



▶ **Staff Regulations**

(July 2023)

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Purpose and scope

Article 0.1

Purpose

The Staff Regulations and the annexes thereto regulate the conditions of employment and set forth the duties and rights of the officials of the International Labour Office.

Article 0.2

Scope

(a) The Regulations, except as may otherwise be provided, shall apply to all officials comprising the staff of the Office, as defined in article 2.1 (Composition of the staff).

(b) Persons engaged for a period of less than one year shall be subject to conditions of service to be determined by the Director-General, after consulting the Joint Negotiating Committee.

(c) Officials of Branch Offices and National Correspondents shall be subject to conditions of service to be determined by the Director-General, after consulting the Joint Negotiating Committee.

(d) Persons engaged as consultants shall be subject to conditions of service to be determined by the Director-General, after consulting the Joint Negotiating Committee.

(e) Maintenance personnel shall be subject to conditions of service to be determined by the Director-General, after consulting the Joint Negotiating Committee.

Chapter I. Duties, obligations and privileges

Article 1.1

Status of officials

The officials of the International Labour Office 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 International Labour Organization alone in view. They shall be subject to the authority of the Director-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 International Labour Office.

Article 1.2

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, which may adversely reflect on their status. They are not expected to abandon 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 which is incompatible with the proper discharge of their duties, and shall obtain the prior approval of the Director-General before they engage in outside occupations.

Article 1.3

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 Director-General, communicate to any person unpublished information known to them by reason of their official position. 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 International Labour Organization or deliver a public address relating to the Organization, except in the course of their duties or by authorization of the Director-General.

Article 1.4

Declaration of loyalty

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

I solemnly undertake to exercise in all loyalty, discretion and conscience the functions that have been entrusted to me as Director-General of the International Labour Office, to discharge these functions and regulate my conduct with the interests of the International Labour 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 International Labour Organization, and at all times to uphold the Constitution of the International Labour Organization.

(b) The Deputy Directors-General, the Assistant Directors-General and the Treasurer and Financial Comptroller, on entering upon their duties, shall make and sign the following declaration before the Governing Body in public session:

I solemnly undertake to exercise in all loyalty, discretion and conscience the functions that have been entrusted to me as ¹ ... of the International Labour Office, to discharge these functions and regulate my conduct with the interests of the International Labour 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 International Labour Office.

(c) Other officials, on entering upon their duties, shall make and sign 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 International Labour Office, to discharge these

¹ Deputy Director-General, Assistant Director-General, or Treasurer and Financial Comptroller, as the case may be.

functions and regulate my conduct with the interests of the International Labour 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 International Labour Office.

Article 1.5

Honours and gifts

An official 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 Director-General such acceptance is compatible with his status as an international civil servant.

Article 1.6

Candidature for political office

Any official who becomes a candidate for a public office of a political character shall resign from the Office.

Article 1.7

Privileges and immunities

The privileges and immunities attaching to the International Labour Organization by virtue of article 40 of the Constitution, 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 arise, the official concerned shall immediately report to the Director-General, who will decide whether they shall be waived.

Article 1.8

Penalty for non-observance

(Deleted)

Article 1.9

Assignment of duties

(a) The Director-General shall assign an official to his duties and his duty station subject to the terms of his appointment, account being taken of his qualifications.

(b) The Director-General may second an official, with his consent, for temporary duty outside the service of the Office.

Chapter II. Organization of the staff

Article 2.1

Composition of the staff

The staff of the Office shall comprise:

- (1) Officials appointed without limit of time to posts established by the budget of the Organization and to such posts as may be created by the Governing Body under any special funds which may be made available to the Organization for that purpose; such officials shall be “established officials”.
- (2) Officials appointed for a fixed term; such officials shall be “fixed-term officials”.

Article 2.2

Classification of jobs

Jobs shall be classified in categories and grades, in accordance with the duties and responsibilities attaching to them, as follows:

- (1) Director-General;
Deputy Director-General;
Assistant Director-General;
Treasurer and Financial Comptroller.
- (2) Director and Principal Officer category, comprising the grades of D.2 and D.1, and assimilated special jobs.
- (3) Professional category, comprising the grades of P.5, P.4, P.3, P.2 and P.1, and assimilated special jobs.
- (4) National Professional Officers category, comprising the grades of NO-D, NO-C, NO-B and NO-A.
- (5) General Service category, comprising all other grades.

Article 2.3

Responsible chief

(a) Each official shall report to a chief who shall supervise the official's work and be responsible for such functions in relation to the official as are prescribed in these Regulations. The responsible chief shall keep officials informed of the chief's opinion of their work.

(b) For the purpose of these Regulations the responsible chief shall be:

- (1) the Director-General for officials who report directly to the Director-General;
- (2) the Deputy Directors-General and Assistant Directors-General for officials who report directly to them;
- (3) the directors/chiefs of organizational units for officials in those units unless the Director-General has designated another official in respect of a subordinate organizational unit;
- (4) the official to whom they report, for all officials not covered by (1), (2) or (3) above.

Article 2.4

Technical reviewing chief and resident coordinator

- (1) For the performance appraisal of a technical specialist, or a senior technical specialist, in a duty station other than headquarters, a technical reviewing chief shall provide technical observations in accordance with article 6.7, paragraph 1, to be done under the coordination of the official's responsible chief. The responsible chief shall be the director of the duty station of such an official. The technical reviewing chief of such an official shall be the director of the relevant organizational unit at headquarters.
- (2) For the performance appraisal of an official who is designated as a member of a United Nations country team, the resident coordinator shall provide an assessment, in accordance with article 6.7, paragraph 1, against the measures defined in the agreed output relating to their contribution to results towards joint United Nations activities as set out in the United Nations Sustainable Development Cooperation Framework and other agreed inter-agency commitments and activities.

The resident coordinator shall submit this assessment to the official's responsible chief as input into the official's performance appraisal.

Article 2.5

Supervisor

Notwithstanding articles 2.3 and 2.4 above, officials may also have a supervisor in a subordinate organizational unit who will guide their work on a daily basis and may be asked by the responsible chief to provide input on the official's performance appraisal.

Article 2.6

Grade descriptions

A description of the duties and responsibilities attaching to each grade shall be established by the Director-General after consulting the Joint Negotiating Committee.

Chapter III. Salaries and allowances

Article 3.1

Salary scales

(a) The gross salary scales of the Professional category and above and of the General Service category in Geneva shall be those specified on pages 22 and 23.

(b) A staff assessment shall be applied to the gross salary scales at the rates specified on page 24. The amount remaining after deduction of this assessment shall be the net salary specified on pages 22 and 23 and shall be the amount payable to the official.

(c) Certain provisions of these Regulations refer to the remuneration specified in this paragraph as the basis of calculating relevant entitlements. That remuneration shall be:

- (i) for officials in the Professional category and above, the amount set out in the salary scale reproduced on page 22;
- (ii) in the National Professional Officers category and in the General Service category net salary and the net amount of such allowances as may be pensionable under these Regulations.

(d) The gross and net salary scales and the family allowances of officials of the National Professional Officers category and the General Service category shall be determined by the Director-General in accordance with the methodology approved by the competent body on the basis of best prevailing conditions of employment found locally for similar work. The Joint Negotiating Committee shall be informed at regular intervals of any reduction to salary scales applicable to ILO officials of the National Professional Officers and the General Service categories.

(e) Except where otherwise provided in these Regulations, "salary" shall mean the "net salary" arrived at under paragraph (b).

Salary scale for the Professional and higher categories (showing annual salaries in US\$)
Effective 1 January 2023

Grade	Rate/Step	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII
DDG	Gross ⁽¹⁾	212 632												
	Net-U ⁽²⁾	155 837												
ADG	Gross	193 080												
	Net-U ⁽³⁾	142 933												
D2	Gross	154 212	★	★	★	★	★	★	★	★	★	★		
	Net-U	117 280	119 613	121 946	124 281	126 617	128 951	131 283	133 619	135 952	138 285			
D1	Gross	137 890	140 817	143 750	146 680	149 599	152 683	155 789	158 889	161 998	165 102	★	★	★
	Net-U	106 023	108 072	110 125	112 176	114 219	116 271	118 321	120 367	122 419	124 467	126 516	128 563	130 614
P5	Gross	118 901	121 393	123 886	126 373	128 866	131 353	133 847	136 336	138 827	141 361	★	★	★
	Net-U	92 731	94 475	96 220	97 961	99 706	101 447	103 193	104 935	106 679	108 421	110 166	111 906	113 653
P4	Gross	97 139	99 353	101 701	104 104	106 507	108 910	111 317	113 720	116 123	118 523	★	★	★
	Net-U	77 326	79 008	80 691	82 373	84 055	85 737	87 422	89 104	90 786	92 466	94 152	95 830	97 513
P3	Gross	79 764	81 813	83 863	85 909	87 961	90 008	92 057	94 108	96 155	98 203	★	★	★
	Net-U	64 121	65 678	67 236	68 791	70 350	71 906	73 463	75 022	76 578	78 134	79 695	81 251	82 809
P2	Gross	61 680	63 512	65 343	67 175	69 011	70 845	72 680	74 507	76 341	78 172	★	★	★
	Net-U	50 377	51 769	53 161	54 553	55 948	57 342	58 737	60 125	61 519	62 911	64 304	65 700	67 091
P1	Gross	47 471	48 896	50 349	51 905	53 459	55 017	56 570	58 128	59 682	61 239	★	★	★
	Net-U	39 401	40 584	41 765	42 948	44 129	45 313	46 493	47 677	48 858	50 042	51 223	52 404	53 587

Gross Gross salaries.

Net-U Net Unified equivalents after application of staff assessment.

The normal qualifying period for in-grade movement between consecutive steps is one year.

★ Steps marked with an asterisk will be granted biennially.

(1) Where the Director-General designates a Deputy Director-General as Principal Deputy Director-General, his or her net salary is increased by \$600 and his or her gross salary by the corresponding amount.

(2) Plus a representation allowance of 7,650 Swiss francs.

(3) Plus a representation allowance of 6,375 Swiss francs.

Salary scale for the General Service category (Geneva)
(Swiss francs per annum)
Effective 1 September 2022

Grade		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12 ¹⁾
G.1	Gross	71 803	74 311	76 844	79 387	81 931	84 475	87 018	89 562	92 106	94 649	97 193	99 737
	Net	54 703	56 509	58 315	60 121	61 927	63 733	65 539	67 345	69 151	70 957	72 763	74 569
G.2	Gross	78 693	81 468	84 242	87 017	89 792	92 566	95 341	98 115	100 890	103 665	106 439	109 214
	Net	59 628	61 598	63 568	65 538	67 508	69 478	71 448	73 418	75 388	77 358	79 328	81 298
G.3	Gross	86 225	89 245	92 265	95 285	98 304	101 324	104 344	107 363	110 383	113 403	116 423	119 442
	Net	64 976	67 120	69 264	71 408	73 552	75 696	77 840	79 984	82 128	84 272	86 416	88 560
G.4	Gross	94 530	97 828	101 127	104 425	107 724	111 023	114 321	117 620	120 918	124 217	127 515	130 814
	Net	70 872	73 214	75 556	77 898	80 240	82 582	84 924	87 266	89 608	91 950	94 292	96 634
G.5	Gross	103 965	107 569	111 173	114 777	118 382	121 986	125 590	129 194	132 799	136 403	140 007	143 611
	Net	77 571	80 130	82 689	85 248	87 807	90 366	92 925	95 484	98 043	100 602	103 161	105 720
G.6	Gross	114 375	118 318	122 262	126 206	130 149	134 093	138 037	141 980	145 924	149 868	153 811	157 755
	Net	84 962	87 762	90 562	93 362	96 162	98 962	101 762	104 562	107 362	110 162	112 962	115 762
G.7	Gross	125 717	130 041	134 365	138 689	143 013	147 337	151 661	155 985	160 308	164 632	168 956	173 280
	Net	93 015	96 085	99 155	102 225	105 295	108 365	111 435	114 505	117 575	120 645	123 715	126 785

¹ Officials are entitled to accede to step 12 on completion of more than 20 years of service, including more than 10 years in their current grade.

Rates of staff assessment

1. For the Professional category and above:
 - 17.0 per cent on the first \$50,000 gross salary;
 - 24.0 per cent on the next \$50,000 gross salary;
 - 30.0 per cent on the next \$50,000 gross salary;
 - 34.0 per cent on all remaining salary.
2. For General Service category staff: ¹
 - 19.0 per cent on the first \$20,000 gross salary; ²
 - 23.0 per cent on the next \$20,000 gross salary;
 - 26.0 per cent on the next \$20,000 gross salary;
 - 28.0 per cent on the next \$20,000 gross salary;
 - 29.0 per cent on all remaining salary.

¹ Effective 1 January 2019.

² Or the equivalent in local currency.

Scale of pensionable remuneration for the Professional and higher categories
(showing annual rates in US\$)

Effective 1 February 2023

Grade	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII
DDG	373 673												
ADG	346 919												
D2	283 883	289 812	295 745	301 681	307 620	313 554	319 485	325 417	331 351	337 282			
D1	255 267	260 477	265 692	270 905	276 103	281 317	286 530	291 731	296 949	302 155	307 365	312 570	317 781
P5	221 471	225 903	230 340	234 766	239 203	243 629	248 070	252 499	256 930	261 363	265 796	270 222	274 660
P4	182 591	186 808	191 026	195 246	199 464	203 690	207 973	212 251	216 525	220 799	225 085	229 351	233 631
P3	149 558	153 389	157 295	161 195	165 101	169 004	172 906	176 817	180 716	184 618	188 528	192 429	196 338
P2	116 030	119 429	122 824	126 220	129 620	133 022	136 421	139 812	143 212	146 606	150 001	153 441	156 928
P1	89 733	92 504	95 274	98 047	100 814	103 678	106 560	109 444	112 328	115 213	118 094	120 973	123 859

Scale of pensionable remuneration for the General Service category (Geneva) ¹
(Swiss francs per annum)

Effective 1 September 2022

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12
G.1	69 920	72 358	74 801	77 241	79 682	82 122	84 563	87 004	89 486	92 104	94 720	97 338
G.2	76 580	79 240	81 902	84 563	87 223	89 957	92 812	95 666	98 520	101 373	104 226	107 080
G.3	83 803	86 699	89 649	92 757	95 863	98 969	102 076	105 183	108 291	111 397	114 504	117 612
G.4	91 980	95 374	98 769	102 162	105 556	108 948	112 342	115 735	119 130	122 523	125 916	129 309
G.5	101 685	105 392	109 104	112 811	116 521	120 229	123 939	127 648	131 358	135 066	138 776	142 486
G.6	112 397	116 455	120 513	124 572	128 631	132 689	136 747	140 805	144 863	148 922	152 980	157 039
G.7	124 063	128 515	132 964	137 415	141 865	146 314	150 765	155 214	159 665	164 115	168 564	173 015

¹ Pursuant to article 51(a) of the Regulations of the United Nations Joint Staff Pension Fund, where paid, the net amount of a non-resident allowance and/or the net amount of a language allowance is added to pensionable remuneration.

Article 3.1.1

Pensionable remuneration

Pensionable remuneration shall be determined directly by the Regulations of the United Nations Joint Staff Pension Fund.

Article 3.2

Payment of salary

Salaries fixed at a yearly rate shall be paid in 12 equal monthly instalments. Salaries may be paid at more frequent intervals at duty stations other than Geneva.

Article 3.3

Initial salary rate

1. An official shall be appointed at the commencing salary of his grade unless the Director-General considers that a qualified candidate cannot be found for that salary rate.

2. The Director-General may make exceptions to paragraph 1 above in the case of technical cooperation project staff if he considers that an official's experience and other qualifications for the duties and responsibilities attaching to his job justify a higher salary.

Article 3.4

Salary on promotion

1. Upon promotion an official shall be placed on such step in the higher grade as will result in his receiving an increase in salary equivalent to at least two increments but less than three increments pertaining to the lower grade, provided that his salary shall in no case be less than the commencing salary or greater than the maximum salary of the grade to which he has been promoted. Where the Director-General considers that the official's experience and other qualifications for the duties and responsibilities attaching to his job justify a higher salary he may grant additional increments.

2. If promotion takes effect on the official's incremental date the new salary is calculated after the award of any increment due in the lower grade.

3. Where an official of the General Service category is promoted to a grade in the National Professional Officers category or to a grade in the Professional category and where an official of the National Professional Officers category is promoted to a grade in the Professional category, the following shall be considered to be part of salary for the purpose of paragraph 1:

- (i) any pensionable allowance which the official received in the General Service category or in the National Professional Officers category;
- (ii) any post adjustment applicable to the grade in the Professional category to which the official is promoted.

4. Where promotion from the General Service category to the National Professional Officers category or to the Professional category and where promotion from the National Professional Officers category to the Professional category results in decrease of an official's pensionable remuneration, the official will keep his pensionable remuneration at the level which it had reached immediately prior to the promotion unless that level is exceeded by the pensionable remuneration corresponding to his grade and step in the Professional category, in which case he will be placed on the scale of that category.

Article 3.5

Non-resident allowance and rental subsidy

(a) An official in the General Service category who is non-locally recruited as defined in article 4.3 (General Service category) and who is assigned to a duty station designated by the Director-General after consulting the Joint Negotiating Committee as encountering exceptional difficulty in recruiting and retaining staff shall be paid a non-pensionable non-resident allowance of \$3,000 per annum if he is entitled to a family allowance in respect of a spouse or a child or would be so entitled if the conditions of service at his duty station included provision for such an allowance, or \$2,400 per annum if he is not or would not be so entitled.

(b) An official in the General Service category who is non-locally recruited as defined in article 4.3 and who is assigned to a duty station not designated in accordance with paragraph (a) may be paid a rental subsidy at

an amount determined in accordance with conditions established by the Director-General after consulting the Joint Negotiating Committee.

(c) Neither the allowance payable under paragraph (a) nor the rental subsidy payable under paragraph (b) shall be paid for more than five consecutive years in respect of service at a particular duty station.

(d) An official in receipt of a non-resident allowance on 31 December 1983 may elect to retain that allowance during all subsequent service at that duty station under the conditions and at the rate in effect on that date. If he does so the provisions of paragraphs (a) and (b) of this article shall not be applicable to him during service at that duty station.

(e) The non-resident allowance provided for in this article may not be cumulated with the mobility incentive, hardship and non-family service allowance referred to in article 3.11.

Article 3.6

Change in responsibilities

On the recommendation of the responsible chief the Director-General may increase temporarily, by a non-pensionable amount equal to one or more increments, the salary of an official temporarily posted for duty away from headquarters if he is satisfied that the official's responsibilities have thereby so changed that they have become temporarily greater than those corresponding to his salary but not to such extent as would warrant upgrading of the job, provided that no increment shall be granted unless the assignment is made for a period of not less than two years and provided also that when the assignment is terminated the salary of the official shall be reduced by an amount corresponding to the amount of the special increment which he received.

Article 3.7

Special allowance

(a) A non-pensionable special allowance shall be paid to an official who is assigned on a temporary basis to the duties and responsibilities of a vacant job in a higher grade at the same duty station. This allowance shall be payable as from a date six months after the date on which the official has assumed the duties and responsibilities at the higher grade.

(b) When an official is assigned on a temporary basis for not less than six months to the duties and responsibilities of a vacant job in a higher grade following a transfer to another duty station, a non-pensionable allowance shall be payable as from the date of assumption of the duties and responsibilities. Where the duration of the assignment is for less than six months or is uncertain but in fact lasts for six months or more, the allowance shall be payable with retroactive effect to the date on which the duties and responsibilities were assumed.

Article 3.8

Special duty allowances at Geneva

(a) Interpreters

1. Established interpreters

An annual non-pensionable allowance of \$1,000 shall be paid to officials designated by the Director-General as established interpreters. The officials so designated shall not be in a grade higher than P.3, and shall have interpreted from two languages into a third language on a regular basis at conferences, committees and other meetings for at least five years, including at least three years as officials of the International Labour Office. The Director-General shall establish rules and procedures for the selection of the persons to be designated, including a definition of the term "regular basis". The Director-General may remove from the list of established interpreters an official who ceases to interpret on a regular basis, as so defined, over a one-year period.

2. Other interpreters

During conferences, committees and other meetings, an allowance of 9 Swiss francs per hour shall be paid for both simultaneous and consecutive interpretation performed by officials other than established interpreters. This allowance is payable only to officials in grades up to and including P.3.

(b) Supervisors in the Stenographic Section

During conferences, committees and other meetings, an allowance for each working day equivalent to the difference between the daily salary corresponding to the mid-point of the salary scale of the official's own grade and that of the mid-point of the G.5 salary scale shall be paid to an official

assigned to the duties of a supervisor at the G.5 grade, in accordance with a schedule to be established by the Director-General after consulting the Joint Negotiating Committee.

Any overtime worked while receiving this allowance shall be compensated as overtime worked at the G.5 grade.

(c) Supervisors in the Duplicating Section and reporting stenographers

During conferences, committees and other meetings, an allowance for each working day equivalent to the difference between the daily salary corresponding to the mid-point of the salary scale of the official's own grade and that of the mid-point of the G.6 salary scale shall be paid to an official assigned to the duties of a supervisor or reporting stenographer at the G.6 grade, in accordance with a schedule to be established by the Director-General after consulting the Joint Negotiating Committee.

Any overtime worked while receiving this allowance shall be compensated as overtime worked at the G.6 grade.

(d) Operators of telephonic interpreting systems

During conferences, committees and other meetings, an allowance for each working day equivalent to the difference between the daily salary corresponding to the mid-point of the salary scale of the official's own grade and that of the mid-point of the G.2 salary scale shall be paid to an official assigned to the duties of an operator at the G.2 grade, in accordance with a schedule to be established by the Director-General after consulting the Joint Negotiating Committee.

Any overtime worked while receiving this allowance shall be compensated as overtime worked at the G.2 grade.

(e) Conference transcribers

During conferences, committees and other meetings, an allowance for each working day equivalent to the difference between the daily salary corresponding to the mid-point of the salary scale of the official's own grade and that of the mid-point of the G.5 salary scale shall be paid to an official assigned to the duties of a transcriber, in accordance with a schedule to be established by the Director-General after consulting the Joint Negotiating Committee.

Any overtime worked while receiving this allowance shall be compensated as overtime worked at the G.5 grade.

(f) The security intervention group

A monthly non-pensionable allowance of 100 Swiss francs shall be paid to officials in the General Service category who are designated by the Director-General as members of the security intervention group. The allowance shall be paid only in respect of complete months of service in the intervention group.

Article 3.9

Post adjustments

The remuneration of officials in the Professional category and above is adjusted for cost-of-living variations at different duty stations and overtime in relation to a base index by means of a post adjustment whose amount shall be determined by multiplying 1 per cent of net salary by a multiplier reflecting the classification for the duty station concerned, as determined by the competent body.

Article 3.10

Settling-in grant

(a) For the purposes of this article, article 3.11 (Mobility incentive, hardship and non-family service allowance) and article 14.5.2 and 14.5.4 (Service in designated duty stations), the Director-General, after consulting the Joint Negotiating Committee, shall classify duty stations in one of the following categories as determined by the competent body under the United Nations common system:

- (i) Geneva and duty stations assimilated to it (category H);
- (ii) other duty stations classified according to difficulty of conditions of work and life (categories A to E).

(b) A non-pensionable settling-in grant shall be payable in accordance with the following provisions to an official upon appointment or transfer, for one year or more, to a duty station to which he is paid travel expenses in accordance with article 9.3 (Expenses upon appointment) or article 9.4 (Expenses upon transfer).

(c) The grant shall consist of:

- (i) an amount equal to 30 days of the subsistence allowance payable in accordance with Annex III;
- (ii) a lump-sum payment equal to one month's net salary for the duty station of appointment or transfer. For the purposes of this provision, net salary shall comprise net salary plus post adjustment for the duty station of appointment or transfer for an official in the Professional category or above. For an official of the General Service category, net salary shall comprise net base salary including pensionable entitlements for the duty station of appointment or transfer. For an official with recognized dependants, any spouse allowance payable at the duty station of appointment or transfer shall be added. If no spouse allowance is payable, the allowance for the first dependent child shall be added instead.

(d) In addition, the official shall be paid an amount equal to 30 days' subsistence allowance, at half the rate payable in respect of himself, for an accompanying spouse and each accompanying dependant for whom travel expenses to the duty station are paid in accordance with article 9.3 or 9.4, on condition that the official certifies that the spouse or dependant intends to reside at the duty station for at least six months during the official's service there.

(e) Where both spouses are officials of the Office, or one is an official of another organization applying the United Nations common system, and they are assigned to the same duty station, the amount provided for in paragraph (c)(i) shall be payable to each, the amount provided for in paragraph (d) for dependants shall normally be payable to the spouse to whom family allowances are payable, and the lump-sum payment provided for in paragraph (c)(ii) shall be payable to the spouse whose status yields the higher entitlement. If the spouses are assigned to different duty stations, the grant provided for in paragraph (c) shall be payable to each and the amount provided for in paragraph (d) for dependants shall normally be payable to the spouse to whom family allowances are payable.

(f) At duty stations in categories A to E at which exceptional housing difficulties exist, the Director-General may authorize an increase in the amounts payable under paragraphs (c)(i) and (d). The additional amounts paid in respect of any assignment shall not exceed the equivalent of: (i) 60 per cent of 60 days' subsistence allowance for an official; (ii) 30 per cent of

60 days' subsistence allowance for each person eligible under paragraph (d), provided that exceptionally the Director-General may authorize the 60 days' limit to be exceeded.

(g) If an official does not complete the period of service giving rise to a payment under this article, an appropriate proportion of the payment shall be recovered under conditions to be established by the Director-General after consulting the Joint Negotiating Committee.

Article 3.11

Mobility incentive, hardship, and non-family service allowances

(a) Non-pensionable mobility incentive, hardship, and non-family service allowances shall be payable in accordance with the following provisions to an official who is appointed or transferred to a duty station for one year or more, provided that no such incentive or allowances shall be payable to a locally recruited official of the General Service category as long as he or she remains assigned to a duty station at which he or she is classified as locally recruited.

(b) Mobility incentive: this incentive is not payable at an official's first duty station. Also, in order first to become eligible for this element, the official must have completed at least five years of continuous service immediately preceding the transfer. Thereafter, at duty stations classified in accordance with article 3.10(a) in categories A to E, the mobility incentive shall be payable according to the table below at a rate determined by the official's grade, the number of the official's assignments, involving a change of duty station, for one year or more. For this purpose, notwithstanding article 4.11 and article 14.4.3, assignments under earlier contracts shall be counted to the extent that there has not been an interruption of more than 12 months between contracts. In Geneva and at other duty stations classified in category H, no mobility incentive shall be payable. The incentive is payable for a maximum period of five years at any given duty station; it may exceptionally be paid for up to one additional year where the official remains at the same duty station for compelling humanitarian reasons or at the explicit request of the Director-General.

(c) Hardship allowance: this allowance shall be payable according to the table below at duty stations classified in categories B to E, without conditions regarding service or prior assignments, for the full duration of the official's assignment, at the rate corresponding at any given time to the

classification of the duty station. It shall not be payable at duty stations classified in categories H and A.

(d) Non-family service allowance: this allowance shall be payable according to the table below at duty stations where the eligible dependants are restricted from being present at the duty station for a period of six months or longer, as determined by the competent body under the United Nations common system.³

(e) The non-family service allowances shall be payable at the dependency rate to an official with dependants even if these do not accompany him or her at the duty station. Where both spouses are officials of the Office, or one is an official of an organization applying the United Nations common system, the allowance shall be payable to each at the rate applicable to him or her; where there are dependent children, the allowance shall be payable at the dependency rate to the spouse to whom family allowances are payable.

(f) The mobility incentive and the hardship and non-family service allowances shall be paid in monthly instalments.

(g) If an official does not complete the period of service giving rise to the non-removal allowance, or his or her conditions of service are changed in a manner affecting his or her entitlement to the allowance, an appropriate proportion of the allowance shall be recovered under conditions to be established by the Director-General after consulting the Joint Negotiating Committee or, as the case may be, the allowance shall be adjusted as from the effective date of the change of conditions of service.

³ Applicable to officials appointed after 30 June 2011.

► **Mobility incentive**

(annual amounts in United States dollars)

Duty station	Grade band	Number of assignments		
		2-3	4-6	7+
A to E	P1-P3	6 700	8 375	10 050
	P4-P5	8 375	10 469	12 563
	D1+	10 050	12 563	15 075

► **Hardship allowance**

(annual amounts in United States dollars)

Duty station	Grade	Allowance
H	P1-P3	-
	P4-P5	-
	D1+	-
A	P1-P3	-
	P4-P5	-
	D1+	-
B	P1-P3	5 930
	P4-P5	7 110
	D1+	8 300
C	P1-P3	10 680
	P4-P5	13 040
	D1+	15 410
D	P1-P3	14 230
	P4-P5	16 610
	D1+	18 960
E	P1-P3	17 790
	P4-P5	21 340
	D1+	23 720

► **Non-family service allowance**
(annual amounts in United States dollars)

Dependency rate	Single rate
19 800	7 500

Article 3.11 *bis*

Danger pay

(a) A monthly non-pensionable special allowance shall be paid to an official who is required to work in locations where very dangerous conditions prevail, as determined by the competent body under the United Nations common system, and for as long as the location is deemed to remain very dangerous. The allowance is not payable in respect of days spent outside of the duty station during any period of leave, or on official travel of more than seven consecutive calendar days, including weekends and holidays falling during such periods.

(b) The amount of the allowance payable to internationally recruited staff shall be \$1,645. The amount of the allowance for locally recruited staff shall be the equivalent of 30 per cent of the net midpoint of the applicable local General Service salary scale divided by 12. The allowance shall be prorated to the number of days actually spent at the duty station in accordance with paragraph (a) above.

Article 3.12

Family allowance in the Professional category and above

An official in the Professional category or above shall be paid an annual non-pensionable family allowance in accordance with the following provisions:

(a) A spouse allowance in the amount of 6 per cent of net base salary plus post adjustment shall be paid in respect of a spouse whose gross annual occupational earnings are less than step 1 of the gross salary attaching to grade G.1 of the General Service category at Geneva (dependent spouse).

(b) An allowance in the amount of \$2,929 shall be paid in respect of each unmarried child for whom the official provides the main and continuing support and who is under 18 years of age, or who is in full-time attendance at a school or university or similar educational institution and is under

21 years of age, or who is physically or mentally incapacitated for work (dependent child). The allowance shall not be paid in respect of the first dependent child if the official receives a single parent allowance under this article. When an official's spouse is an official of an organization applying the United Nations common system, child allowance shall be paid in respect of a child only to the official having the higher grade. The Director-General shall decide in each case whether the allowance shall be paid in respect of adopted children or stepchildren. The allowance shall be reduced by the amount of any allowance received from a source outside the Office by the official or the official's spouse in respect of the child. If the allowance payable under this paragraph is extinguished by such a reduction it shall nevertheless be deemed to be payable for the purposes of all other articles of these Regulations.

(c) A single parent allowance in the amount of 6 per cent of net base salary plus post adjustment shall be paid in respect of the first dependent child to an official who has no spouse. An official who receives a single parent allowance in respect of the first dependent child shall not be eligible for payment of a child allowance for that child. The allowance shall be reduced by the amount of any allowance or other financial support received from a source outside the Office by the official in respect of the child.

(d) \$1,025 in respect of one of the following persons: a father, a mother, a brother or a sister, provided that no spouse allowance is paid under this article. An allowance under this paragraph shall be paid only upon presentation of evidence satisfactory to the Director-General that the official contributes an amount equal to at least one-half the total support of the parent, brother or sister, and, in any case, at least \$2,050 a year. The allowance shall be paid in respect only of an unmarried brother or an unmarried sister who is under 18 years of age, or who is in full-time attendance at a school or university or similar educational institution and is under 21 years of age, or is physically or mentally incapacitated for work.

(e) When a child recognized as dependent under (b) above has been determined by the Director-General, on the basis of medical evidence, to be physically or mentally disabled either permanently or for a period expected to be of long duration, one additional allowance in the amount of \$3,716 shall be paid in respect of that child.

Article 3.12 *bis*

Family allowance in the National Professional Officers category

(Deleted)

Article 3.13

Family allowance in the General Service category at Geneva

(a) An official in the General Service category at Geneva shall be paid an annual non-pensionable allowance of 6,398 Swiss francs in respect of each unmarried child for whom the official provides the main and continuing support and who is under 18 years of age, or who is in full-time attendance at a school, university or similar educational institution and is under 21 years of age, or who is physically or mentally incapacitated for work. The amount of this allowance shall be doubled for a child who has been determined by the Director-General, on the basis of medical evidence, to be physically or mentally disabled either permanently or for a period expected to be of long duration. The Director-General shall decide in each case whether the allowance shall be paid in respect of adopted children or stepchildren. The allowance shall be reduced by the amount of any allowance received from a source outside the Office by the official or the official's spouse in respect of the child. If the allowance payable under this paragraph is extinguished by such a reduction it shall nevertheless be deemed to be payable for the purposes of paragraph (b)(2) below and of all other articles of these Regulations.

(b) An official in the General Service category at Geneva shall be paid not more than one of the following annual non-pensionable allowances:

- (1) 7,939 Swiss francs in respect of a spouse whose gross annual occupational earnings are less than step 1 of the gross salary attaching to grade G.1 of the General Service category at Geneva. If the spouse's gross annual occupational earnings exceed this amount the allowance shall be paid to the extent to which such excess is less than the amount of the allowance. When husband and wife have been legally separated, the Director-General shall decide, in each case, whether the allowance shall be paid.
- (2) 6,785 Swiss francs in respect of a child for whom an allowance is payable under (a) above, provided that the allowance shall not be paid to an

official whose spouse has gross annual occupational earnings greater than step 1 of the gross salary attaching to grade G.1 of the General Service category at Geneva. If the amount of any allowance received from a source outside the Office by the official or the official's spouse exceeds the amount of the allowance established in paragraph (a) above, the allowance payable under this subparagraph shall be reduced by the amount of such excess.

- (3) 2,515 Swiss francs in respect of a parent, a brother or a sister. An allowance under this subparagraph shall be paid only upon presentation of evidence satisfactory to the Director-General that the official contributes an amount equal to at least one-half the total support of the parent, brother or sister, and, in any case, at least 5,030 Swiss francs a year. The allowance shall be paid in respect only of an unmarried brother or an unmarried sister who is under 18 years of age, or who is in full-time attendance at a school, university or similar educational institution and is under 21 years of age, or who is physically or mentally incapacitated for work.

Article 3.14

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. An official who, following expatriate duty, is transferred to a duty station in the country of his home shall retain all entitlements under this article for the remainder of the school year during which the transfer took place.

(b) The grant shall not be payable in respect of:

- (1) attendance at a kindergarten or nursery school at pre-primary level;
- (2) attendance in the country or area of the duty station at a free school or one charging only nominal fees;
- (3) correspondence courses, except when in the opinion of the Director-General such courses are the best available substitute for full-time attendance at a school of a type not available at the duty station;

- (4) private tuition, except in circumstances and under conditions defined by the Director-General to take account of linguistic and other special needs and problems which result from expatriation or a change of duty station;
- (5) 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 until the award of the first post-secondary degree, whichever is earlier, but not beyond the end of the school year in which the child reaches the age of 25, provided that the Director-General may in exceptional cases prolong payment of the grant beyond this age limit.

(d) Admissible expenses actually incurred shall be reimbursed based on a global sliding scale consisting of seven brackets subject to a maximum grant, with declining reimbursement levels as provided in the following table.

Claim amount bracket ¹ in US\$	Reimbursement rate (%)
0-13 224	86
13 225-19 836	81
19 837-26 448	76
26 449-33 060	71
33 061-39 672	66
39 673-46 284	61
> 46 285	0

¹ The first US\$13,224 of an eligible claim will be reimbursed at a rate of 86 per cent, and each further amount of US\$6,612 will be reimbursed at the rate of 81/76/71/66/61 per cent, respectively, up to an amount of US\$46,284.

(e) The amount of the grant shall be payable in the currency in which expenses are incurred.

(f) For officials assigned outside category H duty stations, an additional lump sum of US\$5,300 for boarding-related expenses shall also be payable in respect of eligible children who attend primary or secondary education outside the duty station.

(g) The grant payable shall be that proportion of the annual grant which the period of attendance calculated to the nearest month bears to the full school year. For the purpose of this article, admissible expenses are defined as the cost of tuition and enrolment-related fees only.

(h) If both parents of the child are officials of the Office, or if the other parent is an official of another organization applying the United Nations common system, the grant shall only be payable to one parent. In such cases if the home countries of the parents are not the same, the parents shall jointly certify which of the respective home countries shall be regarded as the home country for the purposes of this article. A certification made in conformity with this paragraph can subsequently be changed only in exceptional circumstances and with the consent of the Director-General.

(i) Where boarding-related expenses are payable in accordance with paragraph (f), transport expenses of the child attending school at the primary or secondary level shall be paid for an outward and return journey once for each school year between the educational institution and the duty station, provided that:

- (1) where attendance is for less than two-thirds of the school year, transport costs may be refused;
- (2) transport expenses shall not be paid if the requested journey is unjustified, either because of its timing in relation to other authorized travel of the official or his dependants 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;
- (3) where the educational institution is in a country other than the official's home country, the amount paid in respect of transport expenses shall not exceed the cost of a journey between the official's home and the duty station.

(j) For the purposes of this article, the following definitions shall apply:

- (1) in Geneva, the area of the duty station is defined as territory within a radius of 25 kilometres from Geneva. At other duty stations the Director-General, after consulting the Joint Negotiating Committee, shall determine the limits of the area;

- (2) in Geneva, the school year is considered to fall within the period from 1 July to 30 June. At other duty stations the Director-General may fix other periods;
- (3) "home country" shall mean the country of the official's recognized home.
 - (k) The grant shall be payable upon the presentation of evidence satisfactory to the Director-General that the conditions required by this article are fulfilled.

Article 3.14 *bis*

Special education grant

1. An official shall be entitled to receive a non-pensionable special education grant for any child for whom he provides the main and continuing support and in respect of whom the Director-General has determined, on the basis of medical evidence, that the child is unable by reason of physical or mental disability to attend a normal educational institution and therefore requires special teaching or training to prepare him for full integration into society or, while attending a normal educational institution, requires special teaching or training to assist him in overcoming the disability.

2. In order to receive a special education grant, the official must produce evidence that he has exhausted all other sources of benefits that may be available for the education and training of the child, including those available from state and local governments and from the Staff Health Insurance Fund. The amount of any benefit received from other sources shall be deducted from the educational expenses taken into account, in accordance with paragraphs 4 and 8 below, in calculating the grant.

3. The grant shall be payable from the date on which necessary special teaching or training begins up to the end of the year in which the child reaches the age of 25. In exceptional circumstances the Director-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 28.

4. (a) The amount of the grant shall be payable in the currency in which expenses are incurred. It shall be the equivalent of the educational expenses actually incurred up to the upper limit of reimbursable expenses provided in the table under article 3.14(d), plus the amount of the boarding assistance lump sum referred to under article 3.14(f).

(b) If an education grant is payable under article 3.14, the total amount payable under both articles shall not exceed the maximum referred to in paragraph 4(a).

5. If an official is in service for only part of the year, the grant payable shall be that proportion of the annual grant which his service calculated to the nearest month bears to the full year.

6. If both parents of the child are officials of the Office, or if the other parent is an official of another organization applying the United Nations common system, the grant shall be payable only to one parent.

7. Where the official had to place the child in an educational institution away from the duty station, transport expenses of the child shall be paid for an outward and return journey twice for each school year between the educational institution and the duty station.

8. For the purposes of this article, "educational expenses" shall mean such teaching services and equipment as are necessary to provide an educational programme designed to meet the needs set out in paragraph 1 above. Normal educational expenses shall be reimbursed in accordance with the provisions of article 3.14.

9. For the purposes of this article, "year" shall mean the school year if the child attends an educational institution; in all other cases it shall mean the calendar year.

10. The grant shall be payable upon the presentation of evidence satisfactory to the Director-General that the conditions required by this article are fulfilled.

11. In addition to the grant payable in accordance with the present article, expenses for special equipment required for the rehabilitation of a disabled child, if not otherwise covered under the Staff Health Insurance Fund, shall be reimbursed upon the presentation of a claim accompanied by evidence up to a maximum amount of \$1,000 per calendar year.

Article 3.15

Incentives for language proficiency

(a) (i) An official in the General Service category shall be paid a pensionable language allowance if, by passing a prescribed test, he demonstrates proficiency in a working language of the Office, or in another

language which he has occasion to use in his work. The allowance shall not be payable for the official's mother tongue nor for any language in which the official is required to be proficient by the terms of his appointment. A language allowance shall not be paid for more than two languages.

(ii) The amount of the allowance payable at Geneva shall be 3,192 Swiss francs a year for one language and 4,788 Swiss francs a year for two languages. The amount of the language allowance payable at other duty stations shall be determined by the Director-General after consulting the Joint Negotiating Committee.

(b) For officials in the National Professional Officers category who are already proficient in one of the working languages of the Organization⁴ and demonstrate, by passing a prescribed test, proficiency in one other of the following languages: Arabic, Chinese, English, French, German, Russian and Spanish, the interval between incremental dates provided for in paragraph 1 of article 6.2 of these Regulations shall be reduced to ten months for those otherwise entitled to annual increments and to 20 months for those otherwise entitled to biennial increments. The mother tongue shall not count for such reduction. The reduction shall not apply to technical cooperation project staff or to officials to whom the language requirements laid down in paragraph 1 of Annex I to these Regulations apply.

Article 3.16

Deductions

(a) The Director-General may provide for the deduction from the total monthly payment due to an official of contributions payable to the United Nations Joint Staff Pension Fund, to the Staff Health Insurance Fund and to other recognized insurance schemes, of sums due to the International Labour Office, and of other sums authorized by the official. Deduction may also be made of sums due in payment for lodging which is provided for an official; the value of any such lodging shall be determined by the Director-General.

(b) The Director-General may provide for the deduction from the total monthly payment due to an official of the amount ordered by a national court to which the official is subject, to be paid to spouses, former spouses or

⁴ For the purpose of the present article these are considered to be English, French and Spanish.

dependent children. Such a deduction shall be provided for only where the national court order is enforceable under the national law and where the official has been given a reasonable period of notice and opportunity to discuss with the relevant services the forthcoming deduction.

Article 3.17

Effective date of application or suppression of entitlements arising from changes of family status

Changes in family status affecting entitlements under articles 3.1, 3.9, 3.10, 3.11, 3.12 and 3.13 of the Staff Regulations shall be taken into account in the application of these articles as from the date of the change.

Chapter IV. Recruitment and appointment ¹

Article 4.1

Selection by the Director-General

The officials of the International Labour Office shall be selected and appointed by the Director-General in accordance with the provisions of the Constitution and of these Regulations, including those provisions giving effect to collective agreements.

Article 4.2

Filling of vacancies

(a) (i) The paramount consideration in the filling of any vacancy shall be the necessity to obtain a 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 geographical basis, recognizing also the need to take into account considerations of gender and age.

(ii) Every official shall be required to possess a fully satisfactory knowledge of one of the working languages of the Organization.

(iii) Officials in the Professional category and officials in the Director and Principal Officer category shall be required to possess a degree awarded by a recognized university, or its equivalent in experience.

(iv) In the filling of any vacancy, service in the Office, including service in the field where relevant, shall be taken into account.

(v) Without prejudice to the foregoing, officials shall be selected without discrimination on the basis of age, race, gender, religion, colour, national extraction, social origin, marital status, pregnancy, family responsibilities, sexual orientation, disability, union membership or political conviction.

(b) Appointments to vacancies of Deputy Director-General, Assistant Director-General and Treasurer and Financial Comptroller shall be made by

¹ See also Annex I, Recruitment and selection procedure.

the Director-General after consultation with the Officers of the Governing Body.

(c) The Director-General may designate a Principal Deputy Director-General, in which event such designation shall be made after consultation with the Officers of the Governing Body and with the agreement of the Governing Body.

(d) Vacancies in the Director and Principal Officer category shall be filled by the Director-General by transfer in the same grade, promotion or appointment. Such promotions or appointments, other than to vacancies in technical cooperation projects, shall be reported to the Governing Body with a short statement of the qualifications of the persons so promoted or appointed. The position of Chief Internal Auditor shall be filled by the Director-General after consultation with the Governing Body.

(e) Transfer in the same grade, promotion or appointment by direct selection by the Director-General shall be the normal method of filling vacancies:

- of Chiefs of Branch and Directors of offices in the field;
- in technical cooperation projects;
- in the Office of the Director-General;
- of principal secretary to a Deputy Director-General;
- of a purely temporary nature, up to two years, of a specialist nature, not expected to lead to a career in the ILO, any extension beyond two years being subject to article 4.2(f).

The Director-General may in such cases, at his or her discretion and after consulting the Recruitment, Assignment and Mobility Committee mentioned in article 10.6, decide on the use of one or other of the methods of filling vacancies referred to in article 4.2(f).

(f) The methods to be employed to fill vacancies in the General Service, National Professional Officer and Professional categories shall comprise transfer in the same grade, promotion or appointment, normally by competition in accordance with the procedure set out in Annex I or, in the case of local staff in external offices, other existing mechanisms. New mechanisms or changes to existing mechanisms for recruitment and selection of local staff in external offices shall be endorsed by the Joint

Negotiating Committee. However, promotion or appointment without competition may be employed only in:

- filling vacancies requiring specialized qualifications;
- filling vacancies caused by upgrading of a job by one grade or in the case of a job upgraded from the General Service to the National Professional Officers category or to the Professional category or in the case of a job upgraded from the National Professional Officers to the Professional category by one grade or more;
- filling vacancies in urgency;
- filling other vacancies where it is impossible to satisfy the provisions of article 4.2(a) above by the employment of any other method.

The Recruitment, Assignment and Mobility Committee shall be consulted on any transfer in the same grade, promotions or appointments made without competition.

(g) In filling any vacancy account shall be taken, in the following order, of:

- (1) applications from former officials whose appointments were terminated in accordance with the provisions of article 11.5 (Termination on reduction of staff);
- (2) applications for transfer;
- (3) claims to promotion;
- (4) if the Director-General and the Staff Union agree, applications from former officials other than those who have been discharged or summarily dismissed;
- (5) on a reciprocal basis, applications from officials of the United Nations, specialized agencies, or the Registry of the International Court of Justice.

(h) When a job has been upgraded it shall be regarded, for the purpose of this article, as a vacancy.

(i) This article shall be applied in accordance with the provisions of Annex I.

Article 4.3

General Service category

(a) The maintenance of the staff on a wide geographical basis shall not be a consideration in the appointment of officials to the General Service category. Jobs in this category shall, as far as possible, be filled by locally recruited officials. At the time of appointment officials of the General Service category shall be classified as locally or non-locally recruited.

(b) Officials of the General Service category shall be assigned to a particular duty station and shall not normally be transferred to other duty stations. No such transfer shall take place without the official's consent.

(c) In Geneva an official shall be classified as locally recruited if at the time of appointment he fulfils any of the following conditions:

- (i) he is a Swiss national;
- (ii) he is a French national living within a radius of 25 km from Geneva;
- (iii) irrespective of nationality, he has been continually living for one year within a radius of 25 km from Geneva.

(d) For the purposes of paragraph (c)(ii) and (iii) above

- (i) periods of employment as a non-locally recruited official in an intergovernmental organization in Geneva shall not be taken into account;
- (ii) the radius of 25 km is measured from the Pont du Mont-Blanc, Geneva.

(e) In other duty stations provisions defining the area of recruitment of locally recruited officials shall be laid down as required by the Director-General after consulting the Joint Negotiating Committee.

(f) A non-locally recruited official of the General Service category who acquires voluntarily, other than by marriage, the nationality of the country of the duty station shall be reclassified as locally recruited, and his entitlement to any of the following allowances and benefits shall thereupon cease:

non-resident allowance and rental subsidy, education grant, home leave travel expenses, repatriation grant, travel expenses upon termination (including removal of household goods and personal effects).

Article 4.3 *bis*

National Professional Officers category

(a) The maintenance of the staff on a wide geographical basis shall not be a consideration in the appointment of officials to the National Professional Officers category. Jobs in this category shall be filled by locally recruited officials.

(b) Officials of the National Professional Officers category shall normally be assigned to the country of which they are nationals and shall not be transferred to other duty stations.

Article 4.4

Definition of home

(a) An official's home, for the purposes of these Regulations, shall be determined at the time of his appointment. In the case of a fixed-term official, the home shall be determined by the Director-General; in the case of an established official the home shall be determined by the Director-General after consulting the Joint Negotiating Committee. Unless there are compelling reasons to make an exception 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 Director-General, after consulting the Joint Negotiating Committee, decides that there are compelling reasons for permitting a change.

(b) Notwithstanding (a) above, the home of an official of the General Service category who has been locally recruited as defined in article 4.3 (General Service category) and the home of an official of a National Professional Officers category as defined in article 4.3 *bis* shall be deemed to be at the duty station.

Article 4.5

Age on appointment

(Deleted)

Article 4.6

Period of appointment

(a) The Director-General shall be appointed for a period of five years. The Governing Body may renew the appointment once. The possible extension shall not exceed five years.

(b) The Deputy Directors-General and Assistant Directors-General shall be appointed for periods not exceeding five years. The appointments may be renewed but shall terminate not later than the date on which a new Director-General takes office.

(c) The Treasurer and Financial Comptroller shall be appointed for a period not exceeding five years. The appointment may be renewed. No single extension shall exceed five years.

(d) Appointments without limit of time to established posts and to posts created by the Governing Body under special funds shall be subject to good conduct, satisfactory performance as consistently reflected in several performance appraisal reports, seniority, as well as the official's capacity to pursue a career having regard to his field of competence and the prospective needs of the Organization. Such appointments shall be made in accordance with the procedure established by the Director-General, after consulting the Joint Negotiating Committee.

(e) Appointments for a fixed term shall be of not less than one year and of not more than five years. While a fixed-term appointment may be renewed, it shall carry no expectation of renewal or of conversion to another type of appointment, and shall terminate without prior notice on the termination date fixed in the contract of employment.

Article 4.7

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 Director-General or a representative of the Director-General authorized for the purpose, and a declaration of acceptance signed by the official.

(b) The offer of appointment shall state:

(1) that the appointment is subject to the provisions of these Regulations;

- (2) the type and duration 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 upon which it is proposed that the appointment become effective; and
- (5) any special conditions.

(c) The offer of appointment shall call attention to the provisions of article 4.10 (Medical examination prior to appointment).

(d) A copy of the Staff Regulations and a declaration of acceptance to be signed by the official shall be transmitted together with the offer of appointment.

(e) The date upon which the appointment is effective shall be confirmed by a notification when the official enters upon his duties.

Article 4.8

Amendment of contract of employment

The terms of any contract of employment may be modified, without prejudice to the acquired rights of officials, by the Director-General in order to bring them into conformity with any measure relating to the conditions of employment of officials which the General Conference or the Governing Body may decide to apply to serving officials.

Article 4.9

Effective date of appointment

The appointment of a non-locally recruited official shall date from the day on which the official leaves his place of residence to take up his assignment by a route and means of transport approved by the Director-General, account being taken of any time spent en route by the official in excess of the normal time for the journey. The appointment of a locally recruited official shall date from the day on which he actually enters upon his duties.

Article 4.10

Medical examination prior to appointment

No appointment shall be made under these Regulations before the Medical Adviser has certified whether the person concerned is in good health and free from any defect likely to interfere with the discharge of his duties.

Article 4.11

Reappointed officials

A former official, on reappointment, shall be regarded, for the purpose of these Regulations, as becoming an official for the first time, provided that the Director-General may make exceptions to this rule in the case of former officials who are reappointed under article 11.5(a) and (b) (Termination on reduction of staff).

Article 4.12

Personal files

(a) A personal file shall be established and maintained for each official. This file shall comprise two parts: the first part shall contain documents relating to the official's career, in particular: (1) documents relating to the official's appointment; (2) documents relating to his/her transfer or promotion; (3) documents of an official character and official reports relating to his/her competence, efficiency or official conduct, provided that such documents shall be included in the file only after they have been initialled by the official; (4) any observations which the official may have made on the official reports on his/her work, unless the Director-General decides that such observations shall not be so filed; (5) any other documents relating to measures officially taken or considered in connection with the official. Personal files shall be confidential. The second part shall contain documents pertaining to the official's entitlements and allowances as well as other documents, not falling within the scope of the first part, to be determined according to criteria established by the Director-General after consulting the Joint Negotiating Committee.

(b) Officials may consult their personal files in the office where they are held. No document which is not included in the file may be used as a basis for a decision affecting an official, unless the latter has been accorded full

opportunity to comment on such document. The Director-General shall institute appropriate measures, after consulting the Joint Negotiating Committee, to regulate access to each part of this file in order to maintain the confidentiality of its contents.

Chapter V. Probation

Article 5.1

Period of probation

(a) An official appointed to a job other than of a temporary nature shall be on probation for the first two years following appointment. The official's performance and conduct shall be evaluated by the responsible chief, at 12 and 21 months of service, with a mid-term review taking place after six and 18 months of service. This shall be done in accordance with the procedure established in article 5.5. Furthermore, during the probationary period, the responsible chief shall request and consider the input of a number of jointly designated colleagues who are familiar with the official's work, or staff who report to the official.

(b) An official on probation shall be transferred in the same grade or promoted to a higher grade only in exceptional circumstances.

(c) If an official is absent on special leave, sick leave or parental leave in accordance with articles 7.7, 8.6 or 8.7 for consecutive periods of one month or more, the period of probation will be extended accordingly.

Article 5.2

Extension of probation

The period of probation may be extended by the Reports Board for a period not exceeding 12 months if the official's performance or conduct is deemed by the responsible chief not to be fully satisfactory or not to fully meet the requirements of the job. Prior to the end of the period of extension, a performance appraisal shall be established in accordance with article 5.5.

Article 5.3

Credit toward probation

Any period of temporary employment or former service with the Office or with the United Nations or a specialized agency may, on the recommendation of the official's responsible chief endorsed by the Selection Board or on the recommendation of the Board, be considered in whole or in part as a period of probation.

Article 5.4

Reduction of probationary period

(Deleted)

Article 5.5

Probationary performance appraisal

1. After 21 months of probationary service a performance appraisal shall be established in accordance with the provisions of article 6.7(1) and 6.7(2) for an official to whom article 5.1(a) applies; the appraisal shall cover the official's conduct in addition to performance and shall recommend that the official's appointment be (1) extended or (2) not extended. The completed appraisal shall be transmitted to the Reports Board, which shall recommend to the Director-General one of the two courses of action indicated above.

2. The performance appraisal in paragraph 1 will be considered as the second appraisal for the purpose of article 6.7.

Chapter VI. Advancement, appraisal and change of grade

Article 6.0

Scope

The provisions of this chapter of the Staff Regulations shall apply to established officials and fixed-term officials other than technical cooperation project staff. Performance appraisals and adjustment of salary of technical cooperation project staff shall be governed by the provisions of Annex V of the Staff Regulations.

Article 6.1

Advancement within grade

The advancement of an official within his grade shall depend on his performance. Such advancement shall be effected by means of the increments attaching to his grade.

Article 6.2

Incremental date

1. The incremental date of an official shall be the anniversary of the first day of the month during which he was appointed.
2. Notwithstanding the above provisions:
 - (i) officials qualifying under article 3.15(b) of these Regulations (Incentives for language proficiency) will have incremental intervals as provided for in that article;
 - (ii) the incremental date of an official in the Professional category or above who received an increment on 1 July 1990 as a result of the addition of further steps for his grade in the salary scales applicable as from that date will be 1 July.

Article 6.3

Payment of increments

1. An official who is not in receipt of the maximum salary attaching to his grade shall be granted one increment on his incremental date, as provided in the salary scale under article 3.1(a), subject to the provisions of this article and of article 6.4 (Withholding of increment).

2. An increment shall not be payable in respect of any absence of one year on special leave without salary.

Article 6.4

Withholding of increment

1. In the case of an official whose performance is being appraised as unsatisfactory, the responsible chief may, when completing the performance appraisal provided for under article 6.7 (Performance appraisals), recommend the withholding of an increment. The increment may be withheld by the Reports Board after it has ascertained the views of the official and the responsible chief. The withholding of a second increment during the period before the next performance appraisal is due is subject to the provisions of article 6.7(4).

2. The withholding of an increment shall not affect the official's right to consideration for an increment on the next incremental date. An increment which has been withheld may subsequently be restored by the Reports Board on the recommendation of the responsible chief.

3. Where it has been decided that an annual increment shall be withheld, the official may appeal within one month of receipt of the Reports Board's decision to the Joint Advisory Appeals Board if the official considers that the decision has been based on an erroneous evaluation of performance or that the decision has been made for reasons unconnected with performance or conduct.

Article 6.5

Special merit increments

1. The responsible chief may recommend the grant of an additional increment to officials whose performance during the period under review

has been appraised pursuant to article 6.7 as being especially meritorious with an overall performance rating that either frequently or consistently exceeded the performance requirements, and who are not in receipt of the maximum salary attaching to their grade.

2. The responsible chief's recommendation shall be reviewed by the official to whom the responsible chief reports who, if in agreement, shall refer the recommendation to the Reports Board for decision.

3. The timing of special merit increments as well as the number of recommendations which may be made each year will be subject to limitations defined by the Director-General after consulting the Joint Negotiating Committee.

Article 6.6

Special increments beyond the maximum salary rate

1. For officials of the General Service and National Professional Officers category who have been in service since 31 December 1994 or earlier, the responsible chief may, subject to paragraph 5 of this article, recommend the grant of not more than one additional special increment if the officials are in receipt of the maximum salary attaching to their grade, and their performance during the preceding review period has been appraised pursuant to article 6.7 as especially meritorious with an overall performance rating that either frequently or consistently exceeded the performance requirements.

2. The responsible chief's recommendation shall be reviewed by the official to whom the responsible chief reports who, if in agreement, shall refer the recommendation to the Reports Board for decision.

3. The timing of the increments provided for in paragraph 1 as well as the number of recommendations which may be made each year will be subject to limitations defined by the Director-General after consulting the Joint Negotiating Committee.

4. Officials of the General Service and National Professional Officers category who have been in service since 31 December 1994 or earlier, who have completed more years of service in their grade than the number of years which it would normally take to progress from the minimum to the maximum of the salary scale attaching to the grade, and who are at the maximum, shall, subject to paragraph 5 of this article, be eligible to receive

one additional special increment on completion of more than 20 years of continuous service.

5. The total number of additional special increments payable during the whole period of service of an official following 31 December 1994 under the provisions of this article shall be limited to one.

Article 6.7

Performance appraisals

1. The performance and conduct of each official shall be appraised on a form prescribed by the Director-General after consulting the Joint Negotiating Committee. The appraisal shall be carried out by the official's responsible chief who may obtain the views of the official's supervisor or where appropriate, any other official under whose supervision the official has worked during the period under review. Technical observations from the technical reviewing chief and/or an assessment by the resident coordinator shall be provided for the period under review where applicable as provided for in article 2.4. In the case of responsible chiefs and supervisors, the views of the officials reporting to them will be considered, as appropriate.

2. The appraisal shall be communicated to the official, who shall initial and return it within eight days of its receipt, attaching to it any observations the official may wish to make. These observations shall be filed with the appraisal unless the Director-General decides otherwise. The appraisal, together with any observations which may have been made by the official, shall then be transmitted to the official to whom the responsible chief reports, who may add observations to it, in which case it shall be returned to the responsible chief and to the official for initialling. It shall then be transmitted to the secretary of the Reports Board.

3. After the probationary period as defined in articles 5.1 and 5.5 including any extension thereof as provided for under article 5.2, an official shall be appraised on an annual cycle which is aligned with the calendar year, with a mid-term review. Any intervening period of six months or more between the end of the final probationary appraisal period and the start of the calendar year, shall be subject to an appraisal covering the period to the end of the current calendar year. Any intervening period of less than six months shall be covered by the subsequent appraisal cycle.

4. Proposals to apply to an official the provisions of article 6.4 shall be included in the performance appraisal, as applicable, and submitted to the secretary of the Reports Board for further review by the Reports Board.

5. The Reports Board may recommend, as necessary, the establishment of ad hoc performance assessments as a follow-up measure.

Article 6.8

Two-year incremental period

(Deleted)

Article 6.8.0

Promotions

An official may be promoted, either by reason of the grade attached to the job to which he or she is appointed or having regard to his or her service record.

Article 6.8.1

Promotion linked to the grade of the job

An official may be promoted consequent to his or her appointment to or occupancy of a job classified at a higher grade, in accordance with the provisions of article 4.2.

Article 6.8.2

Promotion linked to the official's record of service

1. Officials in the Professional category below the grade of P.5, officials in the National Professional Officers category below the grade of NO-D and officials in the General Service category who have not reached the top grade of their category shall, once only in the course of their entire service with the Office, be eligible for promotion in accordance with either paragraph 2 or paragraph 3 of this article subject (in the case of the Professional category) to paragraph 4.

2. Subject to the criteria, procedures and numerical limits determined by the Director-General after consulting the Joint Negotiating Committee,

officials referred to in paragraph 1 shall be promoted to the next higher grade of their category if:

- (a) their conduct has been fully satisfactory and their performance of duties has been consistently superior to that normally associated with the level of responsibilities of their job; and
- (b) they have served or are deemed, in accordance with the criteria established, to have served at least 13 years in their present grade.

3. Officials referred to in paragraph 1 shall be promoted to the next higher grade of their category if:

- (a) their conduct and their performance of duties in their present grade have been satisfactory; and
- (b) they have served at least 25 years in the Office, the United Nations or another specialized agency with at least 13 years in their present grade.

4. As from 1 January 2000, for officials in the Professional category, completion of at least one posting outside Geneva shall normally be a condition of eligibility for any promotion under this article, subject to exceptions which may be decided by the Director-General after consulting the Joint Negotiating Committee.

Article 6.9

Promotion or transfer to jobs created under special funds

(Deleted)

Article 6.10

Appointments to posts of director of a field office or a liaison office with a United Nations Economic Commission

(Deleted)

Article 6.11

Transfer to duties and responsibilities attaching to a lower grade

1. Officials may be transferred to duties and responsibilities attaching to a lower grade, with a corresponding change in their grade:

- (a) at their own request;
- (b) if their performance of duties and responsibilities is unsatisfactory in the meaning of article 11.8 (Termination for unsatisfactory services).

2. A transfer to duties and responsibilities attaching to a lower grade at the official's own request shall be dealt with in accordance with the procedures applicable to transfer within the grade.

3. Before a decision to transfer an official to duties and responsibilities attaching to a lower grade is taken on the ground of unsatisfactory performance, a proposal to do so, stating the reasons for which it is made, shall be communicated in duplicate to the official who shall initial and return one copy and who shall be entitled to appeal to the Joint Advisory Appeals Board within one month of the receipt thereof on the ground that the proposal is made on the basis of an erroneous evaluation of his performance or for reasons unconnected therewith.

Chapter VII. Hours of work and leave

Article 7.1

Hours of work

While the right of the Director-General to call on the services of officials is unrestricted, the normal working week at Geneva shall be 40 hours and at other duty stations shall be a number of hours, not normally exceeding 40, to be determined by the Director-General, account being taken of local practice. The working week shall be worked in accordance with a schedule established by the Director-General. Attendance on Sunday (or the equivalent day of rest) 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.

Article 7.2

Compensation for overtime

(a) Overtime shall be considered to be (1) any time worked in excess of 40 hours a week or (2) any time worked on a Saturday after 1 p.m. or a Sunday (or the equivalent day of rest) 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 of work or emergency makes it necessary.

(b) Officials of the Professional category and officials of the National Professional Officers 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 Director-General. They shall be entitled to double time off in compensation for overtime worked on Sunday at the International Labour Conference, and to equal time off in compensation for overtime worked on any other Sunday (or the equivalent day of rest) or on an established holiday.

(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 a

General Service category official's responsible chief 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. or a Sunday (or the equivalent day of rest) 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 official for ordinary overtime and at the rate of twice the said hourly rate for special overtime, in accordance with a schedule established by the Director-General after consulting the Joint Negotiating Committee.

(f) 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.

(h) The provisions of this article shall apply to staff at Geneva; they shall also be applied to officials at other duty stations with the modifications required by local conditions.

Article 7.3

Night differential

(a) When any part of a General Service category official's prescribed tour of duty 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 official's hourly salary, in accordance with a schedule established by the Director-General after consulting the Joint Negotiating Committee. A night differential shall not be paid in respect of any hours of work which are compensated under the provisions of article 7.2 (Compensation for overtime), nor in respect of any hours during which an official has been authorized to travel.

(b) When any part of a General Service category official's prescribed tour of duty falls on a Saturday after 1 p.m. or on a Sunday or on an established holiday, he shall be paid an hourly differential at the same rate and under the same conditions as the night differential provided for in paragraph (a).

(c) Officials of the General Service category who are required to work beyond 8 p.m. without a break for an evening meal, or who are required to work a prescribed tour of duty beginning at or after 8 p.m., or who are required to work overtime after 11 p.m., or who are required to work at least two hours' overtime after a tour of duty ending later than 8 p.m., shall be paid an additional sum to compensate for night refreshments, such sum to be the equivalent of 2.5 per cent of the daily travel subsistence allowance in Swiss francs applicable at Geneva at such time.

(d) The provisions of this article shall not normally apply at duty stations other than Geneva.

Article 7.4

Holidays

(a) Officials shall be entitled during a year to leave on nine public holidays to be designated by the Director-General. The Joint Negotiating Committee shall be consulted in respect of the days to be designated as public holidays in Geneva. Leave provided for in this paragraph shall be in addition to annual leave.

(b) The Director-General may designate additional days as public holidays, the number of such days to be deducted from the annual leave of officials affected by any such designation.

Article 7.5

Annual leave

(a) An official shall be entitled to annual leave at the rate of 30 working days, calculated on the basis of a working week of 5 days, for 12 months' service.

(b) An official who, on leaving the service otherwise than by transfer to the United Nations or a specialized agency, 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 60 working days. For an official in the Professional category or above the sum shall be based on the net salary plus post adjustment at the duty station from which the official separates. For an official in the National Professional Officers category and for an official in the General Service category it shall be based on the remuneration specified in article 3.1(c).

(c) Annual leave may be taken in days and half days. It shall be granted upon application approved by the responsible chief, such approval to be subject to the exigencies of the service, provided that an official shall be given the opportunity to take the annual leave to which he is entitled.

(d) Not more than half the annual leave entitlement due in any calendar year may be carried forward to the next calendar year. A total of not more than 60 days of annual leave may be carried forward by an official.

(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 calculated in accordance with (b) above and proportionate to the number of days of annual leave he has accumulated shall be paid to his estate.

(g) Days upon 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 Director-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. If an official is recalled, and subsequently resumes his annual leave at the place from which he was recalled, he shall be reimbursed for the expense he incurred in travelling to and from that place.

Article 7.6

Home leave travel expenses

(a) Home leave shall be granted every two years to officials serving outside the country of their home, except locally recruited officials, 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, travel time to compensate the return journey from the duty station to the home country based on a route and means of transport approved by the Director-General after the official has been consulted. An official may, however, choose to take home leave once in three years, and an official so choosing shall be entitled to actual travel time by a route and means of transport approved by the Director-General after the official has been consulted.

(b) Travel expenses, as provided for in article 9.1 (Travel expenses), 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 (e) below, they 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 Director-General if the exigencies of the service or other special circumstances require it.

(c) An official's first home leave shall fall due in the second calendar year following the year in which he was appointed, except that, in the case of an official choosing to take home leave every three years, the first home leave shall fall due in the third calendar year following the year in which he was appointed.

(d) The provisions of (c) above shall apply as from the date of transfer to an official who is transferred from a duty station in the country of his home.

(e) When both husband and wife are officials of the Office, 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 or every three years, as the case may be.

(f) Notwithstanding article 9.10, an official whose spouse, being employed at the same duty station by another organization applying the United Nations common system, is granted home leave by that organization, shall not receive from the Office travel expenses in respect of his spouse and shall not receive from the Office travel expenses in respect of his children if his spouse receives from that other organization travel expenses in respect of the same children.

(g) In exceptional circumstances the Director-General may authorize home leave travel for an official or his spouse or children before the date on which the home leave is due or he may permit them to defer the home leave, provided that (1) no home leave shall begin earlier than 12 months after the appointment of an official or 12 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 may be required to take home leave in conjunction with official travel, due regard being paid to his personal convenience.

(i) Subject to the permission of the Director-General, an official may in exceptional circumstances forgo his home leave in a particular year, thereupon becoming entitled, on his next home leave, to travel expenses in respect of a dependent relative other than the dependants specified in (b) above.

(j) Home leave shall not be granted to an official whose service is not expected to continue at least six months beyond (1) the second anniversary of his date of appointment, and (2) the estimated date of return from a proposed home leave.

(k) An official on home leave shall be required to spend at least two weeks in the country of his home. The Director-General may permit exceptions to this provision for special reasons.

Article 7.7

Special leave

(a) Special leave, with full or partial salary or without salary, may be granted by the Director-General to an official for advanced study or research in the interest of the Organization, or for other exceptional or urgent reasons. Officials submitting their candidature for the post of Director-General shall be placed on special leave with half salary, as provided for in the Rules governing the appointment of the Director-General. Special leave without salary shall be granted on application to an official who is mobilized for service in the armed forces or for national service. For purposes of this article "salary" shall mean salary and allowances.

(b) Periods of special leave without salary of one month or more shall not count as service for the purpose of calculating entitlement under the Staff Regulations to annual leave, sick leave, settling-in grant, mobility

incentive, hardship and non-family service allowance, education grant, grant on death, repatriation grant and termination indemnities. No contributions will be paid by the Office to the official's pension fund during such periods. Periods of special leave without salary of one year or more shall have the effect of postponing entitlement to home leave and authorized travel to visit dependants by a corresponding period.

(c) Notwithstanding the provisions of this article and of article 6.3 (Payment of increments), continuity of service shall not be considered to have been broken by periods of special leave.

Chapter VIII. Social security

Article 8.1

Medical care

Officials shall be insured in accordance with the Regulations of the Staff Health Insurance Fund. If under these Regulations an official is excluded from coverage by the Fund and no alternative health insurance scheme is available to him the Director-General may ensure him some other form of assistance in the provision of medical care.

Article 8.2

United Nations Joint Staff Pension Fund

Except as otherwise provided in his terms of appointment an official shall be subject to the Regulations of the United Nations Joint Staff Pension Fund.

Article 8.3

Compensation in event of illness, injury or death¹

In the event of illness or injury attributable to the performance of official duties an official shall be entitled to compensation as prescribed in Annex II. In the event of the official's death in consequence of such illness or injury, his dependants shall be entitled to compensation as prescribed in Annex II.

Article 8.4

Financial assistance on death

In the event of the death, in circumstances in which article 8.3 (Compensation in event of illness, injury or death) does not apply, of an official who is not subject to the Regulations of the United Nations Joint Staff Pension Fund, the Director-General may, after consulting the Joint Negotiating Committee, grant a sum normally not exceeding three months

¹ See also Annex II, Compensation in event of illness, injury or death.

of the remuneration specified in article 3.1(c) as financial assistance to such dependant or dependants of the official as he may designate.

Article 8.5

Indemnification for loss

The Director-General may authorize, within limits and under terms and conditions which he shall establish after consulting the Joint Negotiating Committee, the indemnification of an official for personal property lost or damaged in the course and in consequence of the official's employment, including personal property lost or damaged in the course of and directly due to travel by a means of transport provided by or at the expense of the Organization.

Article 8.6

Sick leave and family-related emergency leave

(a) An official shall be permitted leave without a certificate of not more than a total of seven working days in any calendar year and of not more than three consecutive working days at any one time, which may be used in the following cases: (i) when incapacitated for the performance of his duties by illness or injury (hereafter referred to as "sick leave"); (ii) in circumstances of unforeseen family-related emergency. When this leave is used for purposes of sick leave, after three consecutive working days of absence an official shall submit a certificate of his incapacity signed by a duly qualified medical practitioner, and 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 Director-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, for any number of working days in excess of the number specified in this paragraph without submitting such a medical certificate, 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:

- (1) A fixed-term official 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 12 consecutive months.
- (2) An established official or a fixed-term official whose continuous service and unexpired term of appointment equal or exceed three years shall be permitted sick leave up to a total not exceeding 18 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 Director-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 Director-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 Director-General may grant special leave without salary to an official who exhausts the sick leave permitted under these Regulations.

(f) The Director-General may grant special leave at a reduced salary to an official who, while suffering from ill-health or injury, performs part-time work.

(g) Upon the recommendation of the Medical Adviser the Director-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 Director-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) For the purpose of this article (1) "full salary" shall mean salary and allowances, (2) "half salary" shall mean half salary and half allowances, (3) "reduced salary" shall mean a proportion of salary and the same proportion of allowances, and (4) "without salary" shall mean without salary

or allowances. Notwithstanding the foregoing the education grant shall be paid in full when sick leave on half salary or on reduced salary is granted.

Article 8.7

Parental leave

1. An official who becomes a parent by giving birth to a child shall be entitled to a period of paid parental leave in accordance with the provisions below:

(a) Upon the presentation of a certificate, signed by a duly qualified medical practitioner or midwife confirming their pregnancy and expected date of delivery, an official shall be entitled to a period of 26 weeks' parental leave with full salary and allowances. The leave period shall begin two weeks prior to the expected date of delivery and shall be granted in one continuous period of 26 weeks. The official may decide to return to duty after the end of the 22nd week of parental leave and use the remaining leave entitlement in accordance with rules established by the Director-General following consultation with the Joint Negotiating Committee. All parental leave entitlements must be used within 12 months from the date of the child's birth.

(b) Upon presentation of a certificate, signed by a duly qualified medical practitioner or midwife confirming that they are pregnant or breastfeeding, an official shall be temporarily transferred to other work if in the opinion of the Medical Adviser their job involves work which may prejudice their health or that of the child.

(c) Upon returning to work, a parent who is breastfeeding shall be entitled to two fully paid 30-minute nursing breaks per day during working hours until the child reaches the age of 12 months. In addition, they shall be entitled to reasonable time for commuting for nursing purposes up to a maximum time of 60 minutes per day during working hours until the child reaches the age of 12 months. Thereafter, an official who continues to breastfeed shall continue to be entitled to take the nursing breaks while resuming their normal hours of work and arranging their working day accordingly.

2. An official who becomes a parent without giving birth, shall be entitled to a period of 16 weeks' parental leave with full salary and allowances. The leave shall be granted in one continuous period of 16 weeks

to begin no later than one week following the birth or arrival of the child in the family of the official. The official may decide to return to duty after the end of the 12th week of parental leave and use the remaining leave entitlement in accordance with rules established by the Director-General following consultation with the Joint Negotiating Committee. All parental leave entitlements must be used within 12 months from the date of the birth or arrival of the child in the family of the official.

3. Annual leave shall accrue throughout periods of parental leave.

Article 8.8

Public health restrictions

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. An official who is prevented by public health regulations from attending the Office may be required to perform such duties as circumstances permit. This provision shall not apply to an official who has been granted sick leave in accordance with article 8.6 (Sick leave and family-related emergency leave).

Chapter IX. Travel and removal expenses ¹

Article 9.1

Travel expenses

(a) Subject to the provisions of these Regulations and to any rules which may be established by the Director-General after consulting the Joint Negotiating Committee, the Office shall pay travel expenses to an official when authorized to travel (1) upon appointment, (2) upon transfer to another duty station, (3) upon official business, (4) upon home leave, (5) upon authorized travel to visit dependants, and (6) upon termination of appointment.

(b) Travel expenses, for purposes of these Regulations, shall include transport expenses, travel subsistence allowance, and other necessary expenses during travel.

(c) Travel shall normally be by the most direct and economical route, account being taken as far as possible of the wishes of the official concerned.

(d) An advance of funds against estimated reimbursable travel expenses may be made, on application, to an official.

Article 9.2

Travel of spouse and dependants

(a) Subject to the provisions of these Regulations, the Office shall pay travel expenses in respect of an official's spouse and dependants (1) upon appointment, (2) upon transfer to another duty station, (3) upon home leave, and (4) upon termination of appointment, provided that in the case of (1) and (2) the official certifies that the spouse or dependant intends to reside at the duty station for at least six months during the official's service with the Office at that duty station, and provided further that in the case of (3) the spouse or dependant spends at least two weeks in the country of the official's home. The Director-General may permit exceptions to the latter proviso for special reasons. For the purposes of this article dependants shall be deemed to be children in respect of whom a family allowance is payable. Without prejudice

¹ See also Annex III, Travel and removal expenses.

to the provisions of article 7.6(i) (Home leave travel expenses), the Director-General may, except in the case of travel on home leave, consider other members of an official's family to be dependants. In addition the Director-General may authorize the payment of travel expenses of a spouse or dependant after the appointment of an official if, at the time of his appointment, either the travel of the spouse or dependant was not possible or the dependant was not yet recognized as being dependant.

(b) Subject to the provisions of these Regulations, the Office shall pay transport expenses in conformity with article 3.14 (Education grant) and article 14.5 (Service in designated duty stations).

Article 9.3

Expenses upon appointment

(a) The Office shall pay the travel expenses on appointment of an official who, as a result of his appointment, is obliged to change his place of residence from the place where he was residing at the time of his appointment to the place designated as his duty station.

(b) On appointment, an official shall be paid travel expenses in respect of his spouse and dependants from the place where he was residing at the time of his appointment to the place designated as his duty station.

(c) On appointment with a contract for one year an official shall, unless otherwise specified, be offered payment of the cost of removal of his household goods and personal effects to his duty station from the place where he was residing at the time of his appointment.

(d) In exceptional circumstances the Director-General may, if so requested in advance, authorize payment to an official of the cost of removal of his household goods and personal effects from more than one place.

Article 9.4

Expenses upon transfer

(a) An official who is transferred from one duty station to another shall be paid travel expenses in respect of himself and his spouse and dependants.

(b) An official who is transferred to another duty station for one year or more shall also be paid the cost of removal of his household goods and personal effects to the new duty station.

Article 9.5

Expenses upon authorized travel to visit spouse or dependants

An official who serves outside the country of his home and is accompanied neither by his spouse nor by a dependent child, shall be entitled to payment of the expense of travel once every two years to his recognized home or his permanent duty station for the purpose of visiting his spouse or any of his dependent children. Authorization may be given for the payment of the expense of such travel to another place provided the cost does not exceed that of a journey to the official's recognized home or his permanent duty station. Alternatively, payment of the expense of the travel of the official's spouse (but not that of his dependent children) to his duty station for the purpose of visiting him may be authorized, on condition that the cost does not exceed that of a journey from the duty station to the official's recognized home or permanent duty station. There shall be no entitlement to payment under this article (1) until the official has completed 12 months of continuous service outside the country of his home unaccompanied by his spouse and his dependent children, (2) unless it is expected that the official will continue in service outside the country of his home for at least six months following the return from travel under this article, (3) in the calendar year in which the official travels on home leave, (4) in a calendar year in which the official is entitled to travel on home leave, unless required by the Office to postpone home leave to a subsequent year, and (5) if the official has received travel expenses in respect of his spouse or any of his dependent children during the 12 months prior to the departure on travel under this article.

Article 9.5 *bis*

Annual leave transport expenses from designated duty stations

(Deleted)

Article 9.6

Marriage travel expenses

An official to whom travel expenses on appointment have not been paid in respect of a spouse under article 9.2 (Travel of spouse and dependants) and who marries after the date of his appointment shall be paid the travel expenses of his spouse and of any of the spouse's children in respect of whom a family allowance is payable from the spouse's or child's place of residence to the official's duty station, if the official certifies that the spouse or child intends to reside at the duty station for at least six months during the official's service with the Office at that duty station. Such expenses shall not exceed the expenses which would have been payable if the spouse or child had travelled from the official's home. Not more than one payment shall be made to an official under this article. This article shall not apply to locally recruited officials as defined in article 4.3 (General Service category) and in article 4.3 *bis* (National Professional Officers category).

Article 9.7

Expenses upon termination

(a) Upon the termination of his appointment:

- (1) an official shall be paid travel expenses in respect of himself and his spouse and dependants from his duty station to his home;
- (2) an official shall be paid the cost of removal of his household goods and personal effects to his home from a duty station at which he was entitled to removal by virtue of article 9.3(c) or 9.4(b) or at which he would have been entitled to removal but for the fact that he was residing at the duty station at the time of his appointment; where entitlement under the aforesaid provisions arose at more than one duty station, the official shall normally be paid the cost of removal from the most recent.

(b) When both husband and wife are officials of the Office 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 article shall not normally be paid to an official whose appointment is terminated in accordance with article 12.7 (Summary dismissal) or article 12.8, paragraph 2 (Summary dismissal of fixed-term officials), nor to an official who resigns before he completes one year of service. Expenses under this article shall not be paid after the expiry of two years from the effective date of cessation of service. Travel expenses under this article shall not be paid to an official who resigns within six months after his return from home leave except that, where home leave travel expenses were not paid in respect of the official's spouse or in respect of any dependant, travel expenses shall be payable in respect of such spouse or dependant, nor to an official who resigns within six months after his return from travel under article 9.5 (Expenses upon authorized travel to visit spouse or dependants). Expenses under this article 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. Exceptions to the provisions of this paragraph may be authorized in special circumstances.

Article 9.8

Expenses on death

(a) On the death of an official at his duty station the Office shall pay the expense of transporting the remains to the place to which travel expenses upon termination would have been payable.

(b) On the death of an official travelling on official business the Office shall pay the expense of transporting the remains to the official's duty station or to the place to which travel expenses upon termination would have been payable, whichever may be designated by the official's next of kin.

(c) The provisions of (a) shall apply to an official's spouse and any dependant in respect of whom travel expenses were payable on termination of the official's appointment. The provisions of (b) shall apply to an official's spouse and dependant if the spouse or dependant was travelling with him at the expense of the Office.

(d) A deceased official's spouse and dependants 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

dependants in the meaning of article 9.2 (Travel of spouse and dependants), the Director-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. The payment of expenses under this paragraph may be authorized to a place other than that to which such expenses would have been payable to the official upon termination, subject to a maximum which shall not exceed that which would have been payable to the official.

Article 9.9

Rejected claims

Any claim for payment of travel or removal expenses which is rejected shall, if the official so requests, be submitted to the Joint Negotiating Committee for its opinion.

Article 9.10

Double payments

The Director-General may withhold, in full or in part, any payment of travel or related expenses in respect of an official's spouse or dependants, provided for under the provisions of this chapter, article 3.10 (Settling-in grant), article 7.6 (Home leave travel expenses) and Annex III of these Regulations, if a payment for the same purpose is received in respect of the spouse or dependants from a source external to the Office.

Chapter X. Staff relations and administrative bodies

Article 10.1

Staff relations

(a) The interests of the staff shall be represented in the Office by the Staff Union of the International Labour Office.

(b) The Staff Union shall be entitled to make proposals for the improvement of the situation of officials, both as regards their conditions of employment and their general living conditions.

(c) Conditions of employment, including the general living conditions, of officials may be jointly determined by the Director-General or his or her designated representative(s) and the Staff Union through social dialogue, information, consultation and collective bargaining. The Director-General shall have authority to bargain collectively with the Staff Union, with a view to the conclusion of collective agreements. Implementation of collective agreements shall be subject, where appropriate, to the authority of the Governing Body concerning approval of amendments to the Staff Regulations or of the resources necessary to enforce the agreements, in accordance with article 14.7.

(d) The Staff Union shall have the official functions that are assigned to it by these Regulations and/or by agreement between the International Labour Office and the Staff Union itself. The Staff Union shall have such facilities as are agreed from time to time between the International Labour Office and itself. These facilities shall include release of officials designated by the Staff Union in full or in part from the duties to which they are assigned under article 1.9 (Assignment of duties) to undertake representative functions on behalf of the Staff Union and/or official functions provided for under the Staff Regulations.

(e) The Joint Negotiating Committee, set up under article 5 of the Recognition and Procedural Agreement, concluded between the International Labour Office and the Staff Union dated 27 March 2000, shall perform the functions previously performed by the Administrative Committee, established under article 10.2 of the Staff Regulations, now deleted, as well as any duties described in the Recognition and Procedural Agreement.

(f) The Director-General and the Staff Union, by agreement, shall establish a body or bodies to perform the following functions:

- (1) those previously conferred on the Administrative Committee by the Staff Regulations directly affecting the rights or obligations of an official or specific officials;
- (2) those previously conferred on the Selection Board, established under article 10.6 of the Staff Regulations, now deleted, namely personal promotion and credit towards probation.

(g) Where applicable, any provision of the present Regulations (particularly article 14.7) which refers to the Selection Board or the Joint Negotiating Committee shall be applied and interpreted in the light of the present provision.

(h) For the purposes of these Regulations:

- (1) the term “designated representative” means a person nominated by or on behalf of the Director-General to represent the Office in its relationship with the Staff Union;
- (2) the term “staff union representative” bears the meaning ascribed to it by the relevant collective agreements.

Article 10.2

Administrative Committee

(Deleted)

Article 10.3

Reports Board

The Director-General shall establish a Reports Board which shall have such functions as are assigned to it by these Regulations. The Board shall be composed of four members or their substitutes, all of whom will be officials not below the grade of D.1. The Board shall elect a chairperson, and establish its own procedure. When it is called upon to make a recommendation concerning an official whose responsible chief is one of its members, that member shall not participate in its deliberations. The proceedings of the Board shall be regarded as secret.

Article 10.4

Invalidity Committee

The Director-General shall establish an Invalidity Committee which shall have such functions as are assigned to it by these Regulations. The Committee shall be composed of (1) three duly qualified medical practitioners, one of whom shall be appointed by the Director-General, one by the official or, if no such appointment is made by the official, by the Staff Union Committee, and one by the two practitioners so chosen, (2) an official appointed by the Director-General, and (3) an official appointed by the Staff Union Committee. The proceedings of the Committee shall be regarded as secret.

Article 10.5

Joint Advisory Appeals Board

1. A Joint Advisory Appeals Board shall be established to assist the Director-General in making any final administrative decision:

- concerning any grievance filed in accordance with article 13.3 of these Regulations;
- concerning a proposal for the application of a sanction other than warning or reprimand under Chapter 12 of these Regulations;
- concerning a proposal for termination for unsatisfactory services under articles 11.4 or 11.8 of these Regulations;
- concerning a proposal for termination on reduction of staff under article 11.5 of these Regulations;
- concerning an appeal against withholding of increment under article 6.4 of these Regulations;
- concerning a proposal for transfer to duties and responsibilities attached to a lower grade under article 6.11 of these Regulations;
- or as may be otherwise required under these Regulations or other relevant rules.

2. The Joint Advisory Appeals Board is composed of at least three chairpersons appointed by the Director-General on the recommendation of the Joint Negotiating Committee, a group of at least three serving officials nominated by the Office and a group of at least three officials nominated by

the Staff Union. For the purpose of these nominations and appointments, account shall be taken of the need to ensure gender, cultural, linguistic and professional diversity.

3. Where the circumstances of the case so require, the Office and the Staff Union may be requested to designate ad hoc members.

4. The following may be appointed as chairpersons: former ILO officials or serving or former officials of the United Nations or of the specialized agencies. Only serving ILO officials may be nominated as members or ad hoc members of the Joint Advisory Appeals Board and their participation shall be considered official duties.

5. On each occasion on which the functions assigned to the Joint Advisory Appeals Board require to be exercised, a panel composed of a chairperson and one member from each group shall be set up.

6. The Joint Advisory Appeals Board shall be assisted by a secretariat, the members of which shall be appointed by the Director-General in agreement with the Staff Union.

7. The procedure before the Joint Advisory Appeals Board shall be governed by the provisions of Annex IV to these Regulations.

Article 10.6

Recruitment, Assignment and Mobility Committee

1. A Recruitment, Assignment and Mobility Committee shall be established to assist the Director-General with workforce planning and mobility and to monitor recruitment and selection procedures in line with these Regulations or other applicable rules. The Recruitment, Assignment and Mobility Committee shall, in particular:

- review information regarding workforce planning and mobility and make recommendations on the type and level of recruitment;
- facilitate geographical and functional mobility;
- review proposed vacancies and job descriptions;
- make recommendations for transfers in the same grade without competition;
- advise the Director-General on recommendations arising from competitions.

2. The Recruitment, Assignment and Mobility Committee is composed of: the Director of the Human Resources Development Department, two officials appointed by the Director-General and one official appointed by the Staff Union accompanied by an adviser. The Committee shall be assisted by a secretary from the Human Resources Development Department. The Committee may invite other officials to assist it in the discharge of its functions. Each member of the Committee, the secretary and any other person assisting or attending the Committee must observe the full confidentiality of the proceedings, and strictly avoid conflict of interest or perception of conflict of interest.

3. The Recruitment, Assignment and Mobility Committee holds an annual meeting and at least three other meetings during the year.

4. The Recruitment, Assignment and Mobility Committee shall discuss all issues before it, in good faith, with a view to reaching agreement. Where agreement is not reached, the Director-General will be informed of any divergent views. The Committee establishes its own procedure.

Chapter XI. Cessation of service

Article 11.1

Provisions governing termination

The Director-General may terminate the appointment of an official in accordance with the terms of his contract of employment and the provisions of these Regulations. The Director-General shall consult the Governing Body before terminating the appointment of the Chief Internal Auditor.

Article 11.2

Resignation

1. An established official may resign at six months' notice. An official appointed for a fixed term may resign at one month's notice. The Director-General may accept a resignation at shorter notice than that specified in this article.

2. If the Director-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 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.

Article 11.2 bis

Separation from service after special leave

1. Any official on special leave in accordance with article 7.7 may provide, during the period of leave authorized, timely notice in writing of intent not to return to duty at the expiry of the period of leave. Upon acceptance by the Director-General, such notice will result in separation from service.

2. Failure of an official on special leave in accordance with article 7.7 to report for duty on the foreseen date at the expiry of the period of leave authorized will, absent a duly-provided justification accepted by the Director-General, result in separation from service.

3. Upon separation from service under the provisions of the present article, payments due upon resignation under article 11.2 will be made to the official concerned.

Article 11.3

Age of retirement

Officials shall retire no later than the last day of the month in which they reach age 65.

Exceptionally for compelling reasons the Director-General may retain an official in service for a period not exceeding 12 months after that day. The Joint Negotiating Committee shall be consulted before a decision is taken to retain in service beyond the age of retirement an official below the grade of P.5. The Joint Negotiating Committee shall be informed of any decision to retain in service beyond the age of retirement any other official.

Article 11.4

Fixed-term appointments

1. The Director-General may terminate the appointment of a fixed-term official:

- (a) if the necessities of the service require a reduction of staff;
- (b) if it is medically certified that the official's state of health justifies the presumption that he will be unable to perform his duties satisfactorily during the remainder of his period of appointment;
- (c) if the official's performance of his duties and responsibilities is unsatisfactory; or
- (d) if the necessities of the service render impracticable the use of the official in the duties or at the duty station assigned to him.

2. An official whose appointment is terminated under this article shall be informed of the ground for termination. Before a decision is taken to terminate the appointment of an official at an established office of the International Labour Office under paragraph 1(c), the procedure laid down in article 11.8, paragraph 2, shall be applied. Before a decision is taken to terminate the appointment of any other official under that provision, or to terminate an appointment under paragraph 1(b), the official shall be given

an opportunity to make observations, with the assistance, where he so requests, of a representative, who shall be a member of the staff of the Office, of the United Nations or of another specialized agency.

3. An official whose appointment is terminated under paragraph 1(a), (b) or (d) of this article shall be given one month's notice and shall be paid an indemnity in accordance with the following schedule:

Completed years of service	Remuneration specified in article 3.1(c)
5 or less	One week for each month of uncompleted service subject to a minimum of six weeks and a maximum of three months
6	3 months
7	5 "
8	7 "
9	9 "
10	9.5 "
11	10 "
12	10.5 "
13	11 "
14	11.5 "
15 or more	12 "

4. Where an official whose appointment is terminated in accordance with paragraph 1(b) of this article is eligible for a disability benefit under the Regulations of the United Nations Joint Staff Pension Fund or a payment under paragraph 7(c) or paragraph 8(b) of Annex II of the Staff Regulations, the monthly amount of such benefit or payment shall be deducted from each month, other than the first three months, of remuneration specified in article 3.1(c) due in pursuance of the preceding paragraph.

5. An official whose appointment is terminated in accordance with paragraph 1(c) of this article shall be paid an indemnity equal to one week of remuneration specified in article 3.1(c) for each month of uncompleted service, subject to a minimum of six weeks and a maximum of three months of such remuneration. The Director-General may pay to such an official, where this would be to the latter's advantage, an indemnity not exceeding half the indemnity payable under paragraph 3.

Article 11.5

Termination on reduction of staff

(a) The Director-General, after consulting the Joint Negotiating Committee, may terminate the appointment of an established official if the necessities of the service require a reduction of staff involving a reduction in the number of posts. An established official whose appointment is terminated under this paragraph shall, during the two years after the date on which its termination becomes effective, be offered appointment to any vacancy for which the Director-General, after consulting the Recruitment, Assignment and Mobility Committee, considers that he possesses the necessary qualifications.

(b) When such appointments have to be terminated because the necessities of the service require a reduction of staff involving a reduction in the number of posts, due consideration shall be given to competence, efficiency and official conduct, to length of service, to the prospective needs of the Organization and to the factor of geographical distribution.

(c) When an appointment is terminated under this article the period of notice shall not be less than three months.

(d) An official whose appointment is terminated under this article shall be paid the indemnity provided for in article 11.6 (Indemnity upon reduction of staff).

(e) An official whose appointment it is proposed to terminate under paragraph (a) above shall be entitled to appeal to the Joint Advisory Appeals Board on the grounds that the termination is proposed without due consideration having been given to his competence, efficiency and official conduct, and to his length of service. Such an appeal to be receivable must be submitted to the Joint Advisory Appeals Board not later than one month after the official has received notice of the proposed termination.

Article 11.6

Indemnity upon reduction of staff

An established official whose appointment is terminated as a consequence of the reduction of the staff under article 11.5 (Termination on reduction of staff), shall be paid an indemnity equal to six months of the remuneration specified in article 3.1(c) after less than five years of service

and equal to one year of such remuneration after five years of service. The Governing Body may direct that indemnities payable under this article shall be paid in annual instalments equal to three months of such remuneration.

Article 11.7

Locally recruited officials

(Deleted)

Article 11.8

Termination for unsatisfactory services

1. The Director-General may terminate the appointment of an established official if the official's performance of his duties and responsibilities is unsatisfactory.

2. Before a decision to terminate the appointment of an official under this article is taken, a proposal to do so, stating the reasons for which it is made, shall be communicated in duplicate to the official, who shall initial and return one copy, and who shall be entitled to appeal to the Joint Advisory Appeals Board within one month of receipt thereof on the ground that the proposal is made on the basis of an erroneous evaluation of his performance or for reasons unconnected therewith.

3. An official whose appointment is terminated under this article shall be given three months' notice. The Director-General may grant him an indemnity not exceeding one half of that payable under article 11.6 (Indemnity upon reduction of staff).

Article 11.9

Indemnity upon termination for unsatisfactory services or upon discharge

(Deleted)

Article 11.10

Notice on discharge

(Deleted)

Article 11.11

Termination for reasons of health

(a) The Director-General may terminate the appointment of an established official:

- (1) upon joint certification by the Medical Adviser and a duly qualified medical practitioner who is treating the official, or upon certification by the Invalidity Committee, 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;
- (2) where the official has exhausted the sick leave to which he is entitled, on the joint recommendation of the Medical Adviser and a duly qualified medical practitioner who is treating the official, or after consulting the Invalidity Committee.

(b) The question of the termination of an official's appointment may be referred to the Invalidity Committee 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 Invalidity Committee (1) if the official concerned contests the joint certification or recommendation of the Medical Adviser and the medical practitioner treating him, or (2) 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 (1) of paragraph (a) 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 under the Regulations of the United Nations Joint Staff Pension Fund or as compensation under article 8.3 (Compensation in event of illness, injury or death).

(d) When an official's appointment is terminated under the provisions of this article, the Director-General shall grant him an indemnity equal to six months of the remuneration specified in article 3.1(c) after less than five years of service and equal to one year of such remuneration after more than five years of service, provided that the amount of this indemnity, together with:

- (1) the annual amount of any pension, exclusive of any benefit in respect of a child, awarded for the same circumstances under the Regulations of the United Nations Joint Staff Pension Fund; or

- (2) any salary and pensionable allowances, and any pension exclusive of any benefit in respect of a child, payable for the same circumstances in respect of the first year after cessation of service under article 8.3 (Compensation in event of illness, injury or death);

may not exceed one year of the remuneration specified in article 3.1(c).

Article 11.12

Medical examination on cessation of service

The Director-General may require an official, on leaving the service of the Office, to undergo a medical examination.

Article 11.13

Payment in lieu of notice

When the termination of an appointment requires the giving of a period of notice, the payment of a sum corresponding to the amount of salary and allowances for the period may be substituted for it.

Article 11.14

Grant on death

In the event of the death of an official, a single grant computed in accordance with the following schedule shall be paid to such of the following persons who have survived the official as the Director-General may designate: a spouse; a child in respect of whom a family allowance is payable; and a secondary dependant in respect of whom a family allowance is payable:

Completed years of service	Months of remuneration specified in article 3.1(c)
3 or less	3
4	4
5	5
6	6
7	7
8	8
9 or more	9

Article 11.15

Repatriation grant

(a) A repatriation grant shall be payable to any non-locally recruited official who on leaving the Organization otherwise than by transfer to another organization applying the United Nations common system or summary dismissal has completed at least five years of continuous 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 (1) a spouse, or (2) a child in respect of whom a family allowance is payable.

(b) Where both spouses are officials of the Office, or one is an official of another organization applying the United Nations common system, the repatriation grant is payable at the single rate to each of them. When they have a dependent child (or children), the grant shall be paid to each of the spouses under conditions established by the Director-General in order to avoid double payment.

(c) The payment of the grant shall be subject to the provision by the former official of documentary evidence satisfactory to the Director-General that the official has taken up residence in a country other than that of the last duty station and, in the case of an official based in Geneva, that the official has relocated outside of the area of recruitment of locally recruited officials as defined in article 4.3 of the Staff Regulations. No claim for this grant may be made after the expiry of two years from the effective date of cessation of service, provided that in exceptional cases this time limit may be extended by the Director-General. Notwithstanding the provisions of this paragraph, officials in service on 31 August 1979 shall not be required to produce documentary evidence in respect of their entitlement to a grant corresponding to the period of service completed at that date; in respect of service after that date such evidence is required for any balance of the grant to be paid.

(d) When an official has been transferred to his home country, he shall be entitled to a repatriation grant computed in accordance with the schedule below, the length of service on which the grant is computed being reduced by one year in respect of each completed six months of service in his home country. If subsequently the official has been transferred outside his home country, his entitlement shall then accrue at the rate at which it was reduced, 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 12 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
5 years	8	7	14
6 "	9	8	16
7 "	10	9	18
8 "	11	10	20
9 "	13	11	22
10 "	14	12	24
11 "	15	13	26
12 or more	16	14	28

(g) An official who joined the service of the Office on or before 1 January 2016 and who has completed at least one year but less than five years of consecutive qualifying service shall be paid a repatriation grant in accordance with the following schedule, subject to the other conditions of this article. If service in one year is less than 12 full months, the grant shall be paid in respect of completed months of service in that year.

Number of weeks' salary		
Years of continuous service outside the home country	Single rate (Professional category and above)	Family rate
1 year	3	4
2 years	5	8
3 "	6	10
4 "	7	12

(h) For the purpose of this article "salary" shall mean the remuneration specified in article 3.1(c).

Article 11.16

Agreed termination

The Director-General may terminate the appointment of an official if such action would be in the interest of the efficiency of the work of the Office, provided that the official concerned consents to the action. The Director-General may pay to an established official terminated under this article an indemnity not more than 50 per cent higher than that payable under article 11.6 (Indemnity upon reduction of staff), and to a fixed-term official so terminated, an indemnity not more than 50 per cent higher than that payable under paragraph 3 of article 11.4 (Fixed-term appointments).

Article 11.17

Certificate of service

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

Chapter XII. Discipline

Article 12.1

Sanctions

1. An official who fails to observe the standards of conduct required of an international civil servant may be subjected to any one of the sanctions provided for in this chapter, as appropriate to the gravity of the case.

2. Failure to observe the standards of conduct required of an international civil servant shall mean:

- (a) failure to observe any of the provisions of articles 1.1 to 1.7 of the Staff Regulations;
- (b) misconduct by an official in his official capacity;
- (c) dereliction of duty.

Article 12.2

Procedure for application of sanctions

1. Before the application of any sanction other than 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 the official may wish to make.

2. Subject to the provisions of article 12.8 of the Staff Regulations, in the case of any sanction other than warning or reprimand the official shall have the right to refer the proposal, together with any observations made in accordance with paragraph 1 above to the Joint Advisory Appeals Board within one month from receipt of the proposal, said period to include the eight days referred to in paragraph 1 above. Reference to the Joint Advisory Appeals Board may also be waived with the agreement of the official concerned.

3. 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/she so wishes, may add his/her observations.

Article 12.3

Warning

The sanction of warning may be applied to an official by his/her responsible chief, or by the Director-General. If, during a period of three years following the application of such a warning the official does not receive a new sanction, that warning shall be withdrawn from his/her personal file.

Article 12.4

Reprimand

The sanction of reprimand may be applied to an official by the director of department on the recommendation or in the capacity of the official's responsible chief, by a Deputy Director-General in the capacity of the official's responsible chief, or by the Director-General.

Article 12.5

Censure

1. The sanction of censure may be applied to an official by the Director-General on the recommendation of the official's responsible chief or director of department, or on his own initiative.

2. The Director-General may require the responsible chief to report to him three months after the application of the censure on the conduct of the official in the light of the censure. Such a report shall be communicated to the official, who shall initial and return it, adding to it any observations he may wish to make.

Article 12.6

Discharge

1. The sanction of discharge may be applied to an established official by the Director-General on the recommendation of the official's responsible chief or director of department, or on his own initiative.

2. An official who is discharged under this article shall be given three months' notice. The Director-General may grant him an indemnity not

exceeding one half of that payable under article 11.6 (Indemnity upon reduction of staff).

Article 12.7

Summary dismissal

1. If an established 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 Director-General on the recommendation of the official's responsible chief or director of department, or on his own initiative.

2. An official who is summarily dismissed shall not be entitled to notice or indemnity.

Article 12.8

Discharge or summary dismissal of fixed-term officials

1. The sanction of discharge may be applied to a fixed-term official by the Director-General. Article 12.2 shall be applicable only to an official at an established office of the International Labour Office. Before a decision is taken to discharge any other official, the official shall be given an opportunity to make observations, with the assistance, where he so requests, of a representative, who shall be a member of the staff of the Office, of the United Nations or of another specialized agency. An official who is discharged under this article shall be given one month's notice. The Director-General may grant him an indemnity not exceeding half the indemnity provided for in paragraph 3 of article 11.4 (Fixed-term appointments).

2. 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 Director-General. Article 12.2 shall be applicable only to an official at an established office of the International Labour Office. Before a decision is taken to dismiss any other official summarily, the official shall be given an opportunity to make observations, with the assistance, where he so requests, of a representative, who shall be a member of the staff of the Office, of the United Nations or of another specialized agency. An official who is summarily dismissed under this article shall not be entitled to notice or indemnity.

Article 12.9

Suspension

1. If the Director-General considers, in circumstances which 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, the Director-General may suspend the official from his duties pending such consideration, the suspension being without prejudice to the rights of the official.

2. Suspension may be with or without salary, provided that an official shall be suspended without salary only in cases which 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 article, "salary" shall mean salary and allowances.

Chapter XIII. Conflict resolution

Article 13.1

Informal conflict resolution

1. An official¹ who considers that s/he has been treated in a manner incompatible with her/his terms and conditions of employment, including the right to work in a place that is free of harassment, may at any time, without prejudice to the right to file a grievance in accordance with article 13.2.1 or article 13.2.2 within the time limit specified therein:

- (a) rely on the mediation or facilitation mechanisms established by the Director-General on the recommendation of the Joint Negotiating Committee;
- (b) request the intervention of the Human Resources Development Department or a higher level chief;
- (c) request the assistance of any official, former official or the Staff Union.

2. An official who faces any other work-related problem may, at any time, resort to the mechanisms referred to in paragraph 1 above with a view to its informal settlement.

3. There shall be no formal record of the informal processes referred to above.

Article 13.2

Grievances

1. An official who wishes to file a grievance on the grounds that s/he has been treated in a manner incompatible with her/his terms and conditions of employment shall, except as may be otherwise provided in these Regulations or other relevant rules,² request the Human Resources

¹ For the purpose of Chapter XIII, the term "official" does not comprise the Director-General, Deputy Directors-General and Assistant Directors-General.

² Special procedures apply to compensation claims (Annex II) and the review of performance appraisals (Chapter 6) as well as for appeals in respect of selection and recruitment (Annex I, paragraph 34), discipline (Chapter 12), job grading (relevant administrative circular), termination

Development Department to review the matter within six months of the treatment complained of. The procedure for the examination of general grievances related to the terms and conditions of employment is governed by article 13.3.

2. An official who wishes to file a grievance on the grounds that s/he has been subjected to harassment shall request the Human Resources Development Department to review the matter within six months of the last occurrence of the conduct complained of. The procedure for the examination of harassment grievances is governed by article 13.4.

Article 13.3

Administrative resolution of general grievances related to the terms and conditions of employment

1. The Human Resources Development Department shall review any grievance under article 13.2.1 and notify the official of a reasoned decision within three months of the receipt of the grievance. Where the Human Resources Development Department and the official agree that the matter may still be solved through informal conflict resolution, this time limit may be suspended in writing up to three months. In the event of such a suspension, the official shall confirm in writing to the Human Resources Development Department, no later than the expiration of the agreed suspension, whether s/he still wishes the matter to be formally reviewed and decided upon.

2. If the official disagrees with a decision under paragraph 1 above or in the absence of an express decision within the time allowed under the same provision, s/he shall be entitled to file a grievance with the Joint Advisory Appeals Board within one month of its notification or the expiration of the time allowed in the absence of a decision.

3. Should an official disagree with a decision or proposed decision in respect of which special procedures³ apply, s/he shall be entitled to refer the

for unsatisfactory services (articles 11.4 and 11.8), termination on reduction of staff (article 11.5), and withholding of increment (article 6.4) and transfer to a lower grade (article 6.11).

³ Special procedures apply to compensation claims (Annex II) and the review of performance appraisals (Chapter 6) as well as for appeals in respect of selection and recruitment (Annex I, paragraph 34), discipline (Chapter 12), job grading (relevant administrative circular), termination

matter to the Joint Advisory Appeals Board to the extent and within the time limits provided for in the relevant procedure.

4. The Director-General shall take a final decision within two months of the submission of the report by the Joint Advisory Appeals Board and communicate it to the official together with a copy of the report. A copy of the decision shall also be communicated to the Board. In the absence of an express decision within this deadline, the Board shall provide the official and the Human Resources Development Department with a copy of its report and the official shall be entitled to imply an acceptance of the recommendations contained in the report.

Article 13.4

Administrative resolution of harassment grievances

1. The term "harassment" is defined ⁴ as "any form of treatment or behaviour by an individual or group of individuals in the workplace or in connection with work, which in the perception of the recipient can reasonably be seen as creating an intimidating, hostile or abusive working environment or is used as the basis for a decision which affects that person's employment or professional situation".

2. The term "sexual harassment" is defined as "any conduct of a sexual nature in the workplace or in connection with work, which, in the perception of the recipient, can reasonably be seen as creating an offensive, intimidating, hostile or humiliating working environment for that person or is used as a basis for a decision which affects that person's employment or professional situation".

for unsatisfactory services (articles 11.4 and 11.8), termination on reduction of staff (article 11.5), and withholding of increment (article 6.4) and transfer to a lower grade (article 6.11).

⁴ Determining whether or not certain behaviour constitutes harassment has both subjective and objective elements including the severity and impropriety of the act, the circumstances and context of each situation, and whether the behaviour is linked to real or perceived grounds such as race, ethnicity, social origin, national extraction, nationality, gender, family status, family responsibilities, age, sexual orientation, gender identity, political opinion, religion, disability, HIV status or trade union affiliation.

3. To be receivable, a harassment grievance must:

- (a) be submitted by the claimant in written form addressed to the Director of the Human Resources Development Department within six months of the last occurrence of the behaviour which gave rise to the grievance;
- (b) be signed and dated by the claimant;
- (c) include the following:
 - (i) a detailed written statement of facts, including the person(s) designated as author(s) of the behaviour complained of (hereinafter "respondent(s)"), places, dates and a description of the acts of alleged harassment and the impact of the offending behaviour on the claimant;
 - (ii) the names of witnesses, if any, of the alleged acts of harassment;
 - (iii) any other relevant documentation, such as emails, message recordings, photographs, letters, medical examinations, or any other information the claimant deems relevant; and
 - (iv) the name and contact details of the claimant;
- (d) not be manifestly without merit.

4. (a) If a grievance is receivable, the Director of the Human Resources Development Department will notify the claimant and the respondent accordingly in writing within ten working days of the receipt of the grievance and will proceed to nominate an investigator in accordance with paragraph 5 below. The Director of the Human Resources Development Department shall, at the request of the claimant, refer to the Recruitment, Assignment and Mobility Committee any urgent request for interim measures such as the transfer of the claimant to a similar post while the investigation is under way.

(b) In exceptional cases, if the Director of the Human Resources Development Department determines that the grievance is receivable and is satisfied that the facts are fully established, s/he will notify the claimant and respondent accordingly and proceed with any appropriate disciplinary measures in accordance with Chapter XII of the Staff Regulations, and any other administrative response deemed necessary.

(c) If the Director of the Human Resources Development Department determines that the harassment grievance is not receivable, s/he shall indicate in detail the grounds for this decision in a written reply to the claimant. No information shall be provided to the respondent. In such a case,

any other issues which may be included in the grievance may be addressed to the Human Resources Development Department in accordance with the provisions of article 13.3.1 of the Staff Regulations.

5. In the case of a harassment grievance requiring investigation the Director of the Human Resources Development Department shall nominate an investigator and inform the claimant and the respondent of the identity of the investigator within ten working days of the notification referred to in paragraph 4(a) above. The investigator shall be nominated from a list of qualified independent investigators established and maintained by the Joint Negotiating Committee.

6. The nominated investigator shall be obliged to declare any possible conflict of interest at the earliest opportunity and, in such case, to recuse him/herself from any further involvement in the investigation.

7. Both the claimant and the respondent shall have the right to raise any concerns they may have as to the suitability of the investigator within ten working days of the notification regarding the identity of the investigator. If any objections are raised regarding the selection of the investigator within this time limit, the Director-General shall have five days from the receipt of any comment from the above-mentioned parties to confirm or modify the selection of the investigator. This decision is not subject to appeal, but may be raised as an element in a later appeal.

8. The investigation shall be carried out promptly and with the highest standards of impartiality, objectivity, confidentiality, fairness and due process. The respondent shall be provided with a copy of the written statement of facts (paragraph 3(c)(i)) included in the grievance together with the other accompanying documentation submitted with the grievance (paragraph 3(c)(iii)). The respondent shall submit an initial response to the allegations in writing, including the names of any witnesses and all relevant documentation within twenty working days of the reception of the above-mentioned documents. A copy of this initial response shall be given to the claimant.

9. The investigator shall conduct any inquiry necessary to investigate the case including the review of the grievance and any additional statements of the claimant; review of the statements of the respondent; interviews with the parties and any witnesses or staff members deemed relevant to the investigation; as well as the review of any documentation supplied by the

claimant, the respondent and the witnesses and gather any additional information needed to complete the investigation.

10. The claimant and respondent may be assisted during interviews by a Staff Union representative or any other member or former member of staff who is not a party to the proceedings.

11. The claimant and respondent shall both be informed of witness testimony in order to exercise their right of reply, to rectify erroneous information by furnishing evidence where necessary, or to have their disagreement put on record.

12. In the course of the investigation the investigator may also consult the personnel files of the claimant and respondent in order to verify or establish any relevant fact; request additional written statements and/or documentation; interview persons in a hierarchical relation to the claimant or respondent; and gather any additional information needed to complete the investigation.

13. The investigation shall be conducted as expeditiously as possible and shall normally be concluded within sixty working days of the reception of the grievance by the investigator, except where, in the investigator's opinion, exceptional circumstances require additional time.

14. At the end of the investigation, the investigator shall prepare a report comprising:

- (i) a summary of the allegations;
- (ii) the investigative procedure undertaken;
- (iii) the persons interviewed;
- (iv) the documentation and additional information considered;
- (v) the established facts and an opinion as to whether or not the allegations of harassment were founded.

When communicating the investigation report to the Director-General, the investigator shall notify the claimant and the respondent that the investigation has been concluded.

15. The Director-General shall determine whether disciplinary action(s) in accordance with Chapter XII of the Staff Regulations, or any other administrative measures, are deemed necessary in response to the findings of the investigation report. Within twenty working days of the receipt of the

investigation report, the Director-General shall notify the claimant and the respondent of his/her reasoned decision as to possible disciplinary action(s) and possible administrative measures, including compensation. The Director-General shall also indicate, where necessary, the proposals of the Office to improve the working environment. A copy of the investigation report shall be attached to the Director-General's decision.

16. If the Director-General has not made an express, reasoned decision within the deadline specified in paragraph 15 above the investigator shall provide the claimant and the respondent with a copy of the investigation report and they shall be entitled to infer acceptance of the report's contents by the Director-General.

17. The claimant shall be entitled to challenge the decision taken in accordance with paragraph 4(c) above, before the Joint Advisory Appeals Board within one month of its receipt.

18. The claimant and the respondent shall be entitled to file a complaint against the express or implied decision taken in accordance with paragraphs 15 or 16 above with the Administrative Tribunal of the International Labour Organization.

19. Disciplinary action(s) decided paragraphs 4(b) or 15 above are subject to Chapter XII of the Staff Regulations.

Article 13.5

Judicial appeals

1. An official shall be entitled to file a complaint against an express or implied decision under articles 13.3.4 or 13.4.8 with the Administrative Tribunal of the International Labour Organization.

2. The Director-General may, in agreement with the official, exempt the latter from the obligation to exhaust internal procedures by authorizing him/her to challenge a decision directly before the Administrative Tribunal.

Chapter XIV. General provisions

Article 14.1

Responsibility for application

The Director-General shall be responsible for the application of these Regulations. In accordance with the Regulations he will be assisted by the bodies for which provision is made in Chapter X.

Article 14.2

Interpretation

(a) Terms referring to persons in the masculine gender, when used in these Regulations, shall apply equally to men and women, except where it is made clear by the context that they are intended to apply only to men.

(b) As employed in the Regulations, the term "Regulations" shall include the annexes thereto.

Article 14.3

Service with other organizations

Service as a member of the staff of another organization applying the United Nations common system may be regarded, on a reciprocal basis, as service as an official of the Office for purposes of the application of these Regulations.

Article 14.4

Service under successive contracts

1. All continuous service under contracts governed by these Regulations or by the Rules Governing Conditions of Service of Short-Term Officials shall be taken into account for the purpose of the application of the following provisions of these Regulations: article 3.10 (Settling-in grant); article 3.11 (Mobility incentive, hardship and non-family service allowance); article 3.14 (Education grant); article 3.14 *bis* (Special education grant); article 4.2 (Filling of vacancies); article 7.6 (Home leave travel expenses); article 8.6 (Sick leave and family-related emergency leave); article 9.2 (Travel

of spouse and dependants); article 9.5 (Expenses upon authorized travel to visit spouse or dependants); article 9.7 (Expenses upon termination); article 11.5 (Termination on reduction of staff); article 11.6 (Indemnity upon reduction of staff); article 11.11 (Termination for reasons of health); article 11.14 (Grant on death); article 11.15 (Repatriation grant).

2. The provisions of these Regulations other than those referred to in paragraph 1 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 Regulations or by the Rules Governing Conditions of Service of Short-Term Officials is continuous.

3. For the purpose of this article, continuity of service shall not be considered to have been broken by any interruption not exceeding 30 days between two contracts subject to the Rules Governing Conditions of Service of Short-Term Officials.

Article 14.5

Service in designated duty stations

1. Officials serving in the duty stations referred to in paragraphs 2 to 5 of this article shall be granted additional entitlements, as provided for in the following paragraphs, in respect of:

- (a) periodicity of home leave;
- (b) education grant and scholastic travel;
- (c) authorized travel to visit spouse or dependants;
- (d) medical examinations.

2. Notwithstanding the provisions of article 7.6, paragraphs (a), (c), (e), (g) and (j)(1), concerning the time at which home leave may be taken, home leave shall be granted every 12 months to officials serving at duty stations classified, in accordance with article 3.10(a), in category D or E that were not approved by the Director-General for rest and recuperation purposes under the applicable rules. While every second such home leave must be spent in the country of the home in accordance with the requirements of article 7.6, an official may travel on alternate home leaves to a country other than that of his home; in such case, he shall be paid travel expenses and granted travel time up to the amounts to which he would have been entitled if he had

travelled to and from his recognized home. The official may at his request, in lieu of any home leave on which he is not required to travel to the home country, be paid transport expenses for a journey additional to that provided for under article 3.14(i), subject to the conditions set out in that provision, for each child in respect of whom an education grant is payable.

3. Notwithstanding the provisions of article 9.5 concerning the time at which expenses under that article are payable, an eligible official shall be entitled to travel to visit a spouse or dependants every six months if he serves at a duty station classified, in accordance with article 3.10(a), in category D or E that were not approved by the Director-General for rest and recuperation purposes under the applicable rules, provided that his service is expected to continue for at least six months following his return, and provided that a minimum of three months shall normally be required between such travel and home leave or scholastic travel.

4. At duty stations in respect of which the Director-General, after consulting the Joint Negotiating Committee, has determined that adverse health conditions exist, the cost of basic medical examinations for a spouse and for dependants in respect of whom a family allowance is payable who reside with the official at the duty station shall be reimbursed in accordance with conditions and up to a limit established by the Director-General.

Article 14.6

Exceptions

No exception may be made to these Regulations unless the official concerned consents and only if such exception does not prejudice the interests of any other official or group of officials. Any such exception entailing additional expenditure shall be notified to the Governing Body.

Article 14.7

Amendments

Subject to the approval of the Governing Body, these Regulations may be amended, without prejudice to the acquired rights of officials, by the Director-General after consulting the Joint Negotiating Committee. The Director-General may amend the Regulations, without prejudice to the acquired rights of officials, and after consulting the Joint Negotiating Committee, in order to give effect to decisions of the International Civil

Service Commission and of the General Assembly on the recommendation of the Commission concerning: (1) salary scales; (2) rates of allowances and benefits, the conditions of entitlement thereto, and standards of travel; and (3) the classification of duty stations for the purpose of applying post adjustments; as well as in respect of non-controversial issues with no significant financial and policy implications; the Governing Body shall be informed of such amendments.

Article 14.8

Time limit for submission of claims

Except where these Regulations otherwise provide, no claim under them shall be entertained if it is submitted after the expiry of 12 months from the date on which the right to bring it forward accrued to the person concerned.

Annex I. Recruitment and selection procedure

General considerations

1. In the filling of any vacancy account shall be taken of linguistic knowledge. Officials in the Professional category whose mother tongue is one of the working languages shall normally be required to have a good working knowledge of a second working language and may be required to acquire a knowledge of a third working language. Officials in the Professional category whose mother tongue is not one of the working languages shall be required to possess a fully satisfactory working knowledge of one of the working languages of the Office, as prescribed in article 4.2(a) (Filling of vacancies) and may be required to acquire a knowledge of a second working language. Officials in the Professional category who undertake duties as translator or such other duties as may be designated as similar by the Director-General shall be required to have a thorough knowledge of two working languages as well as the main language into which they translate.

Procedural stages in the filling of vacancies

2. Selection procedures shall comprise three stages:

- (1) request for the opening of vacancies and review of vacancy announcements;
- (2) identification of opportunities for filling vacancies by transfers in the same grade or through geographical mobility;
- (3) where no suitable opportunity is identified for selection by transfers in the same grade or through geographical mobility, other candidates will be screened, and eligible candidates will be subject to competency assessment and technical evaluation.

First stage: Request for the opening of vacancies and review of vacancy announcement

3. Proposals to fill a vacancy will be made by the responsible chief who will identify the relevant generic job description, job family and suggested grade, and will prepare a description of the responsibilities, objectives and minimum requirements that are specific to the job. The proposal will be reviewed by the Human Resources Development Department.

4. Confirmed vacancies and the corresponding proposed job descriptions are submitted to the Recruitment, Assignment and Mobility Committee mentioned in article 10.6, along with information concerning:

- (a) proposals to transfer an official without competition due to: pressing humanitarian or certified medical reasons; a legal obligation of the Office, including vis-a-vis officials whose position has been abolished, or the duty to protect the interests of a staff member or group of staff or to preserve a smooth and productive working environment;
- (b) officials who have expressed potential interest in functional or geographical mobility;
- (c) officials on special leave without pay or secondment due to return to the Office;
- (d) gender and diversity indicators;
- (e) variations to generic job descriptions;
- (f) proposals to assign officials to temporary vacancies.

5. The Recruitment, Assignment and Mobility Committee submits a report to the Director-General with recommendations, including any divergent views, on:

- (a) vacancies proposed to be filled without competition for any of the reasons stated in paragraph 4(a) above;
- (b) proposals to address geographical diversity within the Office;
- (c) proposals to limit eligibility in specific vacancies to internal candidates or to other categories of serving officials or groups of serving officials;
- (d) the contents of vacancy announcements.

6. The Recruitment, Assignment and Mobility Committee is informed of the decisions of the Director-General arising from its report.

7. All vacancies open to competition shall be advertised for a minimum period of 30 days, unless otherwise agreed within the Recruitment, Assignment and Mobility Committee. The Human Resources Development Department will disseminate all vacancies among serving staff through internal electronic media and will announce them by other media as appropriate.

Second stage: Identification of opportunities for filling vacancies by transfers in the same grade or through mobility

8. The Human Resources Development Department will prepare a list of internal candidates who have applied for a vacancy in the same grade and identify those who meet the minimum requirements.

9. The responsible chief shall review the list prepared by the Human Resources Development Department and prepare an evaluation regarding the suitability of candidates.

10. The Recruitment, Assignment and Mobility Committee shall review the list of suitable internal candidates together with the evaluations of the Human Resources Development Department and the responsible chief and shall prepare a report for the Director-General including advice and recommendations for filling vacancies taking into consideration the applications of officials subject to geographical mobility first, having regard to the hardship and duration of a field assignment.

11. Candidates will be informed of the Director-General's decision to fill a vacancy by transfer in the same grade or through geographical mobility.

Third stage: Evaluation of other applications

Screening of candidates

12. Where no suitable opportunity is identified for selection by transfers in the same grade or through mobility, other candidates will be screened.

13. Prior to the screening process the responsible chief and the Human Resources Development Department will determine: the weight that will be accorded to the various elements to be taken into consideration during the evaluation of eligible candidates (personal résumé, written tests, interview, etc.).

14. The Human Resources Development Department shall provide the responsible chief with a list of candidates who meet the minimum requirements specified in the vacancy announcement.

15. The responsible chief and Human Resources Development Department shall establish a shortlist of candidates in consultation with the technical panel, including where appropriate through eliminatory tests.

Competency assessment

16. Any external candidate or any internal candidate applying to a higher category shall be assessed against core competencies and values agreed within the Joint Negotiating Committee for each of the following grade ranges: G.1–G.4, G.5–G.7, P.1–P.3 and P.4–P.5.

17. The competency assessment shall be managed by the Human Resources Development Department. The assessors shall be selected jointly by the Human Resources Development Department and the Staff Union.

18. Only candidates who are successful in the competency assessment will progress to the next selection stage.

19. Any candidate who has undergone a competency assessment may request feedback, including on possible areas of development.

20. Serving staff who are not successful in the competency assessment will be encouraged to avail themselves of staff development and counselling opportunities provided by the Office and may undertake a competency assessment after a period of six months. As far as practicable, opportunities shall be given to serving staff to undertake a competency assessment outside of a specific competition as a development activity.

Technical evaluation

21. A technical panel shall be established to evaluate shortlisted candidates who have been successful in the competency assessment.

22. The technical panel will comprise the manager responsible for the vacant position or his/her representative, a representative of the Human Resources Development Department and a third independent member selected from a list of serving staff established in agreement with the Staff Union. Technical experts may also be appointed to assist the technical panel in its evaluation of candidates. Technical panel members and technical experts are required to act impartially, and should not have any conflict of interest or perceived conflict of interest related to any candidates for the position.

23. The technical panel will undertake a rigorous technical evaluation of the candidates in accordance with pre-established criteria through an interview and any other test decided by the responsible chief in consultation with the Human Resources Development Department. The marking of written tests will be blind.

24. The technical panel shall prepare a report with recommendations, including the ranking from the technical evaluation, and relevant comments, on candidates recommended for appointment. The technical panel may also recommend that the competition be declared unsuccessful or that it be cancelled.

25. Any internal candidate and any candidate who is a serving staff member has the right to request feedback on his/her performance in the context of the technical evaluation as well as on areas of possible development. Such feedback may be provided in oral or written form by the responsible chief or a representative of the Human Resources Development Department, as appropriate.

Review of proposed appointments and staff movements and decision by the director-general

26. Reports from the technical panels shall be reviewed by the Recruitment, Assignment and Mobility Committee, which shall submit the reports, together with its advice and recommendations on other relevant issues for selection, to the Director-General for decision.

Unsuccessful competitions

27. A selection process shall not be declared unsuccessful if, following the competency assessment and technical evaluation, there are candidates suitable for appointment.

28. Before recommending that a competition process be declared unsuccessful, the technical panel may choose to invite any eligible candidate who was not initially shortlisted to competency assessment and technical evaluation.

29. In the event of the process being unsuccessful, the Recruitment, Assignment and Mobility Committee shall provide advice on the means to fill the vacancy.

Publication of results

30. The Human Resources Development Department will publish all the Director-General's decisions on appointments, transfers and promotions made in accordance with the provisions of this Annex as soon as possible on the ILO Intranet. The Human Resources Development Department will also individually notify all candidates of the outcome of competitions.

Internal candidates

31. An official may not apply in a competition as an internal candidate before the successful completion of his/her probationary period.

32. Officials serving on technical cooperation projects, except those detached from another job within the Office, as well as officials appointed under the Rules Governing Conditions of Service of Short-term Officials, will not normally be eligible to participate as internal candidates. The Recruitment, Assignment and Mobility Committee may agree to extend eligibility to these officials, but may establish special requirements.

Confidentiality

33. All persons involved in recruitment and selection processes and decisions shall respect their duty to maintain strict confidentiality in all matters related to those processes and decisions.

Grievances concerning recruitment and selection decisions

34. Any individual grievance arising from the recruitment and selection process will be dealt with in accordance with Chapter XIII of the Staff Regulations. The deadline for the submission under article 13.2.1. of a grievance related to recruitment and selection decisions will be one month from the publication of the decision.

Annex II. Compensation in event of illness, injury or death attributable to the performance of official duties

I. Principles of award

1. In the event of illness or injury attributable to the performance of official duties an official shall be entitled to compensation as prescribed in this annex. In the event of the official's death in consequence of such illness or injury his dependants shall be entitled to compensation as prescribed in this annex. No benefit or compensation shall be payable under this annex in respect of illness, injury or death resulting from serious and wilful misconduct on the part of the official concerned, provided that the Director-General may, if he deems it appropriate, waive this disqualification in individual cases of severe disablement or death.

2. Without restricting the generality of paragraph 1, the following shall be deemed to be attributable to the performance of official duties:

- (a) 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;
- (b) 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 authorized.

3. For the purposes of this annex:

- (a) "pensionable remuneration" shall be as specified on pages 25 and 26;
- (b) a reference to "pensionable remuneration" and "family allowances" of the official shall, unless otherwise specified, designate the pensionable remuneration and family allowances to which the official was entitled immediately before the cessation of his service or his death, as the case may be;
- (c) a reference to persons "in respect of whom a family allowance would have been payable" shall designate persons who were recognized dependants of the official at the time an invalidity or death benefit

became payable, as long as they continue to satisfy the conditions set forth in the Staff Regulations for the payment of family allowances;

(d) the term "official" shall comprise also former officials.

4. Without prejudice to the responsibility of the International Labour Organization under article 8.3 of the Regulations and this annex in respect of compensation for illness, injury or death attributable to the performance of official duties, the following shall be deducted from the compensation prescribed herein:

- (a) all benefits actually paid in respect of the same series of circumstances under the regulations of any international staff pension fund or international provident fund to which the official may belong, other than any part of such benefits deriving from voluntary contributions by the official under article 53 of the Regulations of the United Nations Joint Staff Pension Fund; provided that the deduction made under this clause shall not have the effect of reducing the compensation otherwise payable under this annex to less than 10 per cent of the full amount. However, the amount of pension benefit due from any of the funds referred to above together with compensation payments under this annex may not exceed the pensionable remuneration and family allowances of the official;
- (b) all benefits actually paid in respect of the same series of circumstances under the Regulations of the Staff Health Insurance Fund of the International Labour Office;
- (c) all benefits actually paid in respect of the same series of circumstances under the regulations of any other social security or social insurance scheme to which contributions are paid by the Organization; provided that the Director-General may, in appropriate cases, deduct benefits actually paid in respect of the same – series of circumstances under the regulations of a national or occupational scheme – with the exception of benefits purchased essentially by the contributions of the official – even if contributions to such scheme are not paid by the Organization.

5. A person who is entitled to compensation under this annex may not assign his entitlement.

6. All awards of compensation under this annex to minors shall be paid for the benefit of such minors. The Director-General may require the appointment of a guardian in any such case.

II. Compensation payments

7. (a) An official who suffers illness or injury which is within the scope of this annex 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 the reasonable cost of any necessary artificial limbs and surgical appliances and of their normal renewal.

(b) He shall also be entitled during his absence from duty by reason of incapacity to the same salary and allowances as he would have received had he remained on duty, including any annual increments which he may be awarded.

(c) If his service ceases, the official shall be entitled to be paid salary and allowances, as defined in subparagraph (b), for the duration of his incapacity up to the expiry of one year from the first day of incapacity or, if his service ceases later, up to the date of cessation of service, provided that in case of death before the expiry of such period the payment shall cease at the date of death.

8. In case of continuing total invalidity:

- (a) an official shall be entitled, as from the date on which salary and allowances cease to be payable under paragraph 7, to a sum, not subject to deductions under paragraph 4, equal to ten times the official's annual pensionable remuneration at the date of cessation of service up to a maximum of US\$500,000;
- (b) an official shall be entitled, as from the date on which salary and allowances cease to be payable under paragraph 7, to an annual invalidity pension equal to two-thirds of the official's annual pensionable remuneration;
- (c) a sum equal to one-third of the annual invalidity pension shall be paid every year for every child who remains unmarried and under the age of 21, or who is physically or mentally incapacitated for work; the payment in respect of each such child shall not be more than \$1,000 a year, nor, subject to clause (e), less than \$300 a year;
- (d) subject to the provisions of clause (e), the total pension, including the sums provided for in clause (c), shall not be less than the annual pensionable remuneration appropriate to grade G.1, step 1, or its equivalent, in the scales applicable to the official, increased by \$300 for

each person in respect of whom a family allowance would have been payable;

- (e) the total amount payable under clause (c) shall not exceed \$3,000 a year, and the total pension, including the sums provided for in clause (c), shall in no case exceed the total of the annual pensionable remuneration and family allowances of the official.

9. In case of continuing partial invalidity affecting the professional ability of an official who does not remain in the service of the Office, the official shall be entitled to such proportion of the pension provided for in paragraph 8 as corresponds to the degree of his invalidity.

10. The degree of invalidity shall be assessed on the basis of medical evidence and in relation to loss of earning capacity in the official's normal occupation or an equivalent occupation appropriate to his qualifications and experience.

11. Where, as a result of a continuing partial invalidity, an official who returns to duty in the Office, or in the United Nations or another specialized agency, is unable to resume service in the job which he held prior to disablement or in a job equivalent thereto, he shall be entitled, in addition to his new salary, to a pensionable amount equal to two-thirds of the difference between the salary he received before the illness or injury and the salary at which he is reassigned.

12. Regardless of whether the official returns to duty in the Office, or in the United Nations or another specialized agency, or not and of whether there is continuing invalidity which affects the official's earning capacity or not, an official shall be entitled to lump-sum compensation for permanent disfigurement or permanent loss of a member or function. The amount of such compensation shall be assessed on the basis of medical evidence and in relation to loss of enjoyment of life, by reference to a guide approved by the Director-General.

13. In case of continuing total invalidity necessitating the attendance of another person, the Director-General may grant additional compensation not exceeding the reasonable cost of such attendance.

14. In case of continuing partial invalidity affecting the official's professional ability, the Director-General may make an allowance towards financing the cost of appropriate vocational rehabilitation approved by him in advance in each case.

15. In appropriate cases, and particularly in cases of minor invalidity, the Director-General may, if the official agrees, commute all or part of an invalidity pension to a lump-sum payment on the basis of approved actuarial tables.

16. If an official dies as a result of illness or injury which is within the scope of this annex, the Organization shall, without prejudice to the provisions of article 9.8 (Expenses on death), pay:

- (a) all reasonable medical, hospital and directly related costs;
- (b) reasonable funeral expenses;
- (c) to a surviving spouse or to the surviving dependent children if the official was widowed or divorced at the time of death, a sum, not subject to deductions under paragraph 4, equal to ten times the official's annual pensionable remuneration up to a maximum of US\$500,000.

17. (a) If a married official dies:

- (1) the surviving spouse shall receive an annual pension equal to 40 per cent of the official's annual pensionable remuneration, with a minimum which shall be the smaller of \$2,200 or twice the amount first calculated. In the event of remarriage that pension shall be replaced, from the date of remarriage, by an indemnity equal to the amount of the pension for two years;
- (2) a sum equal to one-third of the annual invalidity pension provided for in paragraph 8(b) shall be paid in respect of each child who remains unmarried and under the age of 21, or who is physically or mentally incapacitated for work; the payment in respect of each such child shall be not more than \$1,000 a year, nor, subject to paragraph 22, less than \$300 a year.

(b) If an official who had more than one spouse in accordance with his personal law dies, the surviving spouse's pension shall be shared equally between the surviving spouses.

18. If a widowed or divorced official dies, or after the death of a surviving spouse receiving a pension under paragraph 17(a)(1), the pension payable in respect of children under paragraph 17(a)(2) shall be increased as follows:

- (a) where there is only one such child, the pension payable under paragraph 17(a)(2) shall be increased by one-half the amount of a surviving spouse's pension;
- (b) where there are two or more such children, the amount of a surviving spouse's pension shall be divided equally among all the eligible children; when a child ceases to be eligible the pension increase of the others shall be recalculated.

19. If an official who does not leave dependants entitled to payments under paragraph 17 or 18, and who was receiving a family allowance in respect of a parent, brother or sister, dies:

- (a) the parent shall receive a pension equal to a surviving spouse's pension under paragraph 17(a)(1), on the same conditions except that in the case of remarriage of the parent the Director-General may, if he deems fit, continue the payment of the pension;
- (b) the brother or sister shall receive a pension equal to a child's pension under paragraph 17(a)(2), on the same conditions.

20. The benefits prescribed in paragraphs 16, 17, 18 and 19 shall be payable in the event of death of an official in receipt of an invalidity pension under this annex, if his death was the result of an illness or injury which is within the scope of this annex, and if the persons entitled to benefits under these paragraphs would have been so entitled at the time the invalidity pension became payable.

21. In a case in which the amount of compensation payable under paragraph 17, 18, 19 or 20 is less than the maximum prescribed in paragraph 22, and there were other members of his family dependent on the official the Director-General may grant an indemnity, in such amount and in such shares as he considered appropriate, to such dependant or dependants. The total capital value of indemnities paid under this paragraph shall not be more than twice the official's annual pensionable remuneration or \$10,000, whichever is the smaller.

22. The total amount payable under paragraph 17(a)(2) shall not exceed \$3,000 a year and the total annual compensation payable under paragraphs 17 to 21, including the annuity value of any lump-sum payments, shall in no case exceed the total of two-thirds of the annual pensionable remuneration and the full family allowances of the official.

III. Administration and procedures

23. (a) The Director-General shall be informed as soon as possible of any illness or injury which may be attributable to the performance of official duties.

(b) No claim for compensation under this annex shall be considered unless it is submitted within six months of the injury, the manifestation and diagnosis of illness, or death, provided that where the Director-General is satisfied that a claim has been made at a later date for valid reasons it may be accepted for consideration.

(c) A person claiming or in receipt of compensation under this annex shall furnish such documentary evidence as may be required by the Director-General for the purpose of determining entitlement under the annex.

24. (a) The Director-General may require an official claiming or in receipt of compensation under this annex to undergo a medical examination; if the person concerned refuses, or fails without valid reason, to undergo such examination, he may be denied compensation in full or in part.

(b) No compensation shall be payable in respect of illness, injury or death occurring after an official has left the service of the Organization, and alleged to be within the scope of this annex, if the official has refused, or failed without valid reason, to undergo the examination provided for in article 11.12 (Medical examination on cessation of service).

25. (a) In the event of a conflict of opinion on the medical aspects of the relationship between an illness or injury and the performance of official duties, the Director-General may refer the case for advice to a medical board composed of three duly qualified medical practitioners, one of whom shall be chosen by the Director-General, one by the official, and the third by the two practitioners so chosen. The costs of such a board shall be borne by the Organization.

(b) A medical board composed as provided in subparagraph (a) shall also be consulted if the official concerned, or his surviving dependants, so request. In this case, the fees and expenses of the practitioner chosen by the person concerned shall be paid by the Office up to a maximum of \$300.

(c) Where the medical facts in dispute are of concern also to the United Nations Joint Staff Pension Fund any medical board established for the purposes of the Fund shall, if possible, be utilized for the purposes of this annex.

(d) Any necessary travel expenses, including subsistence allowance, of the members of a medical board or of any person whose attendance is required by the board shall be payable in accordance with the rules relating to official travel under these Regulations.

26. (a) The Invalidity Committee set up in accordance with article 10.4 of the Regulations shall be competent to recommend the termination of appointment under article 11.11 of the Regulations of an official who has suffered an illness or injury which is within the scope of this annex.

(b) The Invalidity Committee shall also be competent to determine the degree of disablement of an official, for the purposes of the application of paragraphs 8, 9, 10 and 12.

27. The degree of invalidity may be reviewed as prescribed in rules to be issued by the Director-General after consulting the Joint Negotiating Committee.

28. The Director-General may review periodically the amount of any pension payable under the provisions of this annex, and may, after consulting the Joint Negotiating Committee, alter the amount of the pension if he is satisfied that the conditions with reference to which it was originally determined have changed.

29. (a) When a social security or a social insurance scheme, the benefits of which are deducted from compensation under this annex in virtue of paragraph 4(c), raises the amount payable by reference to increases in the cost of living or the level of living, the amount payable by the Organization shall not thereby be reduced.

(b) Where the United Nations Joint Staff Pension Fund raises benefits by a certain percentage by reference to increases in the cost of living or the level of living, steps shall be taken to ensure that pensions payable under this annex, after the deductions provided for in paragraph 4, take account of such increases to the same extent.

30. (a) If the Director-General has reason to believe that a third party may be under a legal liability to pay damages for an illness, injury or death for which compensation is due under this annex, he may require the official concerned or the official's survivors to take action to enforce such liability or to assign the right of action to the Office or to the Office's insurer.

(b) The official or his survivors shall give the Office or the Office's insurers all necessary assistance in prosecuting any such action. The official

or his survivors shall not settle any such action or any claim against a third party without the consent of the Director-General.

(c) In so far as damages recovered by the official or his survivors relate to heads of damage in respect of which compensation is due under this annex, these damages shall be applied in the first instance to reimbursing amounts already paid by the Office and to reducing the liability of the Office in respect of future payments.

31. In any case of illness, injury or death within the scope of this annex, the provisions of the Regulations shall be varied as follows:

- (a) authorized absence from duty occasioned by the illness or injury shall be regarded as special sick leave with pay, and shall not affect the official's entitlements under article 8.6 (Sick leave);
- (b) where the necessary absence of the official from duty is likely to exceed six months, the Organization may, at his request, pay the return travel expenses of the official, and of his dependants in the meaning of article 9.2, to his home; the journey shall normally replace the next home leave of the official, and shall be made on the conditions applicable to home leave travel. If the official does not return to duty the journey shall replace travel on separation, provided that the Director-General may authorize the payment of return travel expenses from the home to the duty station to the official or one member of his family for the purpose of clearing up the official's affairs;
- (c) where the appointment of the official is terminated as the result of illness, injury or death within the scope of this annex, the time limit specified in the Regulations for travel on termination and for removal of household effects shall be extended for such period as is reasonable having regard to the state of health of the official or his dependants.

Annex III. Travel and removal expenses

I. General

1. Travel expenses, as prescribed in article 9.1, shall be payable to an official only when authorization to travel has been given to him in advance. This authorization is granted by the Director-General on the appropriate form. Travel expenses shall be paid to the Director-General upon certification by him of the official character of the travel.

2. (a) Travel expenses paid by an official shall be reimbursed upon presentation of the appropriate form, duly completed and accompanied by all vouchers. Claims in respect of travel, except on termination, shall normally be presented within eight days after travel has been completed.

(b) Claims for payment of travel and/or the transport of unaccompanied personal effects on termination shall not be paid unless payment is duly claimed within two years after the termination of appointment, provided that the Director-General, after consulting the Joint Negotiating Committee, may extend this period.

(c) Claims for payment of the transport of unaccompanied personal effects on appointment or transfer shall not normally be paid unless payment is duly claimed within six months after the arrival of the official at the place of posting.

(d) Claims for payment of travel may be refused if any delay in presenting the claim is not satisfactorily explained.

3. Travel tickets shall normally be provided by the Office; when the Office lacks the facilities necessary to provide them or in exceptional circumstances approved by the Director-General, the official is authorized to purchase the tickets he will require. In this case, the official shall be entitled to the reimbursement of actual travel expenses up to the amounts payable under the present Regulations.

4. Upon authorization by the Director-General an official may travel, except when on official business, at less expense than that provided for in these Regulations, in order to take with him a member of his household in respect of whom travel expenses are not payable or for other special reasons. An official so travelling shall be entitled to payment of the actual travel expenses up to the amount payable under the Regulations, except

when he travels by private automobile, when the provisions of paragraphs 14 and 21(b) shall apply.

5. When an official travels at greater expense than that provided for in these Regulations, he shall be paid travel expenses not exceeding those payable under the Regulations.

6. Transport expenses payable in respect of an official's spouse and dependants shall be paid subject to the conditions applicable to the official. The Director-General may, however, establish different conditions for school travel under the provisions of article 3.14 of the present Regulations, as well as when a child travels unaccompanied by one of his parents, under the provisions of articles 7.6, 9.3, 9.4 and 9.7 of the present Regulations.

7. An official who is provided with tickets or who has received an advance against reimbursable travel expenses shall be liable for any such tickets or advances if he does not undertake the travel for which the tickets or advances were obtained.

8. The Office shall pay the cost of transporting any documents or technical material which an official is authorized in advance to transport while travelling and which are deemed necessary for the conduct of official business.

9. (a) Expenses for postage, telegrams, telephone calls and other such expenses incurred in the conduct of official business by an official travelling on official business shall be reimbursed upon the presentation of a claim accompanied by vouchers.

(b) Expenses for travelling by taxi shall be reimbursed under conditions established by the Director-General.

(c) Gratuities shall not be reimbursed.

10. Entertainment expenses incurred by an official travelling on official business shall be reimbursed in accordance with the rules for the administration of the Representation Fund.

II. Means of transport and travel conditions

11. Travel paid for by the Office shall normally be by air or by rail. Transport by sea or by some other means shall normally be paid on the basis of the cost of the most economical itinerary and method of transport. Group tickets may be provided for officials travelling on official business; in such cases officials shall be required to use these tickets for travel.

12. Rail transport shall be in first class. Officials shall be entitled: (a) to a reserved seat by day and, where applicable, to the supplement payable on express trains; (b) to single occupancy in a sleeping compartment.

13. When transport free of charge is provided for an official he shall not receive tickets supplied by the Office.

14. An official who travels by private automobile shall be reimbursed the minimum allowable travel expenses provided for in these Regulations.

III. Subsistence allowance

15. The subsistence allowance payable under article 9.1 shall be paid according to schedules and rates established by the Director-General. If the Director-General is satisfied that these rates are insufficient for travel on official business, he may authorize the payment of different amounts.

16. The subsistence allowance during a journey shall be payable, up to and including the day of arrival at the authorized destination, at the rate appropriate to the place of arrival.

17. In the case of travel on official business, the allowance shall be payable at the rate applicable to the place of official business as from the day of departure.

18. For the purpose of calculating subsistence allowance, the day is defined as the 24-hour period from midnight to midnight. Subject to the provisions of paragraph 19 below, the full rate shall be paid for every day on which the official is in travel status, except for the last day of travel in respect of which no allowance shall be paid.

19. When travel is for a period of less than 24 hours and does not necessitate expenses for sleeping accommodation, subsistence allowance shall be paid at reduced rates to be determined by the Director-General. No allowance shall be paid for travel lasting less than six hours.

20. The subsistence allowance payable in respect of an official's spouse or dependant shall be one-half the allowance payable in respect of the official, except that the allowance shall not be payable in respect of a dependant who has not reached his third birthday when travel begins. No subsistence allowance shall be payable under article 3.14 (Education grant).

IV. Transport of personal effects

21. (a) Transport expenses by air shall normally include the transport of accompanied personal effects up to the amount allowable on a first-class air ticket for the same journey.

(b) An official who travels by private automobile shall not be entitled to the accompanied excess personal effects allowance which he would have received if he had travelled by air.

22. Transport expenses by surface means payable for travel on official business shall include the transport of unaccompanied personal effects not exceeding 50 kg when the official's absence from his duty station is two months or less and not exceeding 80 kg when the official's absence is more than two months.

23. Transport expenses by surface means payable under the provisions of article 3.14 (Education grant) shall include the transport of:

- (a) unaccompanied personal effects not exceeding 200 kg on the first outward trip to and the final return trip from the educational institution and in the event of a change of institution situated in a different place, within the limits established by article 3.14(i)(3);
- (b) personal effects not exceeding 50 kg in the event of any other educational journey.

24. Transport expenses by surface means payable under the provisions of article 7.6 (Home leave travel expenses) shall include the transport of accompanied personal effects not exceeding 50 kg in respect of an official and 50 kg in respect of his spouse and each of his dependants.

25. Transport expenses by surface means payable under the provisions of article 9.5 (Expenses upon authorized travel to visit spouse or dependants) shall include the transport of accompanied personal effects not exceeding 50 kg.

26. An official who does not use the entitlement to reimbursement of the transport expenses by surface means of unaccompanied personal effects as authorized under paragraph 23(a) above, may transport an extra 50 kg, including packing, of accompanied luggage by air in respect of a child during a school journey.

27. (a) Where an official is entitled to the removal of household goods and personal effects, transport expenses by surface means payable upon

appointment, transfer or termination, shall also include the transport of accompanied personal effects not exceeding 50 kg in respect of an official, 50 kg in respect of his spouse and each of his dependants.

(b) Where an official is not entitled to the removal of household goods and personal effects, transport expenses by surface means payable upon appointment, transfer or termination, shall include the transport of unaccompanied personal effects not exceeding 600 kg in respect of an official, 250 kg in respect of his spouse or a first dependant and 150 kg in respect of each of his other dependants.

28. An official may convert his entitlement to the removal of household goods and personal effects into air freight up to a maximum amount of 600 kg air freight.

29. The weights expressed in kg in the above paragraphs shall be understood as net terms, that is, excluding crating.

30. (a) The cost of insuring unaccompanied personal effects transported under paragraphs 22 and 23 shall be borne by the Office under conditions and up to a maximum amount to be determined by the Director-General.

(b) The Office shall not be normally responsible for any customs duties levied on personal effects transported under the conditions established in the preceding paragraphs.

V. Removal expenses

31. Arrangements for the removal of household goods and personal effects shall normally be made by the Director of the Department of Internal Services and Administration; he may, however, if a request is made beforehand, authorize an official to make arrangements for a removal, subject to his approval. The household goods and personal effects to be removed shall be insured at the expense of the Office under conditions and up to a maximum amount to be determined by the Director-General; beyond that the Office shall not be liable for any loss or damage. Any customs duties payable in respect of household goods and personal effects shall not normally be paid by the Office.

32. Expenses shall be paid for the removal of household goods and personal effects (excluding motor cars) not exceeding a 40-foot container.

33. Any removal expenses which may be paid by an official shall be reimbursed upon presentation of a claim, accompanied by vouchers, within three months after the removal was effected. The Director-General, in exceptional circumstances and after consulting the Joint Negotiating Committee, may extend this period.

34. Claims for payment of removal expenses shall not be submitted later than six months after an official acquires the right, provided that the Director-General may extend this period upon application in advance and for special reasons, after consulting the Joint Negotiating Committee.

35. If no claim for payment of removal expenses is made by an official within the time limit specified in paragraph 34, the Office shall pay (a) the cost of a later removal if it takes place on the occasion of the official's marriage, or (b) three-quarters of the cost of a later removal if the effects transported have been inherited by the official after the expiration of the time limit specified in paragraph 34, or (c) half the cost of any other later removal.

36. An official to whom removal expenses upon appointment or upon transfer are payable under articles 9.3 and 9.4 shall be entitled to reimbursement of the cost of storing his household goods and personal effects for a period not exceeding three months.

VI. Transport of private motor cars

37. Transport expenses of privately owned automobiles may be reimbursed, under conditions and up to a maximum amount to be determined by the Director-General, to officials whose assignment to a duty station on appointment or transfer is expected to be for a period of not less than two years.

Annex IV. Procedure of the Joint Advisory Appeals Board

1. Any case brought to the Joint Advisory Appeals Board shall be filed with its secretary by means of the form prescribed to that effect in any of the three official languages of the Office. Any communication relating to the case addressed to the official shall be written in the language used by the official or in any other official language that s/he is able to understand. The official may appoint a representative, who shall be a former or serving staff member of the Office, the United Nations or a specialized agency, or a Staff Union representative, to act on her/his behalf during the procedure before the Board.

2. The secretary shall verify that the form and documents appended to it meet the necessary requirements and shall call upon the official or the official's representative to correct it, if necessary, within one week.

3. When the above requirements are met, the secretary shall forward one copy to the Director of the Human Resources Development Department. The latter shall appoint a representative, who shall be a former or serving staff member of the Office, the United Nations or a specialized agency, to act on behalf of the Human Resources Development Department during the procedure before the Board.

4. Neither party shall have the right to external legal representation before the Board.

5. The Human Resources Development Department shall dispatch its comments on the case to the secretary of the Board within one month of receipt of notice from the secretary. The secretary shall communicate a copy of the comments of the Human Resources Development Department to the official or the official's representative.

6. Any written communication of the Board with one of the parties shall be copied by the Board's secretariat to the other party.

7. At any time before the panel begins its deliberations in the case, the parties may agree to suspend, for a specified time, the consideration of the case by written notification addressed to the Board's secretariat. If no further action is taken by the official or the official's representative following the specified period of suspension, the Board may consider the matter withdrawn.

8. The official or the official's representative may withdraw the case, with prejudice, at any time before notification of issuance of the report by the panel by submitting a written communication addressed to the Board's secretariat notifying it of the official's intent to withdraw the case.

9. During the completion of the written submissions, the secretary shall coordinate with the chairpersons and members of the Board to determine the composition of the panel that will deal with the case, having considered any objection raised by the official or the Human Resources Development Department as to the participation of any particular person in the panel.

10. After the composition of the panel has been determined, the secretary shall forward to the chairperson and members of the panel the written submissions of the parties.

11. The panel shall hold as soon as possible a preliminary meeting to determine:

- (a) whether the case is clearly irreceivable or devoid of merit;
- (b) whether the case is to be dealt with as a matter of urgency;
- (c) the need for any further written submissions or inquiry;
- (d) the disclosure of any privileged document requested by either party and the time allowed for the parties to comment on any document so disclosed;
- (e) the need for the appearance of the parties or any witnesses;
- (f) the date of any hearing so decided.

12. If the panel unanimously considers that the case is clearly irreceivable or devoid of merit, it shall address without delay a summary report to that effect to the Director-General. Such report shall contain:

- (a) a summary of the proceedings;
- (b) the outcomes requested by the official and the Office;
- (c) the grounds on which the panel considers the case to be clearly irreceivable or devoid of merit;
- (d) the signature of the chairperson and members of the panel and the date.

13. Where a panel considers that exceptional circumstances could warrant the adoption of interim measures pending the disposal of a grievance, it will inform the Director-General accordingly.

14. In all other cases, the secretary shall notify the parties of the date of any hearings decided by the panel or an indication as to the time frame in which the panel is likely to examine the case.

15. Any hearing shall be held in private at the time decided by the panel and shall be presided over by its chairperson. Hearings may be attended by the official and his/her representative, the representative of the Human Resources Development Department, witnesses called by the panel and the members of the Board's secretariat. The representatives of the official and the Human Resources Development Department may each attend hearings accompanied by one other person meeting the conditions specified respectively in paragraphs 1 and 3 above. Participation in hearings shall be considered official duties.

16. The panel shall deliberate in private.

17. The panel shall address its report to the Director-General within three months of the conclusion of the written submissions by the parties, except where exceptional circumstances require a longer time frame. Such report shall contain:

- (a) a summary of the proceedings;
- (b) the outcomes requested by the official and the Office;
- (c) a summary of the arguments put forward by each party;
- (d) a statement of established relevant facts, including reference to the document or witness statement on which the findings are based;
- (e) reference to any interim communication under paragraph 13 above;
- (f) its recommendations on each of the conclusions of the parties, including the grounds;
- (g) an indication as to whether the recommendations are unanimous or by majority, as well as any minority views that may be added;
- (h) the signature of the chairperson and members of the panel and the date.

18. The secretary of the Board shall notify the official of the date of issuance of the report under paragraphs 12 or 17 above.

19. Where the panel's report is written in a language that the official is not able to understand, the Office shall arrange for its translation into the language of the grievance on time for its communication to the official in accordance with article 13.3.4 of these Regulations.

20. All proceedings of the Board are confidential. Any breach of confidentiality shall be considered serious misconduct.

21. The expenses necessary for the proceedings of the Joint Advisory Appeals Board shall be borne by the Office.

22. The Joint Advisory Appeals Board shall report annually to the Joint Negotiating Committee on activities undertaken and general trends of its work.

Annex V. Annual appraisals and adjustment of salary of fixed-term technical cooperation project staff

1. (a) An official on a fixed-term technical cooperation project shall be appraised by their responsible chief on an annual cycle which is aligned with the calendar year. For this purpose the procedures set out in article 6.7.1 and 6.7.2 of the Staff Regulations shall be followed.

(b) When the period of service begins during the course of a calendar year any period of six months or more between the entry on duty date of the official and the end of that calendar year shall be the subject of an initial appraisal covering the period to the end of the calendar year. Any period of less than six months shall be covered by the appraisal for the subsequent calendar year.

2. The following rules shall apply to the adjustment of the salary of fixed-term technical cooperation project officials:

- (a) The salary of the official shall be increased by one increment attaching to the grade on each anniversary of the first day of the month of appointment under the first of an uninterrupted series of contracts, except in the cases referred to in (b), (c) and (d) below. The salary increment may be withheld in case of unsatisfactory performance.
- (b) Where an extension of contract or a new contract without break of service provides for the assignment of duties and responsibilities in a different grade, or for a regrading of the duties and responsibilities performed, the salary may be adjusted in the light of these changes at the time the extension or the new contract takes effect. The assignment of duties and responsibilities in a different grade or a regrading of existing duties and responsibilities during the currency of a fixed-term contract shall be regarded as a new contract.
- (c) Where, on extension of contract, on a new contract without break of service, or during the currency of a contract, an official is assigned to a different duty station but in the same grade, and the Director-General is satisfied that the official's responsibilities have thereby altered, the salary of the official may be changed by one or more increments attaching to the grade for the duration of the assignment.
- (d) The Director-General may, in exceptional cases and once only in respect of an uninterrupted series of contracts, increase the salary of an official

by one or more increments attaching to the grade on the occasion of an extension of contract, or on the anniversary of appointment, if the Director-General considers that the salary of the official does not fully reflect his or her experience and qualifications.

- (e) In the cases referred to in (b), (c) and (d) above, the salary of the official shall be increased by one increment attaching to the grade on each anniversary of the first day of the month in which the adjustment of salary provided for in these paragraphs was effected.
- (f) If a fixed-term official is granted special leave without salary for one month or more, any adjustment of salary provided for under (a) or (e) above shall be postponed by a period corresponding to the number of completed months of absence.
- (g) The foregoing provisions shall apply mutatis mutandis to officials in a grade the salary scale of which provides for biennial increments.