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Purpose of paper:

- ☒ Input  
☐ Information

Agenda item

9.3

Author(s) / Submitter(s)

Secretariat

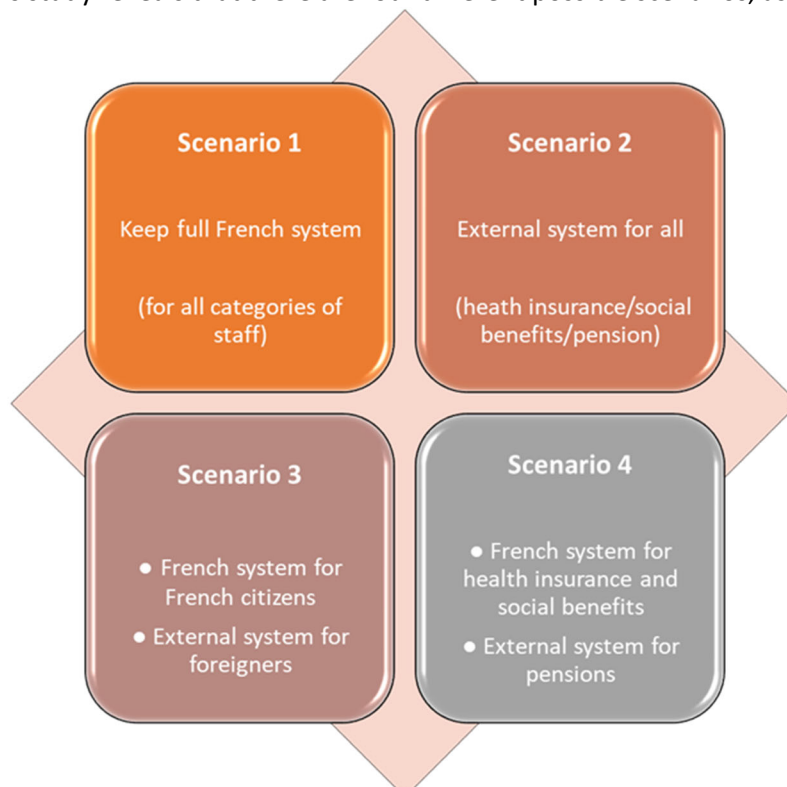
## Change of Status

### 9.3 informative note on future staff rules

A whole new set of staff rules needs to be drafted in the next few months. But it seemed important to first define which options are offered to the future staff of IALA in terms of Health Insurance, social benefits and pension schemes.

In this purpose, the French law Firm Carlara Avocats undertook in 2021 a detailed comparative study of the different systems of International Organizations such as IHO (*Intl. Hydrographic Organization*), OECD (*Organization for economic co-operation and development*) or IOLM (*International Organization of Legal Metrology*). These organizations were chosen because they are independent (not dependant of the United Nations) and are similar with IALA in terms of size and object.

The conclusion of this study reveals that there are four different possible scenarios, as shown here below:



In other words, the new IALA has the possibility either to stay under the existing French system or opt for a complete external/private system or choose a hybrid system.

Taking all the information into consideration, it appears that scenario one which consists of remaining under the existing French social security system (for medical, social and retirement benefits) would be the most appropriate and flexible option at present time, for the following reasons:

- The small size of the Secretariat today would not allow easy affiliation to an international body.
- The French medical system is recognized as efficient and IALA has just subscribed to a new mutual insurance company offering better complementary reimbursements.
- Staff are used to the French system.
- The budget is easy to define because the social contributions will remain the same.
- This will avoid administrative formalities and lengthy negotiations with potential external bodies.
- It will let the future members/Council of the new IGO decide whether a change of system is beneficial or not for the Organization. Opting for an external system will always remain possible in the future.
- Finally, this option would be consistent with Art. 13 of the draft HQ agreement:

*“All of the Organization’s staff shall be affiliated to French social security for all risks and shall be subject to unemployment contributions in France. If, for all or some of the risks, the Organization wishes to create its own social security system or join a system implemented by another Organization, a specific agreement must be drawn up in advance with the competent French social security authorities.”*

Regarding the disadvantages, it will be necessary to include in the budget and in the new staff rules additional provisions for international allowances not covered by the French system but currently applicable to International civil servants (per diem, repatriation grant, home leave etc...). New salary scales will also be established for the different categories of personnel.

To assist the Secretariat in this purpose, the French law firm will provide advice for the following tasks:

- Drafting the new staff rules.
- Finalizing the legal and contractual due diligence of all the contracts.
- Drafting new employment contracts based on the new staff rules.
- Drafting amendments to transferrable contracts and agreements for non-transferrable contracts.

## THE LAP IS INVITED TO

Note the information provided in this document and give any comments or advice.