Session outline

- Freedom of association
- Why are Staff associations important?
- Top tips for staff associations and delegates
Freedom of association

Collective Bargaining

- The **process** by which an employer (or group of employers) negotiate with a group (or groups) of workers, in order to regulate:
  - Remuneration (salaries, allowances, pensions etc)
  - Working conditions (location, hours, health & safety, welfare etc).
  - Rights and obligations of both parties (employer and worker)

History of staff management relations in international organisations

- Treaty of Versailles – establish International Labour Organisation – Staff Committee established – facilitate relations between Director and staff
  - In the background, resistance from Governments to independent trade union presence in international organisations – fear of political (socialist?) interference
- United Nations report 1949 – broad model established – mirrored by post-war international organisations
Freedom of association

International Court of Justice (“ICJ” or “World Court”):

International Organisations “are bound by any obligations incumbent upon them under general rules of international law”

Sources of international law?
• International Conventions
• International custom
• General principles of law
• Judgements applicable to the international organisation e.g., ILO Administrative Tribunal

International Organisations are bound by the customary rules of international law, including the customary aspects of international human rights law

Article 1: Equality
Article 7: Protection from discrimination
Article 8: Access to an effective remedy for violation of basic rights
Article 10: Fair and impartial tribunal
Article 18: Freedom of thought
Article 19: Freedom of expression
Article 20: Freedom of association
Article 23: Right to join a ‘trade union’
Freedom of association

Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
Right of workers to form association – ILO AT Judgement 911

Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
Right to negotiate collectively – ILO AT Judgement 2672

Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
Bans identity-based discrimination – ILO AT Judgement 2704

Statute and Rules of Procedure – International Civil Service Commission – Revision 3 - 2023
Specifies consultation by Commission with Staff Reps

Standards of Conduct for the International Civil Service
Freedom of association & expression, non-discrimination of reps

CERN’s Staff Rules and Regulations
Identifies specifics to the organisation

ILO Administrative Tribunal
Judgements e.g., ILO AT Judgement 4230 – proper and meaningful consultation

Triplex – ILO AT Case Law Database
**Why are Staff Associations important?**

**Typical goals of staff associations/councils**

- To promote a better understanding between management and staff
- To promote and safeguard the rights, privileges, interests and welfare of all staff
- To contribute to the promotion and achievements of the objectives of the organisation;
- To establish and maintain a link/bridge between staff in different work locations;
- Maintains close relationship with similar bodies in other international organisations
- To improve communication and foster a better understanding between staff

To promote awareness of obligations, rights and privileges of staff
Why are Staff Associations important?
Why are Staff Associations important?

- Improve existing rights and conditions
- Defend existing rights and conditions
- Palliate Changes or their impact
Why are Staff Associations important?

National model
IGBCE – Germany

International Model 1
EMBL

International Model 2
IAEA

Union or Staff Association
Organisation with members of Union or SA
People not covered by Union or SA
Top Tips

Organise or die…

Connect to people

Reflect the diversity

New people = new ideas/solutions

Teamwork

Clear strategic direction

Time

Enjoy