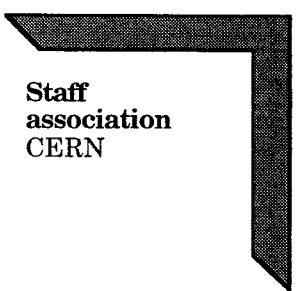


INFORMATION

Association
du personnel
CERN

Staff
association
CERN



STAFF_ASSOCIATION@MACMAIL.CERN.CH

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ORDINARY MEETING OF THE STAFF COUNCIL, 17 MARCH 1995

Summary: Activities of the Executive Committee (revision of the Staff Rules and Regulations, five-yearly remuneration review, mini-assizes of the Association, SCC, TREF, flexitime, YORICS, Statutes of the Staff Association) – Legal activities (CERN, ESO) – Approval of the regulation of the Individual Cases Commission – Presentation on the performance of the Pension Fund in 1994.

The Staff Council held an ordinary meeting, 17 March at 14.30, under the chairmanship of Marcel Aymon.

1. Activities of the Executive Committee since the previous meeting on 9 February¹

Revision of the Staff Rules and Regulations and the five-yearly remuneration review:

internal discussions of the Association take place in meetings of the Executive Committee open to all delegates of the Association (enlarged Executive Committee), held in principle once a week. In addition, the Executive Committee is organising, 5 April, the Association's springtime mini-assizes which will be devoted to the remuneration review with the morning being dedicated to technical presentations and the afternoon to political and strategic discussions.

Discussions with the members nominated by the Management take place in sub-groups of the SCC, in principle once a week, and in the SCC, once a month or more frequently if necessary.

Discussions with the delegates of the Members States and the Management take place in the tripartite FORUM (TREF) which met on 21 February and in the afternoon 14 March.

The representatives of the Association in TREF consider that the discussions which take place are very useful for the exchange of information and opinions. It has however proven necessary to remind its members that TREF is not a forum for taking decisions, but is to allow the Director General to judge reactions to proposals he is planning to submit to the CERN Council and the Finance Committee.

In this context it is worth recalling that according to the Convention establishing CERN, "*The responsibilities of the Directors-General and the staff in regard to the Organization shall be exclusively international in character.*" In particular "*Each Member State shall respect the international character of the responsibilities of the Director-Generals and the staff, and shall not seek to influence them in the discharge of their duties.*"

Administrative Circulars: in addition discussions are taking place between the Management and the Association on Administrative Circulars concerning:

- types of contracts of staff members, renewal, extension, award of indefinite contracts (n° 9)
- internal mobility (n° 17)
- recruitment procedures (a new circular)

¹ see weekly bulletin n° 10/95 dated 6 March 1995

Flexitime: on the proposal of the Association it was agreed to examine flexitime. The Executive Committee and the Secretariat of the Association are assembling documentation on the rules, practices and experience concerning this aspect of employment and working conditions. This question will be placed on the agenda of a future meeting of the Staff Council.

External relations – YORICS: the next meeting of YORICS will take place in Geneva, probably during the second week of May. The agenda will include, the follow-up of the NEW YORK symposium on the legal situation and independence of international civil servants, the evolution of YORICS and legal assistance.

Statutes of the Staff Association: following receipt of the opinion of its legal advisor on this matter, the enlarged Executive Committee reached agreement on draft modifications to the Statutes in reply to the objections last June, of the Director General. A detailed study of the complete Statutes in the light of experience may lead to other changes, which will be submitted to the Staff Council in the near future, then to the Annual General Assembly of the Association, in the autumn.

2. Legal activities

Salary scales of CERN for 1993, 1994 and 1995: following judgement n° 1368 of the International Labour Organization Administrative Tribunal (ILOAT) ordering CERN to establish the 1993 scale on a legal basis, the CERN Council took decisions on the 1993 and 1994 scales during its December 1994 meeting.

The Executive Committee together with the Staff Council considering that these decisions do not conform to the method of adjustment in force and that they seriously breach the acquired rights of the staff, have restarted the procedures instituted on this subject. The plaintiffs have sent two apropos letters to the Director General, and have received his reply during this meeting of the Staff Council. In addition, four members of the Executive Committee have just lodged appeals against the 1995 salary scale for the same reasons.

ESO² Salary Scales: the staff of ESO have obtained from the ILOAT two favourable

judgements. In the first judgement (n° 1419) the ILOAT has annulled the decision taken by the ESO Council in April 1993 to grant only two thirds of the calculated salary index, and has ordered that the full index (between 3.9 and 5.7% according to the grade) be applied as from 1 July 1992. Even though the situation at ESO is not the same as that at CERN (the ESO Council decided in December 1982 to base periodic adjustments of salaries and allowances upon the adjustment procedures used by the Co-ordinated Organizations), the judgement contains several interesting considerations by the Tribunal. It is also interesting to learn that the ESO Finance Committee had based its decision/recommendation to only grant two thirds on the calculated index “as indeed CERN had done”³...

In the second judgement (n° 1420) the ILOAT has annulled the decision of the ESO Council not to apply to ESO salaries a five-yearly adjustment calculated by the Co-ordinated Organizations to take account of the differences in the cost-of-living between Brussels and Munich, where ESO has its headquarters. It has ordered ESO to apply this adjustment which amounts to 4.1%.

3. Regulations of the Individual Cases Commission

The Staff Council unanimously approved the draft of the Regulation of Individual Cases Commission presented by the Executive Committee after several discussions both in the enlarged Executive Committee and with the members of the Commission. This Regulation enters into force immediately and **members of the personnel who wish may obtain a copy from the Secretariat of the Association.**

4. Performance of the CERN Pension Fund in 1994

The Governing Board of the Pension Fund recently decided, in addition to the information available through the minutes in the Weekly Bulletin, the Annual Report and the General Assembly, to make regular reports to the Management and the Staff Association. Guy Maurin, Vice-Chairman, together with Christian Cuénoud, Administrator of the Fund,

³ this refers to the CERN index for 1993: the calculated index was 3.6% and that granted was 2.46%, from which decision as mentioned above appeals have been made

² European Southern Observatory

have therefore come to the Staff Council to present the methods for evaluating the performance of the Fund in managing its assets and the results for 1994.

The global performance of the Fund depends for some four fifths on the allocation of funds between the different categories of investment: shares, bonds, property and liquid assets. The remaining part depends upon the particular choices made in each of these categories. The global apportionment of the allotments of the Fund in 1994 was around 1500 MCHF in shares and bonds, 360 MCHF in property, 250 MCHF in liquid assets and 400 MCHF of debt vis-à-vis the Laboratory. The performance of shares and bonds in 1994 was very bad world-wide, which is shown by the various indices which dropped around 10%. The Pension Fund, of which some 1000 MCHF was managed internally and some 500 MCHF by eight external managers saw a drop of 7.5% in the value of its shares and bonds, without however these losses being realized.

Property showed a gain of some 6%, short-term liquid assets a return of 4.5% and the debt yielded 8.3%. The global yield was about minus 1% over the year.

It should be stressed that the investment policy of the fund aims at the long term and that fluctuations must be expected from one year to the next (in 1992, the performance was plus 9%), all the more so in that to achieve an average yield of 6% per year, the Fund must invest a part of its assets in shares, whose mean yield over the long term has always been better than other investments, but whose value fluctuates more violently from one year to another.

Another point must also be underlined, namely the need to change the apportionment of assets according to the evolution of benefits to be paid out, so as to have always the necessary liquidity to pay them. At present, the annual contributions received by the Fund are superior to the pensions it must pay, but this situation will be reversed by the regular increase in the number of pensioners coupled with the regular decrease in the number of paying members.

Guy Maurin and Christian Cuénoud were applauded for their explications.

The meeting closed at 17.40.

CONSEIL DU PERSONNEL

La 358^{ème} réunion du CONSEIL DU PERSONNEL aura lieu :

MARDI 4 AVRIL 1995, à 14h.30
Amphithéâtre - Bâtiment Principal - 1^{er} étage

Ordre du Jour

1. Election du Président de séance
2. Adoption de l'ordre du jour
3. Approbation du procès-verbal de la 351^{ème} réunion du 6 décembre
4. Activités du Comité exécutif :
 - *révision des Statut et Règlement du personnel*
 - *examen quinquennal des rémunérations*
 - *etc..*
5. Comptes et bilan 1994 : présentation
6. Assurance maladie
7. Divers

Les réunions au Conseil du Personnel sont publiques et vous pouvez y assister.

ELECTION A LA COMMISSION DU FONDS D'ENTRAIDE

Les élections des membres de la Commission du Fonds d'Entraide auront lieu prochainement. Les membres du personnel vont recevoir un bulletin de vote explicatif à ce sujet.

Conformément à l'Article 5 du Règlement du Fonds d'Entraide (de janvier 1990) et suite aux appels parus dans le Bulletin Hebdomadaire, cinq personnes ont présenté leur candidature.

Trois postes sont à pourvoir parmi les candidats suivants:



CROISIER Michèle
Membre sortant
Division ST

entrée au CERN en 1970



DAGAN Danièle
Division PS

entrée au CERN en 1974



FONTANET Mathilde
Division AS

entree au CERN en 1991

ELECTION OF CANDIDATES TO THE BOARD OF THE MUTUAL AID FUND

The elections to the Board of the Mutual Aid Fund will take place shortly. Members of the personnel will shortly receive a ballot slip explaining the election procedures.

In conformity with article 5 of the Rules of the Mutual Aid Fund for CERN Personnel (of January 1990) and following the notices which have appeared in the Weekly Bulletin, five persons have declared their intention to stand for election.

Three posts are to be filled this year among the following candidates.



LAMBERET Claude
Division TIS

entré au CERN en 1974



NEBOUT Claudie
Division ECP

entrée au CERN en 1969