

Update of Staff Rules: Document N°6.

Comments from Member States on the proposed update of the Staff Rules

Inter-american Institute for Cooperation on Agriculture (IICA)
June, 2024



**RESPONSE TO THE COMMENTS BY THE SECRETARY OF AGRICULTURE AND
RURAL DEVELOPMENT OF MEXICO REGARDING THE PROPOSED UPDATE TO
THE IICA STAFF RULES**

Point 1

- The phrase “at the discretion of the Director General”, specifically as it relates to personnel appointments and/or the awarding of contracts, is recurrent throughout the document. This may affect transparency, given that it is the obligation of institutional bodies to inform of deliberations and actions related to their duties, as well as provide access to the information they generate. Thus, this expression could be substituted.

Response:

We fully agree on the importance of guaranteeing transparency in personnel hiring processes. In that regard, we would like to clarify that, in the proposed Staff Rules, the phrase “**at the discretion of the Director General**”, specifically in relation to personnel appointments or the awarding of contracts, applies solely and exclusively to the hiring and removal of International Personnel in **Positions of Trust**, as established in the current Staff Rules.

The following table includes further details:

CURRENT STAFF RULES		PROPOSED STAFF RULES	
Article	Content	Article	Content
1.5.1 c	<i>Trust</i> : Persons appointed and removed <u>at the discretion of the Director General</u> to hold the positions defined as positions of trust in Article 37 of these Rules. Such appointments shall not extend beyond the term of office of the Director General and are subject to immediate termination at any time, without right of indemnity.	1.3.2.2	An IP staff member with a <u>Trust Contract</u> is appointed <u>at the discretion of the DG</u> and his/her contract shall not extend beyond the term of office of the DG.
1.7.1. e	All appointments to <u>positions of trust</u> are terminable at the discretion of the Director General .	1.3.2.4	All appointments to <u>positions of trust</u> are terminable <u>at the discretion of the DG</u> and these individuals shall have no right whatsoever to indemnity in relation to said removal.

Point 2

- It is necessary to provide more detailed information on requirements with respect to academic background, work skills and professional experience, to provide greater clarity on the profiles of candidates for each position. Failing to provide details on these aspects can affect transparency in personnel recruitment and selection processes, in violation of the Institute's principles.

Response:

We agree on the importance of clearly defining job profiles prior to undertaking recruitment and selection processes. To that end, and as a follow-up to your comment, we have added the underlined text to Article 2.1.4:

2.1.4 Persons appointed must demonstrate a level of competence, efficiency and integrity commensurate with the level of the positions they occupy, in keeping with the Classification Standards established by the DG in keeping with Article 12 of the RPGD.

Additionally, the following articles clearly state the obligation to evaluate candidates based on the requirements for the positions:

2.3.1 Selection Committees comprised of Institute personnel shall be established to evaluate candidates for vacant positions, based on the skills to be evaluated for each category of position.

2.3.2 Selection or promotion shall be made with no discrimination whatsoever as to race, creed, sex or other personal characteristics that are not essential to perform the duties of the position. Any type of discrimination based on these characteristics shall be prohibited at the Institute. Only competence, technical experience, efficiency and integrity shall be taken into account, together with the need for staff members to be selected with a view to as broad a geographical representation as possible among nationals of the Member States, except in special cases where the needs of the service require that nationals of other States be appointed.

The operational procedure for the process, including the preparation of job profiles, will be clearly set out in the Personnel Manual, which is also being updated based on the proposal for the Staff Rules.

Point 3

- The Director General's duty to establish guidelines for the hiring of personnel should be disclosed to the Selection Committees to guarantee impartiality in the process.

Response:

Based on your comment, we propose modifying Article 2.3.1 by adding the following underlined text:

“Selection Committees comprised of Institute personnel shall be established to evaluate candidates for vacant positions, based on the skills to be evaluated for each category of position. These committees shall guarantee impartiality and transparency throughout the entire selection process”.

Point 4



- It is important that, in addition to the Loyalty Oath, staff members also sign documents related to confidential information, conflicts of interest and/or rules of conduct, in order to personally document these obligations during personnel recruitment, selection and hiring processes.

Response:

Regarding your recommendation that personnel sign documents on confidential information, conflicts of interest and/or rules of conduct in addition to the existing loyalty oath, we consider that, although it is true that all of these issues are addressed separately in different articles of Chapter 3 of the Staff Rules, it is important to modify Article 2.7 on the Loyalty Oath by including a subparagraph stating that employment contracts must include specific clauses on the aforementioned issues.

Proposal

1. Change the title of Article 2.7 “Loyalty oath”, to “Loyalty oath and other documents related to personnel obligations to the Institute”.
2. Include a new Article 2.7.2 that states that:

Work contracts signed between personnel and IICA must include clauses to protect the Institute, specifying obligations with respect to confidential information, conflicts of interest, rules of conduct and any other clauses deemed necessary for that purpose.

Point 5

- It is important to substantiate the section on intellectual property with applicable regulations issued by the WIPO.

Response:

Based on your comment, we propose modifying Article 3.5 as follows:

3.5.1 All rights, including the title, copyright, and patent rights for any work produced by a staff member as part of his/her official duties or by any other individual or entity being paid by the Institute, or working in cooperation with it, shall be vested in IICA or another entity as defined in the agreement signed by the parties, taking into consideration the provisions of the World Intellectual Property Organization (WIPO). Any further compensation to a staff member by another entity for any work produced as part of his/her official duties will have to be authorized by the DG.

Nota de la traductora: En la versión en español, corregir el nombre de la OMPI (Propiedad en vez de Protección).

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AGRICULTURA
SECRETARÍA DE AGRICULTURA Y DESARROLLO RURAL



Coordinación General de Asuntos Internacionales
Dirección de Relaciones Internacionales

Nº de Oficio 117.- **0547**2024

Ciudad de México a 14 de mayo de 2024

DR. MANUEL OTERO
DIRECTOR GENERAL DEL INSTITUTO INTERAMERICANO
DE COOPERACIÓN PARA LA AGRICULTURA
PRESENTE.

Me permito hacer referencia a lo acordado en la pasada Reunión Ordinaria de la Comisión Consultiva Especial para Asuntos Gerenciales, que tuvo lugar el 09 de mayo del presente año, particularmente en el caso de la presentación de la propuesta de actualización del Reglamento de Personal del Instituto.

Al respecto y derivado del análisis efectuado al citado reglamento, adjunto al presente encontrará algunas propuestas que de considerarlas de utilidad podrían ser tomadas en cuenta para ser incorporadas al mismo.

Sin otro particular, reciba un cordial saludo.

ATENTAMENTE
LA COORDINADORA GENERAL

ING. MARÍA DE LOURDES CRUZ TRINIDAD

C.c.p. DR. VÍCTOR MANUEL VILLALOBOS ARÁMBULA.- SECRETARIO DEL RAMO.- Presente.
DR. DIEGO MONTENEGRO ERNST, Representante del IICA en México.- Presente.-

LCT/FVP





AGRICULTURA

SECRETARÍA DE AGRICULTURA Y DESARROLLO RURAL



Coordinación General de Asuntos Internacionales

COMENTARIOS A LA PROPUESTA DE ACTUALIZACIÓN DEL REGLAMENTO DE PERSONAL DEL IICA

Anexo al oficio Núm. 117.-0547-2024

- En el cuerpo de documento es recurrente la expresión “a discreción del o la Directora (a) General”, específicamente en lo que se refiere a nombramientos y/o asignación de contratos del personal, lo cual para efectos de transparencia puede resultar contradictorio, toda vez que siendo obligación de los organismos garantes dar publicidad a las deliberaciones y actos relacionados con sus atribuciones, así como dar acceso a la información que generen, esta expresión podría ser sustituida.
- Se considera necesario abundar con más profundidad respecto de los requisitos de nivel académico, competencias laborales y experiencia profesional, de tal manera que exista claridad en cuanto a los perfiles de los candidatos a ocupar cada uno de los puestos. No detallar estos aspectos, también puede restar transparencia en los procesos de reclutamiento y selección de personal, transgrediendo los principios del Instituto.
- La facultad del (la) Director (a) General para el establecimiento de los lineamientos del proceso de contratación de personal debería ser compartida con los Comités de Selección, de tal manera que se garantice la imparcialidad en dicho proceso.
- Es importante que además de que el personal firme la *Declaración de Lealtad*, también se suscriban documentos para la confidencialidad de la información, conflictos de intereses y/o las normas de comportamiento (códigos de conducta), de tal manera que se documente personalmente esta obligación en los procesos de reclutamiento, selección y contratación de personal.
- En la parte de Propiedad Intelectual sería importante fundamentarlo en la normatividad aplicable en la materia emitida por el OMPI.





SC/DSC-032
20 de mayo, 2024

Ing. María de Lourdes Cruz Trinidad
Coordinadora General de Asuntos Internacionales
Dirección de Relaciones Internacionales de la
Secretaría de Agricultura y Desarrollo Rural de México

Estimada ingeniera Cruz:

En seguimiento a su comunicación N° de Oficio 117-0547-2024 con fecha 14 de mayo del año en curso, me permito agradecer el análisis realizado y las propuestas presentadas para mejorar el Reglamento de Personal actualizado.

Adjunto, compartimos con usted el documento en el cual encontrará la respuesta a sus comentarios y con el objetivo de atender sus inquietudes.

Me despido reiterando el agradecimiento por su interés en la mejora del Instituto.


Braulio C. Heinze
Dirección de Servicios Corporativos

