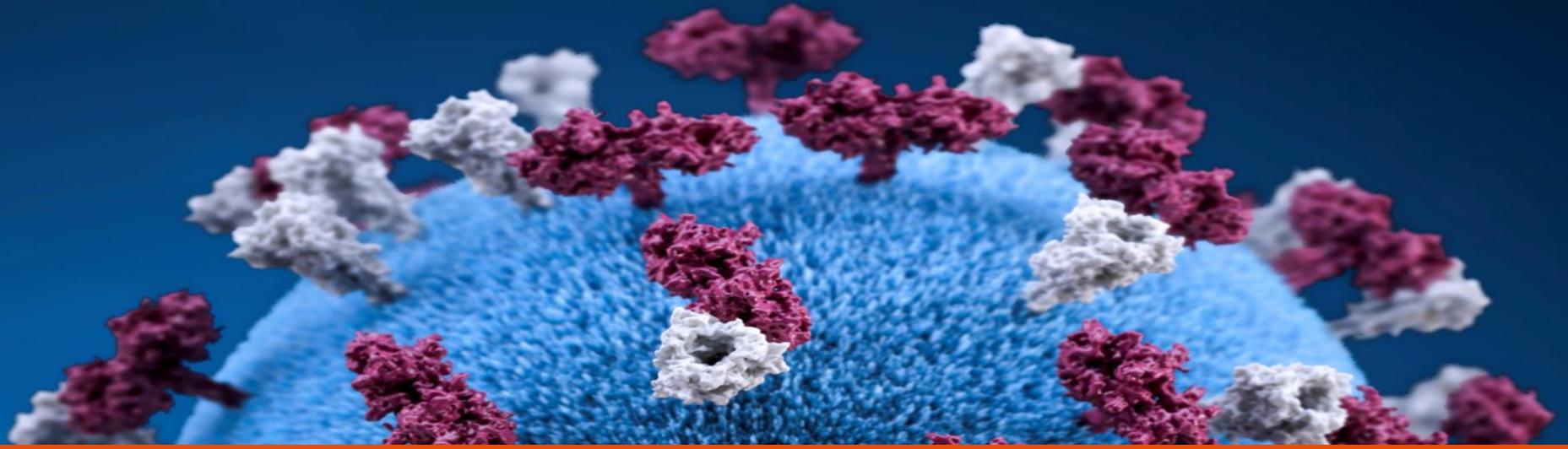


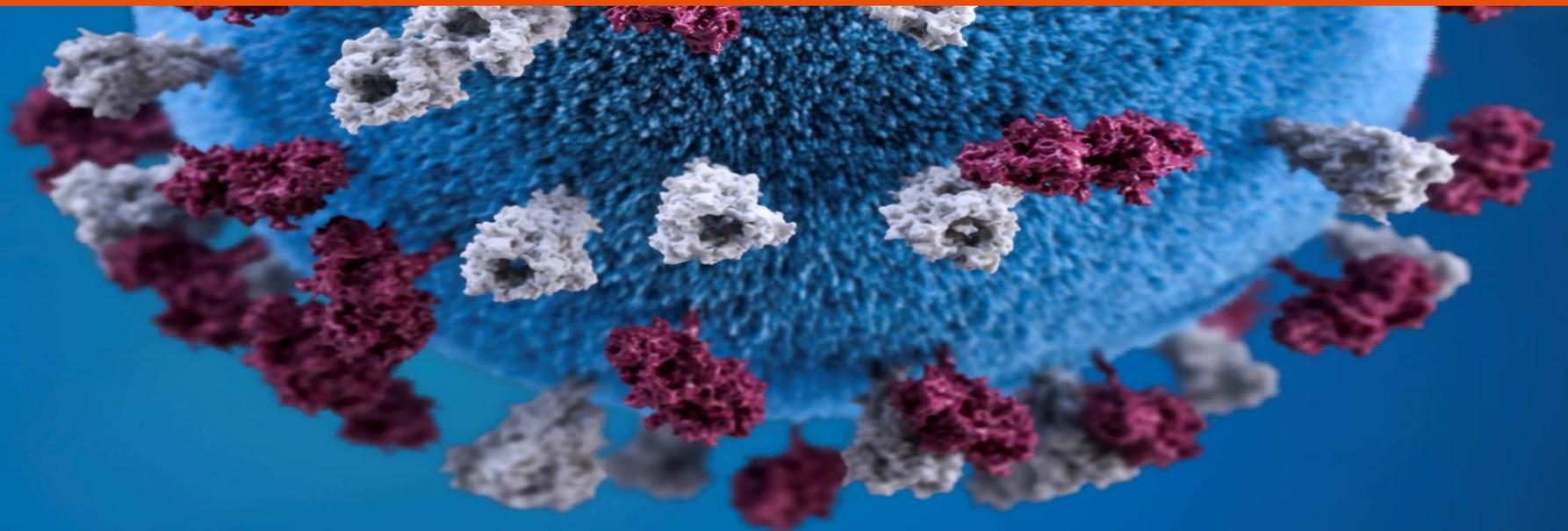
General Staff Meeting November 2020 - *Update*

- COVID-19
- 2021 Five yearly review
- Staff Association working programme

It is all about representing, serving & defending CERN personnel !

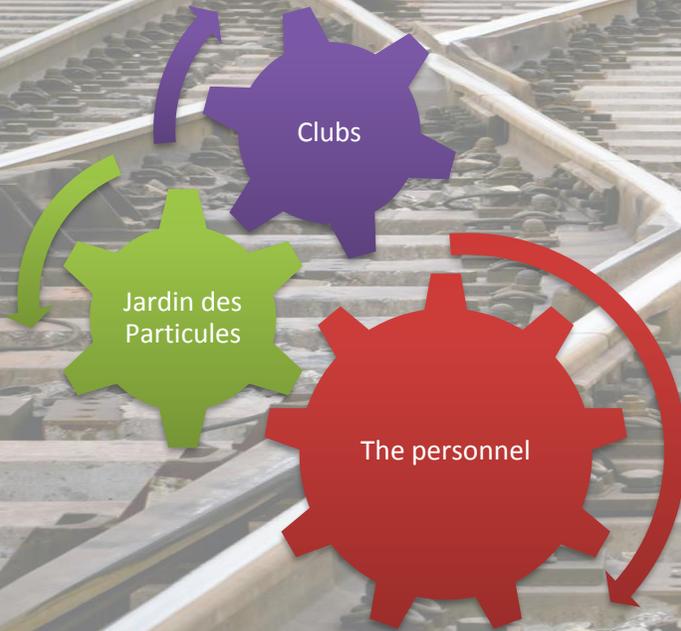


COVID-19 is not Business as Usual !



COVID-19 | Staff Association contribution

Staff association heavy implication regarding



Despite the fact the SA was never invited to ED meetings except the one of 23rd of June

COVID-19 | A turbulent summer

- SA requested an extraordinary SCC since July
- The answers were negative until SA sent an official request by formal letter
- The SCC took place the 2nd of September
- List of 50 questions based on your reactions & questions
- Main themes: Restart of activities in September & Teleworking, Sanitary measures, Swiss cards, Communication with personnel, Reporting on cases @ CERN



CERN Staff Association
Association du personnel du CERN

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Association du personnel du CERN
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Dr Martin Steinhart
Directeur des Finances et des Ressources Humaines
Président du Comité de Concertation permanent
CERN

Meyrin, le 20 août 2020

Sujet : Saisine du Comité de Concertation permanent – Demande de réunion extraordinaire urgente

Monsieur le Président du Comité de Concertation permanent,

Ce matin vous avez refusé la demande de l'Association du personnel de tenir une réunion extraordinaire du CCP, pour, entre autre, discuter des modalités de retour sur site des personnels dès le 1^{er} septembre 2020 et faire en sorte que l'ensemble du personnel soit accompagné grâce à une communication centralisée et régulière qui lui serait directement adressée.

Les inquiétudes et incompréhensions dont nous voulions nous faire l'écho lors d'une telle séance sont telles au sein du personnel que celui-ci s'organise lui-même, par le biais d'une pétition à l'instigation de certains de nos collègues, pour les exprimer et même demander « that the policy of a mandatory return to on-site working during the ongoing COVID pandemic be revoked ».

En conséquence, et en vertu de l'Article R VII 1.03 des Statuts et Règlement du Personnel, l'Association du personnel demande formellement la tenue, avant la fin du mois d'août, d'une réunion extraordinaire entièrement consacrée à l'étude détaillée des modalités de retour sur site des personnels dès le 1^{er} septembre 2020 et de leur communication.

Les temps présents exigent que la concertation soit renforcée en son lieu, le CCP.

L'Association se tient à votre disposition pour que nous élaborions ensemble l'agenda de cette réunion exceptionnelle.

Veuillez recevoir, Monsieur le Président du Comité de Concertation permanent, l'expression de mes salutations respectueuses.

Isabelle Mardrossian
Vice-présidente du CCP

Cc: Fabiola Gianini, Directrice Générale,
Les membres et invités réguliers du CCP
Le Conseil du Personnel

Extrait du texte de la pétition qui circule actuellement

cern.ch/staff-association <https://www.facebook.com/CERNStaffAssociation>
staff-association@cern.ch Tel: (+41) 022 767 36 38



Questions de l'Association du personnel au CCP extraordinaire du 02 septembre 2020.

a. Restart of on-site activities in September

1. Quelles sont les motivations de ce projet ?
2. Comment le CERN veut-il que son site se réveille ?
3. Pourquoi l'approche stratégique ?
4. Pourquoi imposer un minimum ?
5. Quel concept sanitaire est-il en jeu pour décider un retour au site ?
6. Les personnes de plus de 65 ans ?
7. Le principe de la primauté de la santé publique est-elle toujours valable ?
8. Le TW au sein de la CERN ne cède-t-il pas à la pression ?
9. Quel du concept spécial rémunération exceptionnelle ?
10. Tous les MPPs doivent-ils être traités de la même manière ?
11. Pour les MPPs pour lesquels leur présence totale sur site ?
12. Les conditions de sécurité de la MPP ?
13. Le CERN est-il réellement prêt à accepter une telle situation ?
14. Ce risque est-il raisonnable ?
15. Comment seront traités les cas d'urgence ?
16. L'absence et l'absence de continuité de service ?
17. Quelles est l'évaluation du non-retour ?
18. Quand les activités des clubs ?
19. Quels sont les comptes rendus du personnel dès le 1^{er} septembre ?
20. Quel est le statut de la White Paper ?
21. Quelles sont les conséquences des mesures de quarantaine ?
22. Comment seront appliquées les mesures de quarantaine ?

b. Modalities for the continuation of work

23. Est-ce qu'un titulaire ayant un bureau in situ peut travailler ?
24. Si oui sur quelle absence doit-il déclarer ?
25. Certaines catégories de associés MPPs peuvent-ils travailler ?
26. What does mean the "context of the unit" ?
27. La limitation à maximum 50 % du TW est-elle applicable ?

c. Measures concerning people with vulnerabilities

28. Quelles sont les modalités pour justifier l'absence ?
29. Quelles sont les modalités pour justifier l'absence médicale ?

d. Status of the project Contact tracing

30. Les autorités suisses proposent un système de contact tracing ?
31. Quel est l'état d'avancement de la mesure ?
32. Quelles sont les conséquences commerciales de ce système ?

e. Communication of managerial decisions

33. Annonce du refus d'accès au site : sur quels sites les recours possibles (instantanément) ?
34. Accès au site pour les Liaisons : quelle est la procédure ?
35. Pourquoi passer par les GAO et DAD et pas directement ?
36. N'y a-t-il pas obligation d'annoncer les décisions de concertation pour celles qui ne nécessitent pas de justification ?

f. Regular reporting of the number of COVID-19 cases on-site

37. Le management avait annoncé en mars et avril un reporting hebdomadaire du nombre de cas COVID, les deux derniers rapports datent d'un de juillet et l'autre du 07 août. Serait-il possible de mettre à jour cette information selon une fréquence constante ?

g. Situation of the medical service

38. Comment le service médical pourra gérer le suivi des contacts et contaminations avec le niveau des ressources actuelles ?
39. Une présence d'un médecin sur le site les 5 jours de la semaine est-elle matériellement garantie ?
40. La configuration actuelle du service médical permet-elle la représentation du CERN auprès de l'OMS et des autres OIT dans les relations de coopération ?
41. Quel est le rôle du médecin référent titulaire ?

h. Action plan in case of a resumption of the pandemic

42. Est-il prévu dans ce cas un retour des mesures exceptionnelles ?
43. L'accès aux services médicaux suisses pour les Cernés et leur famille résident en France est-il garanti en cas de fermeture des frontières ?
44. L'accès aux écoles suisses pour les enfants de Cernés résidents en France et scolarisés en Suisse serait-il possible en cas de fermeture des frontières ?

i. Actions taken in case of non respect of measures linked to COVID-19

45. Ces actions seraient-elles opposables au personnel ?

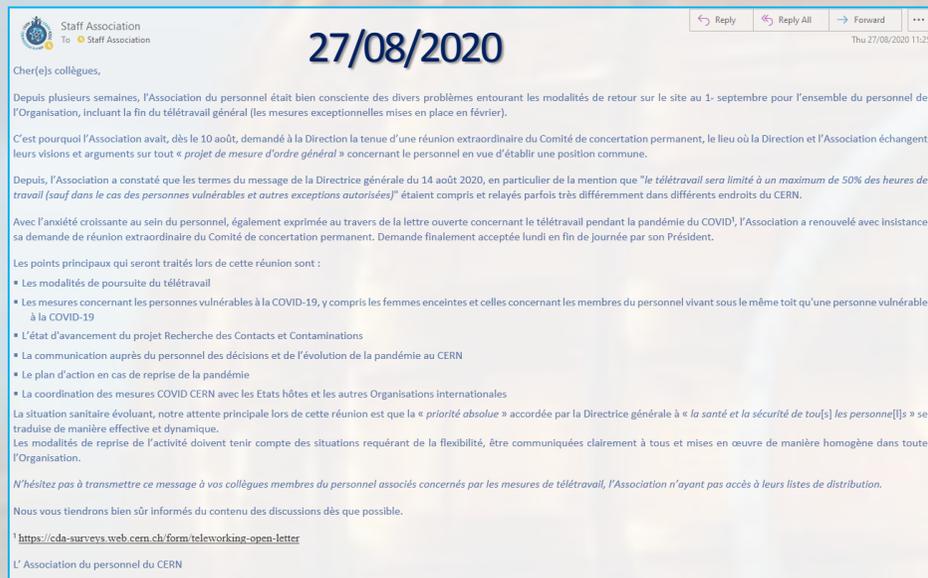
j. Confirmation of measures linked to COVID-19 with Host States and other International Organizations

46. La France recommande-t-elle de privilégier le télétravail ? Comment le CERN intègre-t-il cette recommandation dans son plan de retour sur site ?
47. L'OMS a décidé de reporter la phase 4 de son plan de retour du personnel sur site. Pourquoi le CERN ne l'applique-t-il pas aux autres OIT sur le site de Genève ?
48. La Suisse envisage-t-elle de reprendre à nouveau l'accès de son territoire aux résidents français licenciés des universités étrangères et donc les Cernés ?
49. La question des cartes de légitimation pour les membres de la famille des titulaires résidents en France. Où en est-on ?
50. Quelle coordination dans les mesures et messages avec les autres organisations intergouvernementales basées à Genève ?



COVID-19 | Communication to all Staff

SA requested regularly a centralized and regular communication to all CERN community and did it!



Staff Association
To: Staff Association
27/08/2020
Thu 27/08/2020 11:25

Cher(e)s collègues,

Depuis plusieurs semaines, l'Association du personnel était bien consciente des divers problèmes entourant les modalités de retour sur le site au 1- septembre pour l'ensemble du personnel de l'Organisation, incluant la fin du télétravail général (les mesures exceptionnelles mises en place en février).

C'est pourquoi l'Association avait, dès le 10 août, demandé à la Direction la tenue d'une réunion extraordinaire du Comité de concertation permanent, le lieu où la Direction et l'Association échangent leurs visions et arguments sur tout « projet de mesure d'ordre général » concernant le personnel en vue d'établir une position commune.

Depuis, l'Association a constaté que les termes du message de la Directrice générale du 14 août 2020, en particulier de la mention que "le télétravail sera limité à un maximum de 50% des heures de travail (sauf dans le cas des personnes vulnérables et autres exceptions autorisées)" étaient compris et relayés parfois très différemment dans différents endroits du CERN.

Avec l'anxiété croissante au sein du personnel, également exprimée au travers de la lettre ouverte concernant le télétravail pendant la pandémie du COVID¹, l'Association a renouvelé avec insistance sa demande de réunion extraordinaire du Comité de concertation permanent. Demande finalement acceptée lundi en fin de journée par son Président.

Les points principaux qui seront traités lors de cette réunion sont :

- Les modalités de poursuite du télétravail
- Les mesures concernant les personnes vulnérables à la COVID-19, y compris les femmes enceintes et celles concernant les membres du personnel vivant sous le même toit qu'une personne vulnérable à la COVID-19
- L'état d'avancement du projet Recherche des Contacts et Contaminations
- La communication auprès du personnel des décisions et de l'évolution de la pandémie au CERN
- Le plan d'action en cas de reprise de la pandémie
- La coordination des mesures COVID CERN avec les Etats hôtes et les autres Organisations internationales

La situation sanitaire évoluant, notre attente principale lors de cette réunion est que la « *priorité absolue* » accordée par la Directrice générale à « la santé et la sécurité de tou[s] les personne[s] » se traduise de manière effective et dynamique.

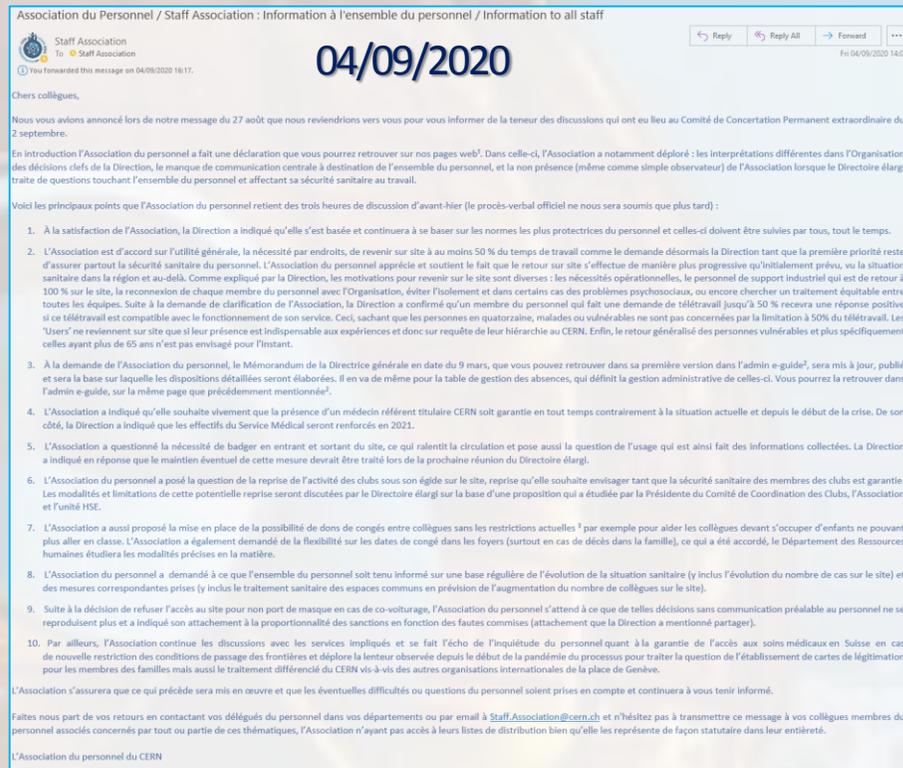
Les modalités de reprise de l'activité doivent tenir compte des situations requérant de la flexibilité, être communiquées clairement à tous et mises en œuvre de manière homogène dans toute l'Organisation.

N'hésitez pas à transmettre ce message à vos collègues membres du personnel associés concernés par les mesures de télétravail, l'Association n'ayant pas accès à leurs listes de distribution.

Nous vous tiendrons bien sûr informés du contenu des discussions dès que possible.

¹ <https://cda-surveys.web.cern.ch/form/teleworking-open-letter>

L' Association du personnel du CERN



Association du Personnel / Staff Association : Information à l'ensemble du personnel / Information to all staff
Staff Association
To: Staff Association
04/09/2020
Fri 04/09/2020 14:05

Nous vous avons annoncé lors de notre message du 27 août que nous reviendrions vers vous pour vous informer de la teneur des discussions qui ont eu lieu au Comité de Concertation Permanent extraordinaire du 2 septembre.

En introduction l'Association du personnel a fait une déclaration que vous pourrez retrouver sur nos pages web¹. Dans celle-ci, l'Association a notamment déploré : les interprétations différentes dans l'Organisation des décisions clés de la Direction, le manque de communication centrale à destination de l'ensemble du personnel, et la non présence (même comme simple observateur) de l'Association lorsque le Directoire élargi traite de questions touchant l'ensemble du personnel et affectant sa sécurité sanitaire au travail.

Voici les principaux points que l'Association du personnel retient des trois heures de discussion d'avant-hier (le procès-verbal officiel ne nous sera soumis que plus tard) :

1. À la satisfaction de l'Association, la Direction a indiqué qu'elle s'est basée et continuera à se baser sur les normes les plus protectrices du personnel et celles-ci doivent être suivies par tous, tout le temps.
2. L'Association est d'accord sur l'utilité générale, la nécessité par endroits, de revenir sur site à au moins 50 % du temps de travail comme le demande désormais la Direction tant que la première priorité reste d'assurer partout la sécurité sanitaire du personnel. L'Association du personnel apprécie et soutient le fait que le retour sur site s'effectue de manière plus progressive qu'initialement prévu, vu la situation sanitaire dans la région et au-delà. Comme expliqué par la Direction, les motivations pour revenir sur le site sont diverses : les nécessités opérationnelles, le personnel de support industriel qui est de retour à 100 % sur le site, la reconexion de chaque membre du personnel avec l'Organisation, éviter l'isolement et dans certains cas des problèmes psychosociaux, ou encore chercher un traitement équitable entre toutes les équipes. Suite à la demande de clarification de l'Association, la Direction a confirmé qu'un membre du personnel qui fait une demande de télétravail jusqu'à 50 % recevra une réponse positive si ce télétravail est compatible avec le fonctionnement de son service. Ceci, sachant que les personnes en quarantaine, malades ou vulnérables ne sont pas concernées par la limitation à 50% du télétravail. Les "Users" ne reviennent sur site que si leur présence est indispensable aux expériences et donc sur requête de leur hiérarchie au CERN. Enfin, le retour généralisé des personnes vulnérables et plus spécifiquement celles ayant plus de 65 ans n'est pas envisagé pour l'instant.
3. À la demande de l'Association du personnel, le Mémorandum de la Directrice générale en date du 9 mars, que vous pouvez retrouver dans sa première version dans l'admin e-guide², sera mis à jour, publié et sera la base sur laquelle les dispositions détaillées seront élaborées. Il en va de même pour la table de gestion des absences, qui définit la gestion administrative de celles-ci. Vous pourrez la retrouver dans l'admin e-guide, sur la même page que précédemment mentionnée³.
4. L'Association a indiqué qu'elle souhaite vivement que la présence d'un médecin référent titulaire CERN soit garantie en tout temps contrairement à la situation actuelle et depuis le début de la crise. De son côté, la Direction a indiqué que les effectifs du Service Médical seront renforcés en 2021.
5. L'Association a questionné la nécessité de badger en entrant et sortant du site, ce qui ralentit la circulation et pose aussi la question de l'usage qui est ainsi fait des informations collectées. La Direction a indiqué en réponse que le maintien éventuel de cette mesure devrait être traité lors de la prochaine réunion du Directoire élargi.
6. L'Association du personnel a posé la question de la reprise de l'activité des clubs sous son égide sur le site, reprise qu'elle souhaite envisager tant que la sécurité sanitaire des membres des clubs est garantie. Les modalités et limitations de cette potentielle reprise seront discutées par le Directoire élargi sur la base d'une proposition qui a été étudiée par la Présidente du Comité de Coordination des Clubs, l'Association et l'unité HSE.
7. L'Association a aussi proposé la mise en place de la possibilité de dons de congés entre collègues sans les restrictions actuelles⁴ par exemple pour aider les collègues devant s'occuper d'enfants ne pouvant plus aller en classe. L'Association a également demandé de la flexibilité sur les dates de congé dans les foyers (surtout en cas de décès dans la famille), ce qui a été accordé, le Département des Ressources humaines étudiera les modalités précises en la matière.
8. L'Association du personnel a demandé à ce que l'ensemble du personnel soit tenu informé sur une base régulière de l'évolution de la situation sanitaire (y incluant l'évolution du nombre de cas sur le site) et des mesures correspondantes prises (y inclus le traitement sanitaire des espaces communs en prévision de l'augmentation du nombre de collègues sur le site).
9. Suite à la décision de refuser l'accès au site pour non port de masque en cas de co-voiturage, l'Association du personnel s'attend à ce que de telles décisions sans communication préalable au personnel ne se reproduisent plus et a indiqué son attachement à la proportionnalité des sanctions en fonction des fautes commises (attachement que la Direction a mentionné partager).
10. Par ailleurs, l'Association continue les discussions avec les services impliqués et se fait l'écho de l'inquiétude du personnel quant à la garantie de l'accès aux soins médicaux en Suisse en cas de nouvelle restriction des conditions de passage des frontières et déplore la lenteur observée depuis le début de la pandémie du processus pour traiter la question de l'établissement de cartes de légitimation pour les membres des familles mais aussi le traitement différencié du CERN vis-à-vis des autres organisations internationales de la place de Genève.

L'Association s'assurera que ce qui précède sera mis en œuvre et que les éventuelles difficultés ou questions du personnel soient prises en compte et continuera à vous tenir informé.

Faites nous part de vos retours en contactant vos délégués du personnel dans vos départements ou par email à Staff.Association@cern.ch et n'hésitez pas à transmettre ce message à vos collègues membres du personnel associés concernés par tout ou partie de ces thématiques, l'Association n'ayant pas accès à leurs listes de distribution bien qu'elle les représente de façon statutaire dans leur intégralité.

L'Association du personnel du CERN

Weekly emails from 'COVID-19 updates' since 15th September



COVID-19 | Staff Association key message : **A common thread - flexibility**



- **As part of the SA Declaration made at SCC on 2nd of September**
« ...The SA defends an flexible approach to teleworking... »
- **In a written message to Director of HRF, president of SCC, on 20th of October**
« ...The SA asks that the limit of 50% maximum teleworking is abandoned, thus giving a maximum flexibility depending only on the needs of the groups.. »

COVID-19 | Quantity of teleworking during and after the pandemic ?

During the Pandemic

'I would feel a much greater sense of loyalty to an organisation who showed more respect for my professionalism with teleworking and who gave higher priority to my health and that of my co-workers over perceived working efficiency during these times!'

At CERN in the future

'I think TW has its place but I would also not be in favour of 100% TW - in normal times'

COVID-19 | Table of absence

Extensive and regularly discussions regarding the Absence Table, still in evolution

<https://cds.cern.ch/record/2712801/files/AbsenceManagement-Table.pdf>

Staff Association requested to extend:

- teleworking during quarantine in case of “Urgent family reasons” including :
 - Close relative with a health condition requiring assistance
 - **Joining Parent / spouse / partner / child at their place of residence**
- **And requested possibility of teleworking 10 days before Xmas from the home station and 10days after the Christmas holidays in the local area**



HR-CB Covid-19 Absence management – MPEs and MPATs entry into force: 2 November 2020

		Situation		Administrative handling	Comments
B.3	Quarantine to be observed upon return from a country / area identified by France or Switzerland as high-risk for COVID-19 infection ¹ (incoming quarantine)	Travel was on behalf of CERN ⁴ or Travel was for urgent family reasons ² or Travel started before the country/ area was classified as high risk ³	Telework is possible	The member of personnel or DAO/GAO enters a teleworking (occasional) absence¹ for a period of 10 days after arrival.	<p>Agreed exceptions to the quarantine are for urgent interventions or the proper functioning of the Organization as determined by the Director-General.</p> <p>Travel for urgent family reasons must be discussed with the supervisor beforehand. HR is the guarantor of a uniform application + may step in if MP does not wish to disclose family situation to hierarchy.</p>
			Telework is not possible	The DAO enters an absence for public health restriction² for a period of 10 days after arrival.	
		Travel started after the country/ area was classified as high risk ³ and Travel was - neither on behalf of CERN ⁴ - nor for urgent family reasons ²	Full time telework is possible	The member of personnel or DAO/GAO enters a teleworking (occasional) absence¹ for a period of 10 days after arrival.	
			Only part-time telework is possible	The member of personnel or DAO/GAO enters a teleworking (occasional) absence¹ for the fraction of time on telework for 10 days after arrival and a standard leave (e.g., annual, SLS, or compensation) for the other fraction of the working time.	
			Telework is not possible	The member of the personnel enters a standard leave (e.g., annual, SLS, or compensation) for a period of 10 days after arrival.	

COVID-19 | Club's activities

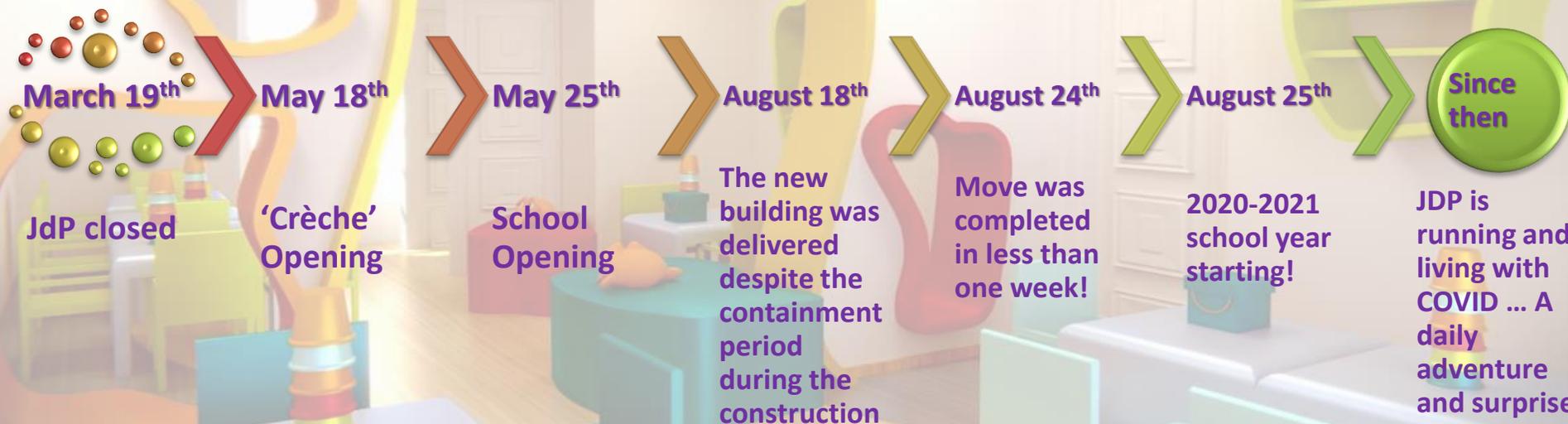
Regular discussions between SA / CCC / Management and the individual requests from the clubs.



CERN Clubs whose activities take place off the CERN site (not including the CERN barracks which are considered as part of the CERN Meyrin site) may continue their activities so long as they commit to and are in compliance with the Host State regulations regarding COVID19.

On-site CERN Club activities (on Meyrin and Preessin sites, including Barracks) are suspended until further notice.

Children are back !



This could have never happened without the commitment of our SMB colleagues and the JdP team. Many thanks to them all !

COVID-19 | Leave donation

- Existing option since last 5YR
- No Administrative circular but a procedure in the Admin e-guide <https://admin-eguide.web.cern.ch/en/procedure/leave-donation>
- The Staff Association has been asking for months the possibility to use this measure with much more flexibility (especially during COVID19)

MPEs in difficult situations can contact HR department and the Staff Association

Applicable à : Boursiers, Titulaires

Généralités

Le don de congés est un mécanisme permettant à des [membres du personnel employés](#) d'offrir sur une base volontaire un ou plusieurs jours de congés annuels à un membre du personnel employé, parent d'un enfant gravement malade ou dont le conjoint/partenaire est gravement malade.

Procédure

1. Bénéficiaire d'un don de congés

La possibilité de bénéficier d'un don de congés annuels s'adresse à un membre du personnel employé assumant la charge d'un enfant ou d'un conjoint/partenaire atteint d'une maladie ou victime d'un accident d'une particulière gravité rendant indispensables une présence soutenue et des soins contraignants.

La gravité de la situation médicale, ainsi que le caractère indispensable de la présence du membre du personnel aux côtés de son enfant ou de son conjoint/partenaire sont attestés par un certificat médical détaillé établi par le médecin qui suit le membre de famille concerné.

Pour bénéficier d'un don de congés, dans la limite de 30 jours maximum par année de congés, le membre du personnel doit avoir épuisé l'ensemble des possibilités de ses congés rémunérés (annuels, compensation, SLS ancien système, STSLS et LTSLS).

Les personnes souhaitant bénéficier d'un don de congés doivent prendre contact avec leur [Conseiller en Ressources Humaines \(HRA\)](#). Chaque situation est ensuite examinée en collaboration avec le service social et le service médical du CERN.

2. Donner un ou plusieurs jours de congés

Lorsqu'un membre du personnel se trouve dans la situation décrite au paragraphe 1, un appel au don de congés est organisé dans son département. Les membres du personnel employés ayant accompli une année de service et souhaitant offrir un ou plusieurs jours de congés le signalent au moyen du formulaire mis à leur disposition dans l'appel au don.

Seuls les congés annuels peuvent être donnés, dans la limite de cinq jours par donneur et par année de congés, sous condition que le donneur dispose d'un avoir suffisant de jours de congés annuels.

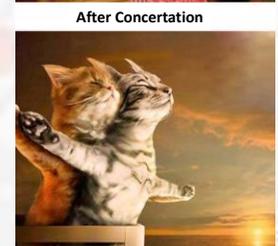
La gestion des congés correspondants est ensuite effectuée par le [service des congés](#).

Thanks to the HSE Unit for their dedication & support

**SA continues to defend the fact that
CERN needs at any time a Staff Doctor on site
more especially in the present circumstances**

COVID-19 | Lessons learnt from the COVID crisis

- **CERN community demonstrates, as usual, their commitment to the Organisation and professionalism**
 - **Thanks to all the involved services in managing such an exceptional situation**
- **Operating on site with a daily evolving COVID situation is very difficult**
 - **Decisions cannot satisfy all**
 - **Flexibility & communication are key**
 - **Concertation needed more than ever**



Update on the 2021 5YR process

2021 5YR | Timeline

2018

Council

- "to commence the next five-yearly review process in 2019, for conclusion by Council decision-making in 2021."

2019

October : TREF

- Summarize outcome of previous five-yearly review

Preparation phase

- Preliminary data gathering for reports
- Preliminary discussions with external stakeholders (OECD, consultants)

2020

March : TREF

- **Factual information & clarification:**
 - Report on recruitment markets for staff members
 - Report on recruitment and retention of staff members
 - Data collection process for salary comparison and related mandates
 - Report on comparator research institutions for fellows
 - Management's proposal identifying the financial and social conditions to be reviewed

May : TREF

- **Discussion:**
 - Report on recruitment markets for staff members
 - Report on recruitment and retention of staff members
 - Data collection process for salary comparison and related mandates
 - Report on comparator research institutions for fellows
 - Management's proposal identifying the financial and social conditions to be reviewed

June :
FC/Council

- **Information & discussion:**
 - Report on recruitment markets for staff members
 - Report on recruitment and retention of staff members
 - Report on comparator research institutions for fellows
- **Decision :**
 - Management's proposal identifying the financial and social conditions to be reviewed :
 - Obligatory conditions (basic salary, stipend, subs. allow.)
 - Optional conditions

October : TREF

- **Factual information and clarification:** oral report on data collection process

We are here!

2021

March :
TREF

- **Written** report on data collection of optional conditions

May : TREF

- **Written** report on data collection of obligatory conditions

October :
TREF

- **Information:**
 - Management proposals

November :
TREF (1 or 2 meetings)

- **Discussion:**
 - Management proposals

December :
FC / Council

- **Decision on final** Management proposals

2022
Implementation

Positive outcome

- CERN is still a **unique** environment
- Majority of us are in line with CERN's mission and we are
'Proud to work at CERN'
- Satisfaction expressed regarding our **health insurance** and **Pension fund**

BUT ...

- Some **concern** about **CERN future (for > 50% of us)**
- **Last 5YR results not well received** and need to **follow up** the 2015 5YR **decisions**
- Request to be attentive regarding **working conditions**
- **High workload** leading to discouragement and poorer quality of the results
- Improve **fellows conditions**
- **Contract Policy** strongly criticized
- **MERIT system** lacks efficiency for merit recognition

2021 5YR | Main steps

March 2020 TREF

SA presentation about its views & analysis regarding staff recruitment and retention:

there is a reduction in CERN attractiveness and retention capacity and it will be worse in the future !

- SA declaration about COVID and this is not business as usual!

May 2020 TREF

•The Management's proposal identifying the financial and social conditions to be reviewed defining the so called 'Menu' with

•- **Salaries of Staffs and Fellows + Stipends for MPA**

•&

•- **Benchmark on diversity measures**

•**Recommendation for the 2021 5YR menu approved by TREF**

•**In addition SA obtains a SCC working group on Career development**

June Council

Menu approved by CERN Council

October 2020 TREF

Choice of salary's comparators for CERN

Employment conditions applicable to staff members in grade 4 to 10 at CERN should allow attracting professionals of the highest competence from all Member States, including those in which salaries are the highest.

The ISRP (International Service for remuneration and pension) has identified the Swiss market as the principal benchmark for the comparisons.

German market will contribute to the robustness and significance of the findings.

Data concerning diversity benchmarking should be available by the end of 2020.



Update on the Outline of the Staff Association's work program for 2020-2021

SA work programme | CSG – CRDS after 5 years of battle: a great SA achievement !

- **SA support started in 2015 for our colleagues and retirees to challenge this taxation**
 - **Applicability of CSG – CRDS to foreign incomes**
 - **CSG – CRDS % increase**
 - **CHIS is not recognized as an EU coordinated social security system**
 - **CERN pension are taxed if retirees have also a French pension**

The Staff Association with some specialized lawyers start challenge – Steps:

- Claim for refund to local tax office (Mainly Ain & Haute Savoie) **Rejected**
 - Appeal to Administrative tribunal (Grenoble, Lyon, Montreuil for foreign resident) **Won & Rejected**
- Court of second instance : Administrative Court of Appeal (mainly Lyon) **Won**
 - In 2019 Ministry of Public Finance went to the “Conseil d’Etat”
- September 2020 the “Conseil d’Etat” **supported the complainant** – CSG – CRDS taxes are illegal on capital incomes

SA work programme | CSG – CRDS after 5 years of battle: a great SA achievement !

- CERN MPEs concerned can ask the reimbursement for years 2017 and 2018 and then 2019
- Staff Association members can ask SA for a template to use their request to the local tax office
- 2017 refundable 15.20%
- 2018 refundable 9.70%

Refunds are possible via :

- Collection via tax advice note
- Direct debits by bank, life insurance or investment products
- Property capital gains

Why is there a repayment gap between 2017 and 2018?

- **CSG - CRDS 17.20%**
 - PFS increased from 2% to 7.50% (Loi de finance 2018)
 - **Conseil d'Etat rejected the « pourvoi incident » on the PFS**
- PFS is also applicable for non residents who have french incomes

NEXT Step : going to the Court of Justice of the European Union with PFS to challenge the “Avis” of the Conseil d'Etat

SA work programme | The 'Jardin des Particules'

- New building delivered in time, small works to be finalised
- Second part of the garden under preparation, discussion about the installation of games to come
- The SA proposal or a Foundation was finalised and shared with the Management, first comments from the Management received, discussion will start
- Huge efforts from the JdP team to contain the costs of the structure in spite of the COVID-19 situation

SA work programme | DFAE cards for family members

- **Request from the SA: In spite of treatment of other OI which personnel and member of families receive DFAE cards and the AC no 15 why is CERN treated differently ?**
- Lessons learnt from first containment & Closed border - Main issues
 - Access to care facilities for family members
 - Families resident in France whose children attend school in Switzerland and which require proof of residence in Switzerland
 - Families residing in France with their children residing in Switzerland
 - Situation of pensioners and their access to care and/or their families ...
- On going discussion with HR Department and the Legal Service



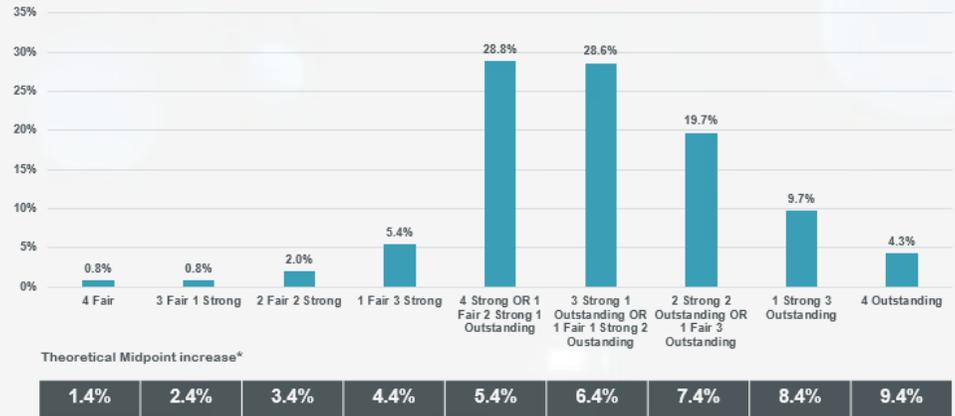
SA work programme | Dispute Resolution

- **Following SA's request an HR working group was settled,**
- **Work on-going**
- **The Working Group is reviewing the Organisation's mechanisms for internal investigations, settlement of disputes and disciplinary procedures**
- **This with a view to identify areas of possible improvement and to submit proposals to the Management. In particular, the Working Group focuses on:**
 - **Various internal investigation procedures, with the aim of harmonising investigation protocol;**
 - **Informal dispute resolution options;**
 - **Formal internal dispute settlement mechanisms;**
 - **Disciplinary procedures;**
 - **Due process and independence of structures throughout the system**
 - **Training for CERN personnel & persons involved in internal justice procedures:**
 - **A combination of an e-learning course and a training session in person primarily for Q&A and clarification of outstanding points**

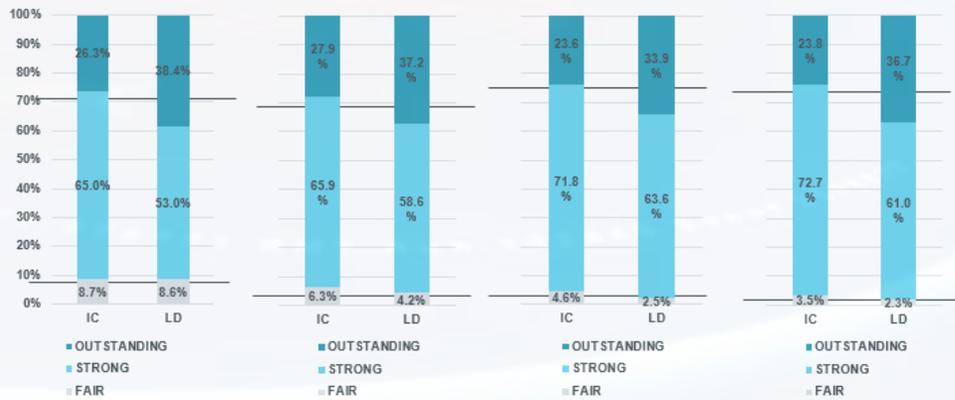
SA work programme ; WG MoMERIT

- Requested by the SA
- Multi-year analysis of MERIT exercises since 2016
- SCC Technical Sub-Group
- Presented its findings and recommendations at SCC October 29th meeting

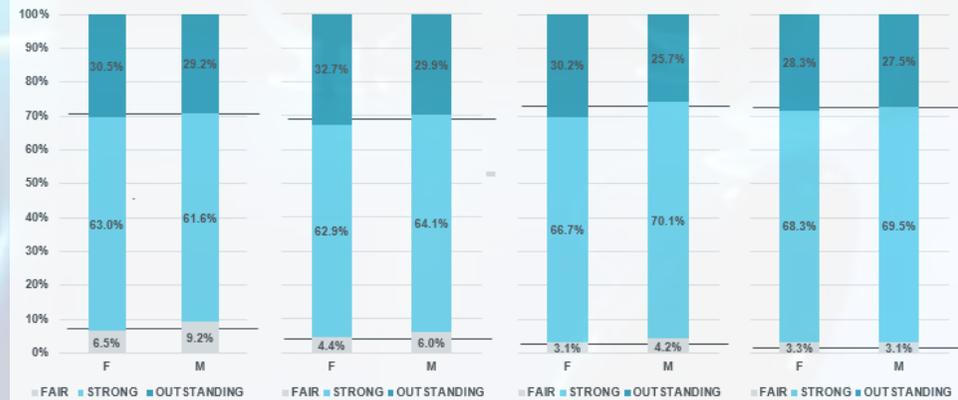
4 Years distribution



Contract Type 2017

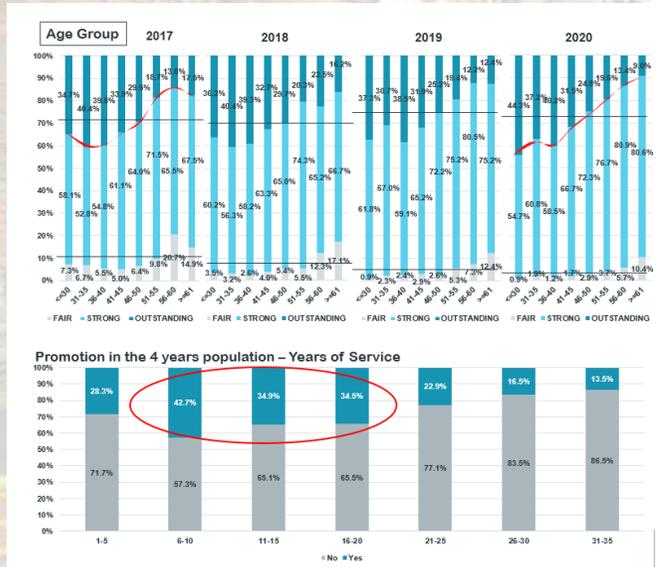
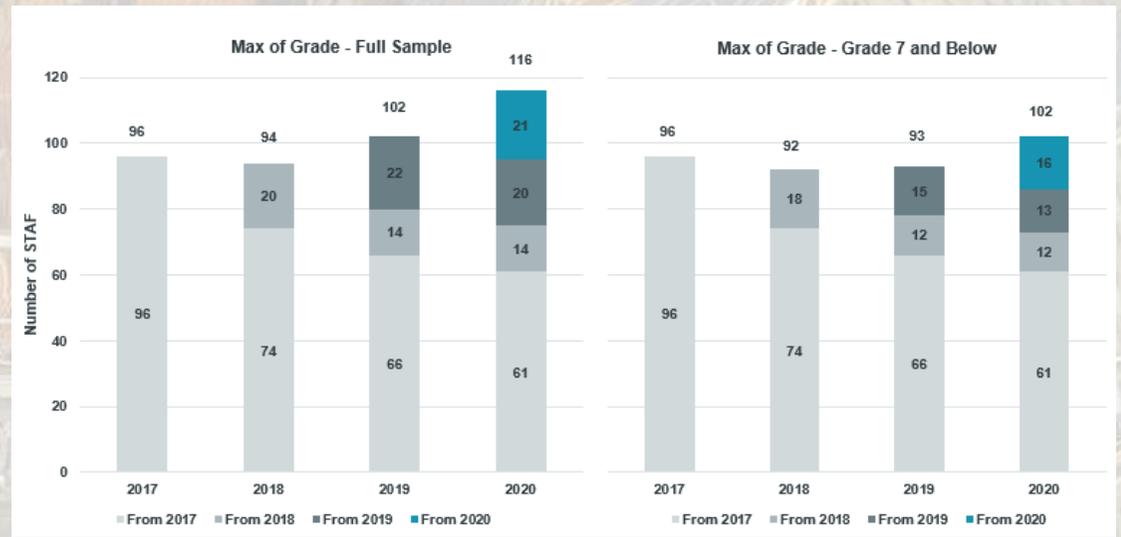


Gender 2017 2018 2019 2020

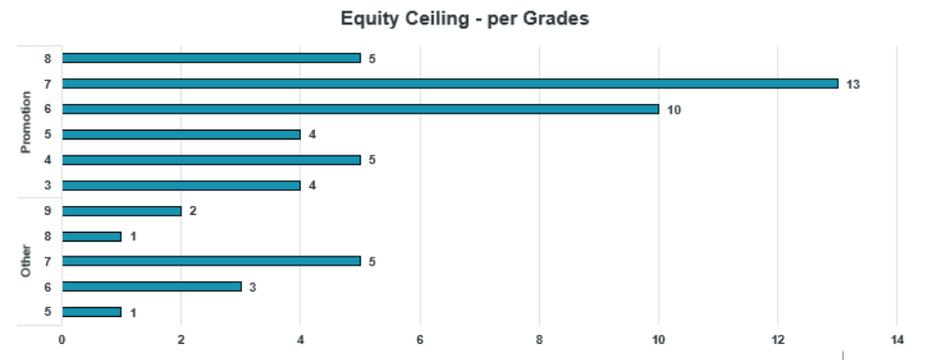


SA work programme | WG MoMERIT

- Very rich outcome and basis for the WG Career development to make some recommendations



Equity Ceiling	Beneficiaries	Percentage of use
2017	9	7.57%
2018	12	10.15%
2019	13	8.5%
2020	19	17.05%



SA work programme | Working group Career development

Following Staff Association request in the Standing Concertation Committee

Sub-group of the Standing Concertation Committee

Answer top priority expectations of CERN Staffs & Fellows expressed in the SA questionnaire launched in 2019

Mandate discussed during the SCC the 29th of October

To be finalized by the end of the year

SA PROPOSAL

SCC working group on Career Development (CDWG)

Mandate

Motivations

During the last five-yearly review, a new career structure was elaborated and put in place with initial aims to modernize the policy, streamline resources and increase motivation.

In the recent surveys a large fraction of the staff expressed dissatisfaction with respect to the pay-performance system which is consistent with the findings of previous staff surveys. Consequently in-depth evaluation of the usefulness of such systems and their cost-benefit ratio in the spe context of CERN should be carried out with a view to reaching a decision on continued reliance such systems.

The current career structure was designed with a broader granularity aiming at 'widening the net jobs with recruitment difficulties, enhancing opportunities for recruiting junior professionals and experienced candidates. As seen in the CERN personnel's statistics, the age of recruitment is increasing, demonstrating that the current career structure did not succeed and that other efforts needed.

The benchmark job matrix is designed with a smaller overlap between grades and a reduced gr span that puts a non-negligible number of staff members in personal positions i.e. they are blocke their grade at an early, earlier than before stage of their career. That poses motivation issues for it staff members, risking on the long term to lead to a critical loss of expertise for the Organization more resignations and mutual contract termination agreements occurred in the last five years peris

It is therefore proposed to review and enhance the career system with new mechanisms in order to improve the personnel's motivation and allow increased expertise retention in the Organizatio

Terms of Reference

The career development working group (CDWG) is entrusted by the SCC to review and enhance the career development scheme with new mechanisms in order to maintain personnel's motivation and expertise in the organization at their highest levels.

The CDWG will firstly take stock of the situation regarding the 3 existing mechanisms setup as outcome of the last five yearly review, i.e. Internal Mobility, Career Conversation and Validation of Acquired Experience. It will propose any change with a view to further enhancing these tools, should the need arises.

The CDWG will secondly perform an in-depth evaluation of the performance recognition system and, in particular, the usefulness of pay-for-performance such systems and their cost-benefit ratio. It will propose any change/deletion of these systems, should the need arises.

The CDWG will then study the promotion guide and propose modifications based on the various feedbacks received from all stakeholders in this matter following the 4 promotion

SA PROPOSAL

exercises carried out under the new scheme.

The CDWG will also analyse the benchmark job matrix to verify its suitability with the recruitment of both junior professionals and less experiences candidates. It will propose any required change in that sense.

The CDWG will eventually explore new ways and additional mechanisms in order to maintain personnel's motivation and expertise in the organization at their highest levels.

The SCC may mandate the working group to examine other aspects of the career development scheme which could require further consideration.

Method of Work

The CDWG shall be required to take into account the findings and observations of the MoMerit WG. In the event of identified bias, it will propose solutions to remedy them.

The working group shall design a range of options against which to benchmark the current situation and highlight the corresponding costs and benefits for all stakeholders.

CDWG documents and discussions will be restricted to the working group until such time as they are discussed at SCC. HR Department will provide the secretariat. Progress report to respectively permanent representatives at SCC of the Staff Association and Management is authorized.

Two Conveners (1 representing the Management, 1 representative the Staff Association) will report to SCC on behalf of the working group, indicating points of consensus as well as differing views.

Membership

The CDWG consists of:

- 2 HR representatives including one from the CB group and one convener
- 3 Staff association representatives out of which one convener
- 1 Representative of the CERN departments

The Legal Service is a permanent invited expert. Experts may be invited to contribute to the discussions on specific issues following a unanimous consent of the members of the WG.



SA work programme | Pension Fund

- New chair of the PF Governing Board
- New members starting from next year: experts, pensioners representative
- **Recommendations from the SCC WG on the surviving spouse pension were approved during October TREF meeting**
- On going work regarding:
 - SCC WG on the guarantee of pensions in the event of the dissolution of the Organization or withdrawal of one or more Member States
- **SA continued willingness to improve the Governance of the PF**

SA work programme | Opt-out system – Abandoned

- In 2019 SA proposed to introduce the opt out system to
 - Encourage members of personnel to become more involved in SA activities as soon as they arrive at CERN
 - Strengthen SA representation
- The employed staff members become members of the Association upon taking office
 - But that they may, in conscience and for a limited time, choose to renounce their membership as if they had never been members
 - Beyond that limited period of time the resignation will be used
- **Implementation of such a measure revisited in 2020**
 - SA visibility for newcomers organised using (virtual) meetings
 - Some incompatibility with OC11 to implement such a measure
- **The general Assembly in June 2020 decided to let the Staff Council decide if the Opt-out should be implemented and how or abandoned**
- **Staff Council decided to abandon the Opt-out system in Summer 2020**

Levying of Staff Association contributions

- More than one year on-going issue of continuing to levy SA contributions via the January payslip each year
- Management does not want to continue
- On going discussions



Marriages concluded after retirement **Arbitration case # 1**



Document approved @ TREF – SA not opposed @ TREF because of some progress on pension issues but declared :

- Breaks the balance of the contributions, thus affecting the very foundations of the CHIS system, based on intergenerational solidarity between its members in the face of risk
 - Ignores essential nature of CHIS as budgeted system
 - Could indicate CERN's desire to reduce its role as a State

Concertation & Arbitration

Over age limit

Arbitration case # 2

The Management proposed to amend the SRR to extend until 2025 the possibility of extending the contract of some of the DGG's direct staff members beyond the age of 65 years

The SA opposed to this proposal as SA is, in principle, opposed to exceptional laws, always prefers proposals that can be of benefit to all staff

Remind that the document TREF CERN/TREF/446-Rev. dated May 2018 stated: *'... the Director-General will initiate a wider reflection on the current age limits ...'*

First ideas were presented by the SA during the SCC meeting on 5 October, a detailed document will follow so that concertation work can begin, as agreed

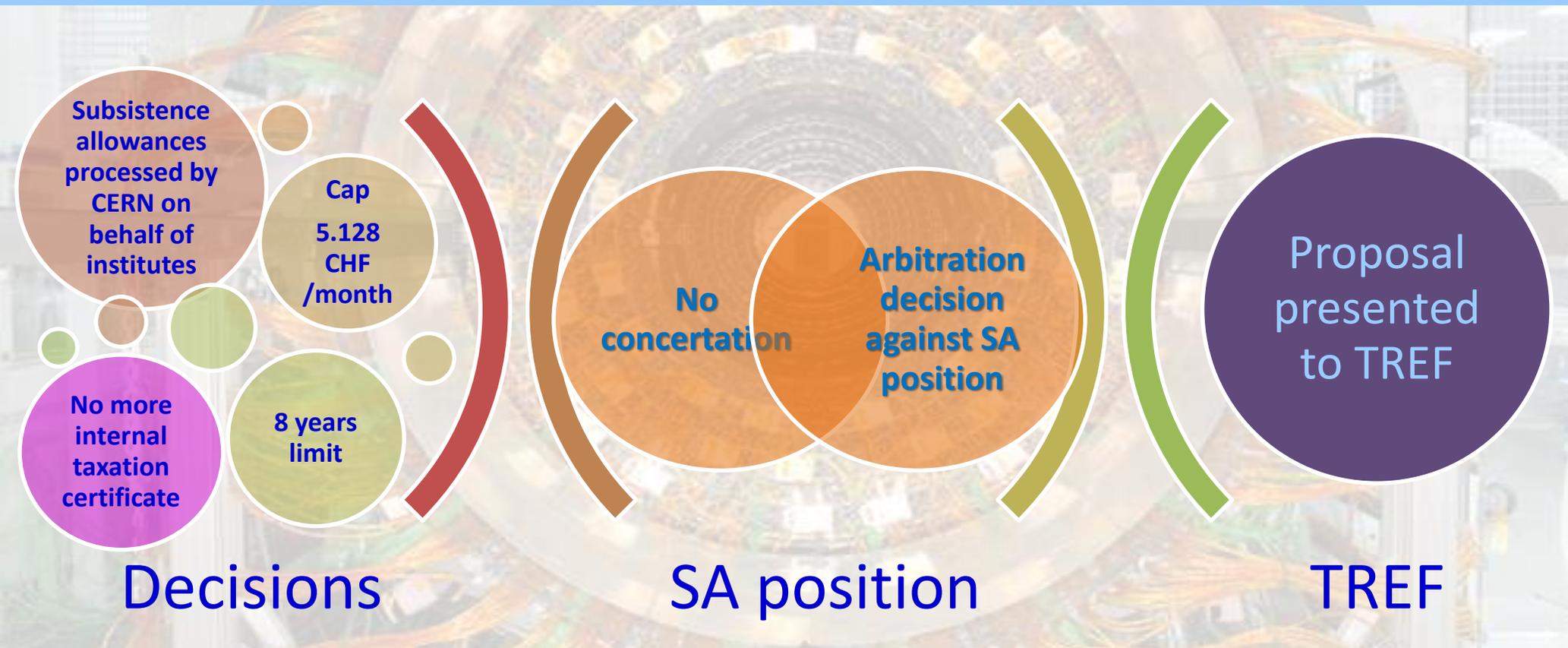
**DG's
arbitration
decision was
to accept SA
position**

Document approved @ TREF – SA supported it

Concertation & Arbitration

Users/COAS subsistence

Arbitration case # 3



Document approved @ TREF – SA opposed to the forceful passing of the text and still willing to find accompanying and/or alternative measures through concertation and
Support our MPAs colleagues

Conclusions

- A lot of work in progress
- Next year will be largely occupied with the work regarding the 5YR in a context of COVID-19
- Management relations are strained
- **Many thanks to the staff council & secretariat for its immense work in so many different fields !**
- **We need you more than ever** to be the most representative and to make the staff's positions heard
- **Join the Staff Association !**





Questions and comments are most welcome !



Spare Slides

COVID-19 | Decision starting from the 2nd of November

Cases where work on site can apply

- Occasional ad-hoc presence
- Integration needs
- Difficult home-working environment
- Supervisory requirements
- MPA/learning needs
- Access to lab & other facilities by TECH/DOCT students
- Other operational needs

COVID-19: new rules on telework and presence at CERN / COVID-19 : nouvelles règles concernant le télétravail et la présence au CERN

Fabiola Gianotti
To: @ cern-personnel (CERN Personnel - Members and Associate Members)

Reply Reply All Forward Thu 20/10/2020 16:17

Dear Colleagues,

As you know, our Host States yesterday announced new measures to confront the escalating number of infections on their respective territories. In France, this includes a return to a state of lockdown until at least 1 December, although it will be less restrictive than in the Spring.

In the light of these developments, CERN is once again adapting its framework for on-site activities and telework. The overarching objective remains to safeguard the health and safety of everybody on the CERN site while enabling continued effective operation of the Laboratory, as far as feasible.

At this stage, we will not be entering a renewed period of safe-mode, as was the case between 20 March and 18 May. Our activities, including LS2 work and upgrades, continue. However, we will extend the use of telework to further reduce the risk of infection on site and to contribute to the broader societal effort to combat the virus.

As of Monday, 2 November, all employed members of the personnel whose activity can be carried out remotely must telework. This measure also applies to certain categories of associated members of the personnel (i.e. associated members of personnel for the purpose of training and project associates). It does not apply to those members of the personnel who cannot telework or whose presence on the site is needed for carrying out the ongoing activities of the Organization. The task of specifying whose presence is needed on site lies with the respective hierarchy, and detailed guidance will be provided to supervisors shortly. Users who are based in the local area should not come on site unless instructed to do so by their Technical Coordinator. On-site access is not allowed for persons aged 65 years and above, unless they are called by their supervisor or Technical Coordinator for high-priority activities.

Those of you residing in France who are required to come on site during the current lockdown period in that country must carry with them a completed copy of the CERN attestation, valid for members of the personnel and available at this [link](#), together with any relevant document requested by French authorities. Please note that the border between France and Switzerland remains open.

The [absence management table](#) has been updated to reflect the above changes. This framework will remain in place until further notice, and probably until at least 1 December 2020. As we have seen, the situation evolves very quickly around us, and we are monitoring it continuously to assess whether any changes will be needed.

The arrangements for the end-of-year period, during which many of us wish to travel away from the local region to be with our families and friends, will also be communicated shortly.

We thank you for your continued commitment and flexibility during this challenging time and for your patience in the face of the many changes it brings.

Best regards,

Doris Forkel-Wirth, Head of the Occupational Health & Safety & Environmental Protection Unit
Fabiola Gianotti, Director-General

TW location

- Default location: local area exception are accepted for family reasons such as
- Death of a close relative or serious illness of a close relative
- Other urgent/important reasons such as a close relative with health condition requiring assistance
- Joining parents/spouse/partner/child at their place of residence
- MPAs who leave the local area will need to complete a self declaration and should be available to rapidly return to site when required



2021 5YR | Objective

- 5YR purpose as per Annex A1 of SR&R is “to ensure that the **financial and social** conditions offered by the Organization allow it to **recruit** and **retain** the staff members required for the execution of its mission **from all its Member States.**”
- As per S II 1.04 of SR&R, “the DG shall strive to **ensure as fair a distribution as possible of nationals of the Member States**” → more demanding than a simple guide
- **DNA of CERN as an Intergovernmental Organization**

S II 1.03 Competence, integrity and fitness	MP	The Director-General shall take steps to ensure that the members of the personnel appointed are of the highest competence and integrity and fit to perform the functions entrusted to them.
S II 1.04 Fair distribution	MPE MPAx-MPA _t	At the time of appointment of members of the personnel and subject to the provisions of Article S II 1.03 and to the relevant conditions relating to Associate Membership, the Director-General shall strive to ensure as fair a distribution as possible of nationals of the Member and Associate Member States and of men and women.

5YR aim - Annex A1 of the SRR

- 62 -

RULES
Annex A 1 - page 1
1 September 2016
Applicable to: TS-FB-MPA

Periodic reviews of the financial and social conditions of members of the personnel (Article S V 1.02)

In accordance with Article S V 1.02, the periodic reviews of the financial and social conditions of members of the personnel consist of a five-yearly general review of financial and social conditions (hereinafter "the five-yearly review") and an annual review of basic salaries, stipends, subsistence allowances and family benefits (hereinafter "the annual review").

In the framework of the five-yearly review, the Council may also decide to review any of the procedures defined hereinafter for application at subsequent reviews.

I. FIVE-YEARLY REVIEWS

A. Staff members and fellows

1. Staff members

a. Purpose

1. The purpose of the five-yearly review is to ensure that the financial and social conditions offered by the Organization allow it to recruit and retain the staff members required for the execution of its mission from all its Member States. In accordance with Article S II 1.03, these staff members must be of the highest competence and integrity.
2. The five-yearly review must include basic salaries and may include any other financial or social conditions.

b. Procedure

i. Starting the procedure

3. The Director-General shall submit to the Council:
 - a) for information and discussion, a document identifying the Organization's main recruitment markets (e.g., industry, national laboratories, intergovernmental organizations, as the case may be) for staff members in grades 1 to 3 and for staff members in grades 4 to 10 respectively;
 - b) for information and discussion, a report analysing the recruitment and retention of staff members;
 - c) for decision, a proposal identifying the financial and social conditions to be reviewed.

ii. Data collection

- 4.1. Data on salaries shall be collected from employers that recruit from the markets identified in the document mentioned in paragraph 3 a) above.
 - a) For grades 1 to 3, these shall be the employers established in the local region of the Organization that offer salaries that are among the most competitive.
 - b) For grades 4 to 10, these shall be the employers established in the Member States that offer the most competitive salaries according to the data collected from the Organisation for Economic Cooperation and Development (OECD) or, where not available from the latter from any other official source.
- 4.2. For all grades, data on the other financial and social conditions to be examined are collected from the intergovernmental organisations that offer financial and social conditions that are among the most competitive, e.g. ESA, the United Nations, the European Union, as the case may be.

iii. Comparison

5. The financial and social conditions of staff members shall be compared with the data collected from the relevant employers identified in paragraphs 4.1 and 4.2.

- In accordance with Article S V 1.02, the periodic reviews of the financial and social conditions of members of the personnel consist of a **five-yearly general review of financial and social conditions** (hereinafter "the five-yearly review") and an **annual review of basic salaries, stipends, subsistence allowances and family benefits** (hereinafter "the annual review").
- In the framework of the five-yearly review, **the Council may also decide to review any of the procedures** defined hereinafter for application at subsequent reviews.

5YR methodology - Annex A1 of the SRR - Staff

Starting the procedure

The Director-General shall submit to the Council:

- **For information and discussion**, a document identifying the **Organization's main recruitment markets**
 - **For information and discussion**, a report **analysing the recruitment and retention** of staff members
 - **For decision**, a **proposal identifying the financial and social conditions to be reviewed**.
- Data on salaries shall be collected from employers that recruit from the markets identified in the document mentioned in paragraph above.
- **For grades 1 to 3**, these shall be the employers established **in the local region of the Organization** that offer salaries that are **among the most competitive**.
 - **For grades 4 to 10**, these shall be the employers established **in the Member States that offer the most competitive salaries** according to the data collected from the Organisation for Economic Cooperation and Development (OECD) or, where not available from the latter from any other official source.
 - **For all grades**, **data on the other financial and social conditions** to be examined are collected **from the intergovernmental organisations that offer financial and social conditions that are among the most competitive**, e.g. ESA, the United Nations, the European Union, as the case may be.

5YR methodology - Annex A1 of the SRR - Fellows

The purpose of the five-yearly review is to ensure that **the financial and social conditions offered to fellows remain attractive compared to those in comparable research institutions.**

The five-yearly review **must include stipends and may include any other financial or social conditions.**

Starting the procedure

- The Director-General shall submit to the Council:
 - **for information and discussion**, a document identifying **the research institutions** from which data will be collected
 - **for decision**, a **proposal** identifying the financial and social conditions to be reviewed.
- Data collection and comparison
 - The financial and social conditions of fellows shall be compared with the data collected from the research institutions identified in the document mentioned above.
- Proposals and decision
 - **The results of the comparison shall constitute a guide for the Director-General** to use in making his proposals, and for **the Council in taking its decision** relating to any adjustment of the financial and social conditions of fellows.

5YR methodology - Annex A1 of the SRR – Associate members of personnel

The purpose of the five-yearly review is to ensure that the financial and social conditions offered by the Organization to associated members of the personnel **allow it to host them in its research facilities, taking into account the highest cost-of-living level in the local region of the Organization.**

The five-yearly review **must include subsistence allowances and may include any other financial or social conditions.**

Starting the procedure

- The Director-General shall submit **to the Council for decision a proposal** identifying the financial and social conditions to be reviewed.

Proposals and decision

- Taking into account the purpose set above, **the Director-General shall propose and the Council shall decide upon any adjustment** of the financial and social conditions of associated members of the personnel.

SA presentation during March TREF meeting | Departures

