

28 June 1995

STANDING CONCERTATION COMMITTEE MEETING 13 & 15 JUNE 1995

Following the informal meeting between the representatives of the Staff Association and the Management¹, the Staff Association decided to resume attending meetings of the Standing Concertation Committee (SCC). The first meeting following this decision was held on 13 June and continued shortly on 15 June, and was constructive. However the Executive Committee decided that the style of the joint reports proposed by the Management were too concise, especially in view of the importance of the topics under discussion this year. Therefore the Staff Association, will in general, publish its own reports on these meetings so that you are kept fully aware of the matters under discussion and the positions defended by the Staff Association².

Programme of work for 1995

Most of the agenda concerned topics which have or will be discussed by the Tripartite Employment Conditions Forum (TREF). Thus much of the SCC meeting was devoted to discussing input from TREF. In view of the volume of work to be done, before the end of the year, a detailed time-table was drawn up, specifying when the various topics would pass through the sub-groups, SCC and eventually TREF. This time-table will be modified in the light of events. The Staff Association is in favour of delaying certain items, which need not be decided this December, until next year.

¹ see Bulletin n° 25 dated 19 June 1995.

² the Staff Association will shortly publish a PROTON giving the Staff Association's general position on the matters under review this year.

Remuneration review

The Staff Association repeated its views on the last TREF meeting on 18 and 19 May¹ and emphasised the need for thorough preparation for the next meeting on 29 and 30 August. At this TREF meeting the Management will present a report on remuneration data collected, and the Staff Association insisted that preliminary data be made available for internal discussions as soon as possible, both within the SCC internal sub-group and the SCC itself. It was agreed that the SCC would get a draft report for discussion at its next meeting on 12 July, when it was expected that information on most of the International Organizations being surveyed together with that of high-technology industry in Germany and Switzerland would be available. The full report would be discussed at the SCC meeting on 9 August.

Review of Staff Rules and Regulations

The TREF meeting will also continue its work on the revision of Staff Rules and Regulations. It will re-examine revised texts of articles it has already discussed together with proposed changes to Chapter I, Section 4 (Intellectual Property), Chapter IV, Section 2 (Taxation), Chapter V, Section 1 (Social Security) and Chapter VIII, Section 1 (Limitation of Claims). These texts are being discussed in a sub-group of the SCC which meets weekly and will be discussed in the next SCC meeting. Intellectual Property has already been discussed several times since the Staff Association considers that the Management's proposals are too one-sided and do not accord the personnel with the protection and rights generally accorded to employees within the

Member States. The Staff Association has requested in particular the creation of a Patents Board on similar lines to the one already existing at ESA.

Acquired rights and International Labour Organization Administrative Tribunal

The preoccupation of some of the delegates of the Member States with acquired rights and the International Labour Organization Administrative Tribunal's judgements was also discussed. Certain delegates seek to limit acquired rights in the future by suitable wording, either in the employment contract or by changes to the Staff Rules and Regulations. The question of continuation of acquired rights when changing contracts will be studied later by the Management at the request of TREF.

Non-resident allowance

The delegates of the Member States appear determined to try to modify the non-resident allowance for future Members of the Personnel, by modulating the allowance with length of service or type of contract (indefinite or otherwise). Some delegates would prefer an expatriation allowance, but in the past this has been strongly resisted by France and Switzerland. The Staff Association has told TREF that it is willing to explore changes to the existing system (but not changing it into an expatriation allowance), under the conditions agreed by the Member States, namely to use the money allocated under this heading in a better way, not to save money. Since this matter has been discussed numerous times before over many years, the Staff Association asked that previous documents be circulated to members of the SCC and tabled one such document.

Annual salary adjustment

The vexed question of the annual adjustment of salaries was also discussed. The problem here is that Member States wish to have complete freedom to adjust salaries in an arbitrary way, without being overruled by the ILOAT. They believe that the present method fulfils these requirements. The Staff

Association has a different point of view, hence several members of the Executive Committee are appealing the decisions concerning the 1993, 1994 and 1995 indexations to the ILOAT! The Staff Association believes the method resulting from the work of the "Strohal" working group, which was proposed to Council in June 1993, by the Management with the support of the Staff Association³, fulfils best the purpose of the annual adjustment, whilst giving the Member States the possibility of modulating the figure calculated in exceptional circumstances. However the CERN Council felt it restricted their power of decision, so did not accept it then.

Social Security

A preliminary exchange of views on various aspects of the pension fund and health insurance took place in the SCC. It was agreed that more discussions on health insurance questions are necessary before any presentation to TREF. The sub-group of the SCC on Staff Rules and Regulations will study these matters.

Non-Member State issues

At the request of the Staff Association the documents "*Protocol co-operation agreement between CERN and India*" (CERN/2092), and "*Associate status at CERN for non-European States*" (CERN/2091) were discussed. The Staff Association expressed its reservations concerning the proposal that subject to negotiations, nationals of an Associate State could qualify for staff posts of limited duration. It pointed out practical and possible legal problems and its complete opposition to Associate States, rather than CERN selecting their nationals. The Management replied that normal selection procedures would apply. The Staff Association insisted that such staff should not receive better treatment than staff members from Member States, for example in home leave. The Staff Association anyway did not see any need for Associate States to have staff members.

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³ The Cost-Variation Index – The Annual Salary Adjustment (CERN/CC/1986)

At its meeting of 27 June, the Staff Council elected a new Executive Committee. Only one list was proposed, which was elected by 21 votes for, 2 against and 3 abstentions.

The new Committee will take office on 1 July.

NOUVEAU COMITÉ EXÉCUTIF/NEW EXECUTIVE COMMITTEE			
BORGHINI Michel	PPE	A	Président/President
BALL Derek	AS	A	Vice-Président/Vice-President
VITASSE Michel	SL	B	Vice-Président/Vice-President
COLLOMB Raymond	FI	B	Trésorier/Treasurer
AYMON Marcel	PE	B	Secrétaire/Secretary
ANTOINET Gérard	TIS	C	
BROUZET Etienne	SL	A	
LEFEVRE Christiane	AS	C	
MATHEYS Jean-Pol	ECP	A	