

## INEQUALITY OF CONTRACT LENGTH AND CONDITIONS OF SERVICE

### 1. DESCRIPTION

This paper covers three major concerns in the practice of issuing and extending contracts in the Secretariat.

- (1) A/RES/65/247 VI 58 *urges* the Secretary to consider granting five year contracts to colleagues who fall outside the post-envelope for being granted a continuous appointment. This measure is not implemented in a consistent manner.
- (2) Staff Rule 4.13 empowers the Administration to issue fixed term contracts for a duration up to five years. In practice staff members are extended for shorter periods, even using the concept of *chain contracts*, for an extended period of time.
- (3) 63/298 suggests the harmonization of Annual Leave days for staff on temporary contracts, to 2.5 days. We believe the discrepancy between 2.5 days for staff on fixed-term contracts and 1.5 days for staff on temporary contracts, to be a form of discrimination.

### 2. LEGAL REFERENCE

**A/RES/65/247 VI 53** on criteria for consideration of continuing appointments

**A/RES/65/247 VI 58**

58. Urges the Secretary-General to consider granting five-year fixed-term contracts to staff members who are ranked according to the process outlined in paragraph 54 of the present resolution but who are not awarded continuing contracts;

**Staff Rule 4.13**

(a) A fixed-term appointment may be granted for a period of one year or more, up to five years at a time, to persons recruited for service of a prescribed duration, including persons temporarily seconded by national Governments or institutions for service with the United Nations, having an expiration date specified in the letter of appointment.

(b) A fixed-term appointment may be renewed for any period up to five years at a time.

## ST/AI/2013/1

### Section 2 Use and duration of fixed-term appointments

2.1 A fixed-term appointment may be granted to enable the employment of staff for defined periods of time, subject to the needs of the Organization, such as:

- (a) To work on activities with a finite mandate of one year or more;
- (b) To perform functions of medium-term duration, which could continue for a number of years;
- (c) To perform functions that are part of the Organization's regular and continuing activities.

4.3 A fixed-term appointment may be renewed for any period of up to five years at a time, provided that on the date of renewal the staff member:

- (a) Has served a minimum of five years of continuous service under fixed-term appointments governed by the Staff Regulations and Rules of the United Nations;

[..]

**A/63/298 Annex I** pt. *Annual Leave* which has been approved through **A/RES/63/250 II 2**, referencing to **A/RES/62/248**. Neither 62/248 nor 63/250 suggest a different provision of leave entitlements for temporary contracts, than proposed by the Secretary-General in A/63/298 Annex I.

### 3. WE THEREFORE REQUEST,

- OHR to provide a breakdown of the contract length of staff members serving on fixed term appointments by office and department, grade, gender and years of service;
- OHR to provide an overview of continuing appointments granted by office and department including the minimum, maximum and average years of continued service before the continuing appointment has been awarded;
- To extend all upcoming renewals of fixed term appointments for at least two years for all staff and for 5 years for those eligible for consideration of a continuous appointment, subject to the conditions under ST/AI/2013/1 Section 2 Article 1 and A/RES/65/247 VI 58, respectively.
- To accelerate the review process for granting continuous appointments;
- To work on an amendment of the Staff Rules and Regulations to harmonize leave entitlements in line with A/63/298 and A/RES/63/250 between fixed-term contracts and temporary contracts.