



# UNWTO

# Basic Documents

## Volume II

Staff Regulations | Staff Rules

Second edition

Updated and revised | September 2015



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## Introduction

The *UNWTO Basic Documents* brings together in three volumes essential documents concerning the governance of the World Tourism Organization (UNWTO).

The present Volume II contains the Staff Regulations and Staff Rules updated as of 1 September 2015, following decisions from the UNWTO Executive Council until May 2015.

Staff Regulations and Rules may be amended and approved by the General Assembly (in case of the Staff Regulations) or the Executive Council (in the case of Staff Rules).



# Staff Regulations



# Staff Regulations

## Regulation 1 **Purpose**

The Staff Regulations, adopted by the General Assembly, embody the fundamental conditions of service and define the basic rights and duties of the officials of the World Tourism Organization (hereafter called the Organization). They represent the broad principles for the staffing and administration of the Secretariat. On the proposal of the Secretary-General, the Executive Council shall provide such Staff Rules as it considers necessary for the enforcement of the Staff Regulations and consistent with the principles they embody.

## Regulation 2 **Scope**

- (a) The Regulations, except as may otherwise be provided, shall apply to all officials on fixed-term or permanent contracts appointed to posts funded in the budget of the Organization and to such posts as may be created under any special funds that may be made available to the Organization for that purpose.
- (b) Persons engaged as experts or consultants and persons engaged for a fixed term of less than one year and officials of branch offices, holders of fees contracts, persons engaged specifically for conferences or meetings, maintenance staff and casual labourers shall be subject to conditions of service to be determined by the Secretary-General in consultation with the Executive Council.



# Chapter I

## Duties and Rights

### Regulation 3 **Status of Officials**

The officials of the Organization are international civil servants whose obligations are not national but exclusively international. By accepting appointment they pledge themselves to discharge their functions and to regulate their conduct with the interests of the Organization alone in view. They shall be subject to the authority of the Secretary-General and shall be responsible to him in the exercise of their functions. They shall not seek or accept instructions in the performance of their duties from any government or other authority external to the Organization.

### Regulation 4 **Conduct**

Officials shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall avoid any action and in particular any kind of public pronouncement that may adversely reflect on their status. They are not expected to give up their national sentiments or their political or religious convictions, but they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their status. They shall not engage in any political or other activity or occupation or hold any office that is incompatible with the proper discharge of their duties, and shall obtain the prior approval of the Secretary-General before they engage in outside occupations.

### Regulation 5 **Use of Information**

- (a) Officials shall exercise the utmost discretion in all matters of official business. They shall not, except in the performance of their duties or by authorization of the Secretary-General, communicate to any person

unpublished information known to them by reason of their official position, nor shall they at any time use such information to personal advantage. These obligations shall continue to bind officials after they leave the service.

- (b) Officials shall not publish, cause to be published, or assist in the publication of, any material relating to the Organization or deliver a public address relating to the Organization, except in the course of their duties or by the authorization of the Secretary-General.

#### Regulation 6 **Declaration of Loyalty**

- (a) The Secretary-General, on entering upon his duties, shall make and sign the following declaration before the Executive Council in public session:

*“I solemnly undertake to exercise in all loyalty, discretion and conscience the functions that have been entrusted to me as Secretary-General of the World Tourism Organization, to discharge these functions and regulate my conduct with the interests of the Organization alone in view, not to seek or accept instructions in regard to the performance of my duties from any government or other authority external to the Organization and at all times to uphold the Statutes of the Organization.”*

- (b) All other officials on entering upon their duties shall make and sign, before the Secretary-General or his qualified representative, the following declaration:

*“I solemnly undertake to exercise in all loyalty, discretion and conscience the functions that have been entrusted to me as an official of the World Tourism Organization, to discharge these functions and regulate my conduct with the interests of the Organization alone in view, and not to seek or accept instructions in regard to the performance of my duties from any government or other authority external to the Organization.”*

**Regulation 7 Honours and Gifts**

Officials shall not accept any honour, decoration, favour, gift or fee from any government or from any other source external to the Organization, unless in the opinion of the Secretary-General such acceptance is compatible with his status as an international civil servant.

**Regulation 8 Candidature for and Election to Political Office**

Any official who becomes a candidate for a public office of a political character shall, if elected, resign from the Organization.

**Regulation 9 Privileges and Immunities**

The privileges and immunities attaching to the Organization by virtue of Article 32 of its Statutes, and the arrangements made with governments by virtue thereof, are conferred in the interests of the Organization. These privileges and immunities furnish no excuse to the officials who enjoy them for non-performance of their private obligations or for failure to observe laws and police regulations. In any case where these privileges and immunities come into question, the official concerned shall immediately report to the Secretary-General, who will decide whether they shall be waived.

**Regulation 10 Assignment of Duties and Hours of Work**

Officials are subject to the authority of the Secretary-General and to assignment by him to any task or any post in the Organization. They are responsible to him in the exercise of their functions. The whole time of officials shall be at the disposal of the Secretary-General. The Secretary-General shall establish a normal working week.



## Chapter II

# Classification of Posts and Staff

### Regulation 11 **Classification of Posts and Staff**

In conformity with principles laid down by the General Assembly, the Secretary-General shall make appropriate provision for the classification of posts and staff according to the nature of the duties and responsibilities required.



## Chapter III

# Salaries and Allowances

### Regulation 12 **Salaries**

The Secretary-General shall set the salaries of officials in accordance with the Staff Rules and the decisions of the Executive Council.

### Regulation 13 **Allowances**

The Secretary-General shall establish and apply a system of allowances and grants in accordance with the Staff Rules and the decisions of the Executive Council.



## Chapter IV

# Appointments and Promotions

### Regulation 14 **Appointments**

On appointment, each official shall receive a letter of appointment signed by the Secretary-General or on his behalf, which shall constitute the contract of employment.

### Regulation 15 **Filling of Vacancies**

- (a) The paramount consideration in the filling of any vacancy shall be the necessity of securing staff of the highest standards of competence, efficiency and integrity. Due regard shall be paid to the importance of maintaining a staff selected on a wide and equitable geographical basis. Officials shall be selected without distinction as to race, creed or sex. Each official shall be required to possess a fully satisfactory knowledge of one of the working languages of the Organization. So far as practical, selection shall be made on a competitive basis.
- (b) The appointment to the post of Deputy Secretary-General shall be made by the Secretary-General, with the approval of the Executive Council. In proposing a candidate the Secretary-General or, if appropriate, the Secretary-General elect will consult the chairperson of the Executive Council. Posts in the Director and Principal Officer category shall be filled by the Secretary-General on the basis of qualifications, by transfer, promotion or appointment and as far as possible in consultation with the Officers of the Executive Council.
- (c) Subject to the provisions of paragraph (a) above and without prejudice to the recruitment of fresh talent at all levels, the fullest regard shall be had, in filling vacancies, to the requisite qualifications and expertise of persons already in the service of the Organization.

- (d) The terms of office of the Secretary-General and Deputy Secretary-General shall be concurrent. The appointment may be renewed.
- (e) The initial appointment of each official shall be subject to a period of probation.
- (f) Appointments for an indeterminate period shall be considered permanent.
- (g) Appointments for a fixed term shall be of not less than one year and not more than three years. While a fixed-term appointment may be renewed for a period not exceeding five years in all, it shall carry no expectation of renewal or of conversion to another type of appointment or activity and shall terminate without prior notice on the termination date fixed in the contract of employment. The expiration of a fixed-term contract is not regarded as a termination within the meaning of the Staff Rules and Staff Regulations.
- (h) The Secretary-General shall establish appropriate medical standards, which officials shall be required to meet before and after appointment.

## Chapter V

### Annual and Special Leave

#### Regulation 16 **Annual Leave**

Officials shall be allowed appropriate annual leave.

#### Regulation 17 **Special Leave**

Special leave may be authorized by the Secretary-General in exceptional cases.

#### Regulation 18 **Home Leave**

An official satisfying the conditions prescribed in the Staff Rules shall be eligible for home leave. An official whose home country is the country of his official duty station or who continues to reside in his home country shall not be eligible for home leave.



## Chapter VI

### Social Security

#### Regulation 19 **Pensions**

The Secretary-General shall establish a retirement scheme for the staff providing benefits upon separation from service, equivalent to those generally existing in international organizations.

Retired staff members shall be entitled to reasonable coverage in the event of illness or injury.

#### Regulation 20 **Social Security**

The Secretary-General shall establish a scheme of social security for the staff, including provisions for health protection, sick leave and maternity leave, and reasonable compensation in the event of illness, injury or death attributable to the performance of official duties on behalf of the Organization.



## Chapter VII

### Travel and Removal Expenses

#### Regulation 21 **Travel Expenses**

Subject to conditions and definitions prescribed by the Secretary-General, the Organization shall in appropriate cases pay the travel expenses of officials, their spouses and dependent children.

#### Regulation 22 **Removal Expenses**

Subject to conditions and definitions prescribed by the Secretary-General, the Organization shall pay removal costs for officials.



## Chapter VIII

### Staff Relations

#### Regulation 23 **Staff Relations**

The Secretary-General shall establish and maintain regular contact and communication with the staff, through duly elected officials of the associate or associations, representative of the staff, in order to ensure the effective participation of the staff in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other personnel policies.



## Chapter IX

### Separation from Service

#### Regulation 24 Termination

- (a) The Secretary-General may terminate the services of an official who has completed his probationary period in accordance with the conditions set out in his letter of appointment or if the necessities of the service require abolition of the post or reduction of the staff, if the services of the individual concerned prove unsatisfactory, or if he is, for reasons of health, incapacitated for further service.
- (b) The Secretary-General may also terminate the services of an official:
  - (i) if the conduct of the official indicates that he does not meet the highest standards of integrity required by Article 24, paragraph 3 of the Organization's Statutes;
  - (ii) if facts anterior to the appointment of the official and relevant to his suitability come to light which, if they had been known at the time of his appointment, should, under the standards established by the Organization's Statutes, have precluded his appointment.
- (c) The Secretary-General may terminate the services of an official if such action would be in the interest of the good administration of the Organization and in accordance with the standards of its Statutes, provided that the action is not contested by the official concerned.
- (d) Decisions to terminate services shall be substantiated.
- (e) The Secretary-General may, at any time, terminate the services of an official serving a probationary period if, in his opinion, such action would be in the interest of the Organization.

**Regulation 25 Resignation**

Officials may resign according to the conditions laid down in the Staff Rules and in their contracts of employment.

**Regulation 26 Termination Indemnity Payments**

- (a) If the Secretary-General terminates an appointment, the official shall be given such notice and such indemnity payment as may be applicable under the Staff Rules. Payments of termination indemnity shall be made by the Secretary-General in accordance with the rates and conditions specified in the Staff Rules.
- (b) The Secretary-General may, where the circumstances warrant, make to an official terminated under Staff Regulation 24(c) an additional indemnity payment not more than 50 per cent higher than that which would otherwise be payable under the Staff Rules.

**Regulation 27 Repatriation Grants**

The Secretary-General shall establish a scale for the payment of repatriation grants within the maximum rates and under the conditions specified in the Staff Rules.

**Regulation 28 Retirement Age**

Officials shall not be retained in active service beyond the age prescribed by the Staff Rules. The Secretary-General may, in the interest of the Organization, extend this age limit by one or two years in exceptional cases.

## Chapter X

# Disciplinary Measures

### Regulation 29 **Advisory Machinery On Disciplinary Matters**

The Secretary-General shall establish a body with the participation of staff representatives, which shall be available to advise him in disciplinary cases in the conditions prescribed in the Staff Rules.

### Regulation 30 **Disciplinary Measures**

The Secretary-General may impose disciplinary measures on officials whose conduct is unsatisfactory.

He may summarily dismiss an official for serious misconduct.



## Chapter XI

### Appeals

#### Regulation 31 **Appeals Machinery**

The Secretary-General shall establish an administrative body with staff participation to advise him in case of any appeal by officials against an administrative decision alleging the non-observance of their terms of appointment, including all pertinent Staff Regulations and Staff Rules, or against disciplinary action.

#### Regulation 32 **Administrative Tribunal**

The Administrative Tribunal of the International Labour Organisation shall, under conditions prescribed in its Statute, hear and pass judgement upon applications from officials alleging non-observance of their terms of appointment, including all pertinent Staff Regulations and Staff Rules.



## Chapter XII

### General Provisions

#### Regulation 33 **Entry into Force and Amendments**

- (a) The Regulations may be supplemented or amended by the General Assembly, provided the acquired rights of officials under the Regulations are not thereby prejudiced.
- (b) The Staff Rules may be supplemented or amended by the Executive Council on the proposal of the Secretary-General provided that the amendments are compatible with the Staff Regulations. The Secretary-General shall report to the General Assembly, at each session, on any amendment to these Rules and on any matter arising out of enforcement of the Staff Regulations and Staff Rules.

#### Regulation 34 **Enforcement of the Staff Regulations and Staff Rules**

The Secretary-General, as the Chief Administrative Officer, is required to enforce the Staff Regulations and Staff Rules in accordance with the provisions they embody.



# Staff Rules



## Chapter I

### Duties and Rights

#### Rule 10 (1) **Hours of work**

While the right of the Secretary-General to call on the services of officials is unrestricted, the working week (not including time for meals) shall not exceed forty hours from Monday to Friday. The working week shall be worked in accordance with a schedule established by the Secretary-General. Attendance on Saturday and Sunday or on an established holiday shall be required only in case of necessity or where such attendance is a normal part of an official's duty. Part-time work may be authorized under terms and conditions established by the Secretary-General.

#### Rule 10 (2) **Compensation for overtime**

- (a) Overtime shall be considered to be (1) any time worked in excess of forty hours a week or (2) any time worked on a Saturday after 1 p.m. or a Sunday or on an established holiday, except in the case of officials whose functions specifically include work at such periods. Overtime shall not be required except when pressure or urgency of work makes it necessary.
- (b) Officials of the Professional category who have been required to work substantial or recurrent periods of overtime may be granted compensatory time off, subject to the exigencies of the service, to the provisions of paragraph (g) below and to the prior approval of the Secretary-General.
- (c) Officials of the General Service category who are required to work overtime shall, as far as possible, be compensated by time off. Such compensation shall be made as soon as the exigencies of the service permit and in no case later than four weeks after the overtime was worked. If the responsible chief of a General Service category official certifies that owing to exceptional circumstances the necessities of

the service do not permit the grant of compensatory time off within four weeks after the overtime was worked, the overtime shall be compensated in cash.

- (d) Overtime worked by a General Service category official between 8 a.m. and 8 p.m. shall be compensated as ordinary overtime; overtime worked between 8 p.m. and 8 a.m. shall be compensated as special overtime. Overtime worked by a General Service category official on a Saturday after 1 p.m., on a Sunday or on an established holiday shall be compensated as special overtime.
- (e) When compensated in the form of time off, ordinary overtime worked by a General Service category official shall be compensated by time-and-a-half and special overtime by double time. Compensation in cash shall be paid at the rate of one-and-a-half times the hourly salary of the grade and step of the official for ordinary overtime and at the rate of twice the said hourly rate for special overtime.
- (f) In the calculation of daily overtime, periods of less than 15 minutes shall be disregarded. The total overtime shall be calculated each week in hours and half hours, periods of less than 30 minutes being disregarded. In determining the number of hours worked in one week any period of authorized absence shall be counted as time worked.
- (g) Overtime shall be compensated only when it is worked on the instructions of the responsible chief.

Rule 10 (3) **Night differential**

- (a) When any part of the prescribed tour of duty of a General Service category official falls between the hours of 8 p.m. and 8 a.m., he shall be paid an hourly night differential at the rate of 25 per cent of the hourly salary corresponding to the salary of his grade and step. A night differential shall not be paid in respect of any hours of work, which are compensated under the provisions of Rule 10(2) (Compensation for overtime), nor in respect of any hours during which an official has been authorized to travel.
- (b) Officials of the General Service category who are required to work beyond 8 p.m. without a break for an evening meal shall be paid

an additional sum to be fixed annually by the Secretary-General to compensate for night refreshments.

Rule 10 (4) **Outside activities and interests**

- (a) Officials shall obtain the prior approval in writing of the Secretary-General before accepting remuneration or an offer of remuneration for outside work done in their spare time.
- (b) Without the authorization of the Secretary-General in writing, officials shall not accept any fee or gift, other than reimbursement for actual travelling expenses, for statements to the press, for participating in film, radio or television productions, for writing articles or books or furnishing visual information material for publication, or for speaking or similar engagements, when the content of the statement, production, writing or speech is related to the aims and activities of the Organization.
- (c) Officials shall not accept any gratuity or favour from any commercial firm or individual doing or seeking business with the Organization.



## Chapter II

# Classification of Posts and Staff

### Rule 11 (1) **Classification of posts**

- (a) With due regard to applicable standards established by the International Civil Service Commission, the Secretary-General shall make provision for the classification in categories and grades of all posts, except that of Deputy Secretary-General, in accordance with the duties and responsibilities attaching to them, as follows:
  - (i) Director and Principal Officer category, comprising the grades of D.2 and D.1 and assimilated special posts;
  - (ii) Professional category, comprising the grades of P.5, P.4, P.3, P.2 and P.1 and assimilated special posts;
  - (iii) General Service category, comprising the grades of G.7, G.6, G.5, G.4, G.3, G.2 and G.1.
- (b) A description of the duties and responsibilities attaching to each post shall be established by the Secretary-General.

### Rule 11 (2) **Responsible chief**

- (a) Each official shall be responsible to a chief who shall supervise his work and be responsible for such functions in relation to the official as are prescribed in these Rules. The responsible chief shall keep the officials for whom he is responsible informed of his opinion of their work.

- (b) For the purpose of these Rules the responsible chief shall be:
  - (i) the Secretary-General for those officials who report direct to him;
  - (ii) the Deputy Secretary-General and chiefs of Department or Division for those officials who report direct to them, unless the Secretary-General has designated another official in respect of a subordinate organizational unit;
  - (iii) the chiefs of Section or Unit for those officials who are under their direct supervision.

Rule 11 (3) **Compatibility with classification standards**

- (a) The Secretary-General ensures that the nature of the duties and the level of responsibilities required of an official are compatible with the classification standards or criteria applicable to the grade of his post.
- (b) Any official who considers that the nature of the duties or the level of responsibilities required of him are not compatible with the classification standards or criteria applicable to the grade of his post may submit a claim for the reclassification of his post. Such claims may be submitted:
  - (i) within two months of the adoption of the approved budget for each biennium;
  - (ii) at any time, provided that there has been a substantial modification in the structure and responsibilities of a unit, and consequently in the duties and responsibilities of the claimant, not foreseen in the approved programme and budget.

## Chapter III

# Salary and Allowances

### Rule 12 (1) **Salary scales**

- (a) The base salary scales of the Professional category and above and of the General Service category shall be determined by the Secretary-General in accordance with the UN salary scales. These scales shall be brought to the attention of staff members by office circular.
- (b) A staff assessment shall be applied to the gross salary scales under the conditions prescribed in Rule 12(7). The amount remaining after deduction of the assessment shall be the net salary.

### Rule 12 (2) **Definition of salary**

For the purposes of the Staff Regulations and Staff Rules, and unless otherwise indicated in the context, the term “salary” shall mean:

- (i) net base salary plus post adjustment in the case of staff of the Professional category and above;
- (ii) net base salary plus language allowance in the case of staff of the General Service category.

### Rule 12 (3) **Pensionable remuneration**

The pensionable remuneration is defined in the Regulations of the United Nations Joint Staff Pension Fund. It shall be communicated to the staff by office circular.

**Rule 12 (4) Payment of salary**

Salaries fixed at a yearly rate shall be paid in twelve equal monthly installments.

**Rule 12 (5) Initial salary rate**

An official shall be appointed at the commencing salary of his grade unless the Secretary-General considers that his experience and other qualifications for the duties and responsibilities attaching to his post justify a higher salary or if the official is on transfer from the United Nations or another Specialized Agency.

**Rule 12 (6) Post adjustment**

- (a) The remuneration of officials in the Professional category and above may be adjusted by the application of a post adjustment applied according to the rules of the United Nations common system.
- (b) The post adjustment shall be payable at the dependant rate if the official has a dependent spouse or a dependent child under the terms of Rule 13(4) (Definition of dependants).

**Rule 12 (7) Staff assessment plan**

- (a) An assessment at a rate fixed in accordance with the scale in force in the United Nations common system shall be applied to the gross salaries of officials, but not to post adjustments, grants and allowances.
- (b) In the case of staff whose salary scales are established in currencies other than United States dollars, the relevant amounts to which the assessment applies shall be fixed at the local currency equivalent of the dollar amounts of the scale mentioned in (a) above at the time the salary scales of the staff concerned are approved.
- (c) The assessment computed under the foregoing provisions shall be collected by the Organization by withholding it from payments.

**Rule 12 (8) Reimbursement of income tax**

- (a) Income tax levied by the authorities of the country of which the official is a national on salaries and emoluments received by him from the Organization shall, subject to the provisions of (b) below, be reimbursed by the Organization.
- (b) The amount of the reimbursement shall be the difference between the tax payable on the official's total income, including Organization earnings, and the tax, which would be payable on his income excluding Organization earnings.
- (c) An official who, through subsequent exclusion of all or part of his Organization earnings from his total income, or by some other means, recovers any income tax paid on these earnings shall refund to the Organization the appropriate portion of any tax reimbursement or advance previously made to him by the Organization.
- (d) Officials are personally responsible for complying with the income tax laws applicable to them. Any penalties, interest or other charges payable because of an official's failure to comply with such laws will not be reimbursed by the Organization.
- (e) The Secretary-General may approve the reimbursement of income tax levied on an official's Organization earnings by the authorities of a country of which he is not a national, provided that at the time of appointment, the official's recognized home was determined to be in that country. If, after his appointment, an official's recognized home is changed to a country of which he is not a national, the Secretary-General may approve the reimbursement of income tax levied on the official's Organization earnings by the authorities of that country, but only to the extent that such income tax would have been levied had he been a national of that country and would have been reimbursable under (a) above.

**Rule 13 (1) Eligibility for allowances and supply of information**

- (a) An official, on initial appointment shall be entitled to the allowances for which he is eligible under the Staff Regulations and Staff Rules, with effect from the date of his appointment; modifications according to

changes in his eligibility shall thereafter take effect, from the first day of the month immediately following such change.

- (b) Officials shall be responsible on appointment for supplying the Secretary-General with whatever information may be required for the purpose of determining their status under the Staff Regulations and Staff Rules or of completing administrative arrangements in connection with their appointments.
- (c) Officials shall notify the Organization without any delay of any changes in or aspect of their situation that may affect their eligibility for any grant, benefit or allowance. They shall respond, within the time-limits prescribed, to any inquiry in that respect and shall provide such supporting documents as may be required of them, failing which the corresponding grant, benefit or allowance may be suspended or discontinued.
- (d) An official who intends to acquire permanent residence status in any country other than that of his or her nationality or who intends to change his or her nationality shall notify the Secretary-General of that intention before the change in residence status or in nationality becomes final.
- (e) An official who is arrested, charged with an offence other than a minor traffic violation or summoned before a Court as a defendant in a criminal proceeding, or convicted, fined or imprisoned for any offence other than a minor traffic violation shall immediately report the fact to the Secretary-General.
- (f) An official may at any time be required by the Secretary-General to supply information concerning facts anterior to his or her appointment and relevant to his or her suitability, or concerning facts relevant to his or her integrity, conduct and service as an official.

**Rule 13 (2) Installation grant<sup>1</sup>**

- (a) An official shall be entitled to an installation grant when his initial travel expenses to his duty station for an assignment of at least one year are payable by the Organization in accordance with Rule 21(1). An installation grant is also payable in respect of each member of this official's family who joins him at the duty station, at the expense of the Organization, for not less than six months.
- (b) The amount of the grant shall be based on the rate of the daily subsistence allowance applicable at the duty station on the day of the arrival of the official or of a member of the official's family. It shall be the equivalent of thirty days:
  - (i) at the full rate for the official;
  - (ii) at half the rate for each member of his family.
- (c) The installation grant shall be payable in the currency of the duty station.
- (d) If an official to whom an installation grant is paid under the present rule is separated from the Organization upon his own initiative before completion of at least one year of service at the duty station for which the grant is paid, the Secretary-General may require him to reimburse all or part of the grant.
- (e) If a member of the official's family remains at the duty station less than six months, any installation grant paid in his respect shall be deducted from the official's emolument except if the Secretary-General has authorized his departure or considers that there is exceptional justification thereof.

**Rule 13 (3) Assignment allowance**

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<sup>1</sup> Approved changes as per Executive Council 73 (2004).

**Rule 13 (4) Definition of dependants**

- (a) In order for the spouse of an official to be recognized as dependant during the course of a given year, the following conditions must be met:
  - (i) The gross occupational earnings of the spouse (before deduction of income tax) during the previous year must not exceed the gross salary level of a G.1, step 1 official. However, for the spouse of an official in the Professional category or above, the ceiling will not be lower than the gross salary of a G.2, step 1 official in New York. Where the period considered is part of a calendar year, the occupational earnings and the ceiling shall be calculated pro rata;
  - (ii) The official must ensure the main and continuing support of the family.
- (b) In order for the child of an official to be recognized as dependant, the following conditions must be met:
  - (i) The child must be the legitimate, natural or legally adopted child of the official, or a child towards whom the official is obliged, by virtue of a legal instrument, to assume the obligations of a parent, or a step child of the official;
  - (ii) The child must be under the age of eighteen years or, if in full time attendance at an educational institution, under the age of twenty-one; this age limit shall not be applicable to children incapacitated for paid work owing to physical or mental disability of a permanent or long-term nature;
  - (iii) The official must ensure the main and continuing support of the child.
- (c) The official shall state in writing that he ensures the main and continuing support of the persons listed above; he may also be required to produce documentary evidence, particularly if the person in question is:

- (i) a spouse from whom the official is legally separated;
  - (ii) a married child;
  - (iii) a child who does not live with the official; however, a child who is a boarder at an educational institution, or for whom similar lodging arrangements have been made for educational purposes, shall not, solely on this account, be considered as living apart from the official.
- (d) A parent, brother or sister of an official shall be considered as a secondary dependant if the official provides to such a person not less than half of that person's financial resources, and in any case with not less than twice the amount of the allowance payable under Rule 13(5) (Family allowances), the conditions regarding age, school attendance or incapacity are the same for brothers and sisters as those applicable to the children mentioned in paragraph (b) above.

Rule 13 (5) **Family allowances**

- (a) Any official shall be entitled to an annual allowance in respect of dependants, subject to fulfilment of the conditions laid down in Rule 13(4). The amount shall be determined and periodically reviewed in accordance with the rules applicable in the United Nations common system.

The above provisions shall be subject to the following restrictions:

- (i) No allowance shall be paid in respect of the first dependent child of an official in the Professional category or above who does not have a dependent spouse;
- (ii) No allowance shall be paid in respect of a secondary dependant to any official in the Professional category or above who has a dependent spouse or to any official in the General Service category who receives an allowance in respect of a spouse;
- (iii) No allowance shall be paid in respect of more than one secondary dependant;

- (iv) Any allowance in respect of a dependent child shall be reduced by the amount of any allowance paid as a social benefit in respect of such child by virtue of national legislation, other than a survivorship benefit;
  - (v) If both parents are officials of the Organization, only one allowance shall be paid in respect of each eligible child to the parent with the highest salary.
- (b) If an official in the General Service category shows that the occupational earnings of his spouse exceed the ceiling provided in Rule 13(4)(a)(i) by less than the amount of the relevant spouse allowance, he shall be paid an allowance equal to the difference between that amount and the excess of occupational earnings; however, the spouse shall not be deemed to be dependent under the above-mentioned rule.

Rule 13 (6) **Education grant**

- (a) An official, other than a locally recruited official, whose duty station is not in the country of his home, shall receive a non-pensionable education grant for each child for whom the official provides the main and continuing support and who is in full-time attendance at a school, university or similar educational institution.
- (b) The grant shall not be payable in respect of:
  - (i) attendance at a kindergarten or nursery school at pre-primary level;
  - (ii) attendance in the country or area of the duty station at a free school or one charging only nominal fees;
  - (iii) correspondence courses, except when in the opinion of the Secretary-General such courses are the best available substitute for full-time attendance at a school of a type not available at the duty station;
  - (iv) private tuition, except in circumstances and under conditions defined by the Secretary-General to take account of linguistic and other special needs and problems which result from expatriation or a change of duty station;

- (v) vocational training or apprenticeships which either do not involve full-time schooling or in which the child receives any payment for services rendered.
- (c) The grant shall be payable up to the end of the fourth year of post-secondary studies or the award of the first recognized degree, whichever is the earlier, but not beyond the end of the school year in which the child reaches the age of twenty-five, provided that the Secretary-General may in exceptional cases prolong payment of the grant beyond this age limit. If the child's education is interrupted for at least one school year by national service, illness or other compelling reason, the period of eligibility shall be extended by the period of interruption.
- (d) In the case of attendance at an educational institution outside the country or area of the duty station, the amount of the grant shall be:
  - (i) where the institution provides board for the child, 75 per cent of the cost of attendance and board up to a maximum amount determined and periodically reviewed in accordance with the scale in force in the United Nations common system;
  - (ii) where the institution does not provide board, a fixed sum, the amount of which shall be determined and periodically reviewed under the same conditions as in subparagraph (i) above, plus 75 per cent of the cost of attendance up to a maximum amount fixed in the same way.
- (e) In the case of attendance at an educational institution in the country or area of the duty station, the amount of the grant shall be equal to 75 per cent of the cost of attendance, up to a maximum amount fixed in the conditions prescribed in paragraph (d) above.
- (f) The grant payable shall be that proportion of the annual grant, which the period of attendance calculated to the nearest complete month bears to the full school year. For the purpose of paragraphs (d) and (e) "cost of attendance" shall include the cost of enrolment, registration, prescribed textbooks, courses, examinations and diplomas, but shall not include boarding fees, school uniforms or optional charges. Where local conditions at duty stations justify such provision, the cost of attendance may include the cost of midday meals, where these are provided by the school, and the cost of daily group transport.

- (g) If both parents of the child are officials of the Organization or officials from the United Nations or another Specialized agency, the grant shall only be payable to one parent.
- (h) In Madrid, the school year is considered to fall within the period from September to the end of June. At other duty stations the Secretary-General may fix other periods.
- (i) The grant shall be payable upon the presentation of evidence satisfactory to the Secretary-General that the conditions required by this Rule are fulfilled.
- (j) Where attendance is for less than two-thirds of the school year, the amount of the grant for that year shall be that proportion of the grant otherwise payable which the period of attendance bears to the full school year.
- (k) Where the period of service of the official does not cover the full school year, the amount of the grant for that year shall normally be that proportion of the grant otherwise payable which the period of service bears to the full school year.
- (l) An official to whom an education grant is payable under paragraph (d) above in respect of his child's attendance at an educational institution shall be entitled to travel expenses for the child of one return journey each school year between the educational institution and the duty station, subject to the following provisions:
  - (i) Such travel expenses shall not be paid if the requested journey is unreasonable, either because of its timing in relation to other authorized travel of the official or his eligible family members or because of the brevity of the visit in relation to the expense involved; in particular transport expenses shall not normally be paid when the official's appointment will expire within six months of the child's arrival at the duty station;
  - (ii) Where attendance is for less than two-thirds of the school year, travel expenses shall not normally be payable;
  - (iii) Transport expenses shall not exceed the cost of a journey between the official's home country and the duty station.

- (m) Where such an educational institution is located beyond commuting distance from the area where the official is serving and, in the opinion of the Secretary-General, no school in that area would be suitable for the child, transport expenses of the child shall be paid for an outward and return journey once for each school year between the educational institution and the duty station.
- (n) For the purpose of applying the rates of reimbursement established in paragraphs (d) and (e) above, when the expenses incurred are in a currency other than the United States dollar, the rate of exchange to be used shall be the United Nations operational rate of exchange in effect on the date when the reimbursement is made.

Rule 13 (7) **Special education grant for disabled children**

- (a) A special education grant shall be payable, subject to paragraph (d) below, to any official holding a fixed-term or permanent appointment whose dependent child is unable, by reason of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to facilitate his integration into society or, while attending a normal educational institution, requires special teaching or training to assist him in overcoming the disability.
- (b) The amount of the grant shall be equal to 100 per cent of the expenses incurred, up to a maximum special education grant determined and periodically reviewed in accordance with the scale in force in the United Nations Common System. The grant shall be computed on the basis of the calendar year, if the child is unable to attend a normal educational institution, or on the basis of the school year, if the child is in full-time attendance at a normal educational institution while receiving special teaching or training. This amount shall be calculated in accordance with the provisions contained in the last sentence of Rule 13(6)(n).<sup>2</sup>
- (c) The expenses reimbursable under the present Rule are those incurred in respect of such teaching services and equipment as are necessary to provide an educational programme designed to meet the needs of the disabled child in order that he may attain the highest possible level of functional ability.

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<sup>2</sup> Approved changes as per Executive Council 73 (2004).

- (d) In order to receive a grant under the present Rule, the official shall be required to show that all other sources of benefits that may be available for the education and training of the child have been exhausted. The amount of expenses used in calculating the grant shall be reduced by the amount of benefits so received as well as by the amount of any grant received under Rule 13(6).
- (e) The grant under the present Rule shall be payable from the date on which the special teaching or training is required up to the end of the school year or calendar year, as appropriate, in which the dependent child reaches the age of twenty-five years. In exceptional circumstances the Secretary-General may authorize the payment of the special education grant up to the end of the year in which the child reaches the age of twenty-eight.
- (f) The provisions of paragraphs (e), (f) and (g) of Rule 13(6) shall apply, *mutatis mutandis*, within the limits of the maximum grant provided for in (b) above.

Rule 13 (8) **Language allowance**

- (a) An official in the General Service category shall be paid a language allowance, subject to pension withholding, if in taking a test prescribed for this purpose, he displays a good knowledge of any official language other than the language in which he is required to be proficient under the terms of his appointment. No official shall be paid a language allowance for more than two official languages of the Organization.
- (b) The amounts of such allowances shall be those applied by the organizations in the United Nations system at Madrid.

Rule 13 (9) **Special post allowance**

- (a) Officials shall be expected to assume temporarily, as a normal part of their customary work and without extra compensation, the duties and responsibilities of posts graded at a higher level than their own in the Organization's budget.

- (b) Without prejudice to the principle that promotion under Rule 14(9) shall be the normal means of recognizing increased responsibilities and demonstrated ability, an official who is called upon to assume the full duties and responsibilities of a post at a clearly recognizable higher level than his own for a temporary period exceeding six months may, in exceptional cases, be granted a non-pensionable special post allowance from the beginning of the seventh month of service at the higher level.
- (c) The amount of the special post allowance shall be equivalent to the salary increase (including post adjustment and dependency allowances, if any) which the official would have received had he been promoted to the level of the post in which he is serving.

Rule 13 (10) **Deductions and contributions**

- (a) There shall be deducted, each pay period, from the total payments due to each official:
  - (i) Staff assessment, subject to the conditions prescribed in Rule 12(7);
  - (ii) The contribution to the United Nations Joint Staff Pension Fund in accordance with the Regulations of the Fund;
  - (iii) The contributions to the medical insurance.
- (b) Deductions from salaries and allowances may also be made for the following purposes:
  - (i) For contributions, other than contributions to the United Nations Joint Staff Pension Fund, for which provision is made under these Rules;
  - (ii) For indebtedness to the Organization;
  - (iii) For indebtedness to third parties when any deduction for this purpose is authorized by the Secretary-General;

- (iv) For lodging provided by the Organization, by a government or by a related institution.

Rule 13 (11) **Rental Subsidy**

Internationally recruited staff shall be eligible to receive a rental subsidy for an amount and under such conditions as are established by the International Civil Service Commission.

## Chapter IV

# Appointments and Promotions

### Rule 14 (1) **Contract of employment**

- (a) The terms of employment of an official shall be governed by a contract, which shall consist of an offer of appointment, signed by the Secretary-General or a representative of the Secretary-General authorized for the purpose, and a declaration by the official stating that he accepts the conditions contained in this letter, subscribes to the oath or declaration of office, has been made acquainted with and accepts the conditions laid down in the Staff Regulations and Staff Rules and in the Standards of Conduct for the International Civil Service.
- (b) The offer of appointment shall state:
  - (1) that the appointment is subject to the provisions of the Staff Regulations and Rules applicable to the category of the appointment in question;
  - (2) the nature of the appointment;
  - (3) the category, grade and salary pertaining to the appointment and, where appropriate, the incremental rate and the maximum salary attaching to the grade;
  - (4) the date on which it is proposed that the appointment become effective,
  - (5) the duration of the contract and
  - (6) any special conditions.
- (c) The offer of appointment shall have transmitted with it a copy of the Staff Regulations and Staff Rules and shall call attention to Rule 14(3) concerning the medical examination preceding appointment.

**Rule 14 (2) Effective date of appointment**

An appointment shall date from the day on which an official leaves his place of residence to take up his post by a route and means of transport approved by the Secretary-General. The appointment of a locally recruited official shall date from the day on which he actually enters upon his duties.

**Rule 14 (3) Medical examination preceding and following appointment**

- (a) No appointment shall be made under these Rules before the Medical Adviser has certified whether the person concerned is in good health and free from any defect likely to interfere with the proper discharge of his duties. The Secretary-General may also require an official to undergo a medical examination on leaving the service.
- (b) When an official is retained in the service of the Organization beyond the age of sixty-two in terms of Staff Regulation 28, a medical examination, by the Medical Adviser designated by the Secretary-General, shall be required at the beginning of each year of service.
- (c) Officials may be required by the Secretary-General to undergo a medical examination at any time during their term of office, at the expense of the Organization.
- (d) Each official shall be entitled to know the Medical Adviser's opinion of his state of health.

**Rule 14 (4) Limitations on employment**

- (a) Except when it is absolutely impossible to recruit another person equally well qualified, an appointment shall not be granted to a candidate who is not a citizen of a Member State.
- (b) A candidate for a post in the Professional category shall be required to possess a university degree or equivalent experience and to show that he has a thorough knowledge of one of the official languages of the Organization and a good knowledge of another of these languages.

- (c) A candidate for a General Service post shall be required to show that he has a thorough knowledge of one and a satisfactory knowledge of another official language of the Organization if his post so requires.
- (d) Posts in the General Service category shall normally be filled by the appointment of persons whose recognized home under Rule 14(6) (Nationality, recognized home) is in the country of the Headquarters.

Rule 14 (4) bis **Family Relationship**

- (a) No appointment shall be granted to a person who bears any of the following relationships to: spouse, father, mother, son, daughter, brother, sister, son-in-law or daughter-in-law.
- (b) If two staff members marry, the benefits and entitlements which accrue to them shall be modified as provided in the relevant Staff Rules; their appointment status shall not, however, be affected. The same modifications shall apply in the case of an official whose spouse is an official of another organization participating in the United Nations Common System.

Rule 14 (5) **Geographical distribution**

Recruitment on as wide a geographical basis as possible, in accordance with the requirements of Article 24(3) of the Organization's Statutes and of Staff Regulation 15(a) shall not apply to posts in the General Service category or in similar salary levels.

Rule 14 (6) **Nationality, recognized home**

- (a) In the application of the Staff Regulations and Staff Rules not more than one nationality shall be recognized for each official. Such nationality, if the staff member is recognized as a national by more than one State, shall be the nationality of the State with which the staff member satisfies the Secretary-General that he is most closely associated.

- (b) An official's home shall be deemed to be in the country of which he is a national at the time of his appointment. An official's home shall remain unchanged for the duration of his service unless the Secretary-General decides that there are compelling reasons for permitting a change.
- (c) The home of an official of the General Service category who has been locally recruited shall be deemed to be at the duty station.
- (d) A non-locally recruited official who acquires voluntarily the nationality of the country of the duty station shall be reclassified as locally recruited, and his entitlement to education grant, home leave travel expenses, repatriation grant and travel expenses upon termination (including removal of personal effects and household goods) shall thereupon cease.

Rule 14 (7) **Service under successive contracts**

- (a) Starting 1 January 1988, all continuous service under contracts governed by these Rules or by the Temporary Staff Rules shall be taken into account for the purpose of the application of the provisions of these Rules:
  - Rule 13(6): Education grant
  - Rule 13(7): Special education grant for disabled children
  - Rules 15(1) to 15(11): Rules relating to recruitment and career development
  - Rule 18(1): Home leave
  - Rule 20(2): Sick leave
  - Rule 21(2): Travel entitlement in respect of official's family
  - Rule 24(9): Termination upon abolition of post or reduction of staff
  - Rule 24(10): Termination for reasons of health
  - Rule 24(11): Repatriation grant
  - Rule 24(13): Grant on death
  - Rule 24(14): Expenses upon termination
- (b) The provisions of these Rules other than those referred to in paragraph(a) shall apply to each appointment as from its effective date, provided that accrued entitlements to annual leave shall be carried forward as long as service under successive contracts governed by these Rules or by the Temporary Staff Rules is continuous.

- (c) For the purpose of this Rule, continuity of service shall not be considered to have been broken by any interruption not exceeding thirty days between two contracts subject to the Temporary Staff Rules.

Rule 14 (8) **Transfer**

- (a) Transfer shall be the assignment of an official to another post, without promotion. A transfer may be decided by the Secretary-General without having recourse to a competition.
- (b) An official can be transferred when the Organization's interests require it. An official can request his transfer.

Rule 14 (9) **Promotion**

- (a) Promotion shall be the advancement of an official to a higher grade. An official may be promoted for an indeterminate period or for a fixed-term period of not less than one year.
- (b) (i) *Promotion within categories and from Professional to Director category*  
An official shall, upon promotion, be placed in the first salary step of the new grade, where such promotion produces an increase in annual net salary of not less than two full increments in the new annual net salary scale of his grade before promotion. Otherwise the step in the new grade shall be determined so that, during the first full calendar month following promotion, an official would receive in annual net salary the amount of two full increments in his grade before promotion.
- (ii) *Promotion from General Service to Professional category*  
An official shall, upon promotion, be placed in the first step of the new grade, where such a promotion produces an increase in the total of annual net salary and post adjustment at the without-dependant rate of not less than one full increment in the new annual net salary scale over his previous pay. Otherwise the step in the new grade shall be determined so that, during the first year following promotion, an official would receive as a total of annual

net salary and post adjustment at the without-dependant rate the amount of one full increment in the new net salary scale more than he would have received as pay without promotion.

- (iii) The date of the official's first increment after promotion shall be adjusted to give effect to the foregoing.
- (c) If an official who has been promoted for a fixed-term period returns to the grade from which he was promoted, he shall be placed in the step he would have reached in that grade had there been no promotion.
- (d) When an official holding a permanent appointment is promoted for a fixed-term period, he shall retain his permanent appointment.
- (e) In case of separation during a fixed-term promotion, any separation payments to which the official concerned may be entitled shall be calculated on the basis of the grade to which he has been promoted.

Rule 15 (1) **Appointment and Promotion Board**

- (a) An Appointment and Promotion Board shall be established by the Secretary-General to give advice on the appointment, promotion and review of staff in the General Service and Professional categories.
- (b) Composition and procedures of the Appointment and Promotion Board:
  - (i) The Appointment and Promotion Board shall consist of five members and an appropriate number of alternates. The Deputy Secretary-General or his duly qualified representative and a representative of the Personnel Section shall serve *ex officio* as members of the Board. The other three members and their alternates shall be appointed by the Secretary-General. The procedure for their appointment, normally for a term of one year, subject to renewal, shall be as follows: (1) one member and one alternate shall be nominated directly by the Secretary-General; and (2) two members and two alternates shall be appointed by the Secretary-General on the recommendation of the Staff Association(s).

- (ii) The Board, which is chaired by the Deputy Secretary-General or his representative, shall establish its own procedures.
- (c) Functions of the Appointment and Promotion Board:

The functions of the Appointment and Promotion Board shall be to advise and make recommendations to the Secretary-General on the following, as well as on matters specified in the Staff Rules and any other matter that the Secretary-General may refer to it. All the Board's deliberations shall be confidential.

- (i) *Appointment*

Appointments of a probable duration of one year or more, excluding the appointment of persons recruited specifically for service with a mission, for posts in the Secretary-General's Cabinet, for the posts of Principal Officer and Director, for posts that can manifestly not be filled by transfer or promotion, and in exceptional and urgent cases.

- (ii) *Promotion*

- The selection of officials qualified for promotion. For this purpose, the Board shall normally once a year conduct a comprehensive, grade by grade review of all officials within its purview. Wherever practicable, it shall develop and maintain promotion registers embodying the results of such a review.
- Minimum periods of service in the grade, as a normal requirement for consideration for promotion, shall be established by the Secretary-General upon recommendation by the Appointment and Promotion Board.

- (iii) Conversion of appointments from fixed term to permanent.

## Rule 15 (2) **Types of recruitment**<sup>3</sup>

- (a) An official in the Professional category shall be regarded as having been internationally recruited and, as such, shall be eligible for entitlement of the allowances and benefits provided for non-locally or internationally

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<sup>3</sup> Approved changes as per Executive Council 91 (2011).

recruited staff in the Staff Regulations and Rules, except if at the time of the appointment he fulfils any of the conditions set out below:

- (i) He is a national of the duty station, or
- (ii) Irrespective of nationality, his permanent residence is in the country of the duty station, or
- (iii) At the time of the appointment, he accepts an offer of local recruitment.

(b) Posts in the General Service category are restricted to local recruitment.

(c) An official regarded as having been locally recruited shall not be entitled to the allowances and benefits applicable to non-local staff as provided in the Staff Regulations and Rules.

#### Rule 15 (3) **Personal files**

A personal file shall be established and maintained for each official. Besides documents relating to the official's appointment, this file shall contain:

- (i) documents relating to his transfers or promotions;
- (ii) reports relating to his competence, efficiency and official conduct, provided that such documents shall be included in the file only after they have been initialed by the official.

Personal files shall be confidential. An official may consult his personal file in the office where it is kept.

#### Rule 15 (4) **Advancement within grade**

The advancement of an official within his grade shall depend on his competence, efficiency and official conduct. Such advancement shall be effected by means of the increments attaching to his grade.

**Rule 15 (5) Incremental date**

- (a) An official shall be entitled to consideration for increment as from each anniversary of the first day of the month during which he was appointed. This date shall be his incremental date.
- (b) Upon promotion an official shall be entitled to consideration for increment as from each anniversary of the first day of the month during which he was promoted. This date shall then become his incremental date. However, any increment above step 11 of grade P.2, step 13 of grade P.3, step 12 of grade P.4 and step 10 of grade P.5 shall be preceded by twenty-four months of satisfactory service.
- (c) Any increment above step 4 of grade D.1 and above shall be preceded by twenty-four months at the previous step.
- (d) An official who is not in receipt of the maximum salary attaching to his grade shall be granted one increment on his incremental date, subject to the provisions of Rule 15(6) (Withholding of increment).

**Rule 15 (6) Withholding of increment**

- (a) In the case of an official whose performance is considered unsatisfactory, the responsible chief may, when completing the annual performance appraisal provided for in Rule 15(11) (Annual reports), recommend the withholding of an increment. The increment may be withheld by the Secretary-General after he has ascertained the view of the official and his responsible chief.
- (b) The withholding of an increment shall not affect the official's right to consideration for an increment on the next incremental date.
- (c) Where it has been decided that an annual increment shall be withheld, the official, if he considers that the decision has been based on an erroneous evaluation of his performance or that the recommendation has been made for reasons unconnected with his performance, can appeal within eight days of receipt of the decision to the Secretary-General who shall refer the matter to the Appointment and Promotion Board for observations and report before deciding.

**Rule 15 (7) Special merit increase**

The responsible chief may recommend to the Secretary-General the grant of an additional increment to an official whose performance during the period under review has been appraised, pursuant to Rule 15(11) (Annual reports), as being especially meritorious and who is not in receipt of the maximum salary attaching to his grade.

**Rule 15 (8) Long-service step**

- (a) The responsible chief may recommend the grant of not more than one additional special increment to an official who is in receipt of the maximum salary attaching to his grade and whose performance during the preceding period has been appraised, pursuant to Rule 15(11) (Annual reports), as especially meritorious.
- (b) The responsible chief's recommendation shall be reviewed by the Appointment and Promotion Board and, if it concurs, shall be referred to the Secretary-General for decision.
- (c) The timing of the increment, as well as the number of recommendations that may be made each year, will be subject to the limitations defined by the Secretary-General.
- (d) An official who has completed more years of service in his grade than the number of years that it would normally take to progress from the minimum to the maximum of the salary scale attaching to his grade and who is at the maximum step shall be eligible to receive an additional special increment on completion of more than twenty years of continuous service in the Organization.
- (e) Subject to the relevant provisions of the Regulations of the United Nations Joint Staff Pension Fund, any special increment granted under the terms of this rule, shall not be taken into consideration in the calculation of pension contribution and for benefit calculation purposes.
- (f) Officials recruited by the Organization after 31 December 1995 shall not be eligible to receive an increment beyond the maximum of the salary scale attaching to their grade.

**Rule 15 (9) Period of probation**

- (a) An official holding a permanent appointment shall be on probation for one year following appointment. The period of probation may be extended by the Secretary-General by one year at most.
- (b) An official appointed for a fixed term shall be on probation for four months following appointment. The period of probation may be extended by the Secretary-General by six months at most.
- (c) An official whose fixed-term appointment is converted into a permanent appointment shall be exempt from the probationary requirement unless the nature of his duties is changed.

**Rule 15 (10) Probationary reports**

At least two months before the expiration of any period of probation being served by an official, his responsible chief shall submit a report on his competence, efficiency and official conduct and shall recommend whether his appointment should be extended or not. If the Secretary-General decides that the official's appointment shall be terminated, he shall be retained in service for one month after the decision has been notified to him.

**Rule 15 (11) Annual reports**

- (a) An annual report on the competence, efficiency and official conduct of each official shall be made by his responsible chief. The report, in a form prescribed by the Secretary-General, shall be made in the light of the guidelines and principles laid down by the International Civil Service Commission.
- (b) The report shall be communicated to the official concerned not later than two months after the date when his increment is due, who shall initial and return it within eight days of its receipt, attaching to it any observations he may wish to make. If these observations are for record purposes only and do not contest any statement made therein, he shall address his written observations to Personnel Section, to be placed in his personal file together with the report to which they refer. If the observations contest any statement in the report to the effect that his

services are unsatisfactory, he shall submit a concise written account of his objections and the facts and conclusions on which they are based to Personnel Section for referral to the Secretary-General.

- (c) An annual report shall fall due on the completion of an official's first nine months of service and every twelve months thereafter, except that any annual report that falls due three months or less before or after the due date of a probationary performance appraisal shall not normally be required. The period under review shall be the period of service prior to an official's first appraisal, or the period of service between two appraisals.

## Chapter V

# Annual and Special Leave

### Rule 16 (1) **Annual leave**

- (a) An official shall be entitled to annual leave at the rate of thirty working days, calculated on the basis of a working week of five days for twelve months' service.
- (b) An official who, on leaving the service, has not exhausted the annual leave to which he is entitled shall be granted a sum proportionate to the number of days of annual leave he has accumulated, up to a maximum of sixty working days. Officials in the Professional category and above will be entitled to receive the sum corresponding to the number of days of accrued leave calculated on the basis of salary and post adjustment. In the case of officials in the General Service category, the calculation will be made on the basis of net salary and any pensionable allowance.
- (c) Annual leave may be taken in days and half days. It shall be approved by the responsible chief who, subject to the exigencies of the service, shall give each official the opportunity to take the annual leave to which he is entitled. Personal circumstances and preferences of the staff member concerned shall, as far as possible, be taken into account.
- (d) Not more than fifteen days of annual leave due in any calendar year may be carried forward to the next calendar year, up to a total of sixty days of accumulated leave, provided that any staff member who may have accumulated more than 60 days prior to 31 December 2004 shall be entitled to retain the number of days so accumulated and not subsequently used.
- (e) An official shall be entitled, upon application, to be paid in advance any salary and allowances falling due during a period in which he will be on annual leave.

- (f) In the event of the death of an official, a sum proportionate to the number of days of annual leave he has accumulated shall be paid to his estate.
- (g) Days on which an official is sick during annual leave shall not be counted as days of annual leave, provided the official is certified by a duly qualified medical practitioner as having been sick on those days.
- (h) Notwithstanding the provisions of paragraphs (b) and (d) above, when, for reasons of service and with the authorization of the Secretary-General, an official is recalled from annual leave or authorization to take annual leave is cancelled, such annual leave as remains due to him at the end of the year on account of such recall or cancellation shall be carried forward, normally to the next year.
- (i) An official may, at the discretion of the Secretary-General, be granted advance annual leave up to a maximum of ten working days.

#### Rule 16 (2) **Holidays**

Officials shall be entitled during a year to leave on nine public holidays to be designated by the Secretary-General. These shall be in addition to annual leave.

#### Rule 17 (1) **Special leave**

- (a) Special leave, with full or partial salary or without salary, may be granted by the Secretary-General to an official for advanced study or research in the interest of the Organization, in cases of extended illness, for child care,<sup>4</sup> or for other exceptional or urgent reasons.
- (b) Periods of special leave without salary of one month or more shall not count as service for the purpose of calculating entitlement to annual leave, advancement within grade, sick leave, education grant, grant on death, repatriation grant and termination indemnities. No contributions will be paid by the Organization to the official's pension fund and health insurance scheme during any period of special leave without

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<sup>4</sup> Approved changes as per Executive Council 95 (2013).

pay. Periods of special leave without salary of six months or more shall have the effect of postponing entitlement to home leave by a corresponding period.<sup>5</sup>

- (c) Notwithstanding the provisions of this Rule, continuity of service shall not be considered to have been broken by periods of special leave.<sup>6</sup>
- (d) Special leave with or without salary shall not be granted to an official who has not yet completed one year of service or who is under probation.
- (e) Officials shall not accrue service credit towards home leave during periods of special leave without pay of one year or more.
- (f) Before being placed on special leave without pay, an official may be required to exhaust his accrued annual leave credit.
- (g) A special leave of five working days shall be granted to any official upon his marriage, or upon the death of the father, mother, brother, sister, spouse or a child.<sup>7</sup>
- (h) A special leave of up to four weeks shall be granted to an official for paternity purposes.<sup>8</sup>
- (i) A special leave of up to eight weeks may be granted to an official in the case of an adoption of a child.

Rule 17 (2) **Special leave for marriage and death**

[included in Rule 17(1) above]

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5 Approved changes as per Executive Council 100 (2015).

6 Ibid.

7 Approved changes as per Executive Council 91 (2011).

8 Ibid.

**Rule 18 (1) Home leave**

- (a) Home leave shall be granted every two years to an official serving outside their home, except if locally recruited, and to their spouse (whether dependant or not) and dependent children, to permit them to spend a regular period of leave in their country with a view to maintaining contact with it. Home leave shall include, in addition to annual leave taken for the purpose, actual travel time to and from the official's home by a route and means of transport approved by the Secretary-General after the official has been consulted.
- (b) An official shall be eligible for home leave provided the following conditions are fulfilled:
  - (i) While performing his official duties the official continues to reside in a country other than that of which he is a national;
  - (ii) The official is expected by the Secretary-General to continue his employment at least six months after the date of his return from any proposed home leave.
- (c) The place of home leave of an official within his home country for purposes of transport entitlements shall be the place where the official had the closest residential ties during the period of his most recent residence in that home country preceding his appointment. Exceptionally, the Secretary-General may authorize home leave to another country due to special family circumstances or reasons beyond the staff member's control, provided no additional expenses for the Organization are involved.
- (d) Travel expenses, as provided for in Rules 21(1) and 21(2), shall be paid in respect of travel on home leave, provided that subsistence allowance shall not be paid for any travel time exceeding the travel time allowable under (a) above. Subject to paragraph (f) below, travel expenses shall be paid to an official in respect of himself, his spouse, and children in respect of whom family allowances are payable. The travel of the spouse and children shall be in conjunction with the home leave of the official, provided that an exception to this Rule may be made by the Secretary-General if the exigencies of the service or other special circumstances require it.

- (e) An official's first home leave shall fall due in the second calendar year following the year in which he was appointed.
- (f) When both husband and wife are officials of the Organization, neither shall be paid home leave travel expenses both as an official and as a spouse, and travel expenses of dependent children shall not be paid more than once every two years.
- (g) In exceptional circumstances the Secretary-General may authorize home leave travel for an official, his spouse and children before the date on which the home leave is due; he may also permit them to defer the home leave, provided that (1) no home leave shall begin earlier than twelve months after the appointment of an official or twelve months after return from any previous home leave and (2) home leave shall in no case be carried forward beyond the calendar year following the year in which it normally became due.
- (h) An official on home leave shall be required to spend a reasonable period of time in the country of his home. The Secretary-General may request a staff member, on his return from home leave, to furnish satisfactory evidence that this requirement has been fully met.
- (i) An official may be required to take his home leave in conjunction with travel on official business or change of official duty station, due regard being paid to the interests of the official and his family.

Rule 18 (2) **Unauthorized absence**

- (a) Unauthorized absence shall render an official liable to disciplinary action under Staff Regulation 30 (Disciplinary measures).
- (b) Such absence for a period of fifteen calendar days or more shall be considered as dereliction of duty and the official's service with the Organization shall be deemed to have ceased on the first day of his absence.



## Chapter VI

### Social Security

#### Rule 19 (1) **Participation in the United Nations Joint Staff Pension Fund**

Each official shall participate in the United Nations Joint Staff Pension Fund if he fulfills the conditions laid down in the Regulations of the Fund and provided that participation is not expressly excluded by the terms of his appointment.

#### Rule 20 (1) **Health Protection**

In addition to the provisions made pursuant to Rule 19(1) above, a mandatory participatory staff health insurance scheme shall be arranged by the Secretary-General with a reputable insurance company, including provisions for health protection, sick leave and maternity leave, and reasonable compensation in the event of illness, injury or death attributable to the performance of official duties on behalf of the Organization

#### Rule 20 (2) **Sick leave**

- (a) When incapacitated for the performance of his duties by illness or injury, an official shall be permitted sick leave of not more than three consecutive working days and of not more than a total of seven working days in any calendar year without submitting a certificate of his incapacity signed by a duly qualified medical practitioner. After three consecutive working days of sick leave, an official shall submit such a medical certificate containing an estimate of the duration of his absence. This certificate may be subject to confirmation by the Medical Adviser. When the Medical Adviser considers the official as being able to perform his duties, the Secretary-General may decide that the official shall not be entitled to sick leave. The official concerned may appeal against this decision in accordance with the procedure set forth in paragraph (c) below. If an official is absent from duty, without

submitting such a medical certificate, for any number of working days in excess of the number specified in this Rule, such absence shall be deducted from annual leave or regarded as special leave without salary.

- (b) Upon submission of a certificate or certificates of incapacity, signed by a duly qualified medical practitioner:
  - (i) an official holding a fixed-term appointment whose continuous service and unexpired term of appointment amount to less than three years shall be permitted sick leave up to a total not exceeding three months on full salary and three months on half salary in any period of twelve consecutive months;
  - (ii) an official holding a permanent appointment or an official appointed for a fixed term whose continuous service and unexpired term of appointment equal or exceed three years shall be permitted sick leave up to a total not exceeding eighteen months in any four consecutive years, the first nine months to be on full salary and the second nine months on half salary.
- (c) In cases of sick leave extending beyond one month, an official may be required to submit a further medical certificate or to undergo examination by the Medical Adviser. If, following such an examination, an official is certified by the Medical Adviser as being able to resume his duties; the Secretary-General may decide that the official shall no longer be entitled to sick leave. The official concerned may appeal against this decision to a medical referee who shall be nominated jointly by the Secretary-General and the official, and whose decision shall be final.
- (d) Entitlement to sick leave shall terminate on the date of termination of an official's appointment.
- (e) The Secretary-General may grant special leave without salary to an official who exhausts the sick leave permitted under these Rules.
- (f) The Secretary-General may grant special leave at a reduced salary to an official who, while suffering from ill health or injury, is declared medically fit for part-time work by the Organization's Medical Adviser.

- (g) Upon the recommendation of the Medical Adviser the Secretary-General may require an official to absent himself on sick leave. The official concerned may appeal against this decision to a medical referee who shall be nominated jointly by the Secretary-General and the official and whose decision shall be final. The official shall be required to absent himself on sick leave pending a decision on such appeal.
- (h) Unless an earlier return to duty is approved by the Secretary-General on the recommendation of the Medical Adviser, officials shall not be permitted or requested to work during a period of certified sick leave.
- (i) An official shall not, whilst on sick leave, leave the area of the duty station without the prior approval of the Secretary-General. This approval must be sought in writing, after obtaining the recommendation of the Medical Adviser, with an indication of the address where the official can be reached.

Rule 20 (3) **Maternity leave**

- (a) An official shall be entitled to maternity leave with full salary and allowances upon presentation of a certificate, signed by a duly qualified medical practitioner, that her confinement will probably take place within six weeks. At the request of the official and upon production of a certificate from a duly qualified medical practitioner indicating that she is fit to continue work, the Secretary-General may permit the maternity leave to commence less than six weeks but not less than two weeks before the probable date of confinement. Maternity leave shall extend for a period of sixteen weeks from the time it is granted, except that in no case shall it terminate less than ten weeks after the actual date of confinement.
- (b) Upon presentation of a certificate, signed by a duly qualified medical practitioner, that she is pregnant, an official shall be temporarily transferred to other work if, in the opinion of the doctor, her post involves work which may prejudice her health.
- (c) For a period of one year following her return from maternity leave, an official shall be entitled to time off for two thirty-minute periods daily to nurse her child.

**Rule 20 (4) Public health restrictions**

- (a) Full salary and allowances shall be paid to an official for any period during which public health regulations prevent him from performing his duties in whole or in part. He may, however, be required during the period in question to perform such duties as circumstances permit.
- (b) An official shall immediately notify the Secretary-General of any case of contagious disease occurring in his household or any quarantine order affecting his household. An official who, as a result of these circumstances, is directed not to attend the office shall receive his full salary and other emoluments for the period of authorized absence.

**Rule 20 (5) Compensation in the event of illness, injury or death attributable to the performance of official duties**

- (a) In the event of illness or injury attributable to the performance of official duties, an official shall be entitled to the reimbursement of all reasonable medical, surgical, pharmaceutical, hospitalization and convalescence expenses, any travel expenses necessarily incurred in obtaining proper treatment and, within reasonable limits, the cost of any necessary artificial limbs and surgical appliances and of their normal renewal. He shall also be entitled during his absence from duty by reason of incapacity to the same salary and allowances that he would have received had he remained on duty, including any annual increments that he may be awarded.

If an official dies as a result of illness or injury which is within the scope of this Rule, the Organization shall, without prejudice to the provisions of Rule 24(12) (Expenses on death), pay all reasonable medical, hospital and directly related costs and reasonable funeral expenses.

No compensation shall be payable under this Rule in respect of illness, injury or death resulting from serious and willful misconduct on the part of the official concerned.

- (b) For the purposes of this Rule, the following shall be deemed to be attributable to the performance of official duties:

- (i) Illness, injury or death resulting directly from particular hazards to the official's health or safety to which he was exposed solely as a result of his assignment by the Organization to an area in which these hazards existed;
  - (ii) Illness, injury or death resulting directly from the official's travel by a means of transport provided by or at the expense of the Organization or in pursuance of arrangements with the Organization, other than travel by private means of transport which is authorized solely on the request and for the convenience of the official or is not expressly authorized.
- (c) All awards of compensation under this Rule to minors shall be paid for the benefit of such minors. The Secretary-General may require the appointment of a guardian in any such case.



## Chapter VII

### Travel and Removal Expenses

#### Rule 21 (1) **Travel entitlements of officials**

- (a) The Organization shall pay the travel expenses of an official:
  - (i) on appointment, from his recognized home or from his place of recruitment to the duty station, unless the place in question is within commuting distance of the duty station;
  - (ii) on home leave under Rule 18(1), from the duty station to his recognized home (or to any other place in the same country provided that the cost is not higher) and return;
  - (iii) on or within twelve months following separation, in respect of travel from the duty station to the official's recognized home (unless these places are within commuting distance of each other) or to any other place of his choice, provided that the cost is not higher;
  - (iv) on mission, as authorized by the Secretary-General.
- (b) Notwithstanding (a)(iii) above:
  - (i) no travel expenses shall be payable where separation is the consequence of an abandonment of post under Rule 18(2);
  - (ii) upon separation following an appointment of less than one year, the Organization may, at its option, pay the travel expenses of the official to the place of recruitment only;
  - (iii) if an official resigns before completing one year of service, the Organization may decline to pay any travel expenses consequent upon separation;

- (iv) the Organization may also decline to pay travel expenses consequent upon separation to an official who resigns within six months of his return from home leave;
- (v) where travel expenses are refused or limited under (i), (ii) and (iii) above, the transport of personal effects and removal of household goods under Rule 22(1) shall likewise be refused or limited.

Rule 21 (2) **Travel entitlements in respect of official's family**

- (a) Where an official is entitled to travel at the expense of the Organization under Rule 21(1), the Organization shall pay the travel expenses of eligible members of his family under the same conditions as those of the official, subject to the provisions of the present Rule. They may travel separately from the official if authorized by the Secretary-General and subject to such conditions as he may prescribe. In all cases, the payment of travel expenses is subject to the condition that the timing of the journey must be reasonable in relation to other travel authorized under the Staff Rules.
- (b) The persons in respect of whom travel expenses shall be payable are: the spouse and dependent children of the official.
- (c) Payment of travel expenses in respect of family members upon or subsequent to appointment shall be subject to the condition that appointment is for not less than one year and they remain at the duty station not less than six months. In the event of departure of a family member after less than six months at the duty station, travel expenses paid in his respect shall be deducted from the official's emoluments except if the Secretary-General has authorized his departure or considers that there is exceptional justification thereof.
- (d) Travel on home leave of a dependent child both of whose parents are officials entitled to home leave, and in respect of whom no travel expenses are payable under Rule 13(6) shall be authorized once every two years between the duty station where the child resides and the recognized home of either parent.

- (e) Travel on home leave of a dependent child in respect of whom travel expenses are payable under Rule 13(6) may be authorized once in every two years between the place of study and the official's recognized home, provided it coincides with the official's travel on home leave and its timing is reasonable in relation to travel authorized under Rule 13(6).
- (f) Travel from the duty station to the official's recognized home, or to some other place provided the cost is not higher, may be authorized in respect of a child who has ceased to be dependent, provided it is effected within one year following the cessation of dependency or upon completion of a full-time university course commenced while the child was dependent.

Rule 21 (3) **Travel authority**

Travel at the expense of the Organization shall be subject to the prior approval of the Secretary-General.

Rule 21 (4) **Route and mode of travel**

- (a) All travel at the expense of the Organization shall be by the route, means of transport and class prescribed by the Secretary-General.
- (b) The most direct and economical route and means of transport shall be prescribed unless it is established to the satisfaction of the Secretary-General that the use of an alternative route and/or means of transport is in the best interest of the Organization.
- (c) The means of transport normally prescribed under (b) above shall be by air.
- (d) Travel by surface means may be authorized, upon request:
  - (i) if the Secretary-General is satisfied that travel by surface means, including travel on initial appointment, is in the interests of the Organization;
  - (ii) if the Medical Adviser of the Organization certifies that the official concerned is medically unfit for travel by air;

- (iii) for reasons of personal convenience, if the exigencies of the service permit, provided that the traveler pays for the difference, if any, between the cost of the fare by surface means and that by air.

Rule 21 (5) **Travel by motor car**

Travel by private motor car may be authorized, at the request of the official, subject to such conditions as the Secretary-General may prescribe and provided that the official holds valid motor car insurance against damage or loss involving the motor car and the persons or property of third parties including passengers.

Rule 21 (6) **Travel time**

- (a) Travel time shall be the time required for a journey by the route, means of transport and class prescribed by the Secretary-General.
- (b) The basic standard for computing travel time shall be that required for air travel, except that:
  - (i) when travel by surface means is prescribed under Rule 21(4)(b), or authorized under Rule 21(4)(d)(i) or (ii), travel time shall be that required for the journey by fast direct carrier;
  - (ii) when travel by surface means is authorized for the personal convenience of the official under Rule 21(4)(d)(iii) or Rule 21(5), any time required for a journey in excess of that required by air shall be counted as annual leave;
  - (iii) when travel by private motor car is authorized in the interests of the Organization under Rule 21(5), travel time shall be computed on the basis of 500 kilometres per day by the authorized route.

Rule 21 (7) **Subsistence allowance**

Subsistence allowance shall be payable, in accordance with the schedule and rates established by the Secretary-General and such further conditions as he may prescribe, during periods of:

- (i) travel time authorized under Rule 21(6) (Travel time);
- (ii) official business away from the duty station; and
- (iii) approved sick leave taken in the course of official travel.

Rule 21 (8) **Travel expenses**

- (a) Travel expenses payable by the Organization shall include:
  - (i) the cost of tickets for travel by the route, means of transport and class authorized by the Secretary-General;
  - (ii) subsistence allowance in accordance with the conditions, schedules and rates established by the Secretary-General;
  - (iii) passport and other similar fees necessitated by official travel;
  - (iv) such additional expenses incidental to official travel as may be approved by the Secretary-General.
- (b) Reimbursement of travel expenses incurred by the traveller himself shall be limited to allowable expenses for authorized travel by the route, means of transport and class prescribed; expenditure in excess of that authorized, or for travel or travel time motivated by the traveller's personal convenience, will be borne by the traveller himself.
- (c) If an official reduces the class of accommodation provided by the Organization, or fails to exercise any entitlement in respect of travel, the saving in cost shall neither accrue to him nor be used to pay for the travel of a person not authorized to travel at the expense of the Organization.

**Rule 22 (1) Removal expenses**

- (a) When an internationally recruited official is to serve at an established office for a continuous period, which is expected to be two years or longer, the Secretary-General, shall decide whether to pay an assignment allowance under Rule 13(2) or to pay costs for the removal of the official's personal effects and household goods under the following circumstances:
- (i) on initial appointment for a period of two years or more;
  - (ii) upon completion of two years of continuous service;
  - (iii) on change of duty station to an established office, provided that the official is expected to serve at the new duty station for a period of two years or more and that, in exceptional cases where the expected period of service is one year or more but less than two years, the Secretary-General may authorize payment of removal costs under this Rule;
  - (iv) upon separation from service, provided that the official had an appointment for a period of two years or more or had completed not less than two years of continuous service.
- (b) Under subparagraphs (a)(i) and (ii) above, the Organization shall pay the expenses of removing an official's personal effects and household goods either from the place of recruitment or from the place recognized as his home for purposes of home leave under Rule 18(1), provided that the effects and goods were in the official's possession at the time of appointment and are being transported for his own use. Payment may be authorized by the Secretary-General in exceptional cases, on such terms and conditions as the Secretary-General deems appropriate. No expenses shall be paid for removing an official's personal effects and household goods from one residence to another at the duty station.
- (c) Under subparagraph (a)(iv) above, the Organization shall pay the expenses of removing an official's personal effects and household goods from the official duty station to any one place to which the official is entitled to be returned in accordance with the provisions of Rule 21(1) or any other one place authorized by the Secretary-General in exceptional cases on such terms and conditions as the Secretary-

General deems appropriate, provided that the effects and goods were in the official's possession at the time of separation from service and are being transported for his own use.

- (d) Payment by the Organization of removal expenses shall be subject to the following considerations:
- (i) The maximum weight and volume for which entitlement to removal at the Organization's expense exists shall be 4,890 kg (10,800 lb) or 30.58 cubic meters (1,080 cubic feet), including the weight or volume of packing but excluding crating and lift vans, for an official without a spouse or dependent child and 8,159 kg (18,000 lb) or 50.97 cubic meters (1,800 cubic feet) for an official with a spouse or dependent child residing at the official duty station. Higher maxima may be authorized if the official presents convincing evidence that his normal and necessary personal effects and household goods to be removed exceed those limits;
  - (ii) For the purposes of unaccompanied shipments and removal, personal effects and household goods shall include all effects and goods normally required for personal or household use provided that animals, boats, motor cars, motor cycles, trailers and other power-assisted conveyances shall in no case be considered as such effects and goods;
  - (iii) Shipments under this Rule shall normally be made in one consignment. Reasonable costs of packing, crating, cartage, unpacking and uncrating of such shipments within the limits of the authorized weight or volume will be reimbursed, but costs for the servicing, dismantling, installing or special packing of personal effects and household goods shall not be reimbursed. Storage and demurrage charges shall not be reimbursed unless, in the opinion of the Secretary-General, they are directly incidental to the transport of the consignment;
  - (iv) Transport of personal effects and household goods shall be by the most economical means, as determined by the Secretary-General, taking into account costs allowable under subparagraph (d)(iii) above;

- (v) In addition to the removal expenses under this Rule, the cost of transporting a private motor car to a duty station may be partially reimbursed under conditions established by the Secretary-General, provided that the duty station to which the motor car is transported is one of the duty stations designated for that purpose and that the assignment of the official to the duty station is expected to be for a period of two years or more or that the initial assignment for a lesser period is extended so that the total period of assignment becomes two years or more.
- (e) Removal costs shall not be payable under this Rule in the case of mission service.
- (f) Where both husband and wife are officials and each is entitled to removal of personal effects and household goods, the maximum weight or volume that may be removed at the Organization's expense for both of them shall be that provided for an official with a spouse or dependent child residing at the official duty station.

## Chapter VIII

### Staff Relations

#### Rule 23 (1) **Staff Associations**

- (a) In determining the representativity of a Staff Association, the Secretary-General shall take into consideration the fact that it includes a sufficiently large number or a sufficiently distinct group of officials.
- (b) The constitution of any Staff Association shall be adopted by the members of the Association and submitted to the Secretary-General for approval.
- (c) A Staff Association whose constitution has been approved by the Secretary-General shall be entitled to submit to the Secretary-General proposals on matters covered by its constitution.
- (d) The Secretary-General shall designate a representative to maintain regular contact with the association or associations, representative of the staff. A joint Staff Association-Administration meeting shall be held at least every three months.



## Chapter IX

### Separation from Service

#### Rule 24 (1) **Separation from service**

The Rules applicable to each cause of separation from service are as follows:

Rule 24(2):	Resignation
Rule 24(3):	End of appointment
Rule 24(4):	Age of retirement
Rules 24(5) to 24(11):	Termination
Rule 18(2):	Unauthorized absence
Rules 30(7) and 30(8):	Summary dismissal
Rules 24(12) and 24(13):	Death

#### Rule 24 (2) **Resignation**

- (a) A resignation, within the meaning of the Staff Regulations, is a separation initiated by an official.
- (b) Unless otherwise specified in their letters of appointment, three months' written notice of resignation shall be given by officials holding permanent appointments and thirty days, written notice of resignation by those holding fixed-term appointments. The Secretary-General may however accept resignations on shorter notice.
- (c) The Secretary-General may require the resignation to be submitted in person in order to be acceptable.
- (d) If the Secretary-General has reason to believe that a notice of resignation was not freely given, he may consider that the notice has not taken effect. In such a case, the official may be deemed to be on special leave pending a further examination of the circumstances of the case and a final determination of the issue.

**Rule 24 (3) End of appointment**

- (a) A fixed-term appointment shall expire automatically and without indemnity on the expiration date specified in the letter of appointment.
- (b) At least three months before the expiration of an appointment for a fixed term of three years or less, the official's situation shall be reviewed by the Secretary-General. In the light of his review, the Secretary-General shall decide either to terminate the official's services or to extend his appointment, once only, for a period that may not bring the total period of service to more than five years; such extension shall not be renewable. Exceptionally, if the Secretary-General considers that the experience gained by the official is indispensable to the Organization, he may, on the expiration of an extended fixed-term contract and after consulting the Appointment and Promotion Board, offer him a permanent appointment.
- (c) Staff members in service before the entry into force of paragraph (b) above<sup>9</sup> shall remain subject to the provisions of paragraph (a) only. Nevertheless, any such officials with more than two years' service may, if they wish, request that consideration be given to converting their contracts in accordance with the procedure provided for in paragraph (b).

**Rule 24 (4) Age of retirement<sup>10</sup>**

Officials shall retire at the end of the last day of the month in which they reach the age of sixty-two. In the case of officials appointed on or after 1 January 2014, retirement shall be at the end of the last day of the month in which they reach the age of sixty-five.

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<sup>9</sup> January 1994.

<sup>10</sup> Approved changes as per Executive Council 95 (2013).

**Rule 24 (5) Termination**

- (a) A termination is a separation initiated by the Secretary-General, other than retirement, summary dismissal or non-renewal of appointment.
- (b) If the necessities of the service require that appointments of officials be terminated, officials holding permanent appointments shall, as a general rule, be retained in preference to those holding other types of appointment, subject to the availability of suitable vacant posts in which their services could be effectively used. Due regard shall be paid in all cases to efficiency, competence, integrity and length of service.

**Rule 24 (6) Notice of termination**

- (a) An official holding a permanent appointment and whose services are to be terminated shall be given not less than three months' written notice of such termination.
- (b) An official holding a fixed-term appointment shall, if his services are terminated, be given not less than one month's notice for each year served in the Organization, up to a maximum of three months. The notice period shall be at least fifteen days if less than one year has been served.
- (c) No notice period shall apply in the event of termination under Staff Regulation 24(b).
- (d) An official serving a probationary period shall, if his services are terminated for other than disciplinary reasons, be given one month's notice if the termination takes place during the first year of probation. An official whose services are terminated during a second probationary year shall also be given one month's notice, but he shall in addition be paid an indemnity equal to one month's salary.
- (e) In lieu of these notice periods, the Secretary-General may authorize compensation calculated on the basis of the salary and allowances that the official would have received had the date of termination been at the end of the notice period.

**Rule 24 (7) Indemnity upon termination**

- (a) A permanent official shall be paid an indemnity equal to:
- six months' salary after less than five years of service and one year's salary after five years of service if his services are terminated as a consequence of the abolition of his post or reduction of staff or for reasons of health;
  - three months' salary if the termination is due to unsatisfactory services.
- (b) An official holding a fixed-term appointment shall be paid an indemnity equal to:
- one week's salary for each month of uncompleted service, which shall be not less than six weeks or more than three months if his services are terminated as a consequence of the abolition of his post or reduction of staff;
  - one month's salary if the termination is due to unsatisfactory services;
  - six months' salary for less than five years' service and one year's salary if his services are terminated for reasons of health.
- (c) An official serving a probationary period shall be paid an indemnity equal to one month's salary if his services are terminated for reasons of health during the first year of probation and to two months during the second; no indemnity shall be payable in the other cases, except as provided in Rule 24(6)(d).

**Rule 24 (8) Termination procedure**

- (a) The official shall be given the opportunity to make his observations on the grounds of the termination envisaged, which shall be communicated to him at least one week before the Secretary-General's decision.
- (b) No termination under Staff Regulation 24(b) may take place until the Appointment and Promotion Board has examined the case. The Board

shall issue a report on the case within fifteen days of its examination. The official concerned shall be entitled to be heard by the Board.

Rule 24 (9) **Termination upon abolition of post or reduction of staff**

- (a) An official whose appointment is terminated as a consequence of abolition of post or reduction of staff shall, during a two-year period effective from the termination date, be offered appointment to any post which becomes vacant and for which the Secretary-General considers that he possesses the necessary qualifications.
- (b) When termination of appointments has to be made as a result of abolition of post, due consideration shall be given to competence, efficiency, official conduct and length of service and to the factor of geographical distribution.

Rule 24 (10) **Termination for reasons of health**

- (a) The Secretary-General may terminate the appointment of an official:
  - (i) upon joint certification by the Medical Adviser and the duly qualified medical practitioner who is treating the official, that the official's state of health justifies the presumption that he will be unable to perform his duties satisfactorily during the remaining term of his appointment;
  - (ii) where the official has exhausted the sick leave to which he is entitled, on the joint recommendation of the Medical Adviser and the duly qualified medical practitioner who is treating the official.
- (b) The question of the termination of an official's appointment may be referred to the Secretary-General in the event of a difference of opinion between the Medical Adviser and the medical practitioner treating the official; it shall be referred to the Secretary-General:
  - (i) if the official concerned contests the joint certification or recommendation of the Medical Adviser and the medical practitioner treating him, or

- (ii) in the case of an injury or illness attributable to the performance of official duties.
- (c) An official whose appointment is terminated in virtue of paragraph (a) above shall be paid a sum equivalent to any sick leave to which he may still be entitled, provided he is not eligible for an invalidity pension.

Rule 24 (11) **Repatriation grant**<sup>11</sup>

- (a) A repatriation grant shall be payable to any non-locally recruited official who, on leaving the Organization otherwise than by summary dismissal under Rules 30(7) (Summary dismissal of permanent officials) and 30(8) (Discharge or summary dismissal of fixed-term officials) has completed one year of service outside the country of his home. The grant shall be computed in accordance with the schedule below. It shall be paid at the family rate when an official has either a dependent spouse or a dependent child in terms of Rule 13(4) (Definition of Dependents).
- (b) When both husband and wife are officials of the Organization, the repatriation grant is payable at the single rate to each of them. When they have a dependent child, the grant shall be paid to each of the spouses under conditions established by the Secretary-General in order to avoid double payment.
- (c) The payment of the grant shall be subject to the production by the former official of documentary evidence satisfactory to the Secretary-General that the official has taken up residence in a country other than that of the last duty station. No claim for this grant may be made after the expiry of two years from the effective date of separation, provided that in exceptional cases this time-limit may be extended by the Secretary-General. Notwithstanding the provisions of this paragraph, officials in service on 31 December 1987 shall not be required to produce documentary evidence in respect of their entitlement to a grant corresponding to the period of service completed by that date; in respect of service after that date such evidence is required for any balance of the grant to be paid.

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<sup>11</sup> For separation grant payment, see Rule 33(8)(a).

- (d) When an official has been transferred to his home country, he shall retain entitlement to the repatriation grant computed in accordance with the schedule below, the length of service taken into account for determining the grant being reduced by one year in respect of each six months of service completed in his home country. If subsequently the official has been transferred outside his home country, his entitlement shall then accrue in the same conditions until it reaches the level it had reached when the official was transferred to his home country. Thereafter it shall accrue in accordance with the schedule below.
- (e) In the event of the death of an official to whom the grant would have been payable, it shall be paid: (1) to the surviving spouse or (2) to a child in respect of whom a family allowance was payable. If there is one such surviving person, the grant shall be paid at the single rate; if there is more than one, it shall be paid at the family rate. If there is no such surviving person, no payment shall be made.
- (f) The repatriation grant shall be computed in accordance with the following schedule. If service in the final year is less than twelve full months, the grant shall be paid in respect of completed months of service in that year.

Years of continuous service outside the home country	Number of weeks' salary		
	Single rate (Professional category and above)	Single rate (General Service category)	Family rate
1 year	3	2	4
2 years	5	4	8
3 years	6	5	10
4 years	7	6	12
5 years	8	7	14
6 years	9	8	16
7 years	10	9	18
8 years	11	10	20
9 years	13	11	22
10 years	14	12	24
11 years	15	13	26
12 years or more	16	14	28

- (g) For officials in service on 31 December 1987, “salary” shall mean, up to that date, base salary plus post adjustment for the Professional category and above and base salary plus any pensionable allowances for the General Service category.

Rule 24 (12) **Expenses on death**

- (a) On the death of an official at his duty station, the Organization shall pay the expense of transporting the remains to the place to which travel expenses upon termination would have been payable. This Rule applies *mutatis mutandis* to an official who dies while on mission for the Organization.
- (b) The provisions of (a) shall apply to an official’s dependant in respect of whom travel expenses would have been payable on termination of the official’s appointment.
- (c) The dependants of a deceased official shall be entitled to travel and removal expenses to the place to which such expenses would have been payable to the official upon termination. If there are no spouse or dependent children, the Secretary-General may, in special circumstances, authorize payment of the cost of removal of the household goods and personal effects of the deceased official to another member of his family.

Rule 24 (13) **Grant on death**

In the event of the death of an official who at the date of death has completed not less than three years of continuous service, a single grant computed in accordance with the following schedule, shall be paid to the beneficiaries designated by him.

Completed years of service	Months of remuneration
3 years	3
4 years	4
5 years	5
6 years	6
7 years	7
8 years	8
9 years or more	9

Rule 24 (14) **Expenses upon termination**

- (a) Upon the termination of his appointment:
- (i) an official shall be paid travel expenses in respect of himself and his spouse and dependent children from his duty station to his home;
  - (ii) an official shall be paid the cost of removal of his household goods and personal effects from his duty station to his home.
- (b) When both husband and wife are officials of the Organization and each is entitled to the payment of travel expenses upon termination of appointment, travel expenses from the duty station to the home shall be paid only once to each of them.
- (c) Expenses under this Rule shall not normally be paid to an official whose appointment is terminated in accordance with Rule 30(7) (Summary dismissal of permanent officials) or Rule 30(8)(b) (Discharge or summary dismissal of fixed-term officials), nor to an official who resigns before he completes one year of service. Expenses under this Rule may be paid in respect of travel or removal to a place other than that recognized as the official's home, provided the cost is not greater.

Rule 24 (15) **Certificate of service**

A certificate relating to the nature of his duties and the length of service shall be given, at his request, to an official leaving the service. At his request the certificate shall also refer to the official's competence, efficiency and official conduct.

Rule 24 (16) **Commutation of accrued annual leave**

If, upon separation from service, an official has accrued annual leave, he shall be paid in lieu thereof a sum of money equivalent to his salary for a period of such accrued leave up to a maximum of sixty working days.

Rule 24 (17) **Restitution of advance annual leave**

Upon separation, an official who has taken advance annual or sick leave beyond that which he has subsequently accrued shall make restitution of such advance leave by means of a cash refund or an offset against moneys due to him from the Organization, equivalent to the remuneration received including allowances and other payments, in respect of the advance leave period. The Secretary-General may waive this requirement if he is satisfied there are exceptional or compelling reasons for so doing.

## Chapter X

# Disciplinary Measures

### Rule 29 (1) **Suspension**

- (a) If the Secretary-General considers, in circumstances that appear to call for the application of a sanction, that the continuance in service of the official concerned pending consideration of the matter may prejudice the service, he may suspend the official from his duties pending such consideration, the suspension being without prejudice to the rights of the official.
- (b) Suspension may be with or without salary provided that an official shall be suspended without salary only in cases that appear to call for the sanction of summary dismissal. If the official is not summarily dismissed, he shall be paid for any period of suspension without salary. If the official is summarily dismissed, the dismissal may be made effective as from the date of the suspension. For purposes of this Rule, “salary” shall mean salary and allowances.

### Rule 30 (1) **Sanctions**

- (a) An official who fails to observe the standards of conduct required of an international civil servant may be subjected to any one of the following sanctions, as appropriate to the gravity of the case: (1) verbal warning, (2) written reprimand, (3) censure, (4) discharge, and (5) summary dismissal.

- (b) Failure to observe these standards of conduct required of an international civil servant shall mean:
  - (i) failure to observe any of the provisions of Staff Regulations 3 to 9;
  - (ii) misconduct by an official in his official capacity;
  - (iii) dereliction of duty.

Rule 30 (2) **Procedure for application of sanctions**

- (a) Before the application of any sanction other than verbal warning, a proposal to apply it, stating the reasons for which it is made, shall be communicated in duplicate to the official concerned. The official shall initial and return one copy of the proposal within eight days of its receipt, adding to it any observations he may wish to make.
- (b) Except in cases of summary dismissal, no official shall be subject to disciplinary measures until the matter has been referred for advice to the Joint Appeals Committee; this Rule shall not however be applicable in the case of a verbal warning or written reprimand and may, besides, be waived by mutual agreement of the official concerned and the Secretary-General.
- (c) The decision to apply a sanction shall be communicated in duplicate to the official concerned, who shall initial and return one copy. In the case of a warning, the official, if he so wishes, may add his observation

Rule 30 (3) **Verbal Warning**

The sanction of verbal warning may be applied to an official by his responsible chief or by the Secretary-General.

**Rule 30 (4) Written Reprimand**

The sanction of written reprimand may be applied to an official on the recommendation of the official's responsible chief, by the Deputy Secretary-General or by the Secretary-General.

**Rule 30 (5) Censure**

- (a) The sanction of censure may be applied to an official by the Secretary-General on the recommendation of the official's responsible chief, or on his own initiative.
- (b) The Secretary-General may require the responsible chief to report to him three months after the application of the censure on the conduct of the official, who shall initial and return it, adding to it any observations he may wish to make.

**Rule 30 (6) Discharge of permanent officials**

- (a) The sanction of discharge may be applied to a permanent official by the Secretary-General on the recommendation of the official's responsible chief, or on his own initiative.
- (b) An official who is discharged under this Rule shall be given three months' notice. The Secretary-General may grant him an indemnity not exceeding one-half of that payable under Rule 24(7) (Indemnity upon termination).

**Rule 30 (7) Summary dismissal of permanent officials**

- (a) If a permanent official is guilty of serious failure to observe the standards of conduct required of an international civil servant, the sanction of summary dismissal may be applied to him by the Secretary-General on the recommendation of the official's responsible chief, or on his own initiative.
- (b) An official who is summarily dismissed under this Rule shall not be entitled to notice or indemnity.

Rule 30 (8) **Discharge or summary dismissal of fixed-term officials**

- (a) The sanction of discharge may be applied to a fixed-term official by the Secretary-General. An official who is discharged under this Rule shall be given one month's notice. The Secretary-General may grant him an indemnity equal to one week's salary for each month of uncompleted service, subject to a maximum of three months.
  
- (b) If a fixed-term official is guilty of serious failure to observe the standards of conduct required of an international civil servant, the sanction of summary dismissal may be applied to him by the Secretary-General. The official who is summarily dismissed under this Rule shall not be entitled to notice or indemnity.

Rule 30 (9) **Right of Defense**

No disciplinary action shall be taken against an official until he has been given an opportunity to present his defense

## Chapter XI

### Appeals

#### Rule 31 (1) **Joint Appeals Committee**

- (a) A Joint Appeals Committee is established and shall be available to advise the Secretary-General on disciplinary measures that are being considered against officials in the conditions prescribed in these Rules.
- (b) Officials shall have access to the Joint Appeals Committee composed, as provided for in Rule 31(2) below in accordance with the rules contained in Annex 2 to these Rules.

#### Rule 31 (2) **Composition of the Joint Appeals Committee**

- (a) The Joint Appeals Committee shall consist of three members as follows:
  - (i) A Chairman selected from a panel appointed biennially by the Secretary-General after consultation with the Staff Association(s);
  - (ii) one member appointed biennially by the Secretary-General;
  - (iii) one member elected by the staff.

The staff shall elect biennially by ballot two staff members, one from the Professional category and above and one from the General Service category.

The member called to serve on the Committee shall be from the group to which the official whose case is to be considered belongs.

- (b) Alternate members shall be selected in the same manner as the members; an alternate member shall serve on the Committee during

the consideration of any case for which a member is unavailable or disqualified under paragraph (d) below, provided that alternate members elected by the staff shall be called to serve in the order in which they received votes in such election.

- (c) The members and alternate members of the Joint Appeals Committee shall be eligible for reappointment or re-election.
- (d) The Chairman of the Joint Appeals Committee, at the request of either party, may disqualify any member or alternate member from the consideration of a specific case if, in the opinion of the Secretary-General, such action is warranted by the relation of such member or alternate member to the official whose case is to be considered. The Chairman may also excuse any member or alternate member from the consideration of a specific case.

Rule 31 (3) **Joint Appeals Committee procedure**

- (a) In considering a case, the Joint Appeals Committee shall act with maximum dispatch. Normally, proceedings before the Committee shall be limited to the original written presentation of the case, together with brief statements and rebuttals, which may be made orally or in writing, but without delay. The Joint Appeals Committee shall make every effort to send its report to the Secretary-General within the two weeks following its meeting.
- (b) An official may arrange to have his or her case presented before the Committee by any other official of the Organization provided this does not entail any expense for the Organization.

Rule 32 (1) **Administrative Tribunal**

- (a) Officials shall have the right to appeal against a decision of the Secretary-General, taken after reference to the Joint Appeals Committee under the preceding Rule, to the International Labour Organisation Administrative Tribunal, in accordance with the provisions of the Statutes of that Tribunal.

- (b) Notwithstanding the terms of (a) above, an official may, in agreement with the Secretary-General, waive the jurisdiction of the Joint Appeals Committee and appeal direct to the Administrative Tribunal. In such cases the decision impugned shall be considered as final, and the official shall be deemed to have exhausted all other means of resisting it.



## Chapter XII

### General Provisions

#### Rule 33 (1) **Application and amendment of the Rules**

- (a) The Secretary-General shall be responsible for the application of these Rules. He shall be responsible for the provisional application of the changes introduced by the United Nations in the common system of salaries and those concerning the allowances and other conditions of service established in accordance with the common system, until their approval by the Executive Council.
- (b) The amendments to these Rules shall be compatible with the common system of salaries, allowances and other conditions of service of the United Nations and specialized agencies.
- (c) The Secretary-General may make exceptions to the Rules in specific cases, provided that such exceptions are not inconsistent with the Staff Regulations and do not constitute a breach of contract or prejudice the acquired rights of, and are in the interests of the Organization. Such exceptions shall be made a matter of record and made known to the Executive Council or the General Assembly on request.
- (d) In case of doubt with regard to the interpretation and/or application of the Staff Rules and of administrative instructions related thereto, the Secretary-General shall be guided by the United Nations practices.

#### Rule 33 (2) **Time-limit for submission of claims**

Except where these Rules provide otherwise, no claim shall be entertained if it is submitted after the expiry of twelve months from the date on which the right to make it arose.

**Rule 33 (3) Indemnity for loss**

The Secretary-General may on the recommendation of the responsible chief and after due inquiry authorize, within limits and terms that he will establish, the indemnization of an official for personal property lost or damaged in the course and in consequence of the official's employment or due to travel by means of transport provided by or at the expense of the Organization.

**Rule 33 (4) Financial responsibility**

Any official may be required to reimburse the Organization either partially or in full for any financial loss suffered by the Organization as a result of the official's negligence or of his having violated any regulation, rule or administrative instruction.

**Rule 33 (5) Liability insurance**

Officials who own or drive motor cars shall carry public liability and property damage insurance in an amount adequate to insure them against claims arising from injury or death to other persons or from damage to the property of others caused by their cars.

**Rule 33 (6) Official's beneficiaries**

- (a) At the time of appointment, each official shall nominate a beneficiary or beneficiaries in writing in a form prescribed by the Secretary-General. It shall be the responsibility of the official to notify the Secretary-General of any revocations or changes of beneficiaries.
- (b) In the event of the death of an official, all amounts standing to the official's credit will be paid to his nominated beneficiary or beneficiaries, subject to application of the Staff Rules. Such payment shall afford the Organization a complete release from all further liability in respect of any sum so paid.
- (c) If a nominated beneficiary does not survive, or if a designation of beneficiary has not been made or has been revoked, the amount standing to the credit of an official will, upon the official's death, be paid to his estate.

**Rule 33 (7) Proprietary rights**

All rights, including title, copyright and patent rights, in any work performed by an official as part of his official duties shall be vested in the Organization.

**Rule 33 (8) Transitional provisions**

- (a) Entitlement to the separation grant shall expire on the date these Rules<sup>12</sup> enter into force for all officials who on that date do not fulfill the conditions stipulated by Rule 24(11) for entitlement to the repatriation grant. Upon termination for a reason other than summary dismissal, an official's acquired rights with respect to the separation grant shall be liquidated, taking into account his family situation, grade and step as of the date of separation from service.
- (b) The salaries and allowances of officials of the General Service category in service at 1 April 1987 shall, to protect the rights acquired by that date, be increased by a transitional supplement which shall be phased out as the salaries and allowances paid under these Rules rise to the level of the salaries and allowances applicable on 1 February 1987.

**Rule 33 (9) Gender of Terms**

In the text of these Rules, terms used in the masculine form in respect of staff members apply to officials of both sexes, unless the context clearly indicates otherwise.



# Annexes



## Annex 1

Annex 1 (a) **Salary scale for the professional and higher categories showing annual gross salaries and net equivalents after application of staff assessment**

Annex 1 (b) **General Service category Salaries and Allowances**



## Annex 2

# Rules of the Joint Appeals Committee

### Purpose of the Joint Appeals Committee

1. The Joint Appeals Committee shall advise the Secretary-General, with whom the final decision shall rest, on appeals made by officials.

### Membership of the Joint Appeals Committee

2. The composition of this Committee is indicated in Rule 31(2).
3. The Secretary-General shall appoint a Secretary to the Committee.
4. The Personnel Section and the staff association(s) may each be represented by an observer to all hearings by the Committee. An effort shall be made to select as observers persons to whom the appellant has no personal objection.

### Jurisdiction of the Joint Appeals Committee

5. (a) The Committee shall consider appeals against an administrative decision or against any disciplinary action where an official alleges that it conflicts either in substance or in form with the terms of his contract, or with any Staff Regulation or Staff Rule relevant to his case.  
  
(b) In cases in which the decision appealed against is based on grounds of inefficiency or relative efficiency, the Committee shall not have jurisdiction to determine the substantive question of efficiency, but only the question as to whether the decision was affected by prejudice or other extraneous factor.  
  
(c) In case of doubt, the Committee shall itself decide whether it is competent in accordance with these terms of reference.

6. An official, in agreement with the Secretary-General, may waive his right of recourse to the Committee and appeal directly to the Administrative Tribunal and in such case the decision impugned shall be considered as final and the official shall be deemed to have exhausted all other means of resisting it.

### Preliminary procedure

7.
  - (a) An official who wishes to contest any administrative decision or disciplinary action shall first protest against it in writing. The protest shall be addressed to the Secretary-General through the Personnel Section, within a period of one month of the date of receipt of the decision or of the action contested by the official and within a period of two months if he has been separated from the Organization.
  - (b) The Secretary-General's ruling on the protest under (a) above shall be communicated to the official by the Personnel Section within one month of the date of the protest.
  - (c) If the official wishes to pursue his contestation, he shall address a notice of appeal in writing to the Secretary of the Committee. The time limit for the submission of a notice of appeal, to be counted from the date of receipt of the Secretary-General's ruling (or, if no ruling was communicated to the official within the time limit under (b) above, from the expiry of that time limit), is one month.
  - (d) The notice of appeal under (c) above shall state the date and nature of the decision or action against which the appeal is directed, the date of the protest under (a) above and the date of the Secretary-General's ruling under (b) above or the fact that no ruling was communicated to the appellant within the appropriate time limit.
  - (e) Unless the official concerned provides proof to the contrary, notice of any ruling or action shall be deemed to have been received one day after the date on which it was sent.
8. The time limits laid down in paragraph 7 may be extended by the Secretary-General in exceptional circumstances.

### Procedure before the Joint Appeals Committee

9. An official may have his appeal presented to the Committee on his behalf by any other member of the Secretariat.
10. Within one month of the notice of appeal, the appellant or his representative shall file a detailed appeal. If the detailed appeal is irregular in any respect, the Secretary of the Committee shall return it for rectification, and may grant up to one month for resubmission.
11. Upon receipt of the detailed appeal, the Secretary of the Committee shall immediately forward copies to the Chairman of the Committee and to the Personnel Section. Further copies shall be forwarded to the members of the Committee, as soon as they are appointed in accordance with paragraph 13.
12. Within one month of the receipt of the detailed appeal, the Personnel Section shall submit to the Secretary of the Committee his detailed reply with supporting documents. The Secretary of the Committee shall immediately forward copies to the Chairman, to Committee members when appointed and to the appellant.
13. Upon receipt of the reply under paragraph 12 (or, failing such a reply upon expiry of the time limit for its submission), the Secretary-General shall appoint members of the Committee, in accordance with paragraph 2, to hear the appeal. The Secretary of the Committee shall inform the persons appointed and shall inform the appellant of their names. Members so appointed who are unable to serve shall notify the Secretary of the Committee immediately. They shall return to the Secretary any documents relating to the case.
14. The Secretary of the Committee shall convene the Committee to hear the appeal as soon as possible and not later than two months, after receiving the reply under paragraph 12 (or, failing such a reply, after the expiry of the time limit for its submission).
15. The hearing shall be in camera. It shall commence with a brief oral statement of the case by the appellant or his representative, followed by an oral reply by the Secretary-General's representative.

The parties may give evidence and call witnesses. The parties, and in the discretion of the Chairman, any member of the Committee may question all those who give evidence. The two parties and any member of the Committee may request the production of any relevant documents. Evidence shall be voluntary.

16. On the completion of the hearing, the Committee shall consider the case in private.
17. At the end of these deliberations, the Committee shall by a majority vote adopt a report summarizing the case and advising the Secretary-General on what action, if any, he should take. Dissenting votes, and dissenting opinions (if the dissenting member desires) shall be stated in the report. The recommendations shall be made in relation to the Staff Regulations and the Staff Rules.
18. The Chairman of the Committee may, in agreement with the Secretary-General, extend the time-limits provided for in paragraphs 10 and 12 above.
19. The Secretary shall forward the report as soon as possible to the Secretary-General and a copy to the appellant.
20. The Secretary-General shall make a decision thereon as soon as possible and shall notify the Chairman of the Committee and the appellant.

### Records and reports

21. (a) All proceedings of the Committee shall be confidential. Records of the Committee shall be confidential and shall be kept by the Secretary of the Committee.
- (b) The report of the Committee shall be confidential unless otherwise decided by the Secretary-General. An appellant may disclose the report to the Administrative Tribunal. Reports of the Committee and decisions of the Secretary-General thereon shall be communicated for information to the Members of the Executive Council.

- (c) Intending appellants who have protested under paragraph 7, members of the Committee appointed for any particular case, and the president or presidents of the staff association(s) may examine all the previous reports of the Committee, and decisions made thereon by the Secretary-General.



## Annex 3

### Rules and Procedures

#### Separation payments for staff members in the professional category and above

(Circular NS/362 dated 28 September 1990)

Upon cessation of service, separation payments (accumulated annual leave, repatriation grant, death grant, termination indemnities) for the staff in professional and higher categories in service prior to 1 July 1990 shall be made on the basis of net base salary and post adjustment; for staff appointed on or after 1 July 1990, all separation payments except the commutation of unused annual leave shall be calculated on the basis of the net base salary. Compensation for unused annual leave in cash shall be made on the basis of net base salary plus post adjustment of the duty station of the official.







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