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**CONSTITUTION**

**OF THE**

**UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP);**

**UNITED NATIONS POPULATION FUND (UNFPA);**

**UNITED NATIONS OFFICE FOR PROJECT SERVICES (UNOPS)**

**AND THE UNITED NATIONS ENTITY FOR GENDER EQUALITY**

**AND THE EMPOWERMENT OF WOMEN (UN Women)**

**PERSONNEL ASSOCIATION**

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## **Preamble**

In the spirit of the Charter of the United Nations and the Universal Declaration of Human Rights, UN Staff Regulations and Rules, this constitution lays the foundation for an association that is representative of the collective and individual rights and diversity of all persons who serve the United Nations, where all personnel's rights, well-being, interests, welfare, conditions of employment and morale will be safeguarded, respected, promoted and defended;

and

The Personnel Association aspires to inculcate the values of good governance, fairness, accountability, transparency, impartiality, and striving towards equitable representation, effective participation, thereby encouraging and building a culture of building consensus and collaborative decision-making;

and

Promoting inclusivity and reflecting diversity in all matters and decisions, amongst all levels of personnel with respect to race, age, disability, geographical representation, sexual orientation, and gender identity, amongst others.

## **Chapter I**

### **TITLE AND OBJECTIVES**

#### **Article 1**

All personnel of the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA), and the United Nations Office for Project Services (UNOPS), and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) conscious of the need to work together to achieve their common ends, hereby re-constitute themselves as an Association which shall be known as the United Nations Development Programme, United Nations Population Fund and United Nations Office for Project Services and United Nations Entity for Gender Equality and the Empowerment of Women Personnel Association, hereinafter referred to as the UNDP/UNFPA/UNOPS/UN Women Personnel Association.

This Constitution serves as the supreme governing instrument of the Personnel Association and all rules, regulations, or conduct inconsistent with it, is invalid and the obligations imposed by it must be fulfilled.

## **Article 2**

The purposes of the UNDP/UNFPA/UNOPS/UN Women Personnel Association shall be to:

- (a) Promote, protect, and safeguard the rights, interests, welfare and well-being of UNDP/UNFPA/UNOPS/UN Women personnel, irrespective of contractual status;
- (b) Defend personnel, seeking resolutions arising out of disputes, work to improve the terms and conditions of employment, and maintain morale of personnel;
- (c) Develop and improve effective personnel participation in the decision-making process by maintaining active and open channels of communication with the Administration;
- (d) Promote better understanding between Management and the Personnel of UNDP, UNFPA, UNOPS and UN Women;
- (e) Promote cooperation and unity among Personnel Associations and Unions in the United Nations and UN Specialized Agencies within one Common System on matters governing conditions of service;

## **Article 3**

These objectives shall be pursued through:

- (a) Dialogue and negotiations with the Administrator of UNDP, the Executive Directors of UNFPA, UNOPS and UN Women and their representatives on matters affecting conditions of service and personnel welfare and well-being, especially in formulating and implementing policies/guidelines, rules and regulations affecting UNDP/UNFPA/UNOPS/UN Women personnel, while

ensuring conformity with the principles established under the UN Charter and in the UN Staff Regulations and Rules, respective agencies' policies and other provisions applicable to UNDP/UNFPA/UNOPS/UN Women personnel; and

- (b) Close cooperation and collaboration with the Staff/Personnel Associations, Unions and Federations of the United Nations and UN Specialized Agencies as part of a Common System, both in Country Offices and at Headquarters to address common system issues, maximizing the coordination of activities of mutual interest and benefits

## Chapter II

### **MEMBERSHIP**

#### **Article 4**

1. For the purpose of this Constitution, any personnel holding any type of contract in the service of UNDP, UNFPA, UNOPS, or UN Women under a Temporary (TA), Fixed term (FTA), Continuing Appointment (CA), Permanent Appointment (PA), Individual Contracts (IC), International Personnel Service Agreement (IPSA), National Personnel Service Agreement (NPSA) and any other agency specific personnel contract as applicable automatically become members of the Personnel Association.
2. Holders of Temporary (TA), Fixed term (FTA), Continuing Appointment (CA), Permanent Appointment (PA) are eligible to assume personnel representative functions as long as they are paying membership dues, for at least six months prior to the election. In exceptional cases where there are not enough temporary, fixed-term, continuing appointment or permanent appointment contract holders to fill Personnel Council positions, holders of other personnel contract types may serve on the Personnel Council and Country Office Personnel Committees. Only holders of temporary, fixed-term, continuing appointment or permanent appointment contracts may serve on the Personnel Council and Personnel Committees in positions of Chair, First Vice-Chair, Second Vice-Chair, General Secretary and Treasurer.

3. All members of the Personnel Association, irrespective of the nature of their contracts, shall be entitled to vote.
4. Irrespective of the nature of the contract, all personnel must be treated with respect, dignity and shall be entitled to protection, support and defence by the Personnel Association, especially in the instances where their rights, well-being, welfare, interests and working conditions are adversely affected, and shall have the right to be represented by the Personnel Association.
5. All members of the Personnel Association are encouraged to pay a monthly determined flat fee through a monthly deduction according to grade level as detailed in Chapter VII, Article 32.
6. Members shall participate in the Association's affairs to express views freely on all matters concerning the Association. Members shall be represented and assisted by the Association in cases of conflict, disputes or negotiation with Senior Management of UNDP, UNFPA, UNOPS and UN Women.
7. Any member may revoke his/her standing instruction on paying dues, by duly notifying the Association in writing. Such notice shall take effect the following month after receipt of notice.
8. All members shall abide by the rules of the Association and shall have a responsibility for promoting the objectives of the Association and of observing its Constitution.

### Chapter III

## **GOVERNANCE**

### **Article 5**

1. The UNDP/UNFPA/UNOPS/UN Women Personnel Association shall be governed as follows:
  - (a) Personnel Council at Headquarters;
  - (b) Country Office Personnel Committees;

- (c) UNDP/UNFPA/UNOPS/UN Women Global Forum of Personnel Representatives;
  - (d) Legal Committee;
  - (e) Audit Committee;
  - (f) Electoral Committee; and
  - (g) Annual General meetings, Extraordinary General Meetings and Referenda of the membership at Headquarters and in Country Offices.
2. The governance structures are in place to ensure accountability, transparency and fairness in all activities supplemented by a Code of Conduct. Collaborative decision making is encouraged in all matters as is practicable.

## **Article 6**

### Personnel Council at Headquarters

#### 1. Organization

- a. The UNDP/UNFPA/UNOPS/UN Women Personnel Council will be comprised of the eleven (11) elected personnel representatives of the four agencies, as duly elected by the membership by secret ballot for a term of two (2) years, and shall serve as the principal organ of the Personnel Association and shall be accountable to it.
- b. In this capacity, the Personnel Council shall act as the channel of communication with the management of the four organizations, and with the UN System Staff and Personnel Associations, Unions, and Federations. The Council shall represent personnel on all matters concerning conditions of service, personnel welfare, and human resource policies.



- c. The Personnel Council shall elect by secret ballot the following officers at its first meeting to be held within one week after the announcement of the result of the elections at Headquarters and in Country Offices:
  - i. Chairperson
  - ii. First Vice-Chairperson
  - iii. Second Vice-Chairperson
  - iv. General-Secretary
  - v. Treasurer.
  
- d. The Chairperson of the Personnel Council at Headquarters shall be the President of the Association. The Chairperson shall serve as the Chief Executive Officer of the Personnel Council and, subject to agreement of the Personnel Council, shall also serve as the main spokesperson of the Personnel Council and the UNDP/UNFPA/UNOPS/UN Women Personnel Association.
  
- e. In the absence of the Chairperson, his/her place shall be taken by the First Vice-Chairperson, and in the latter's absence by the Second Vice-Chairperson, then the General Secretary, then the Treasurer.
  
- f. The Personnel Council will allocate roles and responsibilities to the First Vice-Chairperson, Second Vice-Chairperson and other members of the Personnel Council.
  
- g. The General Secretary shall assist the Chairperson in the organization of meetings and documentation, maintenance of records, and correspondence for Personnel Association. He/she shall have the responsibility for agendas and minutes of meetings of the Personnel Council.
  
- h. The Treasurer shall be the Chief Financial Officer of the UNDP/UNFPA/UNOPS/UN Women Personnel Association.

## 2. Programme of Work

- a. After its election, the Personnel Council shall review the report of its predecessor Council and establish its proposed programme of work and estimates of expenditure. The estimates of expenditure shall be circulated to all personnel prior to convening the Annual General Meeting at Headquarters.
- b. Once approved by the Annual General Meeting, both the programme of work, which shall be reviewed from time to time by the Personnel Council, and the estimates of expenditure on approval to be termed the budget, shall constitute a mandate for the Personnel Council.
- c. Issues not included in the Programme of Work, as originally adopted, may be brought to the attention of the Personnel Council through any member of the Personnel Council. The Personnel Council position on such issues shall be established collectively by the Personnel Council.
- d. Decisions taken by the Personnel Council shall be binding on all its members. Matters will be put to a vote by Personnel Council members present at a quorate meeting. The majority decision will be binding. The Chairperson will have a casting vote in the event of a deadlock.
- e. Decisions taken by the preceding Personnel Council, shall be binding on the present Personnel Council. Request for a reversal shall be put on the agenda of a Personnel Council meeting at the written request of five (5) Personnel Council members. A reversal shall be passed by a majority of seven (7) members of the full Personnel Council.
- f. The Personnel Council may set up such sub-committees or working groups as are regarded necessary to deal with matters included in the Programme of Work. It may also assign relevant roles to individual Personnel Council members.

### 3. Consultations and Negotiations

- a. The Personnel Association shall be represented in any joint UNDP, UNFPA, UNOPS or UN Women Administration/Personnel consultative machinery (such as UNDP Staff and Management consultative group (SMCG) and equivalent fora in UNFPA, UNOPS and UN Women).
- b. In other consultations with the UNDP Administrator, UNFPA, UNOPS, or UN Women Executive Directors and their representatives, the Personnel Council shall normally be represented by at least two members. Additional members of the Personnel Council may attend depending on the issues to be discussed.
- c. The Personnel Council shall consult the UNDP, UNFPA, UNOPS and UN Women personnel at large through general meetings, unit meetings, referenda, questionnaires, and circulars, as necessary, on issues of concern to the personnel.

#### 4. Rules of Procedure

- a) The first meeting of the Association following its election shall be convened by the Polling Officers within one week of the announcement of the results. The Chairperson of the Polling Officers shall preside over the meeting until the incoming members of the Personnel Council are elected.
- b) The Chairperson of the Personnel Council in his or her role of the President of the Association shall preside over meetings of the Personnel Association and the general meeting at Headquarters.
- c) Regular meetings of the full Personnel Council shall be held, normally, once a week. The meetings shall normally be open to all personnel unless otherwise decided by the Personnel Council.
- d) Six (6) members shall constitute a quorum for a meeting. No decision shall be taken by the Personnel Council without a quorum. In the absence of a quorum, informal meetings may be held by the members present for discussion of business.

Recommendations made during informal meetings may be retrospectively ratified when the next quorate meeting takes place.

- e) Decisions of the Personnel Association shall be implemented by the Personnel Council.
- f) The Personnel Council may invite any UNDP, UNFPA, UNOPS or UN Women member to participate in its meetings on any matter without the right to vote.
- g) The Personnel Council may appoint any member of UNDP, UNFPA, UNOPS or UN Women to represent the Personnel Council in special meetings.
- h) Any of these rules may be amended or suspended by majority of the members of the Personnel Association

## **Article 7**

### **UNDP/UNFPA/UNOPS/UN Women Global Forum of Personnel Representatives**

1. The Global Forum is established to serve as a participatory mechanism for interaction amongst the personnel representatives across the country offices and headquarters. It will be comprised of all personnel representatives and alternates both at headquarters and country offices.
2. The Global Forum shall:
  - (a) Endeavour to address matters as identified by personnel representatives and discuss systemic challenges, provide strategies, and recommendations to address such challenges;
  - (b) Provide guidance, support, training, orientation, onboarding and education to personnel representatives and incoming tiers of leadership;

- (c) Assume responsibilities as determined by the Annual General Meeting and is accountable to the Personnel Council at Headquarters, for all its activities;
- (d) Be quorate if one half plus one member is present, and recommendations by the Council shall be carried forward by a simple majority;
- (e) Shall meet, virtually or otherwise, at least once per year and elect the Chairperson, Deputy Chairperson, and Rapporteur from amongst its members

## **Article 8**

### Legal Committee

1. The Legal Committee is established to increase accountability of the Personnel Association. The Legal Committee will review violations of the Constitution and shall provide a ruling on all matters relating to interpretation and implementation of the constitution.
2. Rulings of the Legal Committee will be binding on all bodies of the Personnel Association.
3. The Legal Committee will develop rules of procedure for the Legal Committee and its functioning, and further develop the Code of Conduct for the Personnel Association. The Code of Conduct for the Personnel Association will include grounds for recall, sanctions, and any other matter that will ensure justice, fairness and accountability; and shall as far as possible encourage amicable resolution of disputes amongst the members and its respective structures.
4. The Legal Committee shall be comprised of two (2) members from Headquarters and five (5), members from Country Offices, representing all regions.
5. Nominations of members for the Legal Committee should take place one month before the General Election, following the general rules as outlined in Chapter V. Once elected by the Personnel Council and the Country Office Personnel Committees, members shall serve two years.

6. Members eligible for nomination must have legal skills and shall not have served or be serving as a Personnel Association Representative.
7. The Legal Committee members shall elect among themselves a Chairperson and Vice-Chairperson

## **Article 9**

### Audit Committee

1. The Audit Committee is authorized to investigate any activity relating to the finances of the Association, review the effectiveness of the internal financial controls including internal control and risk management systems.
2. The Audit Committee shall be comprised of two (2) members serving at Headquarters and five (5) members from Country Offices, representing all regions.
3. Nominations of members for the Audit Committee should take place one month before the General Election following the general rules as outlined in Chapter V. Once elected by the Personnel Council and the Country Office Personnel Committees, members shall serve two years.
4. Members eligible for nomination must have financial/audit experience and shall not have served or be serving as a Personnel Association Representative.
5. The Audit Committee shall elect among themselves a Chairperson and Vice-Chairperson

## **Article 10**

### Electoral Committee

1. In order to increase accountability and transparency, the Electoral Committee is established to exercise oversight and to hear and determine any matter and/or disputes and/or complaints of an electoral matter.

2. The Electoral Committee shall further develop its own Practice and Rules of Procedure including how electoral disputes and complaints may be brought before the Electoral Committee.
3. The UNDP/UNFPA/UNOPS/UN Women Personnel Council and Personnel Committees shall elect five (5) members of the Electoral Committee, two (2) from Headquarters and three (3) members from Country Offices. The Electoral Committee members shall serve for a period of two years from the date of confirmation of the electoral results.
4. The Electoral Committee members shall elect among themselves a Chairperson and Vice-Chairperson.
5. The Electoral Committee, with at least three members presiding for rulings, shall provide a ruling on all matters relating to the elections within seven (7) calendar days of receiving complaints and will finalize all matters expeditiously to enable election results to be announced no later than a week after elections.

## **Article 11**

### Annual General Meetings

1. The Personnel Council shall convene an Annual General Meeting of the Personnel Association at headquarters or virtually to take place no later than 14 February of each year.
2. The Agenda of the Annual General Meeting shall include the following items:
  - (a) Annual Report of all the governance structures;
  - (b) Interim Financial Report;
  - (c) Audited Report of the previous Executive Committee;
3. The provisional Agenda of the Annual General Meeting shall also include such other items as may be proposed by the Personnel Council or by at least fifty members in writing.

## **Article 12**

### Extraordinary General Meetings

1. Extraordinary General Meetings at headquarters shall be convened by a decision of the Executive Committee or at the written request of at least fifty members. The provisional Agenda of Extraordinary General Meetings shall include items proposed by the Executive Committee or by at least fifty members in writing. The Personnel Council may convene ad hoc or special meetings as may be required.

## **Article 13**

### Agenda and Reports

1. The provisional Agenda and reports of the governance structures of the Personnel Association to be discussed at any General Meeting shall be circulated to the members normally at least five (5) working days in advance of the meeting. In the case of Extraordinary General Meetings, this time limit may be waived by the Personnel Council.

## **Article 14**

### Regional Meetings

1. The Personnel Council shall organize annual regional meetings with Country Office Personnel Associations

## **Article 15**

### Rules of Procedure

1. The proceedings at all General Meetings shall be governed by the Rules of Procedure set out in Annex A.



## **Article 16**

### Referenda

1. A referendum on matters of global concern shall be held upon a decision of the Personnel Council or at the written request of two hundred UNDP, UNFPA, UNOPS and UN Women personnel members. An interval of at least one month shall be allowed, between the communication to the members of the Personnel Association at Headquarters and in Country Offices, of any question referred to a referendum and the recording of votes.
2. All members of the Association, whether at headquarters or in Country Offices, shall be entitled to vote.
3. The referendum shall be conducted by the Polling Officers. The text of questions to be submitted to a referendum shall be communicated to the Polling Officers at Headquarters by the Personnel Council. The Polling Officers at Headquarters shall serve as the channel of communication between the Polling Officers in Country Offices and the UNDP/UNFPA/UNOPS/UN Women Personnel Council at Headquarters.
4. For any referendum, except on recalling members of the governance structures which will be governed by Article 17 or on dissolution of the Personnel Association which will be governed by Article 38, decisions shall be taken by a majority of those voting in a referendum upon certification by the Polling Officers at Headquarters and in Country Offices, that all eligible members of the Association were given the opportunity to vote.
5. If there is an equality of votes, the issue shall be further studied and may again be submitted to a referendum after a minimum of three months but not more than six months has elapsed. If the issue is not again submitted to referendum in accordance with this paragraph, it shall be regarded as having been defeated.

6. If an issue is defeated, it shall not be submitted to a referendum again until at least twelve months have elapsed.
7. Decisions taken by referendum shall be final and binding unless reversed by subsequent referendum which shall not be introduced before twelve months of the passage of the original referendum.

## **Article 17**

### Recall

1. The Personnel Association may recall one or more members of the leadership structures of governance UNDP/UNFPA/ UNOPS/UN Women through a referendum adopted by one-third of the total membership of the Association. The ground for recalling members is to be included in the Code of Conduct

## **Article 18**

### Resignation

1. Should any member of the leadership structures of governance resign from his or her post, the seat so vacated shall be filled in accordance with Article 27

## **Article 19**

### Attendance/Transfer/ Duty Travel

1. Any member of the leadership structures of governance who is absent, without permission or tendering apologies, from meetings for three consecutive meetings shall automatically lose his/her seat in the Personnel Council. Members on official duty travel away from headquarters, or on leave will be exempt from attending Personnel Council Meetings during this time.

2. Members of the leadership structures of governance who go on duty travel for a period of three (3) months or more, or are away from their usual duty station, must seek a ruling from the Legal Committee on whether they may can carry out their functions and manage their responsibilities and/or whether alternate arrangements will be permitted, during the time away.
3. Any member of the Personnel Council who moves to a new duty station shall vacate his/her seat in the Personnel Council effective from the date of transfer to the new duty station and shall be eligible to become a member of the local Personnel Association at the Country Office.
4. Any member of the Personnel Council who approaches the mandatory age of retirement will cease to be a member of the Personnel Council.

## **Article 20**

### Transitions

1. To ensure continuity and good governance in instances where a new committee is not in place, the outgoing committee shall remain in a caretaker capacity until a new committee is in place. Should members of the outgoing committee be unavailable, the Personnel Council shall make a decision as supporting its continuity. Outgoing Committees shall ensure and support seamless transitions. Failure by any outgoing committee members to be of support to transitions may result in potential violations of the Code of Conduct

## **Article 21**

### Support to Committees

1. All committees shall be fully resourced to carry out their functions efficiently and effectively and supported by the Secretaria

## Chapter IV

### **RELATIONS WITH UN SYSTEM STAFF/PERSONNEL ASSOCIATIONS, UNIONS AND FEDERATIONS**

#### **Article 22**

1. Country Office Personnel Committees shall serve as the main organ of the Personnel Association in Country Offices. In this capacity, they shall act as the channel of communication with the local UNDP/UNFPA/UNOPS/UN Women Management, the Personnel Council and with local UN System Personnel Associations, Unions and Federations.
2. Each Country Office shall hold periodic elections in accordance with Chapter V- Electoral System and Polling Officers. Representatives and alternate representatives elected should be holders of UNDP, UNFPA, UNOPS or UN Women contracts of no less than 6 months duration and be in the service of UNDP, UNFPA, UNOPS, or UN Women at the duty station.
3. Each Country Office Personnel Committee shall periodically elect five (5) members to the Personnel Committee by local general election for a term of two years. The Country Office Personnel Committee should comprise of two members from UNDP with at least one committee member from UNFPA, one from UNOPS and one from UN Women. No member of the Country Office Personnel Committee shall serve for more than two consecutive terms that is a total of four (4) years. A break of one term of two (2) years is required before members may be eligible stand for elections again.
4. A Country Office Personnel Committee shall elect by secret ballot, its own Chairperson, General Secretary and Treasurer, who shall constitute the executive body of the Personnel Committee.

5. Any member of the Personnel Association as defined in Article 4 may be elected as a member of the Country Office Personnel Committee, provided he/she:
  - a) Does not serve as the head of the UNDP/UNFPA/UNOPS/UN Women office, nor acts routinely as the Resident Representative, a.i., nor Officer-in-Charge, nor as the Administrative Officer, where this is likely to result in a conflict between his/her interests as a personnel representative and his/her official duties;
  - b) Is not a general service personnel member who serves, or who routinely acts as the Administrative Officer/focal point of a UNDP/UNFPA/UNOPS/UN Women office, where this is likely to result in a conflict between his/her interests as a personnel representative and his/her official duties;
  - c) Does not serve during their term of office, on any governance structure, that will create a conflict of interest, such as but not limited to the Appointment & Promotion Bodies, Ombudsman Panel, amongst others; and,
  - d) That such person has paid, at least six (6) months prior to the election, the recommended monthly contribution to the local Personnel Association and is committed to paying the recommended contribution for a full year after the elections.
6. The recommended level of membership dues will be deducted from each member's payroll with his/ her agreement as provided in Chapter VII, Article 32, para. 3.
7. Any international personnel member serving away from Headquarters is required to have paid dues to the Country Office Personnel Association to serve as a candidate for the Country Office Personnel Committee.
8. The time of the elections shall be fixed by the Polling Officers in the Country Offices who shall decide on polling the personnel.
9. Any vacancy amongst the representative or alternates in Country Offices shall be filled through by-elections conducted in accordance with Rule 3 of Annex C.

10. Country Office Personnel Committee shall pursue its objectives through discussion and negotiation with UNDP/UNFPA/UNOPS/UN Women Management in the Country Office and/or their representatives on matters affecting local conditions of service and personnel welfare. The Personnel Representatives in a Country Office shall serve as the channel of communication between the personnel of the Country Office and the Resident Representative, in his/her capacity as representative of the Administrator of UNDP, with the UNFPA Representative in his/her capacity as representative of Executive Director of UNFPA, and with the UNOPS Representative as representative of Executive Director of UNOPS and with the UN Women Representative in his/her capacity as representative of Executive Director of UN Women, on matters affecting local conditions of service. The Personnel Representatives shall have direct access to the UNDP/UNFPA/UNOPS/UN Women Personnel Council by correspondence, electronic mail and during their visits to Headquarters as well as during the visits of UNDP/UNFPA/UNOPS/UN Women Personnel Council members to the Country Office.
11. A Country Office Personnel Committee may recall its representatives or alternate representatives by a two-third majority through a poll conducted in the Country Office.
12. The functions of Country Office Personnel Committees are recognized as official duties conducted for the common good of the organization and individual Personnel. The Personnel Committees as well as Personnel representative bodies shall be afforded such facilities as may be required to enable them to carry out their functions promptly, while not impairing the efficient operation of the organization (refer UN Circular ST/AI/293 dated 15 July 1982).
13. Inclusivity and proportional representation, rounded to the nearest whole number of seats, with one member for the two agencies when the proportional result provides only one seat, is encouraged

## **Article 23**

1. Personnel representatives in Country Offices shall convene periodic meetings of personnel prior to the election of the next representatives of those Country Offices

### **Article 24**

1. Extraordinary meetings in Country Offices shall be convened by the Personnel Committee as considered necessary or at the written request of at least one-quarter of the members.

### **Article 25**

1. The proceedings at Country Office meetings shall be governed by the Rules of Procedure set out in Annex A.

## Chapter V

### **ELECTORAL SYSTEM AND POLLING OFFICERS**

### **Article 26**

1. Elections of members to the Personnel Council in headquarters and Country Office Personnel Committees shall be conducted every twenty-four (24) months by secret ballot.
2. The election shall take place no later than the first two weeks of twenty-four (24) months after the previous election, on the date(s) designated by the Polling Officers.

### **Article 27**

1. The Personnel Council will comprise of eleven (11) members, five (5) seats will be assigned to UNDP, two (2) seats to UNFPA, two (2) seats to UNOPS, and (2) seats to UN Women on the Personnel Council. For the purpose of this Constitution, personnel of UNOPS

both in New York and Copenhagen meeting the criteria for holding executive positions may contest elections to the Personnel Council at Headquarters in New York.

2. For the Personnel Council, the members from each of the four agencies receiving the greatest number of votes shall be the elected members of the Personnel Council.
3. All other candidates not elected shall be designated alternate members of the Personnel Council in the order of total votes received until the following election period. This list will be established by the Polling officers at the time of the election.
4. An alternate who replaces a Personnel Council member shall serve until the following election period.
5. In case of vacancies occurring during the term of office, alternate members will accede to the Personnel Council in the order in which their names appear on the list established by the Polling Officers at the last general election, provided they are presently eligible and available.
6. If the list of alternative members is exhausted, the Polling Officers shall conduct a by-election.
7. The UNDP/UNFPA/UNOPS/UN Women Personnel Association shall periodically fill the vacant seats of the UNDP/UNFPA/UNOPS/UN Women Personnel Association by general election at headquarters and all duty stations away from headquarters.
8. Inclusivity in accordance with the required composition of the Personnel Council as stipulated in Article 27(1) shall be adhered to at all times. In very exceptional circumstances, the Electoral Committee may be approached for a ruling when the proportional result does not yield seats for an agency.

## **Article 28**



1. No member shall serve on the governance structures for more than two consecutive terms that is a total of four (4) years. Any member having completed two consecutive terms in any staff/personnel representative body at the time of adoption of this Constitution must take a mandatory break of one term of two (2) years) before standing for election again in compliance with General Assembly resolution 51/226.
2. One term of service to any of the governance structures consists of a two (2) year period.
3. Candidates seeking election must satisfy the following criteria:
  - (a) must be a member in good standing.
  - (b) and to ensure continuity and prevent any interruption of term, candidates must have a contract of no less than one (1) year duration at the time of seeking election.
4. Members to be elected to the UNDP / UNFPA / UNOPS / UN Women Personnel Council positions of the governance structures should have demonstrated:
  - a. Honesty and integrity in dealing with Personnel issues;
  - b. Consistency and professionalism in action;
  - c. Objectivity and credibility in judgment of Personnel issues;
  - d. Knowledge of the UN Staff Regulations and Rules;
  - e. Ability to interpret UN Staff Regulations and Rules;
  - f. Must be members in good standing.
    - i. Good standing constitutes;
      1. Members who pay the established level of contribution to the Personnel Association during the year in which elections are held shall be eligible to stand for election for any of the leadership positions of the Personnel Association;
      2. Additionally, the candidate must have been dues paying member for at least six months prior to the submission of nominations, and must

continue her/his paid membership throughout her/his elected term of office;

3. Only when there are no nominations may the Polling Officers accept retro-active payments of contributions on the second-round announcement of nominations eligible to run for election.
5. Members in Headquarters who act directly and routinely on human resource issues in the Office of Human Resources (OHR), Executive Offices and Ombudsman and/or as outposted human resource officers shall not be eligible to stand for election nor be elected to leadership positions of the UN Personnel Association as this is likely to result in a conflict of interest between his/her leadership duties and that of her/his official duties.
6. Likewise, members in Country Offices who act as officers-in-charge or as administrative officers whose functions that involve administering or handling human resources matters shall not be eligible stand for election for any leadership positions of the governing structures cited above in article 5(1).
7. The eligibility of candidates shall be reviewed by Polling Officers, within a maximum period of fourteen (14) calendar days, after which the final list of candidates will be announced.
8. The decision on the eligibility of candidates may be challenged within seven (7) calendar days from the announcement date by any member of the constituency, in terms of the rules of the Electoral Committee and the Electoral Committee must provide a ruling within seven (7) calendar days from receipt of the complaint.

## **Article 29**

1. Polling Officers shall be elected by the general body of the UNDP/UNFPA/UNOPS/UN Women Personnel Association membership for the purpose of supervising, arranging and conducting the entire electoral process from nomination to final announcement, including:

- (a) Elections of the UNDP/UNFPA/UNOPS/UN Women Personnel Council members;
  - (b) Elections of representatives of Country Offices to the Personnel Association;
  - (c) By-elections at Headquarters and in the Country Offices;
  - (d) Elections of members to the Legal, Audit and Electoral Committees;
  - (e) Conducting of referenda;
  - (f) All matters incidental to running an efficient and credible process.
2. UNDP/UNFPA/UNOPS/UN Women Personnel members are eligible to hold the office of a Polling Officer provided the following requirements are met:
- (a) He/she must have served at least one year at the duty station;
  - (b) At least one Polling Officer must be from the General Service category;
  - (c) In the case of Polling Officers serving in New York, at least two members must be UNFPA and UNOPS and UN Women personnel members.
  - (d) Polling Officers must have at least a six (6) month contract with UNDP, UNFPA, UNOPS or UN Women.
3. Nominations of Polling Officers shall be made in writing at least one week prior to the elections. For Headquarters, the UNDP/UNFPA/UNOPS/UN Women Personnel Association shall elect six (6) Polling Officers, i.e., three (3) regular members, and three (3) alternate members to serve for a period of two years from the date of his/her election.
4. Election of Polling Officers shall be held via electronic mail and conducted by the Secretariat of the Personnel Council one month prior to the Annual General Meeting.

5. Electronic voting or voting via electronic mail should take place as far as possible for all electoral processes.
6. For Country Offices, Personnel Association members shall elect three Polling Officers to serve for a period of two years from the date of his/her election. At both Headquarters and in Country Offices, the Polling Officers shall elect from among themselves a Chairperson and First Vice Chairperson.
7. Polling Officers shall not serve for more than two consecutive terms.
8. In the event of inconsistencies, complaints or queries in the implementation of the Constitution, the Polling Officers shall refer the matter to the Electoral Committee for a ruling.

## Chapter VI

### **RELATIONS WITH UN SYSTEM**

#### **STAFF/PERSONNEL ASSOCIATIONS, UNIONS AND FEDERATIONS**

#### **Article 30**

1. The UNDP/UNFPA/UNOPS/UN Women Personnel Association shall maintain close relationship with the UN system Personnel Associations and Unions for the promotion of the welfare and condition of service for all personnel.
2. In addition, the UNDP/UNFPA/UNOPS/UN Women Personnel Association may participate in any of the Staff federations or any other international federation or related entity insofar as that participation is deemed to be in the best interest of UNDP/UNFPA/UNOPS/UN Women personnel at large.
3. The Country Offices may join with other local Personnel Associations in the UN Common System in organizing a federation for common system issues affecting the duty station if its policies are not contrary to those of the UNDP/UNFPA/UNOPS/UN Women personnel Association.

## Chapter VII

### **FINANCIAL PROVISIONS**

#### **Article 31**

1. The Fiscal Year of the Association shall run from the first week of January of each year to the last week of December

#### **Article 32**

1. The revenue of the Personnel Association shall be derived from membership dues, contributions from Personnel Associations, and through fund-raising efforts as deemed necessary and advisable by the Personnel Council and Personnel Committees.
2. Every member of the Personnel Association is encouraged to pay the recommended level of membership dues until such time he or she notifies the UNDP/UNFPA/UNOPS/UN Women Personnel Council at headquarters to the contrary in writing. The recommended level of dues shall be deducted from each member's payroll monthly. International personnel should pay their dues to the Personnel Council at Headquarters and/or at the country office personnel association, if they so wish. Local personnel may also contribute dues to the Personnel Council at Headquarters, if they so wish.
3. The established level of contribution for all personnel members serving in headquarters, and international personnel serving away from Headquarters, per month, is:

GS 1-4	\$ 5.00
GS 5-7	\$ 7.00
P 1-2	\$ 10.00

P 3-4	\$ 15.00
P5	\$ 20.00
D 1-2	\$ 25.00
ASG	\$ 30.00
USG	\$ 35.00
SG	\$ 40.00

4. The established level of contribution for all locally recruited personnel members serving in Country Offices is one five-hundredth of the personnel member's salary based on the established local currencies. International personnel shall pay the same fraction of their salaries to the Personnel Association fund at Headquarters and/or at the Country Office Personnel Committee if they so wish.

### **Article 33**

1. The custody of all funds shall be the responsibility of the Treasurer of the Personnel Council. He/she shall act as the disbursing officer and organize the collection of dues from the Association members. He/she shall present a report on finances of the UNDP/UNFPA/UNOPS/UN Women Personnel Association during the Annual General Meeting.

### **Article 34**

1. The Auding Committee shall be elected one month before the Annual General Meeting via electronic mail to be conducted by the Polling Officers.
2. The Auditing Committee shall, at all reasonable times, have free access to the accounts of the Personnel Association upon which it shall make an Annual Report in writing.

### **Article 35**

1. The funds of the Personnel Association shall be deposited in a bank to be selected by the Personnel Council. All bank transactions shall be conducted over the signatures of the Treasurer and the Chairperson or in the absence of the Chairperson, the Treasurer and the First/Second Vice-Chairperson, or in the absence of the Treasurer, the Chairperson and First/Second Vice-Chairperson. For Country Offices, bank transactions shall be signed jointly by the Chairperson/ Vice-Chairperson and Treasurer. Local Personnel Associations shall ensure internal financial controls as guided by the Audit Committee.
2. Any expenditure pursuant to the objectives of the Personnel Association may be made by the Personnel Council, subject to funds being available.

## Chapter VIII

### **GENERAL PROVISIONS**

### **Article 36**

1. This Constitution shall enter into force five working days after certification by the Polling Officers at Headquarters of its adoption by the UNDP/UNFPA/UNOPS/UN Women Personnel Association by referendum.

### **Article 37**

1. Any amendment to this Constitution shall be made by a referendum of all members of the Personnel Association conducted in accordance with Article 16.
2. Amendments to this Constitution shall enter into force five working days following certification by the Polling Officers at Headquarters of the result of referenda.

## **Article 38**

1. The Personnel Association may be dissolved by a two-third majority of those voting in a referendum conducted in accordance with Article 16. The disposition of the Personnel Association funds shall be decided by that same referendum. At least two alternatives shall be proposed by the initiators of the referendum for the disposal of the Association's funds.

## ANNEX A

### **RULES OF PROCEDURE OF GENERAL MEETINGS AT HEADQUARTERS AND IN COUNTRY OFFICES**

#### **Section I**

#### **General Meetings at Headquarters**

##### **Rule 1**

1. General Meetings of the Personnel Association shall be held at any of the UNDP, UNFPA, UNOPS or UN Women New York offices, unless convened elsewhere by a decision of the Personnel Council.

##### **Rule 2**

1. The Chairperson of the Personnel Council shall preside over Annual General Meetings, unless he/she specifically requests, or the Annual General Meeting agrees by a simple majority, that the General Meeting elect a Presiding Officer for a particular occasion.

##### **Rule 3**



1. Twenty-five personnel members shall constitute a quorum for Annual General Meetings held at Headquarters. For Annual General Meetings held at Country Offices, the Country Office Personnel Committee shall determine a suitable quorum.

#### **Rule 4**

1. The Chairperson/Presiding Officer shall declare the opening and closing of each meeting, direct its discussions, ensure observance of these rules and announce decisions. He/she shall rule on points of order. Subject to these rules, he/she shall ensure management and maintenance of order at the Annual General Meeting.

#### **Rule 5**

1. No intervention by a member of the Personnel Association on any agenda item shall exceed five minutes, unless a motion to permit him/her to continue is adopted by the meeting.

#### **Rule 6**

1. The Annual General Meeting shall adopt or amend the provisional agenda drawn up in accordance with the provisions of Chapter III, Articles 11 and 13.

#### **Rule 7**

1. During the discussion of any matter, a member may rise to a point of order, and the point of order, shall immediately be decided upon by the Chairperson/Presiding Officer. Any member may appeal the ruling of the Chairperson/Presiding Officer. An appeal shall immediately be put to the vote and, unless overruled by a majority of the members present and voting, the Chairperson/Presiding Officer's ruling shall stand.
2. During the discussion of any matter, any member may propose to:
  - (a) Suspend the meeting;
  - (b) Adjourn the meeting;

(c) Adjourn the item under discussion; or

(d) Close the item under discussion.

3. In the event of disagreement from the floor, one person shall be recognized to speak in favour of, and one against the motion which, thereupon shall immediately be put to a vote.
4. Members shall be accorded the right to speak in the order in which they apply.

### **Rule 8**

1. Draft resolutions which any member or group of personnel members wish to submit to a General Meeting shall, as far as possible, be submitted in writing at least three days in advance of the meeting.
2. The precise final wording of any such resolution after its adoption by the General Meeting shall be determined by the Chairperson/Presiding Officer in consultation with the sponsor or sponsors of the draft resolution and taking into account any amendments adopted.

### **Rule 9**

1. Each member of the Personnel Association shall have one vote.
2. Resolutions will be adopted by a majority of the members present and voting. For the purposes of these rules, the phrase "members present and voting" shall mean members casting an affirmative or negative vote; members who abstain from voting or spoil the vote, will have their votes recorded accordingly.
3. In the event of the votes being equally divided, the proposal shall be regarded as not adopted.
4. If two or more proposals relate to the same question, the Annual General Meeting shall, unless it decides otherwise, vote on the proposals in the order in which they have

been submitted. The General Meeting may, after each vote on a proposal, decide whether to vote on the next proposal.

5. The Chairperson/Presiding Officer shall restate any motion before it is put to the vote.
6. Voting shall be conducted by a show of hands, unless the meeting decides that the voting should be done through secret ballot.

#### **Rule 10**

1. The Annual General Meeting shall conduct its business in the main working language or in any of the working languages of the United Nations that is understood by the majority of the Personnel.
2. The summary records of the Annual General Meeting, in at least one working language, shall be drawn up under the responsibility of the Chairperson/Presiding Officer.
3. The summary records shall be available to any member of the Personnel Association.

#### **Rule 11**

1. On any matter not provided for in the present Rules of Procedure, the Chairperson/Presiding Officer shall decide, subject to an appeal from his/her decision in accordance with Rule 7, paragraph 1 (Annex A).

- a. Section II – Meetings at Country Offices

The above Rules of Procedure shall be taken as a guide for all meetings of Country Office Personnel Associations, including Annual General meetings.

The Chairperson of the Country Office Personnel Committee shall convene Personnel Committee meetings.

## ANNEX B

### **FINANCIAL RULES**

#### **Rule 1**

1. The Personnel Council shall establish a panel of four (4) of its members for signing cheques and other financial transactions on behalf of the Personnel Association. Normally, authorized signatories will be the Chairperson and the Treasurer jointly. In the event of the absence of one, the First/Second Vice-Chairperson shall be authorized to sign jointly with the other signatory.

#### **Rule 2**

1. Any one of the four signatories (Chairperson, First Vice-Chair, Second Vice-Chair, and Treasurer) shall be empowered to make expenditure of up to \$100 on any single item or purpose. Any two of the four signatories shall be required to make expenditures from \$101 to \$1,000 for any individual item or purpose, and shall be required to inform the UNDP/UNFPA/UNOPS/UN Women Personnel Council of each transaction. For expenditures exceeding \$1,000 for any individual item or purpose, endorsement of a minimum of six (6) members of the UNDP/UNFPA/UNOPS/UN Women Personnel Council shall be required.

#### **Rule 3**

1. Normally, the Treasurer shall cause to be deposited into a checking account of a regular commercial bank or credit union, a sum not exceeding one thousand dollars (\$1,000), and the balance of the funds of the Association shall be deposited in an interest bearing account, except that the Personnel Association may cause such funds to be invested in such securities as shall be legal for a savings bank or credit union at UNDP, UNFPA and UN Women Headquarters located.

**Rule 4**

1. The collection of dues from Association members shall be organised by the Treasurer, subject to Article 32 of this Constitution.

**Rule 5**

1. The financial rules of the Personnel Association may be amended by a referendum of the Personnel Association conducted in accordance with Article 16. An ad hoc Committee should be appointed to prepare a report on the amendments on the financial rules.

**Rule 6**

1. The Personnel Council is authorized to make advances in an amount not exceeding \$2,000 to defray expenses related to the organization of special fund-raising projects/ activities organized by the Paul Hoffman Fund or other Personnel Association committees provided the advance is reimbursed to the Personnel Association within one month after the event.

**Rule 7**

1. The Personnel Council is authorized to clear the disbursement of dues owed to UN system unions or federations to which the Personnel Association belongs.

## ANNEX C

### **ORGANIZATION AND RULES OF PROCEDURES OF ELECTIONS**

#### **Rule 1**

1. The Polling Officers shall be responsible for arranging and announcing the results of elections to the Personnel Association. The date of elections for the members of the UNDP/UNFPA/UNOPS/UN Women Personnel Association, in accordance with the provisions of Article 26, shall be set by the Polling Officers at Headquarters and notified by them to the Polling Officers in the country. The date of elections of Country Office representatives shall be set by the Polling Officers at the respective Country Offices.

#### **Rule 2**

1. The Polling Officers shall invite nominations of candidates no later than six weeks prior to the general elections. The submission of candidates should be not later than 4 weeks prior to the election.

#### **Rule 3**

1. Upon the occurrence of vacancies in Country Offices, by-elections shall be held within one month of the announcement of the vacancy. The Polling Officers shall receive nominations two weeks prior to the elections.

#### **Rule 4**

1. The Polling Officers shall obtain from the Office of Human Resources the list of all personnel of the UNDP/UNFPA/UNOPS/UN Women Personnel Association and shall conduct and supervise elections by secret ballot. The Polling Officers shall ascertain if all candidates are eligible to stand for election.

#### **Rule 5**

1. The results of the elections and by-elections shall be announced by the Chairperson of the Polling Officers within one week of the holding of the elections for both Headquarters and Country Office Personnel Associations.

#### **Rule 6**

1. The election of Country Office representatives and alternate representatives will be conducted by secret ballot. The names of Country Office representatives and alternates shall be communicated by the Polling Officers in Country Offices to the Polling Officers at Headquarters.

#### **Rule 7**

1. The Chairperson of the Polling Officers shall preside over the first meeting of the newly elected Personnel Association until the incoming Personnel Council is elected by a secret ballot organized and supervised by the Polling Officers.

#### **Rule 8**

1. The Polling Officers shall be responsible for arranging and announcing results of referenda and recalls as specified in this Constitution.

#### **Rule 9**

1. The Polling Officers shall, upon announcement by the Personnel Association of general or extraordinary meetings, be responsible for counting of votes on resolutions presented at general or extraordinary meetings.

#### **Rule 10**

1. On any election matter referred to the Polling Officers by the Country Office, the Polling Officers shall refer the matter to the Electoral Committee who will deal with the matter in terms of their Rules of Procedure & Code of Conduct.



**Rule 11**

1. Elections of the Polling Officers, Legal, Audit and Electoral Committees will be held through electronic voting, one month before the general meeting and will be conducted by the Polling Officers.

**Rule 12**

1. While holding the position of a Polling Officer, a personnel member shall not qualify to serve on the UNDP/UNFPA/UNOPS/UN Women Personnel Association or as the Country Office Personnel Association.

**Rule 13**

1. Ballots used for elections, by-elections, recalls, referenda, shall be disposed of within two months from the elections.

UNDP/UNFPA/UNOPS/UN WOMEN PERSONNEL ASSOCIATION

**CONTRIBUTION FORM - HQ**

**(Please print or type)**

I \_\_\_\_\_, Index No. \_\_\_\_\_, Agency \_\_\_\_\_, hereby authorize the Payroll Section to make the following deduction automatically from my salary as my contribution to the UNDP/UNFPA/UNOPS/UN Women Personnel Association.

**Payroll:**

**A MONTHLY contribution \$ \_\_\_\_\_ of my NET SALARY, (see suggested contribution below).**

<b>GS 1-4</b>	<b>\$ 5.00</b>		<b>P 3-4</b>	<b>\$ 15.00</b>		<b>ASG</b>	<b>\$ 30.00</b>
<b>GS 5-7</b>	<b>\$ 7.00</b>		<b>P 5</b>	<b>\$ 20.00</b>		<b>USG</b>	<b>\$ 35.00</b>
<b>P 1-2</b>	<b>\$ 10.00</b>		<b>D 1-2</b>	<b>\$ 25.00</b>		<b>SG</b>	<b>\$ 40.00</b>

I understand that my **AUTHORIZATION** for deduction remains **VALID** until cancelled in writing.

\_\_\_\_\_

**Date**

\_\_\_\_\_

**Signature**

Please return form to: PERSONNEL Council Secretariat

email to Registry registry.staff-council@undp.org

UNDP/UNFPA/UNOPS/UN WOMEN PERSONNEL ASSOCIATION  
CONTRIBUTION FORM – COUNTRY OFFICE

(For Country Office Personnel Association)

*(Please print or type)*

I \_\_\_\_\_, Index No. \_\_\_\_\_, Agency \_\_\_\_\_, hereby authorize the UNDP Payroll Section to make the following deduction automatically from my salary as my contribution to the Country Office Personnel Association.

**Payroll:**

A MONTHLY contribution in an amount of one five-hundredth (0.002%) of my NET SALARY adjusted annually to reflect changes in my net salary.

I also understand that my **AUTHORIZATION** for deduction remains **VALID** until cancelled in writing.

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signature**