

INFORMATION

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Experts and Consultants

Our attention has been drawn recently to an interesting case of a consultant at CERN, a pensioner of the Organization. This case led us to examine the question in general, in relation with the policy of the Organization of encouraging early retirement and with succession planning (or lack of).

The specific case is as follows according to our reconstruction: a staff member, head of a service left for early retirement "in the interests of the Organization", with the advantages offered by CERN to encourage this type of departure. A temporary successor was appointed as head of this service. But at the beginning of 1995, the old head of the service returned, as a paid consultant, to supervise the work of the service and his successor, specific work at the beginning of the year.

At the beginning of 1996, he returned again for the same reasons and under the same conditions: his temporary successor (not the same one as before) still needed his assistance to carry out his functions. This latest return provoked strong remarks in the service in question and several interventions by the Staff Association, which also finds this situation unacceptable.

The post designed to replace permanently the head of the service was published at the end of January this year, more than 18 months after the departure, rather belated succession planning. It cannot be justified on the grounds that the budget did not permit to recruit earlier, when year after year CERN has not spent all its personnel budget due to delays in recruiting.

According to the information we have, recourse to retired members of CERN as paid consultants is not that rare, but it must, in principle, have the prior authorisation of the Director of the sector concerned. However, it is sufficient to sign a contract with an external firm which acts as go-between to circumvent this rule.

We have then queried what was the scale of recourse to experts and consultants in general: the draft budget 1996 (CERN/FC/3793, dated 16 February 1996, p.29) foresees a total sum of 3.8 million CHF,

but the indications given in the breakdown by Division are meagre:

- DSU: 300,000 CHF for "experts and consultants",
- PE: 150,000 CHF for "experts and consultants",
- FI: 200,000 CHF for "experts and consultants, training, travel and administrative costs",
- AS: 1.1 million CHF for "temporary labour, minor work expenditure, experts and consultants, unpaid associates, training and travel",

the other Divisions do not mention them at all.

We have consulted the Accounts for the Financial Year 1994 (CERN/2087 – CERN/FC/3775, dated 2 May 1995) which were approved by the Council in June 1995, since the accounts for 1995 are not yet available. No rubric corresponds exactly to experts and consultants. There exists a line, 622 "Third party payments and fees" for a total sum of around 21.3 millions CHF, but this also covers other expenditure.

A little additional research has allowed us to get an idea of the expenditure for 1995. Some Divisions/Services spend more than others (figures in CHF):

AC:	1,000,000	ECP:	500,000
AS:	700,000	PE:	200,000
DG:	1,000,000	PPE:	900,000
DSU:	900,000	SL:	300,000
ST:	300,000		

for a total of some 6 to 7 millions CHF, whereas the budget for 1995 foresees 3.3 millions. We are not then talking about small sums or small contracts.

We have also discovered that consultants, even though they are not members of the Organization, can nevertheless insure themselves with the AUSTRIA insurance company! Yet another mystery we will make every effort to solve. □

Term Contracts – Where are we?

At the beginning of the year, we addressed via the Bulletin (n° 3/96, dated 15 January) an urgent Message to staff members holding a term contract, asking them to send to the President of the Staff Association a copy of their employment contract together with the vacancy notice of the post to which they had been recruited.

We received 80 replies, of which some 20 corresponded to fixed-term contracts although the contracts themselves do not indicate this, and the holders did not know. These contracts can be transformed into indefinite contracts and do not present any particular problems. We could therefore reassure those concerned.

The other replies corresponded to term contracts. We have now assembled all the necessary information, which has taken longer than foreseen, in particular because several of those involved did not know for which post they had been recruited. [During the last SCC of 6 March, we requested and it was agreed, that in future all candidates offered a contract would be informed officially to which post the offer applied.]

We have just consulted our external legal advisors, who confirm our analysis and have given us invaluable advice. On this basis, we will meet very soon with our colleagues concerned to brief them and to discuss with them the steps to be taken.

Advancement procedure guidelines for 1996 and for Exceptional Performance Awards (continued)

In a previous bulletin (n° 10/96 dated 4 March) we have written that we had our doubts concerning the calculations of the figures presented by the Management. We were right! During the last meeting of the Standing Concertation Meeting, those responsible have admitted that there was an error in the calculation of the cost of the merit zone step for those already in the exceptional zone of their career path; the cost had been overestimated by 50%. Because of the overall budget envelope foreseen this had resulted in a decrease of around 20% in the number of second steps and promotions into the exceptional advancement zone. We have asked that the foreseen overall budget envelope be kept and the error corrected; which means it should be possible to suppress this reduction of 20% and have the same numbers as last year, thus assuring continuity with previous years as promised. We are impatiently waiting for the decision of the Director General on this subject and we will not forget to let you know. □

STOP PRESS

The latest news on Experts and Consultants

Our retired colleague has now left the site. However, his ex-Division has made him a **permanent loan** of a Macintosh computer, printer and modem, so that he can work from home and access the computers and databases at CERN. Thus it seems that the contract as consultant will continue, but in secret to avoid any checks! Will the Director concerned allow this?

Contrats de durée déterminée: où en sommes-nous?

Dès le début de cette année, nous avons adressé dans le Bulletin hebdomadaire un Message urgent aux titulaires de contrat de durée déterminée¹, leur demandant de prendre contact avec le Président de l'Association du personnel en lui envoyant copie de leur contrat et de la vacance de poste sur laquelle ils avaient été recrutés.

Nous avons reçu 80 réponses, dont 20 environ correspondaient à des contrats à terme fixe, ce que les contrats n'indiquent pas et que les intéressés ignoraient. Ces contrats sont susceptibles d'être transformés en contrats de durée indéterminée et ne présentent pas de problèmes particuliers. Nous avons pu rassurer leurs titulaires.

Les autres réponses correspondent à des contrats de durée déterminée. Nous avons rassemblé les informations nécessaires, ce qui nous a pris plus de temps que prévu, en particulier parce que nombre de nos correspondants ne savaient pas toujours sur quel poste ils avaient été recrutés². Nous venons de consulter nos conseillers juridiques extérieurs qui ont confirmé notre analyse et donné de précieux avis. Sur cette base, nous réunirons prochainement nos collègues intéressés pour leur en faire part et discuter avec eux des actions à prendre.

¹ Bulletin n° 3/96 daté du 15.01.96, rappelé dans le Bulletin suivant.

² Lors de la dernière réunion du Comité de concertation permanent (CCP), le 6 mars, nous avons demandé, et obtenu, que, à l'avenir, tous les candidats retenus après sélection soient informés officiellement du poste sur lequel ils auront été recrutés.

Directives en matière d'avancement et de primes pour services exceptionnels pour 1996 (suite)

Dans un précédent Bulletin, nous vous avons écrit que nous avions des doutes quant aux résultats des calculs présentés par la Direction³. Nous avons raison! Lors de la dernière réunion du Comité de concertation permanent, les responsables ont reconnu qu'il y avait une erreur dans le coût des avancements d'échelon pour ceux d'entre nous qui sont déjà dans la zone exceptionnelle des filières de carrière: ce coût avait été surestimé de 50%. Dans l'enveloppe budgétaire totale prévue par la Direction, cela entraînait une diminution de 20% environ du nombre des avancements exceptionnels (second échelon et promotion vers la zone exceptionnelle des filières). Nous avons donc demandé que l'enveloppe budgétaire totale prévue soit maintenue et que l'erreur soit corrigée: il devrait ainsi être possible de supprimer cette réduction de 20% et de retrouver les nombres de l'année dernière, assurant la continuité promise. Nous attendons avec impatience la décision du Directeur général à ce sujet et ne manquerons pas de vous en informer.

Experts et consultants (suite)

Dans le Bulletin précédent⁴, nous avons évoqué ce sujet général à propos d'un cas particulier. Nos dernières informations au sujet de ce cas particulier sont les suivantes: à la suite de nos interventions auprès du Directeur du secteur concerné, notre ancien collègue maintenant retraité a quitté le site. Cependant, son ancienne Division lui a fait **un prêt permanent** d'ordinateur Macintosh, imprimante, modem⁵, pour travaux à domicile. Tout se passe donc comme si le contrat de consultant se poursuivait mais en cachette pour éviter les contrôles! Le Directeur concerné va-t-il laisser faire?

³ Bulletin n° 10/96 daté du 04.03.96.

⁴ Bulletin n° 11/96 daté du 11.03.96.

⁵ Appareil qui permet la communication avec les ordinateurs et les bases de données du CERN.