the GATT Staff Association

The following provisions of the United Nations Staff Statutes shall not apply, or shall apply only in a modified way as indicated, as long as the GATT Staff Association has not reached the number of 120 members:

Article 1 "GATT Staff Association" instead of "Staff Association of the European Office of the United Nations".

Article 2(a) "to ensure that the working conditions enjoyed by the GATT staff" instead of "by the staff of the European Office".

Article 2(b) "the GATT Staff" instead of the "Staff of the European Office". "the staff of the United Nations" instead of "Headquarters staff".

Article 2(c) "Executive Secretary" instead of "Secretary-General through his representatives and the Director of the European Office in particular and the competent organization of the United Nations".

Article 3(b) "with the Executive Secretary of GATT and his representatives" instead of "Secretary-General of the United Nations and his representatives - and with the Director of the European Office in particular".

Article 4/1 and 4/2 "GATT" instead of "European Office of the United Nations".

1 These Statutes will become effective only after the approval by the Executive Secretary of GATT.
Differences due to the smaller size of staff

During the time the GATT Staff Association consists of less than 120 members all provisions of the Association Statutes shall be applied with the requisite flexibility. In particular the following modifications shall apply:

Articles 5, 24 and 25

There will be no Staff Committee. Wherever the Staff Association Statutes refer to the Committee its functions shall be exercised by the Staff Council.

Article 7

Referendum: The requirement of a minimum of fifty members is replaced by a sliding scale requiring one written report for each full ten members of the staff, any remaining fraction of ten counting as ten.

Article 8 (Article 10)

Subject to any decision to the contrary by the Assembly, additional items may be put forward by any staff member.

Article 9

Extraordinary Staff Assemblies: The same rule concerning the minimum number of requesting members applies as for a Referendum (Article 7).

Article 13

The Staff Council shall consist of one member and one alternate for each Electoral Unit. The Electoral Units may consist of less than forty electors.

Article 14

There shall be one polling officer per Electoral Unit. They elect their President.

Article 16

Nominations have to be signed by three instead of seven members of the Electoral Unit.

Article 26

There shall be no obligation for the Electoral Units to meet separately.

1 The two traditional units for the time being.
**Articles 28-31**

The financial rules do not apply since there will be no dues to be paid by the GATT staff. If the Staff Association should however decide to accept a financial obligation the sum to be paid by each member would have to be decided by the Staff Assembly. The "per capita share" would then be collected under a procedure to be laid down by the Assembly.

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**Rule 3**

A quorum of one-third of the members of the GATT Staff Association is required. If an Assembly cannot vote for the reason that this quorum is not fulfilled another Assembly has to be convened within a month, which shall decide on the same item regardless of the number of members present.