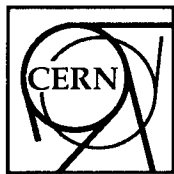


Bulletin ASSOCIATION du PERSONNEL STAFF ASSOCIATION



Siège: Genève, Suisse
Seat: Geneva, Switzerland

Les informations paraissant dans la rubrique "Association du Personnel" sont publiées sous la seule responsabilité de l'Association du Personnel du CERN.

The information presented in the Staff Association section of the Bulletin is published under the sole responsibility of the CERN Staff Association.

STAFF_ASSOCIATION@MACMAIL.CERN.CH

Tel. 2819/4224

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BASIC SALARY INCREASES FOR 1991, 1992 AND 1993

300th meeting of the Staff Council

The Staff Council held its 300th meeting on 4th September 1992. The salary increases for 1991, 1992 and 1993 were one of the topics discussed: we will recapitulate here this question, connected to the five-year salary review of 1989. The other topics on the agenda will be treated in a subsequent article.

Some history: the five-year salary review 1985-1989

In April 1989 the CERN Council initiated a five-year salary review concerning the period 1985-1989, according to the procedures decided upon in 1979: this review was entrusted to the Tripartite Advisory Committee on Conditions of Employment (TRACE), a permanent subsidiary organ of Council. It was stated that TRACE should report to Council in December 1989 and that any measures resulting should take effect on 1st of January 1990.

For the first time CERN Council decides upon direct negotiations

In fact, TRACE submitted its report to the CERN Council only in May 1990 which examined it at its meeting in June and then decided, in addition to a minor general salary increase (1%) to take effect as from 1st July 1990, to ask the CERN Management to initiate direct negotiations with the Staff Association, under the auspices of President of Council, with the aim of proposing a solution acceptable to both the personnel and to Council.

These direct negotiations took place in July and August 1990, and resulted, under the auspices of President of Council, in an agreement on a number of measures, sometimes called the negotiated "package", as most of you still remember.

The personnel and its representatives have made many concessions

For this kind of agreement concessions must be, and were, made.

1.- The salary gap with the reference organizations

In the first place the Staff Association had asked within TRACE that the **absolute gap** with the reference organizations chosen by the CERN Council be completely made up (approximately 20%); then it accepted, after a motion voted by the Extraordinary General Staff Assembly on 18th May 1990, that **only the increase of the gap** with the Co-ordinated Organizations be closed, as proposed by the CERN Management (about 8.8%), completed by compensatory measures designed to close the gap entirely.

The Staff Association had then accepted, during the negotiations, that **part of the increased gap** be compensated by reduced working hours: a reduction of working hours from 40 to 39 hours per week was requested; the Staff Association then accepted that this reduction be in the form of five extra days holiday at the end of the year.

2.- The schedule for closing the gap

At the beginning the Staff Association had asked for a quick salary increase (after all it was a matter of compensating a gap increase that had occurred between 1984 and 1989 and it was foreseen that the measures should

become effective on the 1st January 1990): within TRACE, according to the motion voted by the General Staff Assembly, it had asked for the increase to be allocated in two equal parts, on 1st January 1990 and on 1st January 1991; subsequently, at the time of the direct negotiations, at the request of its interlocutors, the Staff Association finally accepted a progressive general salary increase over the years 1991, 1992 and 1993 (in addition to that of 1st July 1990):

namely, "a decision to be taken without further negotiations":

effective date	1.7.1990	1.1.1991	1.1.1992	1.1.1993
negotiated general salary increase	1%	2.4%	1.5%	1.5%

over and above the Geneva cost of living index .

3.- Contributions to the Pension Fund

Since many years the necessity of raising the global contribution to the Pension Fund (personnel plus Organization) had become evident: during the direct negotiations, the Staff Association had initially asked that the contribution to the Pension Fund by the personnel be settled according to a rule adopted by the CERN Council in 1981, always applied since and still in force, according to this principle the contribution should have remained at the level of 7% of the reference salaries; the Staff Association finally accepted that this contribution be increased to 9% of the reference salaries¹ (the Organization increasing its contribution from 17% to 21%), **subject to the implementation of the entire negotiated "package"**.

An agreement born of real negotiations

As can be seen, it was a question of **real negotiations** and the Staff Association considers having shown, from the beginning, good faith and an undeniable willingness to reach an agreement. The other party to the negotiations, the Management, had shown equally good faith and the same willingness, and had made also concessions with respect to its initial position.

We thus arrived to a **negotiated agreement**, under the auspices of the President of Council and in a Letter to the personnel the Director-General declared "The package - which also included other points - worked out over the summer together with the Staff Association and the President of Council is and remains for us both fair and honest: we strongly support it."

Council decisions in December 1990

The entire package was sent to the CERN Council in December 1990; which then approved the extra days of holiday and the increase of the personnel contributions to the Pension Fund according to a time-table which we find useful to recall:

effective date	1.1.1990	1.1.1991	1.1.1992	1.1.1993	1.1.1994	1.1.1995
contributions by the personnel*	7.0%	7.5%	8.0%	8.5%	8.75%	9.0%
contributions by the Organization*	17%	18%	19%	20%	20.5%	21%

* in % of the reference salary (see footnote no. 1).

Council also approved a general salary increase of 2% above inflation, as from 1st January 1991, with the understanding that Management would present in June 1991 a modified non-residence allowance (which was done and approved) and a new personnel policy, with a greater recognition of personal merit (which was done and approved); Council did not at that occasion take any decision on the salaries for 1992 and 1993.

The decision of the CERN Council for 1992

In December 1991, the CERN Council did not accept the general increase of salaries which was negotiated for the 1st January 1992, nor the method of adjusting annually salaries in force. Instead it awarded only 0.1% above inflation.

¹ to have the corresponding percentage of the basic salary, you must multiply by a factor C, varying between 1.20 and 1.33 depending on the grades: thus 9% of the reference salary corresponds to 11 to 12% of the basic salary.

The internal appeal of the members of the Staff Council

The 3rd March 1992, 46 members of the Staff Council lodged an internal appeal to the Director General, against the general decision of the Council of **December 1991** and the individual appeals concerning them, constituted by their pay slips of **January 1992**; they asked that the negotiated agreement and the procedures in force be respected. The Director General named two internal appeals Boards.

At the end of June and the beginning of July, these Boards heard the representative of the Administration, who maintained that the Boards were incompetent to handle these appeals and that the appeals were inadmissible for different reasons, and the representatives of the appellants, who maintained the contrary. Finally the Boards declared that they were incompetent, in particular because their members felt themselves judges in their own cases, having a personal interest in the result of the appeals (since a positive decision would apply to the whole salary grid).

The refusal of the internal appeal by the Director General

On the 17th August 1992, the Director General informed the appellants that **he regretted he could not give a favourable reply to their claims**: it should be noted that the reasons given for his decision concern purely the form and do not take account of essential elements presented to the internal appeals Boards during their hearings.

The follow-up of this refusal

The Executive Committee of the Association, after consultation with its legal advisors, will make proposals to the Staff Council, on the **13th October**, of the steps to be taken following this refusal. These include an appeal to the Administrative Tribunal of the International Labour Organization (such an appeal can only be made after having exhausted all the internal procedures, which is now the case). This appeal must be lodged within 90 days of the final decision of the Director General, that is before the middle of November.

The adjustment of salaries negotiated for 1993

In the meantime, on the **18th June**, the Association wrote to the Director General to remind him that the agreement negotiated during the **summer of 1990** includes a general adjustment of salaries of 1.5% on the **1st January 1993**, over and above the cost-of-living index of Geneva², on which the CERN Council has not yet pronounced, and asked him to remind the Finance Committee and CERN Council of this fact. The Director General has replied, on the **13th August**, that he will discuss, possibly, with the Association in November. The Association, not very satisfied with this reply, has raised this matter at the meeting of the Standing Concertation Committee (SCC), the **8th September**: the representatives of the Management have taken note of our request and the discussion will be continued at the next meeting of the SCC, the **7th October**.

We are surprised by these shillyshallyings: after all, we are only asking that the CERN Council takes account of the "package" of measures which was negotiated with the Staff Association, measures which include a **belated and partial closing of the gap, observed between 1984 and 1989**, with the reference organizations, and reminding the Management to support them with force as it committed itself to do..

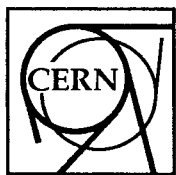
What is at stake: the quality of the social dialogue

But, apart from the figures (which are discussed **during the negotiations and not after**), it is the **quality of the dialogue between social partners which matters**: the governments of the European States declare that they wish to improve the European social policy and implement the **Community Charter of the fundamental social rights of workers**, adopted by the European Council of Strasbourg in 1989. This charter foresees the right, for the employers and the organisations of the workers, to negotiate and conclude collective agreements, hence **we can neither understand nor admit that the same governments refuse to ratify the agreement arising from the negotiations that they themselves arranged here and that they refuse to the personnel of CERN the rights they are proud to promote elsewhere in Europe**.

* * * * *

²the Geneva Consumer Price Index for the reference period of August 1991 and August 1992 increased by 3.5%; taking into account the effect of taxation, it varied between 3.2 and 3.4%, according to grade.

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UNITED NATIONS CONSOLIDATED INTER-AGENCY PROGRAMME OF ACTION AND APPEAL FOR FORMER YUGOSLAVIA

The Association has been approached by colleagues to help the Republics of the ex-Yugoslavia. Since the United Nations has just announced a programme of aid, we have decided to support their action, instead of launching an independent one.

The Association has therefore decided to open the SBS Emergency-Aid account. When this account is closed we will transfer the funds to the Department of Humanitarian Affairs at UNDRO. We thank you for your generosity.

**EMERGENCY-AID ACCOUNT N° 758 114.0
OPEN UNTIL 1st NOVEMBER 1992**

For more information please contact the Secretariat of the Staff Association tel. 4224

PROGRAMME D'ACTION ET DE SECOURS POUR L'EX-YOUGOSLAVIE ORGANISE PAR LES AGENCES DES NATIONS UNIES

L'Association a été contactée par des collègues au CERN qui nous ont demandé d'organiser un programme de secours pour les républiques de l'ex-Yougoslavie. Les agences des Nations Unies viennent de lancer un programme de secours et nous estimons plus judicieux de supporter ce programme plutôt que d'engager une action indépendante.

L'Association a décidé d'ouvrir le Compte d'Aide-Urgence SBS. Après fermeture de ce compte, l'argent sera transféré au Département des Affaires Humanitaires à UNDRO. Nous vous remercions d'avance de votre générosité.

**COMPTE AIDE URGENCE N° 758 114.0
JUSQU'AU 1er NOVEMBRE 1992**

Pour toute information complémentaire, appelez le Secrétariat, tél. 4224.

GROUPEMENT DES ANCIENS DU CERN

La prochaine permanence du Groupement des Anciens du CERN se tiendra le :

MARDI 6 OCTOBRE 1992, de 14h.00 à 17h.00
dans les locaux de l'Association du Personnel
Bâtiment 64 R-002

Les permanences du Groupement des Anciens du CERN sont ouvertes à tous les bénéficiaires de la Caisse de Pensions.

CREDIT SOCIAL DES FONCTIONNAIRES

Prochaine permanence du Crédit Social des Fonctionnaires le **vendredi 2 octobre 1992, de 14h.00 à 16h.00**, dans les locaux de l'Association du Personnel - Bât. 64-R002.

Vous pouvez prendre rendez-vous en téléphonant au 2819.

"ASSOCIATION GRAVITON"

L'ASSEMBLEE GENERALE CONSTITUANTE

aura lieu le :

MARDI 6 OCTOBRE 1992, à 16h.30
Salle du Conseil du CERN

Tous les lecteurs du GRAVITON sont invités à y participer.

CLUBS



VELO

Prochaines sorties

SAMEDI 26 SEPTEMBRE : Départ à 14h00, piscine de Ferney Voltaire pour 60 kilomètres.

SAMEDI 3 OCTOBRE : Départ à 14h00, piscine de Ferney Voltaire pour 55 kilomètres.

ASSOCIATION DU PERSONNEL
40/92-28.09.92



MICRO

Nous rappelons à nouveau que toute demande d'information de quel ordre que ce soit est à adresser par :

1. courrier électronique à :
Cern-Micro-Club_Secretariat@EXPMAIL
2. par courrier normal ou en s'adressant personnellement au local du Club
Bât. 555 de 18h. à 20h.

Mais surtout, évitez de contacter ou visiter les différents responsables dans leur bureau pendant la journée.

Section Macintosh. Il reste quelques places pour les prochains cours WORD 5.0 et FileMaker Pro.

Dernier délai pour les inscriptions au Super Voyage à San Francisco, **le lundi 5 octobre 1992.**

Section NeXT.

Nous venons d'installer le Release 3.0 sur une des machines du Club. Venez lors de la permanence du lundi pour découvrir ensemble tous les avantages de cette nouvelle version.



RUGBY

Résultats

Match du 19 septembre 1992
CERN 20 - Bâle 3

Une erreur s'est glissée dans le résultat du Match du 12 septembre, il fallait lire :
CERN 8 - Hermance 7.

Samedi 26 septembre 1992, pas de Match de Championnat, en raison du 20ème anniversaire de la Fédération Suisse de Rugby.

A Nyon, se déroulera un Match International, équipe Suisse contre Bulgarie.