



United Nations
Educational, Scientific and
Cultural Organization

**Bureau
of Human Resources
Management**

Staff Regulations and Staff Rules

2009

2009

Staff Regulations and Staff Rules

HRM/SRR/1

UNESCO

All the terms used to designate the person discharging duties or functions are to be interpreted as implying that men and women are equally eligible to fill any post or seat associated with the discharge of these duties and functions.

Amendments to the Staff Regulations and Staff Rules

Amendment effective 16 January 2001

- Annex B-II Revised list of countries where the entitlement to children's and secondary dependant's allowances for staff in the Professional category and above is established in local currency and revised amounts of these allowances.
- Annex C Revised education grant entitlements.
- Annex D Revised salary scales for staff in the General Service category.

Amendment effective 1 March 2001

- Annex B-I Revised salary scale for staff in the Professional category and above.
- Annex H Revised rates of staff assessment applicable to staff in the Professional category and above.

Amendment effective 1 November 2001

- Annex J Revised scale of pensionable remuneration for staff in the Professional category and above.

Amendment effective 7 December 2001

- Rule 104.14(c) Amendment concerning the transfer to a post of lower grade.

Amendment effective 1 January 2002

Rule 105.3 (k) and (l)	Amendment relating to the introduction of some flexibility in the use of the entitlement to home leave.
Annex B-II	Revised list of countries where the entitlement to children's and secondary dependant's allowances for staff in the Professional category and above is established in local currency and revised amounts of these allowances.
Annex C	Revised education grant entitlements.
Annex D	Revised salary scales for staff in the General Service category.

Amendment effective 1 March 2002

Annex B-I	Revised salary scale for staff in the Professional category and above.
Annex H	Revised rates of staff assessment applicable to staff in the Professional category and above.

Amendment effective 17 April 2002

Rule 105.2 <i>bis</i>	New Rule introducing the parental leave intended to enable staff members wishing to take care of their children immediately following maternity, paternity or adoption leave to take special leave without pay for a period of two years.
Rule 105.4 <i>bis</i>	New Rule introducing the family leave intended to enable staff members to attend to family emergencies or other family-related situations.
Rule 106.2 (d)	Amendment concerning the maternity leave.
Rule 106.2 (e) to (h)	New paragraphs introducing provisions concerning the maternity leave.
Rule 106.2 <i>bis</i>	New Rule introducing the paternity leave in order to give the staff members concerned the opportunity to take care of their

	newborn children.
Rule 106.2 <i>ter</i>	New Rule introducing the adoption leave intended to allow the staff members concerned to take care of their adopted children.
	Amendment effective 1 November 2002
Annex J	Revised scale of pensionable remuneration for staff in the Professional category and above.
	Amendment effective 1 January 2003
Annex B-I	Revised salary scale for staff in the Professional category and above.
Annex J	Revised scale of pensionable remuneration for staff in the Professional category and above.
Annex C	Revised education grant entitlements.
	Amendment effective 1 September 2003
Annex J	Revised scale of pensionable remuneration for staff in the Professional category and above.
	Amendment effective 16 October 2003
Regulations 4.2 and 4.3.2	Amendment concerning the recruitment and appointment of staff members.
	Amendment effective 10 November 2003
Rule 103.18	Amendment concerning the reimbursement of income tax.
	Amendment effective 1 January 2004
Annex D	Revised salary scales for staff in the General Service category.

Amendment effective 23 March 2004

- Rule 104.11 Amendment concerning the Reports Board.
- Rule 104.11 *bis* Amendment concerning the Reports on staff members.
- Rule 104.11 *ter* New Rule introducing the Review Panels to reflect the new Performance Assessment Policy and the Learning and Development Policy.
- Rule 104.1 Amendment concerning the Personnel Advisory Board subsequent to the Amendments of the Reports Board.

Amendment effective 1 September 2004

- Annex J Revised scale of pensionable remuneration for staff in the Professional and higher categories

Amendment effective 1 January 2005

- Annex B-I Revised salary scale for staff in the Professional category and above.
- Annex C Revised education grant entitlements.

Amendment effective 5 July 2005

- Rule 104.1 Amendment concerning the Personnel Advisory Board to support the implementation of the Integrated Policy on Recruitment, Rotation and Promotion, the Performance Assessment Policy and the Learning and Development Policy.

Amendment effective 1 September 2005

- Annex J Revised scale of pensionable remuneration for staff in the Professional and higher categories

Amendment effective 1 October 2005

Annex D Revised salary scales and certain allowances of the staff in the General Service category.

Amendment effective 8 October 2005

Regulations 4.4 Amendment concerning the recruitment and appointment of staff members.

Amendment effective 1 September 2006

Annex J Revised scale of pensionable remuneration for staff in the Professional and higher categories

Amendment effective 1 October 2006

Annex D Revised salary scales and certain allowances of the staff in the General Service category.

Amendment effective 17 November 2006

Rules 107.9 and 107.10 Amendment concerning the travel entitlements of staff members.

Amendments effective 31 July 2007

Rule 103.11 Amendment concerning the mobility and hardship scheme.

Rule 103.12 Amendment concerning the education grant.

Rule 103.13 Amendment concerning family allowances.

Amendments effective 19 September 2007

Rule 103.12 Amendment concerning the administration of the education grant claims' process.

Amendments effective 21 September 2007

Rule 100.2 (a) *ter*

New Rule introducing the definition of “spouse”.

Amendment effective 1 October 2007

Annex D

Revised salary scales and certain allowances of the staff in the General Service category.

Amendments effective 28 April 2008

Rule 104.2 *bis*

New Rule introducing the condition of eligibility to apply for posts advertised internally.

Amendments effective 29 September 2008

Rules 100.2, 101.3
and 103.5

Amendment concerning the hours of work and overtime.

Amendment effective 1 October 2008

Annex D

Revised salary scales and certain allowances of the staff in the General Service category.

Amendment effective 1 January 2009

Annex B-I

Revised salary scale for staff in the Professional category and above.

Amendments effective 16 March 2009

Rules 103.4, 103.7
103.9, 103.11, 103.11 *bis*
103.17 and 103.22

Amendments concerning the salaries and allowances.

Amendments effective 21 July 2009

Rules 105.1, 106.1,
106.2 (*bis*)

Amendments concerning the leaves (annual, sick and
paternity leaves)

Amendment effective 1 October 2009

Annex D

Revised salary scales and certain allowances of the staff in
the General Service category.

Table of contents

Chapter	Title	Staff Regulation	Staff Rules	Page
–	Preamble			9
–	Purpose			9
–	Scope			9
–	Implementation		100.1-100.2	9
I	Duties, obligations and privileges	1.1-1.9	101.1-101.10	11
II	Classification of posts and staff	2.1	102.1-102.2	17
III	Salaries and allowances	3.1-3.2	103.1-103.24	19
IV	Appointment, promotion and transfer	4.1-4.5	104.1-104.15	43
V	Leave	5.1-5.2	105.1-105.5	55
VI	Social security	6.1-6.2	106.1-106.5	59
VII	Travel and removal expenses	7.1-7.2	107.1-107.13	63
VIII	Staff relations	8.1-8.2	108.1-108.2	73
IX	Separation from service	9.1-9.5	109.1-109.14	75
X	Disciplinary measures	10.1-10.2	110.1-110.3	85
XI	Appeals	11.1-11.2	111.1-111.2	89
XII	General provisions	12.1-12.2	112.1-112.4	91

Annexes

A. Statutes of the Appeals Board.....	93
B. I. Annual gross and net salaries for the Professional category and above (Rule 103.1).....	99
II. Family allowances (Rule 103.13).....	100
C. Education grant entitlements	101
D. General Service category at Headquarters	
I. Annual salary scale showing gross and net amounts after application of staff assessment and amounts of pensionable remuneration, applicable to staff members in service on 31 December 1999	102
II. Annual salary scale showing gross and net amounts after application of staff assessment and amounts of pensionable remuneration, applicable to staff members in service as from 1 January 2000	103
E. Assignment grant (Rule 103.10 (d))	104
H. Staff assessment rates applicable to staff in the Professional category and above (Rule 103.16).....	105
I. Staff assessment plan Rates applicable to staff in the General Service and related categories - Effective date: 1 January 1997	106
J. Pensionable remuneration for staff in the Professional category and above (Rule 103.20).....	107
L. Transportation of personal effects (Rule 107.9 (c)).....	108
M. Index	109

Preamble

The purpose of the Organization is to contribute to peace and security, and to advance the common welfare of mankind by promoting collaboration among nations through education, science and culture in order to further universal respect for justice, for the rule of law and for human rights and fundamental freedoms which are affirmed for the peoples of the world by the Charter of the United Nations. It is essential that all members of the staff should understand and sympathize with these aims, which demand the joint efforts of everyone in the Secretariat.

Purpose

The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of members of the Secretariat of UNESCO, as approved by the General Conference.

Scope

The Staff Regulations apply to all members of the Secretariat of the Organization to whom they are expressly made applicable by the terms of their appointment.

Implementation

The Director-General, in his or her capacity as Chief Administrative Officer of the Organization, shall give effect to the present Regulations; he or she shall lay down and enforce rules and provisions consistent therewith.

Rule 100.1

Applicability

The present Staff Regulations and Rules are applicable to staff members of the Organization as defined in Rule 100.2.

Rule 100.2

Definitions

In the present Staff Regulations and Rules, unless the context otherwise indicates:

- (a) "Staff member" means a person engaged by the Director-General other than a consultant, supernumerary, holder of a fee contract, a

person engaged specifically for a conference or meeting, for auxiliary duties in the UNESCO Commissary, or for maintenance duties in offices away from Headquarters, or a casual labourer.

“Members of the Secretariat” means the Director-General and all staff members;

- (a) *bis* “Staff member of the General Service category” means a staff member of the Office Employee group or Technical group at Head quarters (G-1 to G-7 or GT-1 to GT-7) or, at duty stations away from Headquarters, a staff member of corresponding groups or of the locally recruited National Professional Officer group.
- (a) *ter* “Spouse” means physical person with whom a staff member is affiliated by virtue of a marriage recognized by a competent national authority.
- (b) “Pay” means annual salary (Rule 103.1) after assessment under the Staff Assessment Plan (Rule 103.16) plus, where entitlement exists, non-resident’s allowance payable in accordance with Rule 103.14 *bis* and language allowance (Rule 103.15), except as follows:
 - (i) in Rules 103.5 (overtime) and 103.6 (night differential), “pay” means annual salary after assessment;
 - (ii) in Rules 103.17 (special post allowance), 105.2 (special leave), 106.1 (sick leave), 106.2 (maternity leave), 109.14 (suspension) and 110.3 (suspension pending investigation) “pay” means annual salary after assessment plus allowances to which entitlement exists;
- (c) “One month’s pay” means 1/12 of pay;
- (d) “One week’s pay” means 1/52 of pay;
- (e) “One day’s pay” means 1/260 of pay where an appointment is for a period less than one month, and 1/360 of pay where an appointment is for a period of one month or more;
- (f) “One hour’s pay” at Headquarters means 1/1950 of pay. At duty stations away from Headquarters, the value of one hour’s pay will be established by the Director-General;
- (g) “Occupational earnings” means the amount earned, before deduction of income tax, from the exercise of a trade, profession, business or other regular employment.

Chapter I

Duties, obligations and privileges

- Regulation 1.1 Members of the Secretariat are international civil servants whose responsibilities are not national but exclusively international. By accepting appointment, they undertake to discharge their functions and to regulate their conduct with the interests of the Organization only in view.
- Regulation 1.2 Staff members are subject to the authority of the Director-General, and to assignment by him or her, with due regard to their qualifications and experience, to any post in the Organization. They are responsible to him or her in the exercise of their functions.
- Regulation 1.2.1 The whole time of staff members shall be at the disposal of the Director-General. The Director-General shall establish a normal working week.
- Regulation 1.3 In the performance of their duties, members of the Secretariat shall neither seek nor accept instructions from any government or from any other authority external to the Organization.
- Regulation 1.4 Members of the Secretariat shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall not engage in any activity that is incompatible with the proper discharge of their duties with the Organization. They shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status, or on the integrity, independence and impartiality which are required by that status. While they are not expected to give up their national sentiments, or their political and religious convictions, they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

- Regulation 1.5 Staff members shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person unpublished information known to them by reason of their official position, except in the course of their duties or by authorization of the Director-General. These obligations remain binding after separation from the Organization.
- Regulation 1.6 Except as hereinafter provided, no member of the Secretariat shall, during the period of his or her appointment accept any honour, decoration, favour, gift or remuneration from any government or from any other source external to the Organization. The Director-General may authorize such acceptance in respect of services rendered before appointment or for war service. He/she may authorize the acceptance of honours and prizes from educational, scientific or cultural organizations and the acceptance of remuneration for work done by a member of the Secretariat in his or her spare time provided that such work is not incompatible with his or her status as an international civil servant.
- Regulation 1.7 Staff members may exercise the right to vote but shall not engage in any political activity which is inconsistent with or reflects upon the independence and impartiality required by their status as international civil servants.
- Regulation 1.8 The immunities and privileges accorded to members of the Secretariat by virtue of Article XII of the Constitution are conferred in the interests of the Organization. These privileges and immunities shall not be invoked to excuse the staff members who enjoy them from discharging private obligations or from observing laws and police regulation. In any case where these privileges and immunities are invoked, the staff member concerned shall immediately report to the Director-General who shall decide whether they shall be waived.
- Regulation 1.9 On accepting appointment, each staff member shall subscribe to the following declaration:
- “I solemnly undertake to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the United Nations Educational, Scientific and Cultural Organization, to discharge these functions and regulate my conduct with the interests of the Organization only in view, and not to seek or accept instructions in regard to the performance of my duties from any government or authority external to the Organization.”

Regulation 1.9.1 This declaration shall be made orally by the Director-General at a public meeting of the General Conference, and in writing by other members of the Secretariat.

Rule 101.1 **Access to the Director-General**

Staff members at Headquarters have access to the Director-General, normally through established supervisory channels, but exceptionally and for sufficient reason, directly. Staff members stationed at duty stations away from Headquarters may communicate with him or her in writing or, if the opportunity presents itself, may request to see him or her in person.

Rule 101.2 **Financial responsibility**

Any staff member, who, by malice or culpable negligence, or by failure to observe any regulation, rule or administrative procedure of the Organization, involves the Organization in unnecessary liability, expense or loss, shall be held responsible, and may be required to pay compensation therefor.

Rule 101.3 **Hours of work**

- (a) The normal working week at Headquarters shall be 37.5 hours, except during sessions of the General Conference and of the Executive Board.
- (b) Staff members at Headquarters shall normally work, Monday to Friday inclusive:
 - from 9 a.m. to 5:30 p.m. with one hour for lunch, or
 - from 9 a.m. to 6 p.m. with one and a half hours for lunch, or
 - from 9:30 a.m. to 6:00 p.m. with one hour for lunch, or
 - from 9:30 a.m. to 6:30 p.m. with one and a half hours for lunch.
- (b)*bis* It is the responsibility of the immediate supervisors to set the working hours for staff members under their supervision and to monitor the respect thereof. Any exception from the working hours thus set shall be approved in advance by the respective supervisor.
- (b) *ter* Supervisors of the services subject to shift work shall fix the shift schedule for staff concerned.
- (c) The Director-General shall establish the working week and the normal working hours for duties stations away from Headquarters in accordance with local UN practices and conditions and notify the staff members concerned.

Rule 101.4

Official holidays

- (a) At Headquarters, French public holidays shall be observed, namely: 1 January, Easter Monday, 1 May, 8 May, Ascension Day, Whit Monday, 14 July, 15 August, 1 November, 11 November, 25 December.
- (b) The Director-General shall fix the official holidays for each duty station away from Headquarters and notify the staff members concerned.
- (c) An additional day of absence is granted to a staff member who wishes to observe the national holiday of his or her home country or a holiday of his or her faith which he or she considers important, and which is a working day of the Organization at his or her duty station.

Rule 101.5

Outside activities and interests

- (a) Staff members shall not engage in any regular outside occupation without prior approval in writing from the Director-General, and shall not hold any office incompatible with the proper discharge of their duties as staff members.
- (b) Staff members shall not hold office in any association whose aims or activities are closely related to those of the Organization, without prior approval in writing from the Director-General.
- (c) Any staff member who has occasion to deal in his or her official capacity with any matter involving a company, partnership, or other business concern in which he/she has an interest shall disclose the nature and measure of that interest to the Director-General.

Rule 101.6

Public information relationships

- (a) The prior approval in writing of the Director-General must be obtained by a staff member whenever he proposes to publish any book or article, make a statement to the press, give a lecture or speech, or participate in a radio or television broadcast concerning UNESCO, the United Nations, any of the Specialized Agencies, or any other intergovernmental organization.
- (b) This prior approval in writing must also be requested whenever, in connection with a book, article, lecture, statement to the press, radio or television broadcast or speech, a staff member's name is to be associated with UNESCO.
- (c) Nevertheless, the provisions of (a) and (b) above shall not apply to staff members away from Headquarters in circumstances in which it is impracticable to seek the written approval of the Director-General: a staff member assigned to a duty station away from Headquarters or on mission shall, however, obtain the prior approval of the senior UNESCO official or nearest UNESCO Representative.
- (d) The prior approval referred to in paragraphs (a), (b) and (c) above is not necessary when officials publish such material or make such statements in the performance of their duties.

Rule 101.7

Honours and favours

Any staff member who is approached by any other body, whether local, national or international, with a view to his or her accepting an honour or prize shall inform the Director-General and obtain his or her authorization in writing before accepting.

Rule 101.8

Acceptance of remuneration

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

Rule 101.9

Property rights in work performed

All rights, including title, copyright and patent rights, in any work produced by a staff member as part of his or her official duties, shall be vested in the Organization.

Rule 101.10

Collaboration with a government or an institution

The declaration to which staff members subscribe under Regulation 1.9 shall not preclude their close collaboration with a government or an institution in pursuance of the Director-General's instructions.

Chapter II

Classification of posts and staff

Regulation 2.1

The Director-General shall make provision for the classification of posts and staff according to the nature of the duties and responsibilities required, in accordance with the decisions of the General Conference.

Rule 102.1

Classified and unclassified posts

- (a) Except as provided in (b) and (c) hereunder, posts other than those of Deputy or Assistant Director-General shall be classified in categories and grades according to standards or criteria established by the Director-General and related to the nature of the duties, the level of responsibilities and the qualifications required; such posts shall be known as classified posts.

The Principal Officer and Director category comprises the following two grades:

D-2 Principal Director

D-1 Principal Officer.

The Professional category comprises the following five grades: (P-5)

Senior Officer

(P-4) First Officer

(P-3) Second Officer

(P-2) Associate Officer

(P-1) Assistant Officer.

The General Service category at Headquarters consists of the Office Employee group comprising grades G-1 to G-7, the Technical group comprising grades GT-1 to GT-7.

- (b) Posts occupied by staff members in the General Service category at duty stations away from Headquarters shall be classified in such grades as the Director-General may decide, in accordance with United Nations practice.

- (c) The Director-General may, for special purposes, establish posts at annual salaries falling within those allotted to the categories and grades mentioned in (a) and (b) above, without assigning grades to such posts; a post so established shall be known as an unclassified post and shall, for the purpose of the Staff Regulations and Rules, be treated as being in the grade and category according to which the annual salary is fixed.

Rule 102.2

Compatibility with classification standards

Any staff member who considers that the nature of the duties or the level of responsibilities required of him or her are not compatible with the classification standards or criteria applicable to the grade of his or her post may, at any time, submit to the Director-General a request for the reclassification of the post, provided that there has been a substantial modification in the structure and responsibilities of the unit to which the post belongs, and consequently in the responsibilities of the claimant.

Chapter III

Salaries and allowances

- Regulation 3.1 Salaries of staff members shall be fixed by the Director-General in accordance with the decisions of the General Conference.
- Regulation 3.2 The Director-General shall establish and apply a system of allowances and grants in accordance with the decisions of the General Conference.
- Rule 103.1 **Annual salary scales**
- (a) The annual salaries of staff members in the Professional category and above at Headquarters, the amounts of which are indicated in Annex B-I, shall be established in accordance with the decisions of the General Conference.
 - (b) The annual salaries of staff members in the General Service category at Headquarters, the amounts of which are indicated in Annex D, shall be established, in accordance with the decisions of the General Conference, in order to maintain conformity between them and the best prevailing rates for comparable employment in the Paris area.
 - (c) The annual salaries of staff members in the General Service category away from Headquarters shall be established by the Director-General in accordance with United Nations practice.
- Rule 103.2 **Adjustments to salaries**
- (a) Post adjustments shall, subject to (b), (c) and (d) below, be applied to the annual net base salaries of staff members in the Professional category and above who are assigned to Headquarters or to a duty station away from Headquarters; however, no post adjustment shall be applied during any period in respect of which daily subsistence allowance is payable under Rule 103.11(e).

- (b) The post adjustment shall include a rate for “staff members with dependants” and a rate for “staff members with no dependants”. The “with dependants” rate shall be applied to staff members in the Professional category and above who have a dependent spouse or a dependent child within the meaning of Rule 103.9. If a husband and wife are both staff members and they have a dependent child, the “with dependants” rate shall be applied only to the salary of the spouse having the higher salary.
- (c) The post adjustment shall be calculated according to the classification of the staff member’s duty station under the post adjustment system. Such classification shall be determined by the International Civil Service Commission on the basis of the cost of living and related factors at the duty station, including the rate of exchange between the duty station currency and the United States dollar.
- (d) The post adjustment classification of duty stations shall be expressed by an index and a corresponding multiplier. One multiplier point of post adjustment shall be equal to 1 per cent of net base salary at each level and step.
- (e) Where a staff member is transferred to a duty station whose classification is lower than that of his or her previous duty station, and if his or her recognized dependants remain at the previous duty station, the post adjustment applicable to the latter may, at the discretion of the Director-General, continue to be applied to his or her salary for a period not exceeding six months.
- (f) Adjustments to the annual salaries of staff members in the General Service category at Headquarters shall be effected in accordance with the decisions of the General Conference.
- (g) Adjustments to the annual salaries of General Service staff at duty stations away from Headquarters shall be determined by the Director-General in accordance with United Nations practice.

Rule 103.3

Salary on initial appointment

Unless otherwise decided by the Director-General or on transfer from the United Nations or another Specialized Agency, a staff member of UNESCO on initial appointment shall be placed in the first step of the level of his or her post.

Rule 103.4

Salary increments

- (a) Subject to satisfactory service, salary increments within the grades set forth in Rule 103.1 shall be granted to staff members on the first day of the month in which the qualifying period has been met, and annually thereafter, with the provision of Rule 104.13 applicable in

- cases of promotion, and with the proviso that any increment above P-2 step 11, P-3 step 13, P-4 step 12, P-5 step 10, D-1 step 4 and D-2 step 1 shall be preceded by twenty-four months of satisfactory service at the previous step.
- (b) An increment may be deferred within an increment period, or withheld, if service is not satisfactory.
 - (c) An increment may also be deferred or withheld for unsatisfactory conduct, as a disciplinary measure under Rule 110.1.
 - (d) An increment which has been deferred shall, at the expiry of the period of deferment, become payable in respect of the unexpired portion of the incremental period concerned. The deferment shall not affect the date at which future increments shall fall due.
 - (e) Where an increment has been withheld, one increment shall become payable at the normal incremental date following the period for which it has been withheld, and the provisions of paragraph (a) above shall apply thereafter.
 - (f) When a salary increment has been deferred or withheld, the staff member may take the matter to the Reports Board if the deferral or withholding does not reflect an administrative decision on a contested Performance Report covering the period in respect of which the increment has been so deferred or withheld.

Rule 103.5

Overtime

- (a) Staff members may be required by their supervisors, when the exigencies of the service so demand, to work in excess of normal working hours.
- (b) Overtime shall be deemed to be any time worked in excess of a working week which shall, for overtime purposes, be deemed to be in excess of 37.5 hours at Headquarters, except during sessions of the General Conference and of the Executive Board, and as established by the Director-General for duty stations away from Headquarters.
- (c) Only in exceptional circumstances shall staff members at Headquarters be required to work on Sundays.
- (d) Staff members in the Professional category who are required to work overtime shall not be entitled to compensation. However, should the exigencies of the service permit, and subject to approval of the Director-General, such staff members may be granted occasional time off if they have been required to work substantial or recurrent periods of overtime.
- (e) Staff members in the General Service category who are required to work overtime shall be compensated at the rate of one and a half times the period of overtime worked. However, any single period of overtime of less than half an hour shall be disregarded. Compensation shall, whenever possible, be granted in the form of time off, which shall be taken before the end of the third calendar month following that in which the overtime was worked. If time off cannot be granted member shall receive

- compensatory pay (see Rule 100.2).
- (f) Work performed on an official holiday shall be treated as overtime. Nevertheless, if the Director-General sets another working day to be observed as a holiday instead, time worked on the official holiday shall not be treated as overtime except such time as may be worked in excess of a normal working day.

Rule 103.6

Night differential

- (a) Staff members shall receive a night differential of 15 per cent of hourly pay (see Rule 100.2) in respect of each hour, within a prescribed tour of duty, falling between 7 p.m. and 7 a.m.
- (b) No night differential shall be paid in respect of hours of overtime worked between 7 p.m. and 7 a.m.

Rule 103.7

Eligibility for allowances

- (a) Staff members on initial appointment shall be entitled to the allowances for which they are eligible under the Staff Regulations and Rules, with effect from the date of their appointment; modifications according to changes in their eligibility shall thereafter take effect, subject to (d) below, from the day such changes occur .
- (b) The Director-General shall decide for which allowances staff in the General Service category at duty stations away from Headquarters shall be eligible, under what conditions and at what rates, in accordance with United Nations practice.
- (c) Staff members shall notify the Organization of any changes in their situation which may affect their eligibility for any grant, benefit or allowance. They shall respond, within the time limits prescribed, to any enquiry in that respect and shall provide such supporting documents as may be required of them, failing which the corresponding grant, benefit or allowance may be suspended or discontinued.
- (d) Retroactive payment of an allowance may in special circumstances be authorized for a period not in excess of one year preceding the date on which entitlement is recorded.
- (e) When, subsequent to appointment, the recognized home of a staff member is changed in accordance with Rule 103.8 (c) (i), his or her eligibility for non-resident's allowance, home leave, family visit, education grant, repatriation grant and payment of travel expenses upon separation for himself or herself and his or her dependants, and removal of household goods shall be reviewed and a decision as to his or her entitlements as a result of the change shall be taken by the Director-General.

- (f) When, subsequent to appointment, a staff member in the General Service category who was recruited outside the country of the duty station acquires the nationality of that country, he/she shall, while serving in the country of which he/she has become a national, lose entitlement to any of the following benefits for which he/she may previously have been eligible: home leave, family visit, education grant, travel expenses in respect of dependants, separation travel, transportation of personal effects and household goods. Any qualifying service towards a repatriation grant that he or she may have accrued up to the date of the change shall thereafter be reduced at the rate of one year for each six months of service accomplished in the country of which he has become a national.
- (g) When, subsequent to appointment, a staff member in the General Service category who was recruited outside the country of the duty station marries:
 - (i) a national of the country of the duty station;
 - (ii) a person who is not a national of the country of the duty station but who has resided in that country for 12 months or more immediately prior to the marriage and, if in employment during such time, was entitled to neither foreign service allowance nor repatriation;
 - (iii) a staff member in the Professional category or above;
 - (iv) or a staff member in the General Service category whose recognized home is located outside the country of his or her station;
 his or her eligibility for home leave, family visit, education grant, travel expenses in respect of dependants, separation travel, repatriation grant and transportation of personal effects and household good shall be reviewed and a decision as to his or her subsequent entitlement shall be taken by the Director-General.

Rule 103.8

Nationality, recognized home

- (a) In the application of the Staff Regulations and Rules not more than one nationality shall be recognized for each staff member; such nationality, if the staff member is recognized as a national by more than one State, shall be the nationality of the State with which the staff member satisfies the Director-General that he or she is most closely associated.
- (b) The country of a staff member's recognized home shall be determined at the time of his or her appointment in accordance with the Staff Regulations and Rules then in force. Subject to the foregoing: (i) the recognized home of a staff member in the Professional category or above shall normally be in the country of which the staff member is a national within the meaning of (a) above, and the place of his or her recognized home therein shall be that with which the staff member had the closest residential ties during the period of his or her most recent residence;

- (ii) the recognized home of a staff member in the General Service category shall be in the country of the initial duty station. When, however, because of his or her knowledge of one of the official languages of the Organization, a person is recruited in a country other than that of the duty station in accordance with Rule 104.2, his or her recognized home shall be in the country of which he is a national and the place of his or her recognized home shall be that with which he or she has the closest residential ties in that country.
- (c) Notwithstanding (b) above:
 - (i) when a staff member in the Professional category or above, or in the General Service category whose recognized home is outside the country of the duty station, claims that his or her recognized home is no longer in the country of which he or she is a national, he or she shall be required to produce evidence in support of his or her claim, including where relevant: the dates and the circumstances of his or her change of residence; family ties; commitments made by his or her last employer; circumstances of war or political dislocation; voting rights and location of real and personal property. After consideration of the evidence produced by the staff member in support of his or her contention, final decision as to the place of the staff member's recognized home shall be taken by the Director-General.
 - (ii) The recognized home of a staff member in the General Service category who acquires the nationality of the country of the duty station shall be deemed to be in that country.

Rule 103.9

Definition of dependants

- (a) In order for the spouse of a staff member to be recognized as dependent during the course of a given year, the gross occupational earnings of the spouse (before deduction of income tax) during the year must not exceed the lowest entry gross salary level of the United Nations salary scale in effect in the area of the duty station on 1 January of that year; however, for the spouse of a staff member in the Professional category or above, the ceiling shall not be lower than the gross salary of a G-2, step 1 staff member in New York. Where the period considered is part of a calendar year, the occupational earnings and the ceiling shall be calculated *pro rata*;

- (b) In order for the child of a staff member to be recognized as dependent, the following conditions must be met:
 - (i) the child must be the legitimate, natural or legally adopted child of the staff member, or a child towards whom the staff member is obliged, by virtue of a legal instrument, to assume the obligations of a parent, or a step-child of the staff member;
 - (ii) the child must be under the age of 18 years or, if in full-time attendance at an educational institution, under the age of 21; this age limit shall not be applicable to children incapacitated for paid work owing to physical or mental disability of a permanent or long-term nature;
 - (iii) The staff member has stated in writing that he or she ensures the main and continuing support of the child.
- (c) The staff member shall be required to produce documentary evidence of the support provided if the person in question is:
 - (i) a spouse from whom the staff member is legally separated;
 - (ii) a married child;
 - (iii) a child who does not live with the staff member; however, a child who is a boarder at an educational institution, or for whom similar lodging arrangements have been made for educational purposes, shall not, solely on this account, be considered as living apart from the staff member.
- (d) A parent, brother or sister of a staff member shall be considered as a secondary dependant if the staff member provides such a person with not less than half of that person's financial resources, and in any case with not less than twice the amount of the allowance payable under Rule 103.13; the conditions regarding age, school attendance or incapacity are the same for brothers and sisters as those applicable to the children mentioned in paragraph (b) above.

Rule 103.10

Assignment grant

- (a) A staff member shall be entitled to an assignment grant when his or her initial travel expenses to his or her duty station for an assignment of at least one year are payable by the Organization in accordance with Rule 107.1. An assignment grant is also payable in respect of each member of a staff member's family who joins him or her at the duty station, at the expense of the Organization, for not less than six months.
- (b) The amount of the grant shall be based on the rate of the daily subsistence allowance applicable at the duty station on the day of arrival of the staff member or member of his or her family; it shall be the equivalent of 30 days:

- (i) at the full rate for the staff member;
 - (ii) at half that rate for each member of his or her family.
- (c) The assignment grant may be supplemented by a lump sum not exceeding the staff member's two month net base salary plus post adjustment at his or her grade, step, rate and duty station. The amount of the lump sum shall, where applicable, be determined by the Director-General taking into consideration the length of the assignment, the category of the duty station and whether or not the staff member has an entitlement to the removal of his or her household goods at the Organization's expense.
 - (d) If the Director-General is satisfied that there are exceptional housing difficulties at one of the duty stations referred to in Annex E he or she may also authorize the payment of additional amounts of the daily subsistence allowance component of the assignment grant, which will be calculated at 60 per cent of the rates under (b) above for a period not exceeding sixty days.
 - (e) The assignment grant and the supplementary grant under respectively (b) and (d) above shall be payable in the currency of the duty station; the lump sum under (c) above is payable in convertible currency.
 - (f) If a staff member to whom an assignment grant is paid under the present Rule is separated from the Organization upon his or her own initiative before completion of at least one year's service at the duty station for which the grant is paid, the Director-General may require him or her to reimburse all or part of the grant.
 - (g) If a member of a staff member's family remains at the duty station less than six months, any assignment grant paid in his or her respect shall be deducted from the staff member's emoluments except if the Director-General has authorized his or her departure or considers that there is exceptional justification therefor.
 - (h) If a staff member to whom a lump sum has been paid under (c) above does not serve at the duty station the full duration of the assignment, the Director-General may require him or her to reimburse all or part of the lump sum.

Rule 103.11

Mobility and hardship - Subsistence allowance

- (a) A staff member appointed or reassigned to a new duty station for one year or more may be paid a mobility and hardship allowance. The amount of this allowance, if any, shall be determined by the Director-General, taking into account in particular the length of the staff member's continuous service in the United Nations common system, the number and category of duty stations at which he or she has previously served, the length of time served at each duty station, the degree of difficulty of life and work at each duty station and whether or not the staff member has an entitlement to a removal of his or her household goods at the expense of the Organization.

- (b) After 5 years of continuous service at the same duty station, payment of the mobility element and of the “household non-removal” element of the mobility and hardship allowance shall be discontinued.
- (c) *Deleted.*
- (d) *Deleted.*
- (e) A staff member who is assigned to a duty station for a period of less than one year may be entitled to a daily subsistence allowance in accordance with the conditions, schedules and rates established by the Director-General under Rule 107.7. The allowance may be payable, except when the staff member is absent from the duty station on official travel and entitled to a daily subsistence allowance under Rule 107.7, for a period of three months.

Rule 103.11 *bis*

Rental subsidies and rental deductions

- (a) A staff member in the Professional category or above may receive a rental subsidy when the rent he or she pays, excluding service charges, exceeds the threshold applicable to him or her. This threshold shall be calculated by multiplying a staff member’s remuneration by an indicator reflecting the average percentage amount spent on rent by the staff members at the same duty station. For the purposes of this Rule, “remuneration” shall mean annual salary (Rule 103.1) after deductions under the staff assessment plan (Rule 103.16) and post adjustment (Rule 103.2), and, where applicable, special post allowance (Rule 103.17).
- (b) At duty stations other than those mentioned in (c) below, the amount of the rental subsidy shall be the equivalent of 80 per cent of the portion of the rent that exceeds the individual threshold as defined in (a) above.
- (c) At duty stations that are the Headquarters of the United Nations or one of the Specialized Agencies, the rental subsidy shall be payable exclusively:
 - (i) to staff members newly arrived at a duty station, whether as the result of recruitment or of a transfer for a period not exceeding seven years following their arrival; in this case, the subsidy shall be equivalent to 80 per cent of that portion of the rent in excess of the individual threshold as defined in (a) above during the first four years and to 60 per cent, 40 per cent and 20 per cent respectively for the three years thereafter;
 - (ii) to staff members who are forced to change dwellings due to circumstances beyond their control, for a maximum period of five years following such a change of dwelling; in this case, the subsidy shall be equivalent to 80 per cent of that portion of the rent in excess of

- the individual threshold as defined in (a) above during the first two years and to 60 per cent, 40 per cent and 20 per cent of that portion during the subsequent three years respectively.
- (d) The rental subsidy shall not exceed 40 per cent of the actual rent, except at those duty stations where it has been decided to abolish this ceiling.
 - (e) If the dwelling occupied by a staff member is more spacious or of higher quality than the standard applicable to that duty station, having particular regard to family circumstances, the rental subsidy shall be calculated on the basis of the rent that would be payable for a dwelling deemed to be of suitable quality.
 - (f) Staff members whose housing is provided by a government, an institution or an organization at rents appreciably lower than the standard rent used in calculating the post adjustment index shall be subject to payroll deductions from their salaries. Staff members provided with accommodation on such terms must inform the Organization of the fact. The amount of the rental deduction shall be equal to 80 per cent of the difference between the actual rent paid by the staff member and the individual rental deduction threshold, which is an amount equal to 64 per cent of the individual rental subsidy threshold amount applicable for rental subsidy purposes. The deduction may be reduced by half and, in exceptional cases, waived if the accommodation is clearly below average.
 - (g) No subsidy shall be paid or deduction made, where the monthly sum involved amounts to less than \$10 a month.
 - (h) A staff member in the General Service category whose recognized home is outside the country of the duty station and who was recruited outside the country concerned may receive the rental subsidy if the non-resident's allowance provided for under Rule 103.14 is not payable at that duty station. The method of calculating the subsidy and the conditions under which it is granted shall be the same as for staff members in the Professional category and above, subject to the provision that the amount of the subsidy cannot exceed that fixed for the non-resident's allowance.
 - (j) The detailed provisions concerning the application of this Rule, including the establishment of the indicators mentioned in (a) above, the abolition of the ceiling referred to in (d) above, the fixing of the standards referred to in (e) above and the application of the deductions referred to in (f) above, shall be drawn up by the International Civil Service Commission.

Education grant

- (a) A staff member holding a fixed-term or an indeterminate appointment and whose recognized home is outside the country of his or her duty station shall be entitled to receive an education grant for each dependent child who meets the conditions laid down in Rule 103.9 (b) (i) and (iii) and who is in full-time attendance at an educational institution.
- (b) The education grant shall be payable up to the end of the fourth year of post-secondary studies, but cannot be paid beyond the end of the academic year during which the child reaches the age of 25.
- (c) Where the period of service of the staff member is less than a full academic year, the amount of the grant shall be calculated on a *pro rata* basis. Grants shall not be paid in respect of periods of attendance at an educational institution prior to the staff member's appointment.
- (d) Where attendance is for two thirds or less of the academic year, the amount of the grant shall be calculated on a *pro rata* basis.
- (e) Staff members receiving the education grant who are transferred to the country of their recognized home shall continue to be entitled to this grant for the remainder of the current academic year.
- (f) Subject to (j) below, the amount of the grant shall be 75 per cent of the expenses admissible for reimbursement under the present Rule, up to a maximum per academic year as indicated in Annex C.
- (g) Admissible expenses shall in all cases include educational expenses such as the cost of enrolment, registration, courses, including optional courses if provided by the educational institution as part of its regular programme, prescribed textbooks, examinations and the delivery of diplomas and shall exclude all other fees and charges, except that the cost of midday meals provided by the educational institution and the cost of daily group transportation shall be included in admissible expenses if the Director-General is satisfied that local conditions justify it.
- (h) No education grant shall be paid where admissible expenses amount to less than \$50 in the course of an academic year.
- (j) Where the child attends an educational establishment beyond commuting distance from the duty station, admissible expenses include, in addition to educational expenses as defined in (g) above:
 - (i) the cost of board where the child is a boarder at an educational institution;
 - (ii) a flat amount per academic year as shown in Annex C, subject to the overall education grant maximum stipulated in the same Annex, if the child is not a boarder.

Boarding costs referred to in this paragraph shall not be payable in respect of an educational institution within the country of the duty station if the Director-General is satisfied that a suitable school exists within commuting distance of the duty station.

- (k) Staff members serving at a duty station where no educational institution exists or where the educational institutions are deemed unsuitable by the Director-General shall be entitled to reimbursement of the full amount of boarding costs in excess of the overall maximum education grant up to the ceilings per academic year stipulated in Annex C, provided that, this entitlement shall apply only in respect of children at the primary and secondary levels of education.
- (l) Correspondence courses shall be reimbursable only if the Director-General considers them to be the best available substitute for fulltime attendance at a school of a type not available at the duty station; however, the Director-General may authorize payment of the grant for a correspondence course where such a course is required as a result of the staff member's expatriation or change of duty station.
- (m) Private tuition shall be reimbursable only for the learning of the language of the country in which the staff member's recognized home is situated and if the Director-General considers that it is not possible to learn this language at the duty station; however, the Director-General may authorize payment of the grant in respect of private tuition by duly qualified tutors to supplement authorized correspondence courses, or for special coaching required in a subject taught by the school or any other subject which is required for the child's subsequent education, subject to the proviso that reimbursement in respect of such coaching shall not exceed 50 per cent of the maximum annual grant.
- (n) The grant shall not be paid in respect of:
 - (i) attendance at a kindergarten or any school at the pre-primary level;
 - (ii) vocational training or apprenticeships which do not involve full-time attendance or during which the child receives any payment for services rendered.
- (o) Staff members receiving an education grant shall declare any scholarship that the child receives, or that they receive on behalf of the child, from sources outside the Organization. The amount of such scholarships shall be deducted from the expenses incurred by staff members in respect of a child's education (including the expenses not admissible for reimbursement under this Rule) before calculation of the amount of the grant to which they are entitled.
- (p) Education grant advances and claims for final settlement shall be made in accordance with conditions established by the Director-

General. Payments shall be made upon presentation of the request, accompanied by pro forma invoices or receipted bills. Only one request for an education grant advance and one claim for final settlement can be submitted in the course of a scholastic year.

- (q) Each child in respect of which boarding costs under (j) above are payable may travel once in each scholastic year at the expense of the Organization from the place of study to the staff member's duty station and return, on condition that:
 - (i) the requested journey is not unreasonable, either because of its closeness to other authorized travel of the staff member, of his or her spouse or of dependent children, or because of the brevity of the visit;
 - (ii) attendance at the educational institution is not for less than two thirds of the scholastic year.
- (r) In the case of staff members serving at a duty station included on the list drawn up for that purpose by the International Civil Service Commission, a child may travel twice at the Organization's expense from the place of study to the duty station and return during the scholastic year in which the staff member does not receive home leave, subject to the stipulation in (q) (i) above. Attendance at the educational institution must not be for less than half the scholastic year in order for entitlement to exist in respect of each of the two return journeys within a single scholastic year.
- (s) The reimbursement of travel under this Rule shall not exceed the cost of travel by the most direct route, in economy class by air, cabin class by sea or second class by rail, at student rates wherever applicable, between a staff member's recognized home and the duty station.
- (t) Where a staff member is entitled to travel expenses under (q) and (r) above in respect of one or more children, he or she may, in exceptional circumstances and subject to such conditions as may be prescribed in each case, be authorized to exchange that entitlement for a journey to be made by himself or herself or by his or her spouse from the duty station to visit the child or children at the place of study or to meet with the child or children in some other place, provided that the cost shall not exceed that of travel by the child or children under (q) and (r) above and subject to the same conditions.
- (u) For admissible expenses incurred in certain countries determined by the Director-General on the basis of United Nations common system criteria, the amounts of the entitlements specified under the present Staff Rule 103.12 are established in local currency. For other countries, the amounts of the entitlements shall be calculated

on the basis of the exchange rate of the United States dollar into the currency in which the expenses were incurred on the date of payment of the grant.

Rule 103.12 *bis*

Special education grant for disabled children

- (a) A special education grant shall be payable, subject to paragraph (g) below, to any staff member holding a fixed-term or an indeterminate appointment whose dependent child is unable, by reason of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to facilitate his or her integration into society or, while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability.
- (b) The amount of the grant shall be equal to the expenses incurred, up to a maximum per academic year, as shown in Annex C. In countries to which paragraph (u) of Rule 103.12 applies, this amount shall be calculated in accordance with the provisions contained in that paragraph.
- (c) The expenses reimbursable under the present Rule are those incurred in respect of such teaching and equipment as are necessary to provide an educational programme designed to meet the needs of the disabled child in order that he or she may attain the highest possible level of functional ability.
- (d) The grant under the present Rule shall be payable up to the end of the academic year in which the dependent child reaches the age of 25 years. The Director-General may in exceptional cases authorize payment of the grant up to the end of the academic year in which the dependent child reaches the age of 28 years. The Director-General may also authorize payment of a grant for a disabled child attending an institution at pre-primary level.
- (e) In cases where a disabled child has had to be placed in an educational institution outside the duty station, and if the Director-General considers this to be justified in view of the circumstances, the child's travel expenses between the place where the educational institution is located and the duty station shall be reimbursed by the Organization in respect of two return journeys per calendar year. In exceptional cases the Director-General may, if he deems it necessary, authorize the reimbursement of travel expenses for an accompanying person.
- (f) In cases where a disabled child has to use an individual means of transport to get to the educational institution where he or she is enrolled, transport costs may be reimbursed up to a maximum of twice the cost of daily group transportation provided for in Rule 103.12 (g).

- (g) In order to receive a grant under the present Rule, the staff member shall be required to show that all other sources of benefits that may be available for the education and training of the child have been exhausted. The amount of expenses used in calculating the grant shall be reduced by the amount of benefits so received as well as, where applicable, by the amount of any grant received under Rule 103.12.
- (h) The provisions of paragraphs (c), (d), (p) and (u) of Rule 103.12 shall apply *mutatis mutandis*.

Rule 103.13

Family allowances

- (a) A staff member in the Professional category or above, and a staff member in the General Service category holding a fixed-term or indeterminate appointment, shall be entitled to family allowances, subject to the provisions of Rules 103.7 and 103.9.
- (b) For staff members in the Professional category or above, the amount of the allowance in respect of each dependent child and in respect of each secondary dependant shall be established by the Director-General on the basis of the recommendations of the International Civil Service Commission. The amounts payable are set out in Annex B.II.
- (c) *Deleted.*
- (d) The amount of family allowances for staff members in the General Service category at Headquarters is shown in Annex D. The amount of the allowances payable to staff members in that category assigned away from the Organization's Headquarters shall be determined for each duty station in accordance with United Nations practice at that station.
- (e) Family allowances shall be paid subject to the following conditions:
 - (i) no allowance shall be paid in respect of the first dependent child of a staff member in the Professional category or above who does not have a dependent spouse;
 - (ii) no allowance shall be paid in respect of a secondary dependant to any staff member in the Professional category or above who has a dependent spouse or to any staff member in the General Service category who receives an allowance in respect of a spouse;
 - (iii) no allowance shall be paid in respect of more than one secondary dependant;
 - (iv) any allowance in respect of a dependant child shall be reduced by the amount of any allowances paid as a social benefit in respect of such child by virtue of national legislation, other than a survivorship benefit;

- (v) if both parents are staff members, only one allowance shall be paid in respect of each eligible child.
- (f) If a staff member in the General Service category shows that the occupational earnings of his or her spouse exceed the ceiling provided in Rule 103.9 (a) (i) by less than the amount of the relevant spouse allowance, he shall be paid an allowance equal to the difference between that amount and the excess of occupational earnings; however, the spouse shall not be deemed to be dependent under Rule 103.9.

Rule 103.14

Non-resident's allowance

- (a) At duty stations included in the list drawn up by the International Civil Service Commission a non-resident's allowance shall be paid to staff members in the General Service category whose recognized home, is, under the terms of Rule 103.8, in a country other than that of the duty station and who have not been recruited in the country of the duty station.
- (b) The annual rate of the non-resident's allowance shall be the equivalent in local currency of \$3,000 for a staff member who has a dependent spouse or child and \$2,400 for a staff member who has no dependants.
- (c) The non-resident's allowance shall not be included in the pensionable remuneration and shall not be taken into account in determining the step in cases of promotion to a post in the Professional category.
- (d) The non-resident's allowance shall be payable for a period limited to five years from the date of arrival at the duty station. It shall cease to be paid if the duty station is taken off the list mentioned in paragraph (a) above or if the staff member is transferred to a duty station not included in that list.
- (e) The non-resident's allowance shall cease to be paid to a staff member:
 - (i) who acquires the nationality of the country of the duty station or whose spouse acquires that nationality;
 - (ii) who marries a national of the country of the duty station or a person whose nationality is not that of the country of the duty station but has resided in that country for 12 months or more immediately prior to the marriage and, if in employment during such time, was entitled to neither foreign service allowance nor repatriation;
 - (iii) who marries a staff member who is entitled to the non-resident's allowance. In such cases the allowance shall continue to be paid to the staff member holding the higher grade;
 - (iv) who marries a staff member in the Professional category or

above.

Rule 103.14 *bis*

Non-resident's allowance - Transitional provisions

- (a) Staff members who were receiving a non-resident's allowance as at 31 December 1983 shall continue to be entitled to such an allowance, subject to the provisions of paragraph (d) below.
- (b) The annual rate of the non-resident's allowance paid by virtue of this Rule to a staff member at the Organization's Headquarters shall be 700 Euros if he has a dependent spouse or child and 500 Euros if he or she has no dependants. At other duty stations the rate shall be fixed in each case by the Director-General.
- (c) The non-resident's allowance paid by virtue of this Rule shall be included in the pensionable remuneration and taken into account in determining the step in cases of promotion to a post in the Professional category.
- (d) The non-resident's allowance paid by virtue of this Rule shall cease to be paid in the cases covered by Rule 103.14 (e).

Rule 103.15

Language allowance

- (a) Staff members in the General Service category shall be entitled to a pensionable language allowance if they pass the prescribed tests in a working language of the General Conference which is not their principal language or, if their principal language is not one of the said working languages, in a working language other than that of which they were required to show a thorough knowledge for the purpose of their appointment. The allowance shall not be payable for more than two languages.
- (b) The annual amount of the language allowance at Headquarters is shown in Annex D. The amount of the allowance payable at other duty stations shall be determined by the Director-General in accordance with United Nations practice.
- (c) For the purpose of the present Rule, a staff member's principal language shall be deemed to be that in which he or she received his or her primary and secondary education, except where the Director-General is satisfied that the staff member has greater proficiency in another language.

Rule 103.16

Staff assessment plan

- (a) An assessment plan in accordance with the staff assessment rates shall be applied to the salaries of staff members, but not to post adjustments of

- staff in the Professional category and above, grants and allowances.
- (b) The assessment in respect of staff in the Professional category and above shall be calculated according to the rates shown in Annex H; and in respect of staff in the General Service category according to the rates shown in Annex I.
 - (c) Staff assessments will be withheld from monthly salary payments.

Rule 103.17

Special post allowance

- (a) When instructed to do so, staff members shall assume as a normal part of their work and without extra compensation, for periods not exceeding three months, all or part of the duties and responsibilities of higher-grade posts in their customary fields of work, the incumbents of which are absent on mission or on leave or which are vacant.
- (b) When a staff member is called upon to assume temporarily the full or most of the functions of a post of higher grade for a period of more than three months, he or she shall be granted, with effect from the beginning of the fourth consecutive month of such service, except as provided in (c) and (d) below, a non-pensionable special post allowance equivalent to the increased pay he or she would have received had he or she been promoted to the grade of the post.
- (c) When a staff member is temporarily transferred to a vacant post of higher grade for more than three months but less than one year, he or she shall receive the special post allowance on the basis of (b) (i) or (ii) above with effect from the date of temporary transfer.
- (d) When a staff member, who has already carried out the full or most of the functions of a higher-graded post for a period of more than three months under (b) above, is called upon to carry out the full or most of the functions of the same post for any further period of three months or more, he or she shall receive the appropriate special post allowance with effect from the first day of any such further period.
- (e) When instructed to do so, staff members shall assume functions at a grade higher than their own in connection with a session of the General Conference, Executive Board or other meeting, and may, notwithstanding (a) and (b) above and subject to such conditions as the Director-General may prescribe, be granted a special post allowance for the period during which they assume those higher - grade functions.

Rule 103.18

Reimbursement of income tax

- (a) Income tax levied by the authorities of the country of which the staff member is a national on salaries and emoluments received by him or her from the Organization shall, subject to the provisions of (b) below, be reimbursed by the Organization.
- (b) The amount of reimbursement shall be the difference between the tax payable on the staff member's total income, including UNESCO earnings, and the tax which would be payable on his or her income excluding UNESCO earnings.
- (c) Staff members who, through subsequent exclusion of all or part of their UNESCO earnings from their total income, or by some other means, recover any income tax paid on these earnings, shall refund to the Organization the appropriate portion of any tax reimbursement or advance previously made to them by the Organization.
- (d) Staff members are personally responsible for complying with the income tax laws applicable to them. Any penalties, interest or other charges payable because of a staff member's failure to comply with such laws will not be reimbursed by the Organization.
- (e) The Director-General may approve the reimbursement of income tax levied on a staff member's UNESCO earnings by the authorities of a country of which he or she is not a national, provided that at the time of appointment, the staff member's recognized home was determined, under the terms of Rule 103.8 (b), to be in that country. If after his or her appointment, a staff member's recognized home is changed to a country of which he or she is not a national, the Director-General may approve the reimbursement of income tax levied on the staff member's UNESCO earnings by the authorities of that country, but only to the extent that such income tax would have been levied had he or she been a national of that country and would have been reimbursable under (a) above.

Rule 103.19

Method of payment - Deductions and contributions

- (a) Salaries and emoluments due to staff members by the Organization shall, except as provided in Rules 103.12 (Education grant), 103.12 *bis* (Special education grant for disabled children), 103.21 (Currency of payments), 103.22 (Salary advances) and 103.23 (Beneficiaries), be paid monthly in arrears into their bank accounts in the currency of the duty station, unless the Organization agrees to another method of payment.
- (b) There shall be deducted from total monthly payments due to each staff member:
 - (i) staff assessment, at the rates and under the conditions prescribed in Rule 103.16;

- (ii) contributions, if any, to the United Nations Joint Staff Pension Fund, based on the staff member's pensionable remuneration as defined in Rule 103.20;
- (iii) contributions, if any, to the UNESCO Medical Benefits Fund, in accordance with the Rules of this Fund. Deductions in respect of this Fund shall be calculated from the first day of the month following that in which eligibility is established;
- (iv) contributions, if any, to the local social security scheme or to any insurance taken out by the Organization;
- (v) the rental deductions provided for in Rule 103.11 *bis*.
- (c) Deductions from payments shall also be made for indebtedness to the Organization.
- (d) Following the death of a staff member, salaries and emoluments for the whole month during which death occurred shall be paid to his or her beneficiary (see Rule 103.23) unless a death grant is payable under the terms of Rule 109.10; in such case salaries and emoluments shall be paid up to the date of death only.
- (e) Where conversion from one currency into another is required in order to determine the amount of any payment due by or to the Organization, the conversion shall be made at the accounting rate of exchange adopted by the Organization and in force on the day of payment.
- (f) Salaries and emoluments shall not be subject to execution, levy, lien, attachment, garnishment or other legal process.
- (g) The Director-General may, as an exceptional measure and under such conditions as he or she may determine, authorize the cession by a staff member of part of the salary and emoluments due to him or her by the Organization after deduction of any sum due by him or her to the Organization.

Rule 103.20

Pensionable remuneration

- (a) The definition of pensionable remuneration is set out in the Regulations of the United Nations Joint Staff Pension Fund.
- (b) If the promotion of a staff member from the General Service category to the Professional category entails a decrease in his or her pensionable remuneration, he or she may request that his or her pensionable remuneration be maintained at the level applicable on the first day of the month immediately preceding his or her promotion until such time as that level is attained or exceeded by the pensionable remuneration applicable to the staff member's new grade and step.

Currency of payments

- (a) Emoluments due to staff members by the Organization shall, except as otherwise provided in these Rules, be paid in the currency of the country of the duty station. Where conversion from one currency into another is required to determine the amount of any payment, including retroactive salary payments, the accounting rate of exchange adopted by the Organization and in force on the day of payment shall be applied, except that where the operating rate is changed on or after the 16th of a month, amounts payable in respect of that month in the currency of the duty station shall be converted into that currency at the rate which was in force prior to the change. Payment in any one currency shall be effected to one account only, standing in the name of the staff member in a bank designated by him or her.
- (b) For the purposes of the present Staff Rule, the special post allowance payable under Staff Rule 103.17 shall be treated as part of pay.
- (c) Staff members at duty stations that are the headquarters of the United Nations or one of the Specialized Agencies who are not nationals of the country of the duty station may, on request, receive up to 40 per cent of their pay in the currency of their choice. On production of evidence that their commitments outside the country of their duty station are greater than 40 per cent of their pay, they may be authorized to receive a higher percentage in that currency. Such authorization shall be withdrawn or modified when the circumstances justifying the exception cease to exist in whole or in part.
- (d) At duty stations other than those mentioned in paragraph (c) above, the emoluments of a staff member in the Professional category and above and of a staff member in the General Service category transferred from Headquarters to that duty station shall be paid in one currency of the staff member's choice or, at the latter's request, partly in the currency of the duty station and partly in one other currency of his or her choice, except for the daily subsistence allowance component of the assignment grant which shall be paid in the currency of the duty station. All deductions other than in respect of a rental deduction shall be made from the portion of emoluments paid in a currency other than that of the duty station. At duty stations where there are two types of local currency, one being convertible while the other is not, the portion payable in the currency of the duty station shall be paid in non-convertible local currency.
- (e) A staff member who is a national of the country of his or her duty station may ask for up to 15 per cent of pay to be deducted for savings. The amounts thus deducted shall be paid into the staff member's account with

the UNESCO Staff Savings and Loan Service in one of its monies of account.

- (f) Except in cases where the currency of the duty station may be freely converted, staff members serving at a duty station other than those mentioned in paragraph (c) above, and staff members in the General Service category transferred from the Organization's Headquarters to a duty station away from the Organization's Headquarters, may, on request, receive upon separation or transfer, the equivalent in a currency of his or her choice of the proceeds from the sale of a motor vehicle and household goods up to the limits and under the conditions laid down in the guidelines established for this purpose by the United Nations Development Programme.
- (g) The payments due on separation (Rules 109.7, 109.8, 109.9 and 109.10) may, on the request of the staff member concerned or, where appropriate, of his or her beneficiaries, be paid either in one of the currencies in which his or her salary is paid at the time of separation or in the currency of the country of his or her recognized home or in the currency of another country to which the Organization agrees to repatriate the staff member and/or the staff member's dependants.

Rule 103.22

Salary advance

- (a) A salary advance may be granted in the following cases, and subject to the conditions set out in (b) below:
 - (i) in the case of personal financial difficulty;
 - (ii) upon appointment or transfer of a staff member in the Professional category and above;
 - (iii) to a staff member in the Professional category or above who is required to pay several months' rent in advance.
- (b) The following conditions shall apply to the granting of salary advances:
 - (i) requests for an advance shall be considered in the light of any advance previously granted to the applicant, the extent of his or her indebtedness to the Organization and other relevant factors;
 - (ii) the amount of an advance under (a) (i) and (ii) shall not exceed two month's pay, including special post allowance under Rule 103.17 where payable.
 - (iii) the minimum period for which rent may be advanced is three months and the maximum period shall not exceed twenty four months.

- (c) A salary advance shall be expressed in the currency in which the salary is expressed. Where conversion from one currency into another is necessary for the payment or the recovery of an advance, such conversion shall be effected at the accounting rate of exchange adopted by the Organization and in force on the date or dates of payment or recovery, respectively.
- (d) A salary advance shall normally be paid and recovered in one of the currencies in which the salary of the staff member is paid.
- (e) A salary advance granted under (a) (i) or (a) (ii) shall be recovered by monthly deductions over a maximum period not exceeding twelve months, or the duration of the staff member's appointment, whichever is shorter. An advance granted under (a) (iii) shall be recovered over the rental period for which the salary is advanced, or the duration of the staff member's appointment, whichever is shorter.
- (f) If a staff member is separated before any salary advance granted to him or her has been fully recovered, the total amount outstanding shall be deducted from the payments due to him or her upon separation.

Rule 103.23

Beneficiaries

- (a) At the time of appointment each staff member shall nominate a beneficiary or beneficiaries in writing on a prescribed form. It shall be the responsibility of the staff member to notify the Office of Human Resources Management of any revocation or change of beneficiary.
- (b) In the event of the death of a staff member, any amounts standing to his or her credit shall be paid to his or her nominated beneficiary or beneficiaries subject to application of the Staff Regulations and Rules. Such payment shall release the Organization from all further liability in respect of any sum so paid.
- (c) If a nominated beneficiary does not survive or the designation of beneficiary has not been made or has been revoked, the amount standing to the credit of a staff member shall upon his or her death be paid to his or her estate.
- (d) In appropriate cases, the Director-General may authorize the payment of funeral expenses out of the amounts standing to the credit of a deceased staff member.

Rule 103.24

Recovery of payments made in error

- (a) The Organization shall be entitled to recover any payment made to a staff member in error provided that, except in cases where the bad faith of the

staff member is established:

- (i) the right of the Organization to recovery shall lapse two years after an overpayment has been made or, if several overpayments have been made over a period of time, two years after the last overpayment;
 - (ii) recovery of overpayments made over a period of time shall be limited to an amount equal to the overpayments made during the twelve months immediately preceding the last overpayment.
- (b) Unless otherwise agreed, reimbursement shall be made by deductions, over a period not exceeding twelve months, from the monthly or other payments due to the staff member concerned.

Chapter IV

Appointment, promotion and transfer

- Regulation 4.1 As stated in Article VI.4 of the Constitution, staff members are appointed by the Director-General. When an applicant is appointed, terms of appointment are notified to him or her in writing, by the Director-General or by his or her authorized representative, and such notification, together with his or her acceptance in writing, alone shall constitute his or her contract of employment. The terms of appointment shall include provision for a period of probation and for the period of notice of separation required, and shall specify the title and character of the post, to which he or she is appointed.
- Regulation 4.1.1 The Director-General shall under no circumstances expand on the established posts by grade that form an integral part of the programme and budget C/5 for each biennium, unless previously authorized by the Executive Board¹.
- Regulation 4.2 In appointing staff members, the Director-General shall, except in the case of appointments resulting from post reclassifications, use a competitive process in order to secure the highest standards of efficiency, competence and integrity².
- Regulation 4.2.1 The Director-General shall take the necessary steps to ensure that no persons who have discredited themselves by their activities or connections with fascism, nazism, or militarist aggression, shall be appointed to the Secretariat.

¹ Paragraph adopted by the General Conference at its 30th session (1999) (30 C/Resolutions, p.109).

² Paragraph amended by the General Conference at its 32nd session (2003) (32 C/Resolutions, p.112).

Regulation 4.3	Selection of staff members shall be made without distinction as to race, sex or religion.
Regulation 4.3.1	Without prejudice to the terms of Regulation 4.2, the Director-General shall ensure a staff constituted on as wide a geographical basis as possible.
Regulation 4.3.2	Recruitment and appointments shall be made on a competitive basis following formal advertisement of the vacant posts. In the case of external recruitment, posts will be advertised for two months ¹ .
Regulation 4.4	Subject to the provisions of Regulations 4.2, 4.3, 4.3.1 and 4.3.2, and without prejudice to the recruitment, at all levels, of fresh talent, staff members (and former staff members with at least one year's service, separated during the previous two years owing to the abolition of posts) shall be given priority of consideration for vacant posts. In the case of internal recruitment, posts shall be advertised for one month. The Director-General may limit eligibility to apply for vacant posts to internal candidates as defined by the applicable Staff Rules. Next priority, with regard to externally advertised posts, shall be given, subject to reciprocity, to applicants already in the service of the United Nations and other Specialized Agencies ² .
Regulation 4.5	Assistant Directors-General, and officials of equivalent status, shall be appointed for an initial period not exceeding five years, renewable for periods no one of which shall exceed five years.
Regulation 4.5.1	Other staff members shall be granted either temporary, fixed-term, or indeterminate appointments under such terms and conditions consistent with these Regulations ¹ .
Regulation 4.5.2	The Director-General shall take the necessary steps to ensure that the Secretariat of the Organization does not enter into contractual relationships with persons who have served as representatives or alternates of Member States on the Executive Board until 18 months have elapsed from the date of cessation of their representational functions ² .

¹ Paragraph amended by the General Conference at its 32nd session (2003) (32 C/Resolutions, p.112)

² Paragraph amended by the General Conference at its 33rd session (2005) (33 C/Resolutions, p.137)

¹ Paragraph adopted by the General Conference at its 30th session (1999) (30 C/Resolutions, p.109).

² Paragraph adopted by the General Conference at its 30th session (1999) (30 C/Resolutions, p.109).

Regulation 4.5.3 The Director-General shall take decisions concerning the appointment, tenure and termination of appointment of the Legal Adviser of the Organization in consultation with the Executive Board¹.

Regulation 4.6 The Director-General shall lay down medical standards for candidates for appointments and for staff members.

¹ Paragraph adopted by the General Conference at its 31st session (2001) (31 C/Resolutions, p.99)

Advisory Board on Individual Personnel Matters

- (a) There shall be an Advisory Board on Individual Personnel Matters which shall advise the Director-General on individual staff matters, as provided hereunder. The Board shall examine the cases submitted for its consideration, ensuring their compliance with the Staff Regulations and Rules, the administrative provisions in force and such further instructions as the Director-General may prescribe.
- (b) The Advisory Board on Individual Personnel Matters, for the Professional and General Service categories and except with regard to the cases specified in paragraph (c) below, shall give advice on the following matters:
 - (i) appointments of one year or longer of persons subject to the Staff Regulations and Rules, except for the cases specified in paragraph (c) (i) and (ii) below;
 - (ii) conversions of fixed-term appointments to indeterminate appointments;
 - (iii) *Deleted*
 - (iv) renewal of appointments for less than two years of staff members with more than five years' seniority, except for the cases specified in paragraph (c) (vii) below;
 - (v) non-renewal of appointments after five or more years of service in the Organization, except for the cases specified in paragraph (c) (vii) below;
 - (vi) termination, except for the cases specified in paragraph (c) (iii), (iv) and (vii) below;
 - (vii) such other cases as the Director-General may request.
- (c) The Advisory Board on Individual Personnel Matters shall not be consulted on:
 - (i) matters relating to posts or to staff in the Director category or above;
 - (ii) appointments to Head of Field Office posts, appointments of limited duration, appointments to associate expert posts and local field posts;
 - (iii) termination under Staff Regulation 9.1.1 and summary dismissal under Regulation 10.2;
 - (iv) disciplinary measures referred to a Joint Disciplinary Committee under Rule 110.2;
 - (v) administrative measures other than those specified in paragraph (b) (vi) and (vii) concerning staff appointed through limited duration contracts, local field staff and associate experts;
 - (vi) administrative measures concerning non-staff members appointed by the Director-General;

- (vii) administrative measures submitted to the Reports Board under Rule 104.11 (a) (v) concerning dismissal or non-renewal of the appointment of a staff member, or non-confirmation of the appointment of a staff member at the end of his or her probationary period, which may be taken if the staff member does not meet expectations.
- (d) The Board shall consist of a chairperson, two members elected by the staff and two members appointed by the Director-General. The Director of the Bureau of Human Resources Management may, without the right to vote, attend, or send a representative to, meetings of the Board.
- (e) The non-voting chairperson shall direct the discussions, ensure observance of administrative provisions in force and correct procedure and supervise the drafting of the report. He or she shall be chosen for each session by the Bureau of Human Resources Management from a panel of 15 to 20 staff members who shall be appointed by the Director-General after consultation with staff associations considered to be representative. The term of office of the staff members appointed by the Director-General to chair the Advisory Board on Individual Personnel Matters is two years. They shall not serve more than two successive terms of office. The chairperson's grade must be equal to, or higher than, that of the staff member or post to be considered by the Board.
- (f) For each session of the Advisory Board on Individual Personnel Matters, the Director of the Bureau of Human Resources Management shall choose four members from a panel of at least 50 and at most 60 staff members at Headquarters. This panel shall consist of 25 to 30 staff members elected by direct universal suffrage and of 25 to 30 staff members appointed by the Director-General. Half of the staff members elected by direct universal suffrage and half of the appointed staff members shall consist of Professional category staff and the other half shall consist of General Service category staff. On each panel (elected and appointed members) no more than five members in the Professional category and no more than ten members in the General Service category may hold the same nationality.
- (g) For each session of the Board, the Director of the Bureau of Human Resources Management shall choose two elected staff members and two staff members appointed by the Director-General.
- (h) The composition of the Board shall vary according to the category of the staff member or post submitted for its consideration. In considering the case of a Professional category staff member, the Board shall consist of members in this category; it may include a staff member in the General Service category. In considering the

case of a General Service category staff member, the Board may include a staff member in the Professional category.

- (i) In designating the members of a board, the Bureau of Human Resources Management shall not include any staff member from the division or office/bureau of the staff member or post under consideration, nor shall it select, as far as possible, more than one member of the same nationality. For those cases considered under paragraph (b) (i), the Advisory Board on Individual Personnel Matters shall not include any staff member from the pre-selection committee or the evaluation panel having considered the post submitted to it.
- (j) The elected members of the Board or members appointed by the Director-General shall serve a four-year term of office renewable at the most for a four-year term of office. Half of the panel of elected members shall be replaced every two years. For the purpose of the first such replacement, the term of office of the 12 to 15 staff members elected with the lowest number of votes shall expire after two years. The panel of elected members and the panel of members appointed by the Director-General shall also be renewed if at least 30% of the staff members on either panel are no longer in a position to serve their term of office. All elected or appointed members shall remain in office until their successors have been elected or appointed.
- (k) The Bureau of Human Resources Management shall provide the secretariat of the Board.
- (l) The Board shall hear a representative of the sector, bureau or office concerned if the latter so requests or if the Board considers this to be necessary.
- (m) An observer of each staff association considered to be representative may attend meetings of the Board without the right to vote. He or she may speak during the discussions, with the permission of the chairperson.
- (n) Attendance at meetings of the Board shall be regarded as official duty for those concerned, whose supervisors shall give them the necessary latitude.
- (o) The report of the Board shall contain the recommendation or recommendations formulated by the Board and a brief account of the reasons of each recommendation. Majority votes and dissenting opinions shall be recorded in the report, should one or more members so wish. The report shall be signed by the chairperson and members of the Board.
- (p) Rules of Procedure for the Board shall be established by the Director-General.

Limitations on employment

- (a) Except when another person equally well qualified cannot be recruited, an appointment shall not be granted to:
 - (i) a candidate who is not a citizen of a Member State;
 - (ii) a candidate who is the husband, wife, father, mother, son, daughter, brother or sister of a staff member. Such a candidate, if appointed, shall not be assigned to service in the same Sector or Bureau.
- (b) A candidate for a post in the Professional category shall be required to possess a university degree or equivalent experience and to show that he has a good knowledge of one of the working languages of the Secretariat.
- (c) A candidate for a secretarial or clerical post shall be required to show that he or she has a thorough knowledge of one and a satisfactory knowledge of another working language of the General Conference.
- (d) Posts in the General Service category shall normally be filled by the appointment of persons recruited locally in the country of the duty station with the exception of certain language posts at Headquarters which cannot be filled from the local market.
- (e) The priority of consideration referred to in Staff Regulation 4.4 shall, in the case of staff members in the General Service category, be limited to vacant posts at the staff member's duty station.
- (f) When two staff members in the same Division marry, one of them shall be transferred to the first suitable vacant post in another Division.

Advertisement of vacant posts and eligibility to apply for internally advertised posts

- (a) For the purpose of Staff Regulation 4.4, the expression "internal recruitment" means that vacant posts shall be advertised internally as a general rule and as appropriate.
- (b) The posts in the Director category and above at Headquarters shall be advertised externally for two months, without prejudice to the discretionary power of the Director-General to authorize in specific cases that other posts be also advertised externally.
- (c) The eligibility to apply for internally advertised posts shall be restricted to the following candidates:
 - (i) Staff members previously appointed under Staff Rule 104.1(b)(i) following the recommendation from the Advisory Board on Individual Personnel Matters and having successfully passed the probation; or
 - (ii) Staff members previously appointed on a competitive basis and having successfully passed the probation.
- (d) When UNESCO staff members and staff members of the United Nations or other Specialized Agencies apply for posts advertised externally, priority of consideration shall be given to UNESCO

staff members and former staff members with more than one year of service separated during the previous two years owing to abolition of posts, without prejudice to rule 109.5 and rule 104.15 of the Staff Rules.

- (e) Next priority shall be given to staff members already in the service of the United Nations or other Specialized Agencies, subject to reciprocity for the recruitment of UNESCO staff members as it might be provided by the Staff Regulations and Rules of their respective Agency.”

Rule 104.3

Terms of appointment

- (a) A candidate selected for appointment as a staff member shall receive a Letter of Appointment signed by the Director-General or his or her authorized representative, specifying the terms of the appointment.
- (b) There shall be annexed to the Letter of Appointment a copy of the Staff Regulations and Rules, and a copy of the Declaration of Office.
- (c) In accepting an appointment, the candidate shall declare in writing that he or she has taken cognizance of the Staff Regulations and Rules and that he or she accepts their conditions.
- (d) The Letter of Appointment with its annexes and the Letter of Acceptance, with the Declaration of Office, duly signed, shall constitute his or her contract of employment.

Rule 104.4

Effective date of appointment

The appointment of a staff member shall take effect from the date on which he or she starts authorized travel to assume his or her duties or if no such travel is involved, from the date on which he or she assumes his or her duties.

Rule 104.5

Information required of staff members

Staff members shall, on appointment, supply whatever information may be required for the purpose of determining their status under the Staff Regulations and Rules or of completing administrative arrangements in connection with their appointments. Specifically, this requirement shall include evidence of nationality, passport and visa, marital status, dependency status, information relevant to the establishment of their recognized home, and designation of beneficiary. They shall notify the Bureau of Human Resources Management promptly, in writing, of any subsequent changes in these matters.

Rule 104.6

Fixed-term appointment

- (a) A fixed-term appointment shall be an appointment for a continuous period of not less than one year, ending on a date specified in the Letter of Appointment.

- (b) A fixed-term appointment may, at the discretion of the Director-General, be extended, or converted to an indeterminate appointment; it shall not, however, carry any expectation of, nor imply any right to, such extension or conversion and shall, unless extended or converted, expire according to its terms, without notice or indemnity.
- (c) All initial fixed-term appointments shall be subject to a period of probation to enable an assessment to be made of the staff member's work, conduct and suitability for international duties. The length of the probationary period shall be one year in the case of an initial appointment for two years or more and nine months in other cases. In the case of an initial appointment of two years or of an initial appointment of one year that is extended for one additional year or more, the Director-General may extend the period of probation to a period not exceeding eighteen months. On transfer or secondment of a staff member from an organization of the United Nations system, the Director-General may consider prior service within that organization as a satisfactory period of probation.

Rule 104.7

Indeterminate appointment

- (a) An indeterminate appointment shall be an appointment without limit of time.
- (b) An indeterminate appointment may be granted to a staff member who has completed at least five years of continuous service and who has shown that he or she meets the standards of efficiency, competence and integrity required under Regulation 4.2. The Director-General may recognize prior service with an organization of the United Nations system as being of equivalent value.
- (c) An indeterminate appointment shall be reviewed after five years from the standpoint of efficiency, competence and integrity.

Rule 104.8

Temporary appointment

- (a) A temporary appointment shall be an appointment for a continuous period of less than one year, ending on a date specified in the Letter of Appointment.
- (b) A temporary appointment may, at the discretion of the Director-General, be extended, or converted to a fixed-term appointment; it shall not, however, carry any expectation of, nor imply any right to, such extension or conversion and shall, unless extended or converted, expire according to its terms, without notice or indemnity.
- (c) A temporary appointment shall be subject to a period of probation:
 - (i) of one month, when the duration of the appointment is three months or less;
 - (ii) of two months, when the duration of the appointment is more than three but less than six months;
 - (iii) of three months, when the duration of the appointment is six months or more.

Rule 104.9

Medical examinations

- (a) All appointments shall be conditional upon certification by the Medical Officer designated by the Director-General that the candidate meets the medical standards currently in force.
- (b) When a staff member is retained in the service of the Organization beyond the age of sixty in terms of Staff Regulation 9.5, a medical examination, by the Medical Officer designated by the Director-General, shall be required at the beginning of each year of service.
- (c) Staff members may be required by the Director-General to undergo a medical examination at any time during their term of office, at the expense of the Organization.

Rule 104.10

Record of service

Documents relating to a staff member's service with the Organization shall be kept on an individual file to which the staff member may have access.

Rule 104.11

Reports Board

- (a) There shall be a Reports Board to advise the Director-General on the following cases:
 - (i) where a staff member contests a performance assessment which partially meets or does not meet expectations;
 - (ii) where a staff member alleges lack of objectivity, whatever the rating awarded;
 - (iii) where a staff member alleges non-observance of the relevant procedures, including where a written observation in the report conflicts with or is substantially divergent from the corresponding rating given;
 - (iv) where within-grade increment is deferred or withheld;
 - (v) on administrative measures concerning the termination or the non-renewal of a staff member's contract, or the non-confirmation of the appointment of a staff member at the end of the probationary period as a consequence of not meeting the performance expectations.
- (b) The Board shall be composed as follows:
 - a non-voting chairperson appointed by the Director-General and having the rank of Assistant Director-General or Principal Director (D-2);
 - two members appointed by the Director-General from the Principal Officer and Director category (D-1 and D-2); and
 - two members appointed, in consultation with the staff associations, from the panels of elected staff members eligible

to sit on the Personnel Advisory Board.

The term of office of the chairperson and the four members shall be two years and renewable, and they shall serve until such time as their successors are appointed.

Alternates for the chairperson and the members of the Reports Board shall be appointed in the same way and following the same procedures.

- (c) The Director of the Bureau of Human Resources Management or his or her representative may attend meetings of the Board, without the right to vote.
- (d) An observer of each recognized staff association has the right to attend meetings of the Board, but not the right to vote. When the Board reviews a contestation case within the meaning of Staff Rules 103.4 and 104.11 *bis*, these observers shall not be entitled to be given the floor during the decision-making phase of its deliberations.
- (e) When a session of the Board is devoted to a contestation case within the meaning of Staff Rules 103.4 and 104.11 *bis*, the grade of its four members shall, as far as possible, not be lower than that of the staff member concerned, and none of its members shall be from the sector/bureau/ office of the staff member concerned; only if the above criteria cannot be met or if a member is not available, an alternate chairperson and/or (an) alternate member(s) shall be selected by the Office of Human Resources Management from the same staff categories or panels, for the concerned session of the Board. If the contestation case is submitted by a staff member in the General Service category, at least one elected staff member shall belong to this category.
- (f) The proceedings of the Board shall be confidential.
- (g) The Board shall establish its own rules of procedure.

Rule 104.11 *bis*

Reports on staff members

- (a) Performance appraisal is fundamental to the career development of staff members. It is both an obligation and a responsibility of supervisors and should be carried out objectively and without fear or favour. Reports in a form and by persons prescribed by the Director-General shall be made on each staff member, except the DDG, the ADGs, Directors of Bureaux at Headquarters and Directors and Heads of Field Offices who are subject to a separate assessment process. Reports shall be made for staff on probation before the end of the probationary period, every two years thereafter for all staff members concerned who hold indeterminate and fixed-term appointments, before or upon a change of immediate supervisor or transfer to a different organizational unit, and additionally at any time, when requested by the Bureau of

Human Resources Management or the Sector, Bureau or Office concerned.

- (b) A staff member shall be shown and given the opportunity of discussing with his or her supervisor the (draft of any) report made on him or her and of commenting on the Report before its review by the Review Panels; he/she shall thereafter sign the report signifying that he/she has read it, and shall be given a copy; the original shall then be transmitted to the Bureau of Human Resources Management.
- (c) *Deleted.*
- (d) If a staff member wishes to contest his or her Performance Report on the basis of any of the grounds indicated in Staff Rule 104.11 (a) (i) to (v) he/she shall, not later than ten working days after receiving the report signed by his or her supervisor and reviewed by the Review Panels, submit to the chairperson of the Reports Board through the Director of the Bureau of Human Resources Management, a concise written account of his or her objections and the facts and conclusions on which they are based. The matter shall be brought as soon as possible before the Reports Board. The decision of the Director-General based on the Board's recommendation shall be entered in the Performance Report and communicated to the staff member concerned, his or her supervisor and the Chairperson of the Review Panel.
- (e) If a staff member away from Headquarters contests a report, the above time-limit shall be extended to twenty working days.
- (f) If the staff member is not satisfied with the decision taken by the Director-General following the recommendation made by the Reports Board, he or she may lodge an appeal in accordance with paragraph 7 (a) of the Statutes of the Appeals Board.

Rule 104.11 *ter*

Review Panels

The ADGs/Directors of Bureaux/Heads of Field Offices shall set up Review Panels in each Sector/Bureau/Field Office, with the following mandate:

- i) to review the quality, the consistency and the fairness of the performance reports of all staff (excluding the DDG, the ADGs, the Directors of Bureaux at Headquarters and Directors and Heads of Field Offices);
- ii) to make recommendations to the supervisor, if it is found that the assessment is of poor quality, is not consistent, nor fair;
- iii) to review the overall assessment and ratings recommended by the supervisor. Should the Review Panel not endorse the overall

- assessment and/or the ratings recommended by the supervisor, the Review Panel's opinion shall prevail;
- iv) to review performance improvement plans, their outcome and the assessment proposed by the supervisor;
 - v) to make recommendations on learning and development actions, on the basis of recommendations submitted by the supervisor.

Rule 104.12

Transfer

Transfer shall be the assignment of a staff member to another post.

Rule 104.13

Promotion

- (a) Promotion shall be the advancement of a staff member to a higher grade. A staff member may be promoted for an indeterminate period or for a fixed-term period of not less than one year.
- (b) (i) *Promotion within categories and from Professional to Director category.*

A staff member shall, upon promotion, be placed in the first step of the new grade, which, for the first full calendar month after his or her promotion, will produce, for that month, an increase in net base salary of not less than that which would have resulted from the granting of two steps to him or her in the grade from which he or she was promoted.
- (ii) *Promotion from General Service and related categories to Professional category.*

A staff member shall, upon promotion be placed in the first step of the new grade, which, for the first full calendar month after his or her promotion will produce a net base salary plus post adjustment at the without dependent rate of not less than a month's pay which would have resulted from the granting of two steps to him or her in the grade from which he was promoted.
- (iii) If promotion under (i) or (ii) above takes effect on the same date that the staff member would otherwise have received a within-grade salary increment in accordance with Rule 103.4, the salary upon promotion shall be calculated after the award of the increment that would otherwise have been due in the previous grade.
- (iv) The date of the staff member's first increment after promotion shall be adjusted to give effect to the foregoing.
- (c) Notwithstanding the provisions of (b) above, the annual base salary of a staff member upon promotion shall not exceed that of the highest step in the grade to which he or she is promoted.
- (d) If a staff member who has been promoted for a fixed-term period returns to the grade from which he or she was promoted, he or she shall be placed

in the step he or she would have reached in that grade had there been no promotion.

- (e) When a staff member holding an indeterminate appointment is promoted for a fixed-term period, he or she shall retain his or her indeterminate appointment.
- (f) Except in the case covered by Rule 109.1 *bis (b)*, in case of separation during a fixed-term promotion the separation payments to which the staff member concerned is entitled shall be calculated on the basis of the grade to which he or she has been promoted.

Rule 104.14

Transfer to a post of lower grade

- (a) When it is proposed to transfer a staff member to a post of lower grade he or she may elect, in lieu thereof, to be terminated and shall receive notice equivalent to that which would apply in case of termination.
- (b) If the staff member elects to be terminated he or she shall be treated in all respects as though his or her appointment had been terminated under the Staff Regulations and Rules.
- (c) If the staff member accepts transfer to a post of lower grade, his or her step in the new grade shall be the step immediately above the salary level before transfer. However, if the previous salary was higher than the salary at the last step of the new grade, the level of his or her remuneration shall be maintained by means of a transitional personal allowance, representing the difference between the two levels of remuneration.
- (d) In the case of transfer to a post of lower grade because of the abolition of the incumbent's post, the provisions of (c) above shall apply from the effective date of abolition only.

Rule 104.15

Reinstatement

- (a) A former staff member who, prior to his or her separation, held a fixed-term or indeterminate appointment, may be reinstated if he or she is reappointed for one year or more within 24 months following his or her separation. The Director-General may authorize the reinstatement of a former staff member who is reappointed more than 24 months following his or her separation, if he or she considers it justified in the interests of the Organization.
- (b) Upon reinstatement, the staff member's step in the grade of his or her new post shall be determined as follows:
 - (i) if reinstated at the same grade, the step which he or she had reached upon separation;

- (ii) if reinstated at a higher grade, in accordance with the provisions of Rule 104.13;
 - (iii) if reinstated at a lower grade, in accordance with the provisions of Rule 104.14. Notwithstanding these provisions the Director-General may, if he or she is satisfied that this is justified in the light of qualifications obtained or improved by the staff member during his or her absence, decide that his or her step upon reinstatement be at least equal to that which he or she would have reached if he or she had remained in service without interruption.
- (c) A staff member who is reinstated within one year following his or her separation shall return to the Organization any payment made to him or her at the time of separation under Rule 109.7 (Indemnity on termination).
- (d) A staff member who is reinstated may at his or her option return to the Organization any payment made to him or her, at the time of separation, under Rule 109.9 (Repatriation grant); if the repatriation grant is reimbursed, the staff member's qualifying service towards the grant at the time of separation shall be restored; otherwise, the grant to which he or she may be entitled in respect of service accomplished after reinstatement shall be governed by the provisions of Staff Rule 109.9 (b) (ii).
- (e) When a staff member is reinstated under (a) above, his or her position in the United Nations Joint Staff Pension Fund and in the Medical Benefits Fund shall be governed by the Regulations and Rules of these Funds.
- (f) A former staff member who is not eligible for reinstatement under (a) above, or who, although eligible, is not in fact reinstated, shall be given a new appointment without regard to any previous period of service.

Chapter V

Leave

- Regulation 5.1 Staff members shall be granted annual leave in accordance with a system laid down by the Director-General.
- Regulation 5.1.1 Special leave may be authorized by the Director-General in exceptional cases.
- Regulation 5.2 Eligible staff members shall be granted home leave once every two years.
- Rule 105.1 **Annual leave**
- (a) Annual leave shall be granted to staff members for the purpose of rest and recreation at the rate of two and one-half working days for each calendar month of service (or fraction thereof *pro rata*) in full pay status.
 - (b) Annual leave may be taken in units of days or half-days and only in accordance with a leave schedule to be established in the light of anticipated requirements of the service. However, if the exigencies of the work allow, leave may be authorized on dates other than those indicated on the approved leave schedule.
 - (c) Notwithstanding (b) above, the dates indicated on the approved leave schedule may be changed in cases of emergency.
 - (d) Staff members are entitled and expected to take leave in the leave year in which it is earned.
 - (e) Subject to such other instructions as the Director-General may prescribe, annual leave may be accumulated up to a maximum of 60 days. Accumulated annual leave in excess of this maximum shall be forfeited on 1 January of each calendar year.
 - (f) A staff member may, at the discretion of the Director-General, be granted advance annual leave up to a maximum of ten working days.
 - (g) A staff member may, in cases of emergency, be recalled from annual leave.
 - (h) Subject to the above provisions, staff members away from Headquarters

whose assignment is directly linked with an educational, governmental or other institution having its own leave calendar shall be required to take the bulk of their annual leave only during periods which coincide with periods of leave foreseen by such calendar.

Rule 105.2

Special leave

- (a) Special leave with pay or on half pay or without pay may be granted by the Director-General to staff members, upon their request, to allow them to pursue research or advanced studies in the interest of the Organization or to face exceptional situations.
- (b) In exceptional circumstances, staff members may be required to take special leave with pay; this measure being without prejudice to the rights of the staff member.
- (c) Periods of special leave on half pay or without pay of more than one month – or more than six months when such leave is granted to pursue research or advanced studies in the interest of the Organization – shall not be taken into account for the purpose of calculating the entitlement to annual leave, sick leave, within grade salary increment, repatriation grant, termination indemnity and death grant.
- (d) Staff members shall not accrue service credit towards home leave during periods of special leave on half pay or without pay of one year or more.
- (e) Before being placed on special leave without pay, staff members may be required to exhaust their accrued annual leave credit.

Rule 105.2 *bis*

Parental leave

- a) Staff members who wish to take care of their children, immediately following maternity, paternity or adoption leave, or in their early childhood until primary school age, may request special leave without pay for a period of up to two years. This period may be extended for a third year, for exceptional reasons, such as disability, serious injury or illness of the child or in the case of multiple births. Requests for parental leave shall be favourably considered, subject to the requirements of the work unit.
- b) If a staff member requests parental leave for a period exceeding the duration of his or her appointment, the renewal of his or her appointment shall be reviewed prior to the approval of parental leave.
- c) When the period of parental leave is for less than one year, the staff member will receive a guarantee that he or she will be reintegrated in the post and at the grade held before taking such leave. When the period of parental leave is for one year or more, the staff member shall be reintegrated in his or her post, if possible, or in a post with comparable functions at the same grade.

Home leave

- (a) A staff member shall be entitled to home leave once in every two years of continuous service outside the country of his or her recognized home, for the purpose of spending a substantial period of accrued annual leave in that country.
- (b) Home leave shall initially fall due in the second calendar year following the year in which a staff member becomes eligible, provided that his or her service outside the country of his or her recognized home is expected to continue up to a total period of at least thirty months. Subsequently it shall fall due in every second calendar year.
- (c) The entitlement may be exercised, subject to the exigencies of the service, at any time during the calendar year in which it falls due, provided that the staff member's service outside the country of his or her recognized home is expected to continue at least six months beyond the date of his or her return from home leave: this proviso may be waived in exceptional cases when the exigencies of the service make it necessary to do so.
- (d) In exceptional circumstances, home leave may be advanced or postponed by one calendar year, without affecting the due date of the next home leave; it shall however not be advanced to a date earlier than twelve months from the commencement of qualifying service.
- (e) Staff members serving at duty stations included in the list drawn up by the International Civil Service Commission shall be entitled to home leave, provided that they fulfil the necessary conditions, once in every twelve months, in accordance with the Commission's classification of such duty stations. They may use one out of every two such entitlements to go to a country other than that of their recognized home, provided that the cost of the journey does not exceed the cost of a return journey between the duty station and their recognized home.
- (f) A staff member may be required to take his or her home leave in conjunction with travel on official business or change of official duty station, due regard being paid to the interest of the staff member and his or her family.
- (g) An eligible staff member whose spouse is also a staff member of the Organization, or of the United Nations or another Specialized Agency, and is also eligible for home leave, shall have the choice of either exercising his or her own entitlement or of accompanying the spouse under the latter's entitlement.
- (h) Travel to the staff member's recognized home and return for the staff member and those benefiting from his or her entitlement shall be at the expense of the Organization, in accordance with the provisions of Chapter VII of the Staff Regulations and Rules.
- (j) Annual leave taken for the purpose of home leave shall be subject to the provisions of Rule 105.1.
- (k) Notwithstanding (a) above, a staff member may be authorized to travel to an alternate country of home leave under the following specific conditions:

- (i) if a staff member has close family ties in another country than his or her recognized home, he or she may be authorized to travel to that country on one out of every two home leaves;
 - (ii) where, because of war, civil strife or for other security reasons, a staff member is unable to travel to the country of home leave, he or she may be authorized to travel to a neighboring country with social and cultural affinities to the home country, or to another country where he or she has demonstrated close family ties;
 - (iii) in both above cases, the travel expenses borne by UNESCO shall not exceed the cost of travel to the recognized country of home leave.
- (l) Subject to the conditions specified in Rule 105.1 (Annual leave), a staff member shall be entitled to claim, in respect of authorized travel on home leave, travel time for the outward and return journeys between the official duty station and the place of home leave or alternate country of home leave.

Rule 105.4

Family visit

- (a) A staff members who is assigned for a period of one year or more to a duty station outside the country of his or her recognized home and whose spouse and dependent children reside outside the country of the duty station, shall be entitled once in every year of continuous service in which home leave under Rule 105.3 is not due, to travel at the expense of the Organization for the purpose of visiting his or her spouse or dependent child, provided that the staff member's service outside the country of his or her recognized home is expected to continue at least six months beyond the date of his or her return; this condition may be waived in exceptional cases when the exigencies of the service make it necessary to do so.
- (b) The travel entitlement under the present Rule shall fall due in the calendar year following the year in which the staff member becomes eligible and every second calendar year thereafter; it may be exercised, subject to the exigencies of the service, at any time during the calendar year in which it falls due, provided, in the case of the first family visit, that the staff member has completed twelve months' continuous service at the duty station.
- (c) Travel under the present Rules, and the exercise of a travel entitlement in respect of a spouse or dependent child, shall not take place in the course of the same calendar year, except if such entitlement is in respect of education grant.
- (d) If home leave under Rule 105.3 is advanced or postponed by virtue of paragraph (d) of that Rule, the travel entitlement on family visit in respect of the calendar year in which home leave is in fact taken may be exercised in the calendar year in which home leave would normally have been due.
- (e) Travel shall be in accordance with the provisions of Chapter VII of the

Staff Regulations and Rules. The travel expenses occasioned by a family visit shall be borne by the Organization up to an amount not exceeding the cost of a return journey between the staff member's duty station and his or her recognized home.

- (f) Annual leave taken for the purpose of family visit shall be subject to the provisions of Rule 105.1.
- (g) A staff member may be authorized to exchange his or her entitlement to family visit travel for an entitlement to his or her spouse or dependent children to visit him or her at the duty station, within the cost limit which would have applied to the family visit journey.

Rule 105.4 *bis*

Family leave

- a) In the event of death of a spouse, child, mother or father, a staff member may be granted seven working days of family leave plus the necessary travel time.
- b) Part or all of uncertified sick leave may be used to attend to family-related emergencies.
- c) In recognition of their family obligations, staff members with at least two children in their household may be granted three additional working days of leave to attend to family-related emergencies.

Rule 105.5

Unauthorized absence

- (a) Unauthorized absence shall render a staff member liable to disciplinary action under Regulation 10.2.
- (b) Such absence for a period of 15 calendar days or more shall be considered as an abandonment of post and the staff member's service with the Organization shall be deemed to have ceased on the day preceding the first day of his or her absence.

Chapter VI

Social security

Regulation 6.1 Provision shall be made for the participation of staff members in the United Nations Joint Staff Pension Fund in accordance with the Regulations of that Fund.

Regulation 6.2 The Director-General shall operate a system of social security for the staff, including provisions for the preservation of health, sick leave and maternity leave, and reasonable compensation in the event of illness, accident or death attributable to the performance of official duty on behalf of the Organization.

Rule 106.1 **Sick leave**

- (a) A staff member who is medically unfit for work shall be entitled to sick leave for a period calculated with due regard for the length of his or her past continuous service and the unexpired portion of his or her current appointment, as follows:
 - (i) if these equal or exceed three years, for not more than 192 working days on full pay and 192 working days on half pay in any period of four consecutive years;
 - (ii) if these equal or exceed one year but total less than three years, for not more than 64 working days on full pay and 64 working days on half pay in any period of twelve consecutive months;
 - (iii) if these total less than one year, for not more than 24 working days per year.

In calculating sick leave entitlements, extensions of appointment granted during the period of sick leave concerned shall not be taken into account.

- (b) A staff member who has exhausted his or her entitlement to sick leave on full pay may take accrued annual leave before being placed on sick leave with half pay.
- (c) If any further absence is necessary when the staff member has exhausted his or her entitlement under (a) and (b) above, he or she shall be placed on special leave without pay until such time as he or she can resume his or her duties or until the expiration or termination of his or her appointment.
- (d) A staff member who is medically unfit for work shall at the earliest opportunity so inform the service to which he or she is attached.
- (e) Any absence because of illness shall be justified by the production of a medical certificate indicating the probable duration of the absence. The certificate shall be drawn up by the attending physician and forwarded to the Chief Medical Officer not later than the fourth day of absence. If the period of necessary absence is extended beyond the date specified, a further certificate shall be drawn up not later than the date specified and forwarded immediately to the Chief Medical Officer. However, production of a medical certificate shall not be required in cases of absence from duty for not more than three consecutive working days, provided that the total period of non-certified sick leave does not exceed seven working days within a period of one calendar year. Any non-certified sick leave in excess of seven working days shall be deducted from annual leave or counted as leave without pay.
- (f) *Deleted.*
- (g) Staff members who have been absent on sick leave for more than 15 consecutive working days must report to the Medical Officer upon resuming their duties.
- (h) During or following any period claimed as sick leave, the Medical Officer or another doctor designated by him or her may investigate such a claim and make leave appropriate checks. Sick leave request may be refused if the Medical Officer considers that it is not or is no longer justified. In case a period requested as sick leave or a part thereof is not approved, the days of absence not approved as sick leave shall be deducted from the number of days of annual leave. If the staff member has no more days of annual leave due to him or her these days of absence shall be counted as special leave without pay.
- (j) A staff member may be authorized by the Medical Officer to take halftime sick leave if his or her state of health does not allow him or her to work fulltime but if it seems desirable, on therapeutic grounds, that he or she partially

resumes his or her duties. Such authorization shall be granted for a period not exceeding three months; it may be extended in exceptional cases.

- (k) A staff member who is on sick leave shall not leave the area of the duty station without the prior authorization of the Chief Medical Officer, failing which he or she shall be refused the benefits of sick leave.
- (l) The Medical Officer may grant sick leave to a staff member *ex officio* if he or she considers that the staff member's state of health does not allow him or her to discharge his or her duties.
- (m) Entitlement to sick leave shall lapse on the effective date of separation from service.

Rule 106.2

Maternity leave

- (a) A staff member shall be entitled to sixteen weeks' maternity leave with full pay upon presentation of a medical certificate stating the probable date of her confinement.
- (b) The maternity leave may commence, at the choice of the expectant mother, between the sixth and the third week preceding the probable date of her confinement; at her request, the leave may commence two weeks only before the probable date of her confinement, provided that the Medical Officer of the Organization certifies that her state of health allows her to discharge her duties properly.
- (c) Maternity leave shall in no case terminate less than eight weeks after the actual date of confinement.
- (d) In exceptional circumstances, such as multiple births, disability, serious injury or illness of the child (or children), staff members shall be entitled to four weeks additional paid leave. Such extended leave shall be subject to approval by the Chief Medical Officer of the Organization.
- (e) Staff members shall be entitled to four weeks additional paid leave for the purpose of breastfeeding their newborn child, subject to approval by the Chief Medical Officer.
- (f) A staff member who returns to duty following maternity leave, may take two hours per day to breastfeed her newborn child until the child reaches the age of nine months.
- (g) Staff members returning from maternity leave may request flexible working hours or part-time working schedule to take care of their newborn child. Such request shall be considered favourably, subject to the requirements of the work unit.
- (h) Except in cases covered by Staff Regulations 9.1.2 and 10.2, a staff member shall not be separated from service during her maternity leave.

Paternity leave

- a) A staff member at Headquarters and in family duty stations away from Headquarters shall be entitled to four weeks' paternity leave.
- b) A staff member shall be entitled to eight weeks' paternity leave when assigned to non-family duty stations or in exceptional circumstances including the death of the mother, inadequate medical facilities and complications encountered at the time of pregnancy.
- c) To recognize the different child care needs of each family, paternity leave may be taken at any time during the first year of the child either continuously or in separate periods.
- d) The paternity leave entitlement may be used only once during each twelve-month period.

Adoption leave

- a) Adoption leave consists of eight weeks' special leave with full pay, normally starting on the date of the adopted child's arrival in the adoptive parent's home. Adoption leave may be taken at any time during the first year of the arrival of the child in the parent's home. The adoptive parent has the option, however, to take up to four weeks of adoption leave during the period preceding the arrival of the child. Adoption leave may be taken as one continuous period or two periods of equal or different duration each.
- b) To qualify for adoption leave, the following criteria must be met:
 - (i) The child must be legally adopted and recognized as dependent under the applicable Staff Rules; in the case of customary adoption, the staff member concerned must have the obligations of a parent by virtue of a legal instrument;
 - (ii) The child must be under 18 years of age at the time of adoption;
 - (iii) The child must not be a stepchild, brother or sister;
 - (iv) The child must not have previously lived with the staff member for an extended period of time;
 - c) Where two staff members are the adoptive parents of the child, and are eligible for adoption leave, their requests for adoption leave shall be granted but their combined periods of adoption leave may not exceed ten weeks.
 - d) Except in cases covered by Staff Regulations 9.1.2 and 10.2, a staff member shall not be separated from service during the adoption leave.

Rule 106.3

Medical care

- (a) A staff member shall participate in the Organization's Medical Benefits Fund if he or she fulfils the conditions for participation laid down in the Rules of the Fund, provided that participation is not expressly excluded by the terms of his or her appointment.
- (b) A staff member who cannot participate in the Medical Benefits Fund shall either:
 - (i) be affiliated to the public social security system of the country of the duty station where such a system exists and if he or she is eligible for such affiliation; or
 - (ii) where such is not the case, be covered by the measures taken by the Organization for that purpose.
- (c) The recognized dependants of a staff member who is a participant in the Medical Benefits Fund may also be admitted to the Fund in accordance with, and subject to the provisions of its Rules.
- (d) Notwithstanding the above provisions, the Director-General may, at his or her discretion, decide that a staff member shall remain affiliated or be affiliated to a national social security system, or be covered by a special accident-illness insurance taken out by the Organization.
- (e) If the Chief Medical Officer considers that necessary medical or dental facilities are unavailable at a duty station away from Headquarters, the Director-General may authorize medical travel at the expense of the Organization for staff members whose recognized home is located outside the country of their duty station, for the spouse and the dependent children of such staff members, provided they reside with him or her at the duty station, from the duty station to the nearest place where such facilities are available, or to the recognized home, and return. Travel may also be authorized for persons instructed by the Director-General to accompany the patient when he or she determines the need therefor. Medical travel may be refused when the medical conditions arise from the wilful misconduct of the person for whom medical travel is sought. The Director-General may decide, after review of the circumstances, to charge medical travel to home leave, family visit or separation travel.

Rule 106.4

United Nations Joint Staff Pension Fund

A staff member shall participate in the United Nations Joint Staff Pension Fund according to his or her eligibility under the Regulations of the Fund, provided that his or her participation is not excluded by the terms of his or her appointment.

Illness, injury or death attributable to the performance of official duties

In the event of illness, injury, disability or death attributable to the performance of official duties, staff members shall be covered as follows:

- (a) A staff member holding a fixed-term or indeterminate appointment, or a temporary appointment for six months or more, or who has completed a six-month period of service uninterrupted by a break of more than thirty days, by the Staff Compensation Plan or such insurance as the Director-General may obtain against such risks;
- (b) A staff member who does not fulfil the conditions laid down in (a) above:
 - (i) by the national social security system to which he or she is affiliated, in accordance with the provisions of that system;
 - (ii) where he or she is not affiliated to a national social security system, in accordance with such provisions as the Organization may establish.

Chapter VII

Travel and removal expenses

- Regulation 7.1 Subject to conditions and limitations laid down by the Director-General, the Organization shall pay travel expenses of staff members and their dependants.
- Regulation 7.2 Subject to conditions and limitations laid down by the Director-General, the Organization shall pay the cost of removal of the effects of staff members.
- Rule 107.1 **Travel entitlements of staff members**
(a) The Organization shall pay the travel expenses of a staff member:
- (i) on appointment, from his or her recognized home or from his or her place of recruitment to the duty station, unless the place in question is within commuting distance of the duty station;
 - (ii) on a change of duty station;
 - (iii) on medical travel authorized under Rule 106.3, unless the expenses are covered by the Medical Benefits Fund;
 - (iv) on home leave under Rule 105.3 from the duty station to his or her recognized home (or to any other place in the same country provided that the cost is not higher) and return;
 - (v) on family visit under Rule 105.4, from his or her duty station to the place of residence of his or her spouse or child and return, provided that the cost to the Organization does not exceed that of travel from his or her duty station to his or her recognized home and return;
 - (vi) on or within 12 months following separation, in respect of travel from the duty station to the staff member's recognized home (unless these places are within commuting distance of each other) or to any other place of his or her choice, provided that the cost is not higher.

- (b) Notwithstanding (a) (vi) above:
- (i) no travel expenses shall be payable where separation is the consequence of an abandonment of post under Rule 105.5 (b);
 - (ii) upon separation following an appointment of less than one year, the Organization may, at its option, pay the travel expenses of the staff member to the place of recruitment only;
 - (iii) if a staff member resigns before completing one year of service, the Organization may decline to pay any travel expenses consequent upon separation;
 - (iv) the Organization may also decline to pay travel expenses consequent upon separation to a staff member who resigns within six months of his or her return from home leave or family visit;
 - (v) where travel expenses are refused or limited under (i), (ii) or (iii) above, transportation of personal effects under Rule 107.9 removal of household goods under Rule 107.10 shall be likewise refused or limited.

Rule 107.2

Travel entitlements in respect of staff member's family

- (a) Where a staff member is entitled to travel at the expense of the Organization under Rule 107.1, the Organization shall pay the travel expenses of eligible members of his or her family under the same conditions as those of the staff member, subject to the provisions of the present Rule. They may travel separately from the staff member if authorized by the Director-General and subject to such conditions as he or she may prescribe. In all cases, the payment of travel expenses is subject to the condition that the timing of the journey must be reasonable in relation to other travel authorized under the present Staff Rules.
- (b) The persons in respect of whom travel expenses shall be payable are: the spouse and dependent children of the staff member and, in the case of travel upon or subsequent to appointment or change of duty station, the fiancé(e) of a staff member provided that marriage takes place within three months of his or her arrival at the duty station, reimbursement to be effected upon presentation of the marriage certificate.
- (c) Payment of travel expenses in respect of family members upon or subsequent to appointment or change of duty station shall be subject to the condition that appointment or assignment to the new duty station is for not less than one year or that the staff member has in fact served not less than one year at the duty station, that travel is effected at least six months before the expiry of the staff member's assignment to the duty station and that they remain at the duty station not less than six months. In the event of departure of a family member after less than six months at the duty station, travel expenses paid in this respect shall be deducted from the staff member's emoluments

- except if the Director-General has authorized his or her departure or considers that there is exceptional justification therefor.
- (d) Travel on home leave of a dependent child whose parents are staff members entitled to home leave and in respect of whom travel expenses are payable under Rule 103.12 (q) or (r) shall be authorized once every two years between the duty station where the child resides and the recognized home of either parent. Such travel shall be authorized once every eighteen months or every twelve months if the child resides with either or both of the parents at a duty station where home leave is granted at intervals of eighteen or twelve months, in accordance with Rule 105.3 (e).
 - (e) Travel on home leave of a dependent child in respect of whom travel expenses are payable under Rule 103.12 (q) or (r) may be authorized once in every two years between the place of study and the staff member's recognized home, subject to the following conditions:
 - (i) the child's travel shall coincide with the staff member's travel on home leave and its timing shall be reasonable in relation to travel authorized under Rule 103.12 (q) or (r);
 - (ii) where two journeys per year are authorized in the context of the education grant under Rule 103.12 (r), the child may not be authorized to effect those two journeys in addition to the travel provided for in this paragraph;
 - (iii) travel expenses between the child's place of study and the staff member's recognized home shall be borne by the Organization up to an amount not exceeding the cost of a return journey between the staff member's duty station and his or her recognized home.
 - (f) Travel from the duty station to the staff member's recognized home, or to some other place provided the cost is not higher, may be authorized in respect of a child who has ceased to be dependent, provided it is effected within one year following the cessation of dependency or in the year following the date of completion of a full-time university course commenced while the child was still dependent.

Rule 107.3

Travel authority

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

Rule 107.4

Route and mode of travel

- (a) All travel at the expense of the Organization shall be by the route, mode of transportation and class prescribed by the Director-General.

- (b) The most direct and economical route and mode of transportation shall be prescribed unless it is established to the satisfaction of the Director-General that the use of an alternative route and/or mode of transportation is in the best interest of the Organization.
- (c) The mode of transportation normally prescribed under (b) above shall be by air.
- (d) Travel by surface means may be authorized, upon request:
 - (i) if the Director-General is satisfied that travel by surface means, including travel on initial appointment, is in the interests of the Organization;
 - (ii) if the Medical Officer of the Organization certifies that the staff member concerned is medically unfit for travel by air;
 - (iii) for reasons of personal convenience, if the exigencies of the service permit, provided that the traveller shall pay for the difference, if any, between the cost of the fare by surface means and that by air.

Rule 107.5

Travel by car

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

Rule 107.6

Travel time

- (a) Travel time shall be the time required for a journey by the route, mode of transportation and class prescribed by the Director-General. (b) The basic standard for computing travel time shall be that required for air travel, except that:
 - (i) when travel by surface means is prescribed under Rule 107.4 (b), or authorized under Rule 107.4 (d) (i) or (ii), travel time shall be that required for the journey by fast direct carrier;
 - (ii) when travel by surface means is authorized for the personal convenience of the staff member under Rule 107.4 (d) (iii) or Rule 107.5, any time required for a journey in excess of that required by air shall be counted as annual leave;
 - (iii) when travel by private car is authorized in the interests of the Organization under Rule 107.5, travel time shall be computed on the basis of 500 kilometres per day by the authorized route.

Rule 107.7

Subsistence allowance

- (a) Subsistence allowance shall be payable, in accordance with the schedule and rates established by the Director-General and such further conditions as he may prescribe, during periods of: (i) travel time authorized under Rule 107.6; (ii) official business away from the duty station; and (iii) approved sick leave taken in the course of official travel.
- (b) Subsistence allowance may be authorized, in accordance with the schedule and rates established by the Director-General and such further conditions as he may prescribe during periods of time spent away from the duty station to obtain medical treatment for which medical travel is authorized under Rule 106.3, for the person receiving such treatment and authorized accompanying person, except that subsistence allowance shall not be payable for periods spent at the place of the recognized home.

Rule 107.8

Travel expenses

- (a) Travel expenses payable by the Organization shall include:
 - (i) the cost of tickets for travel by the route, mode of transportation and class authorized by the Director-General;
 - (ii) subsistence allowance in accordance with the conditions, schedules and rates established by the Director-General;
 - (iii) passport and other similar fees necessitated by official travel;
 - (iv) such additional expenses incidental to official travel as may be approved by the Director-General.
- (b) Reimbursement of travel expenses incurred by the traveller himself or herself shall be limited to allowable expenses for authorized travel by the route, mode of transportation, and class prescribed; expenditures in excess of those authorized, or for travel or travel time devoted to the traveller's personal interest, will be borne by the traveller himself or herself.
- (c) If a staff member reduces the class of accommodation provided by the Organization, or fails to exercise any entitlement in respect to travel, the saving in cost shall neither accrue to him or her nor be used to pay for the travel of a person not authorized to travel at the expense of the Organization.
- (d) The Director-General may authorize the payment of a lump sum in lieu of payment or reimbursement of travel expenses to any staff member who so requests. The amount of this sum and, where appropriate, the method of calculation of the sum, shall be determined by the Director-General.

Transportation of personal effects

- (a) A staff member entitled to the payment of his or her travel expenses under Rule 107.1 may have a certain quantity of personal effects, excluding animals, transported at the expense of the Organization as follows:
 - (i) on appointment or transfer, from the staff member's recognized home, place of recruitment or previous duty station to the new duty station;
 - (ii) on separation, from the duty station to the staff member's recognized home, or to any other place provided that the cost is not higher.
- (b) If the staff member is appointed or transferred from one duty station to another for a period of less than one year but not less than three months, he or she shall be entitled to have the following quantities transported in one shipment:
 - (i) 150 kg (330 lb) in net weight or 0.9 cubic metres (33 cubic feet) in volume by land and/or sea or by air freight if that mode of transportation is more economical;
 - (ii) or, if the staff member travels by air and if he or she so chooses, 30 kg of excess baggage or its equivalent transported by air freight;
- (c) In the case of appointment or transfer for a period of not less than one year, or when a staff member's assignment is extended in such a way as to bring the probable length of his or her continuous service at the same duty station up to not less than one year, the Organization shall pay the cost of transporting personal effects as indicated below:
 - (i) the quantities which may be transported at the expense of the Organization are shown in Annex L;
 - (ii) where a staff member becomes entitled to the transportation of personal effects under (c) above, any quantities he or she may have previously had shipped to the same duty station by virtue of (b) above shall be deducted from his or her new entitlement;
 - (iii) transportation upon appointment or transfer may be effected in one or two shipments, the last shipment to arrive at the duty station not later than six months before the date of expiry of the staff member's assignment, and in any event not later than three years following the date at which the staff member becomes eligible for the transportation entitlement;
 - (iv) transportation upon separation may be effected, in one or two shipments, up to twelve months following the date of separation.
- (d) Where the cost of transportation of personal effects is payable by the Organization, the reasonable cost of packing, crating, unpacking and uncrating shall also be payable. Storage charges shall not be allowed except in so far as they are incidental to transportation.

- (e) Any saving in respect of transportation of personal effects resulting from shipping either less than the maximum weights and volumes allowed or over shorter distances shall not be used to pay for the transportation of goods over longer distances, or of greater weights and volumes, as the case may be.
- (f) In addition, reimbursement may be authorized of up to 75 per cent but not more than \$1,875 of the cost of shipping a staff member's privately owned automobile to the duty station upon appointment or transfer to certain countries, provided that the appointment or transfer is expected to be for not less than two years, that the duty station is situated in a country included in a list of countries issued by the Director-General for this purpose and that the automobile is ordered within six months of the staff member's arrival at the duty station. The staff member shall be required to reimburse the shipping costs incurred by the Organization if the automobile is sold before the end of the appointment or transfer or within three years, whichever is the earlier, subject to the proviso that the Organization may waive such reimbursement if in its opinion the sale is justified by the depreciation of the automobile as a result of the mileage covered or serious damage resulting from an accident. The present paragraph applies only to staff members in the Professional category and above, and to staff members in the General Service category transferred from Headquarters to a duty station away from Headquarters.

Rule 107.10

Removal of household goods

- (a) Subject to the provisions of paragraph (b) below, a staff member entitled to the payment of his or her travel expenses under Rule 107.1 may have a certain quantity of household goods, excluding animals, transported at the expense of the Organization:
 - (i) on appointment, from the staff member's recognized home, place of recruitment, or from any other place provided that the cost is not higher, to the duty station;
 - (ii) on transfer from one duty station to another, from the staff member's recognized home or previous duty station, or from any other place provided that the cost is not higher, to the duty station;
 - (iii) on separation, from the duty station to his or her recognized home or to another place provided that the cost is not higher.
- (b) Removal costs shall be payable by the Organization, provided that:
 - (i) the staff member has been assigned to a duty station where the cost of removing household goods is assumed by the Organization;
 - (ii) the assignment is for not less than two years, or is extended so as to bring the total duration of the assignment up to not less than two years;

- (iii) the household goods are in the staff member's possession at the date of appointment, transfer or separation as the case may be;
 - (iv) removal is effected by sea and/or land, or by air freight if more economical;
 - (v) removal upon appointment or transfer is effected in one or two shipments, the last shipment to arrive at the duty station six months at least before the expiry of the assignment, and in any event not later than three years following the date at which the staff member becomes eligible for the removal of household goods;
 - (vi) removal upon separation is effected in one or two shipments within twelve months following the separation;
 - (vii) where the staff member is also entitled to transportation of personal effects under Rule 107.9, the total number of shipments under both Rules does not exceed three.
- (c) The following quantities of household goods may be transported at the expense of the Organization:
- 3,750 kg (8,250 lb) in gross weight or 30 cubic metres (1,100 cubic feet) in volume if the staff member is not accompanied by any member of his or her family travelling at the expense of the Organization,
 - 5,000 kg (11,000 lb) in gross weight or 40 cubic metres (1,465 cubic feet) in volume if the staff member is accompanied to the duty station or joined there by at least one member of his or her family travelling at the expense of the Organization.

However, where the staff member is also entitled to transportation of his or her personal effects under Rule 107.9, the following deductions shall be made from the above quantities:

- (i) the total weight or volume transported under that Rule by land and/or sea, or by air freight if transportation by another mean is not available, is impractical in view of the geographical circumstances of the duty station or is more expensive;
- (ii) twice the weight or volume transported by air freight in all other cases.

When weight has to be converted into volume, it is assumed that 100 kg = 0.6 cubic metres, (10 lb = 1 cubic foot) or, conversely, that 1 cubic metre = 166.66 kg.

- (d) Where the cost of removal of household goods is payable by the Organization, the reasonable cost of packing, crating, unpacking and uncrating shall also be payable. Storage charges other than those incidental to transportation shall not be allowed, except as provided in (f) below.
- (e) Any saving in respect of removal of household goods, resulting from shipping either less than the maximum weights and volumes allowed or over shorter distances than authorized, shall neither accrue to the staff member nor be used to pay for the transportation of goods over

longer distances, or of greater weights and volumes, as the case may be.

- (f) When a staff member is transferred from a duty station to which he or she was entitled to remove household goods under the present Rule to a duty station to which he or she is not so entitled, he or she shall be reimbursed for not more than seven years storage and other pertinent charges, including the cost of insurance up to a value of \$26,500, in respect of household goods which are in his or her possession at the date of assignment to the new duty station, provided that:
 - (i) he or she is expected to return to his or her previous duty station within seven years, and
 - (ii) the quantity of stored household goods does not exceed the difference between his or her initial removal entitlement under the present Rule and the quantities shipped to the new duty station at the expense of the Organization under Rule 107.9, to be calculated as in (c) above.

Rule 107.11 **Insurance**

- (a) The Organization shall in no case be responsible for loss of or damage to any article transported at its expense.
- (b) The cost of insurance of accompanied baggage or baggage transported in accordance with Rule 107.9 on appointment, transfer and separation shall be payable by the Organization up to a maximum principal amount of:
 - (i) \$8,000 for the staff member;
 - (ii) \$4,000 for the first member of the family travelling at the expense of the Organization; and
 - (iii) \$2,400 for each of the other members of his or her family travelling at the expense of the Organization, up to a total of \$19,200.
- (c) The cost of insurance in transit of household goods in accordance with Rule 107.10, excluding articles of value for which special rates of premiums are charged, shall be payable by the Organization up to a maximum valuation of:
 - (i) \$18,000 if the staff member is not accompanied by members of his or her family travelling at the expense of the Organization;
 - (ii) \$26,500 if the staff member is accompanied by one or more members of his or her family travelling at the expense of the Organization.
- (d) If a staff member entitled to the removal of his or her household goods under Rule 107.10 has already transported personal effects under Rule 107.9 to the same duty station, the value of the effects insured on that occasion shall be deducted from the values insurable at the expense of the Organization under paragraph (c) above.

Rule 107.12

Effect of resignation

If a staff member resigns before completing one year of service or within six months of his or her return from home leave or family visit, the Organization may decline to pay any travel or removal expenses consequent upon separation as provided in the Staff Regulations and Rules.

Rule 107.13

Transportation of decedents

Following the death of a staff member or a person in respect of whom travel expenses were payable under Rule 107.2, the Organization shall pay for the transportation of the remains from the place of death to the staff member's recognized home or to some other place to which the cost of transportation does not exceed the cost to his or her recognized home. These expenses shall include reasonable costs for the preparation of the remains.

Chapter VIII

Staff relations

Regulation 8.1 Machinery shall be provided by the Director-General to ensure continuous contact between the staff and himself or herself through duly elected officials of the association or associations representative of the staff.

Regulation 8.2 The Director-General shall establish joint administrative machinery with staff participation to advise him or her regarding general personnel questions and staff welfare and to make to him or her such proposals as it may desire for amendment of the Staff Regulations and Rules.

Rule 108.1 **Staff associations**

- (a) In determining the representativeness of a staff association, the Director-General shall take into consideration the fact that it includes a sufficiently large number or a sufficiently distinct group of members.
- (b) The constitution of any staff association shall be adopted by the members of the association and submitted to the Director-General for approval.
- (c) An association whose constitution has been approved by the Director-General shall be entitled to submit to the Director-General proposals on matters covered by its constitution.

Rule 108.2 **Advisory Council on Personnel Policies**

- (a) The Director-General shall appoint an Advisory Council on Personnel Policies the purpose of which is defined in Regulation 8.2. It shall consist of a chairperson who shall be the Director of the Bureau of Human Resources Management, four members appointed by the Director-General and four members elected by direct universal

suffrage. The term of office of the members shall be four years, and half of the panel of elected staff members shall be replaced every two years. Elected members shall remain in office until their successors have been appointed or elected.

- (b) No two members shall be of the same nationality. One half of the elected members shall belong to the Professional category; the other half shall belong to the General Service category. Members who are no longer able to serve their term of office may be replaced; in the case of elected members any such replacement shall be effected, taking into account the criterion of nationality, by selecting the person who has obtained the highest number of votes immediately after the two members elected in each category.
- (c) Five members shall constitute a quorum.
- (d) The Council shall meet at three-month intervals and at other times at the request of the Director-General.
- (e) The agenda shall consist of items requested by the Director-General or by at least half the members. It shall not include cases of individual staff members as such.
- (f) The secretariat of the Council shall be provided by the Bureau of Human Resources Management.
- (g) An observer of each recognized staff association may attend meetings of the Council without the right to vote.
- (h) The Council shall submit recommendations to the Director-General and shall forward a copy to each recognized staff association. Minority votes and dissenting opinions shall be recorded in the report, should one or more members so wish.
- (i) Attendance at meetings of the Council shall be regarded as official duty for those concerned, whose supervisors shall give them the necessary latitude.
- (j) The Council shall establish its own rules of procedures.

Chapter IX

Separation from service

- Regulation 9.1 The Director-General may terminate the appointment of a staff member in accordance with its terms, or at any time, if either the necessities of the service require abolition of the post or reduction of the staff, or if the services of the individual concerned cease to be satisfactory, or if he or she is, for reasons of health, incapacitated for further service.
- Regulation 9.1.1 The Director-General may also, giving his reasons therefor, terminate the appointment of a staff member:
- (a) if the conduct of the staff member indicates that the staff member does not meet the highest standards required by Article 6 of the Constitution and by Chapter I of the Staff Regulations.
 - (b) if facts anterior to the appointment of the staff member and relevant to his suitability and which reflect on his present integrity come to light, which, if they had been known at the time of his appointment, should, under the standards established in the Constitution, have precluded his appointment.
- No termination under the provisions of this Regulation shall take effect until the matter has been considered and reported on by a special advisory board appointed for that purpose by the Director-General. This Board shall consist of four staff members chosen by the Director-General in agreement with the staff association or associations and shall have a chairperson nominated by the President of the International Court of Justice. Its reports and opinions, accompanied by a statement of the reasons therefor, shall be communicated to the staff members concerned.
- Regulation 9.1.2 The Director-General may terminate an appointment if such action would be in the interest of the good administration of the Organization and in accordance with the standards of the Constitution, provided that the action is not contested by the staff member concerned.

- Regulation 9.2 Staff members may resign from the Secretariat upon giving the Director-General the notice required under the terms of their contract.
- Regulation 9.3 When the Director-General terminates an appointment under Regulations 9.1, 9.1.1. or 9.1.2, the staff member shall be given notice in accordance with the terms of his contract and entitled to any indemnity payment due to him or her in accordance with the decisions of the General Conference, and without prejudice to his acquired rights.
- Regulation 9.4 The Director-General shall make provision for the payment of repatriation grants at the rates and under the conditions approved by the General Conference.
- Regulation 9.5 Staff members shall not be retained in the service of the Organization beyond the age of sixty, or the age of sixty-two if recruited on or after 1 January 1990, except that when the Director-General considers it to be in the interest of the Organization, he may authorize extension of these limits in specific cases.
- Rule 109.1 **Separation from service**
 The Rules applicable to each cause of separation from service are as follows:
- (i) Resignation: Rule 109.2;
 - (ii) Expiration of appointment: Rules 104.6, 104.8 and 109.3;
 - (iii) Retirement: Rules 109.4 and 109.7 (g) (v);
 - (iv) Termination: Rules 109.5, 109.6, 109.7 and 110.1;
 - (v) Abandonment of post: Rules 105.5, 109.7 (g) (iv) and 109.9 (f);
 - (v) Summary dismissal: Rules 109.6 (c), 109.7 (g) (iii), 109.9 (f) and 110.1.
 - (vii) Death: Rules 103.19 (d), 103.23, 107.13, 109.9 (g), 109.10 and 109.11.
- Rule 109.1 *bis* **Payments upon separation from service**
- (a) The remuneration used as the basis of calculation for the payments provided for in this Chapter in respect of the various causes of separation from service (Indemnity on termination – Rule 109.7; Payment of accumulated leave – Rule 109.8; Repatriation grant – Rule 109.9; Death grant – Rule 109.10) shall be determined as follows:
 - (i) Staff members in the Professional category and above: new net base amount appearing in Annex B.1, except that, for the payment of accumulated leave under Rule 109.8, the calculation of the amount due shall be based on the staff member’s net base salary plus post adjustment applicable on the date of his or her

separation at the duty station from which he or she was separated.

- (ii) Staff members in the General Service Category: annual salary, after staff assessment, supplemented, where applicable, by the non-resident's allowance payable under Rule 103.14 *bis* and the language allowance.
- (b) In the case of a staff member who has been promoted from the General Service category to the Professional category, where the remuneration used as the basis of calculation for separation payments applicable to him or her is less than that applicable to him or her prior to his or her promotion, the amounts to which he or she is entitled shall be calculated on the basis of the higher remuneration.

Rule 109.2

Resignation

- (a) A staff member may resign his or her appointment on giving advance notice in writing as follows:
 - (i) if he or she holds an indeterminate appointment, three months' notice;
 - (ii) if he or she holds a fixed-term appointment and has completed the probationary period, three months' notice;
 - (iii) if he or she holds a fixed-term appointment and has not completed the probationary period, one month's notice;
 - (iv) if he or she holds a temporary appointment and has completed the probationary period, one week's notice in respect of each unexpired month of his or her appointment, or four weeks' notice if the unexpired portion of his or her appointment exceeds four months;
 - (v) if he or she holds a temporary appointment and has not completed the probationary period, one week's notice.
- (b) The Director-General may, at his or her discretion, accept resignations on shorter notice.

Rule 109.3

Expiration of appointment

- (a) A fixed-term appointment or a temporary appointment shall expire automatically and without notice or indemnity on the expiration date specified in the letter of appointment.
- (b) Separation as the result of the expiration of any such appointment shall not be deemed to be a termination within the meaning of the Staff Regulations and Rules.

Rule 109.4

Retirement

Retirement under Staff Regulation 9.5 shall not be deemed to be a termination.

Rule 109.5

Termination

- (a) A termination within the meaning of the Staff Regulations and Rules is a separation initiated by the Director-General, other than retirement or summary dismissal.
- (b) If the necessities of the service require that appointments of staff members be terminated as the result of abolition of posts or reduction in staff, staff members holding indeterminate appointments shall, as a general rule, be retained in preference to those holding other appointments, subject to the availability of suitable vacant posts in which their services could be effectively utilized. Due regard shall be paid in all cases to efficiency, competence, integrity and length of service.

Rule 109.6

Notice of termination

- (a) A staff member whose appointment is terminated under Regulations 9.1, 9.1.1 or 9.1.2 shall, subject to the provisions of (d) below, be entitled to notice as follows:
 - (i) if he or she holds an indeterminate appointment, three months;
 - (ii) if he or she holds a fixed-term appointment and has completed the probationary period, three months;
 - (iii) if he or she holds a fixed-term appointment and has not completed the probationary period, one month;
 - (iv) if he or she holds a temporary appointment and has completed the probationary period, one week in respect of each unexpired month of service up to a maximum of four weeks' notice;
 - (v) if he or she holds a temporary appointment and has not completed the probationary period, one week.
- (b) A staff member whose appointment is terminated under Regulation 10.2 shall not be entitled to notice but may, in the discretion of the Director-General and subject to the provisions of (d) below, be given a period of notice not exceeding that to which he or she would have been entitled had his or her appointment been terminated under Regulations 9.1, 9.1.1 or 9.1.2.
- (c) A staff member who is summarily dismissed under Regulation 10.2 shall not be entitled to notice.
- (d) The Director-General may authorize payment of salary and allowances in lieu of notice or in part thereof.

Rule 109.7

Indemnity of termination

- (a) Upon termination under Regulation 9.1 of an indeterminate appointment, or of a fixed-term appointment after six years or more of service, owing to the abolition of a post or reduction of staff, a termination indemnity

calculated on the basis of a number of years and months of service completed, shall be payable in accordance with the following schedule:

Years of service	Indemnity (months of pay)	
	Indeterminate appointment	Fixed-term appointment
02	3	
03	3	
04	4	
05	5	
06	6	3
07	7	5
08	8	7
09	9	9
10	9.5	9.5
11	10	10
12	10.5	10.5
13	11	11
14	11.5	11.5
15 or more	12	12

- (b) The same indemnity shall be payable in the case of termination for reasons of health under Regulation 9.1, except that its amount shall be reduced by the amount of any disability benefit the staff member receives for the corresponding months from the United Nations Joint Staff Pension Fund.
- (c) Upon termination under Regulation 9.1 of a fixed-term appointment after less than six years of service, owing to the abolition of a post or reduction of staff, a termination indemnity shall be payable at the rate of five days of pay for each unexpired month of service, subject to a minimum of 30 days and a maximum equivalent to three months of pay.
- (d) Upon termination under Regulation 9.1 of a temporary appointment owing to the abolition of a post or reduction of staff, a termination indemnity shall be payable at the rate of:
- (i) five days of pay for each unexpired month of service, subject to maximum of 30 days of pay, if the appointment was for three months or more;
 - (ii) one day's pay for each unexpired period of five working days, subject to a maximum of seven days of pay, if the appointment was for less than three months.

- (e) Upon termination of an appointment under Regulation 9.1.2 a termination indemnity shall be payable at the rate provided for under (a), (b) or (c) above as the case may be, on the understanding that the Director-General may, if he or she considers it justified in the particular circumstances of such a termination, increase the amount of the indemnity by up to 50 per cent.
- (f) In the case of termination for unsatisfactory service under Regulation 9.1, unsuitable conduct under Regulation 9.1.1 or unsatisfactory conduct under Regulation 10.2, a termination indemnity may, at the Director-General's discretion be paid in an amount not exceeding one half of the amount under (a), (b) or (c) above as the case may be.
- (g) No termination indemnity shall be payable to:
 - (i) a staff member who resigns;
 - (ii) a staff member whose fixed-term or temporary appointment expires on the date specified in his or her letter of appointment;
 - (iii) a staff member who is summarily dismissed under Regulation 10.2;
 - (iv) a staff member who abandons his or her post (Rule 105.5);
 - (v) a staff member who is retired under Regulation 9.5.

Rule 109.8

Payment of accumulated leave

- (a) A staff member who has not exhausted the annual leave due to him or her, shall upon separation or when granted special leave without pay pending reassignment, be entitled to receive in lieu thereof a sum of money equivalent to his or her pay for the period of such leave up to a maximum of 60 working days.
- (b) No annual leave shall accrue for any period of accumulated annual leave in lieu of which a staff member receives cash reimbursement.

Rule 109.9

Repatriation grant

- (a) Subject to the provisions of (b) and (c) below, a staff member who has completed one year of continuous service outside the country of his or her recognized home shall be entitled upon separation, as defined in Rule 109.1, to a repatriation grant payable as follows on the basis of completed years and months of qualifying service outside the country of his or her recognized home:

Years of continuous service outside the country of the recognized home	Staff members with a spouse or dependent child at the date of separation	Staff members without a spouse or dependent child at the date of separation	
		Professional category and above	General Service category
	WEEKS OF PAY		
1 year	4	3	2
2 years	8	5	4
3 years	10	6	5
4 years	12	7	6
5 years	14	8	7
6 years	16	9	8
7 years	18	10	9
8 years	20	11	10
9 years	22	13	11
10 years	24	14	12
11 years	26	15	13
12 years or more	28	16	14

- (b) The eligibility of a staff member who has been reinstated or transferred to UNESCO from the United Nations or a Specialized Agency shall be governed by the provisions of this Rule and any entitlement he or she may have to a repatriation grant upon separation thereafter shall be determined as follows:
- (i) if he or she has received no repatriation grant in respect of service accomplished prior to reinstatement or transfer, or has reimbursed it, the total period of his or her qualifying service before and after reinstatement or transfer shall be taken into account subject to the maximum indicated in (a) above;
 - (ii) if he or she has received a repatriation grant, in respect of service accomplished prior to reinstatement or transfer, the repatriation grant to which he may be entitled in respect of qualifying service accomplished after reinstatement or transfer shall not exceed the difference between the number of weeks of pay he would have been entitled to under (i) and the number of weeks of pay which he has already received as a grant;
 - (iii) if he or she has received, in respect of service accomplished prior to reinstatement or transfer, a repatriation grant equivalent to the

appropriate maximum in weeks of pay, as indicated in (a) above, no further grant shall be paid to him or her in respect of service accomplished after reinstatement or transfer.

- (c) A staff member who has accrued qualifying service towards a repatriation grant in accordance with (a) above and who is transferred to a duty station located in the country of his or her recognized home, shall cease to accrue service towards the grant as from the effective date of his or her transfer. The number of years of qualifying service accrued before such transfer shall be reduced by one year in respect of each completed six months of service after transfer. If the staff member is subsequently transferred to a duty station outside the country of his or her recognized home he or she shall be credited, as from the effective date of his or her transfer, with one year of qualifying service towards the grant for every six months of service after such transfer, until he or she has recovered the full amount of qualifying service accrued before his or her transfer to the country of his recognized home. He or she shall thereafter accrue qualifying service in accordance with (a) above.
- (d) The repatriation grant shall be paid at the higher rate to a staff member with a spouse or dependent child, regardless of their place of residence.
- (e) Where both husband and wife are staff members and each is entitled to a repatriation grant upon separation, the amount of the grant paid to them shall be calculated as follows:
 - (i) where no dependent children are recognized, the grant shall be paid to each of the spouses, at the lower rate, according to their respective entitlements upon separation, on the understanding that the last spouse to be separated may claim payment at the higher rate, from which shall be deducted the amount of the grant paid to the other spouse upon separation;
 - (ii) where dependent children are recognized, the first parent to be separated may claim payment at the higher rate. In this event the second parent may claim payment, upon separation, at the lower rate for the period of qualifying service subsequent to the separation of the first parent or, if eligible, at the higher rate for the whole period of qualifying service from which shall be deducted the amount of the grant paid to the first parent upon separation.
- (f) A staff member who abandons his or her post or is terminated for misconduct or summarily dismissed under Regulation 10.2, shall not be entitled to a repatriation grant, subject to the proviso that a staff member who is terminated for misconduct under Regulation 10.2 may, at the discretion of the Director-General, be granted an amount not exceeding the amount to which he or she would have been entitled if he or she had been terminated under Regulations 9.1, 9.1.1 or 9.1.2.

- (g) In the event of the death of an eligible staff member, the grant shall be paid to his or her spouse or, if he or she leaves no spouse, to his or her dependent child or children, at the lower rate if there is one such survivor or at the higher rate if there are two or more such survivors. If no spouse or dependent child survives the staff member, the repatriation grant shall not be payable.
- (h) Payment of the repatriation grant shall be subject to the production by the former staff member or, in the event of his or her death, by his or her surviving spouse, or, if he or she leaves no spouse, by his or her dependent child or children, of evidence satisfying the Director-General of his or her (or their) relocation in a country other than the country of the staff member's last duty station. The repatriation grant shall not be paid if the supporting evidence is not produced within a period of two years from the date of separation, unless the Director-General decides otherwise owing to exceptional circumstances. However, staff members already in service before 1 July 1979 shall not be bound to produce evidence of relocation to receive that part of the grant acquired before this date.

Rule 109.10

Death grant

- (a) In the event of the death of a staff member holding an indeterminate appointment or a fixed-term appointment, or a staff member who has completed at least one year of continuous service, his or her spouse or, if he or she leaves no spouse, his or her dependent child or children shall receive a grant based upon completed years and months of service in accordance with the following schedule:

Years of service	Grant (months of pay)
3 or less	3
4	4
5	5
6	6
7	7
8	8
9 or more	9

- (b) If no spouse or dependent child survives the staff member the death grant shall not be payable.

Rule 109.11

Effective date of separation from service

- (a) The effective date of separation shall be the expiry date of the staff member's appointment or the date of his or her resignation, retirement, death, termination, or summary dismissal as the case may be, or the first day of unauthorized absence in the event of abandonment of post.
- (b) Upon separation, except in the case of summary dismissal, a staff member whose recognized home is outside the country of the duty station, shall be allowed to relinquish his or her duties in time to enable him or her to reach his or her recognized home, by an approved route, on the date referred to in (a) above.
- (c) When a staff member who is entitled to repatriation travel decides, for personal reasons, not to exercise his or her entitlement to such travel until after the effective date of his or her separation from service, no salary or allowances other than travel per diem shall be paid to him or her in respect of travel time.

Rule 109.12

Certificate of service

Any staff member who so requests shall, on separation, be given by the Office of Human Resources Management a certificate specifying the nature of his or her duties and the length of his or her service. On the written request of the staff member concerned, the certificate shall include an appraisal of his or her work and behaviour.

Rule 109.13

Special Advisory Board

The Chairperson of the Special Advisory Board shall establish the procedures of the Board in general and for particular cases. The proceedings and reports shall be secret and confidential but its reports and opinions, accompanied by a statement of the reasons therefore, shall be communicated by the Bureau of Human Resources Management to the staff member concerned.

Rule 109.14

Suspension

When the Director-General decides to submit a matter under Regulation 9.1.1 to the Special Advisory Board the staff member concerned may be suspended from his or her functions with pay, without prejudice to his or her acquired rights.

Chapter X

Disciplinary measures

- Regulation 10.1 The Director-General shall establish administrative machinery with staff participation to advise him or her in disciplinary cases.
- Regulation 10.2 The Director-General may impose disciplinary measures on staff members whose conduct is unsatisfactory. Notwithstanding the provisions of Regulation 10.1, the Director-General may summarily dismiss a member of the staff for serious misconduct.
- Rule 110.1 **Disciplinary measures**
- (a) The disciplinary measures which the Director-General may impose on staff members whose conduct is unsatisfactory are: written censure, deferment or withholding of within-grade salary increment, blockage of promotion, demotion by transfer, termination and summary dismissal.
 - (b) In imposing a written censure, the Director-General may decide that it shall be removed from the staff member's record if there has been no recurrence of unsatisfactory conduct within a period to be fixed by the Director-General.
 - (c) In imposing the deferment or withholding of within-grade salary increment, the Director-General shall fix the period of deferment or the number of increments to be withheld.
 - (d) In imposing blockage of promotion, the Director-General shall fix the period during which this measure shall be applied.
- Rule 110.2 **Joint disciplinary committees**
- (a) No disciplinary measure, other than summary dismissal or written censure under Regulation 10.2 or termination under Regulation 9.1.1,

- shall be imposed on a staff member until the case has been referred by the Director-General to a Joint Disciplinary Committee for advice and until he or she has considered its advice. Reference to a Joint Disciplinary Committee may, however, be waived by agreement of the staff member concerned and the Director-General.
- (b) Each Committee shall consist of a chairperson, who shall direct the discussions, ensure observance of the administrative provisions in force and the correct procedure, and supervise the drafting of the report, and of four members who shall sit in a personal capacity. The chairperson shall be chosen by the Bureau of Human Resources Management from the panel of chairpersons of the Personnel Advisory Boards described in Rule 104.1 paragraph (e); half of the members shall be chosen from the panel of elected members eligible to sit on the Appeals Board as described in paragraph 2 (c) of the Statutes of the Appeals Board; the other half shall be appointed by the Director-General.
 - (c) As far as possible, no member of a Joint Disciplinary Committee shall have a grade lower than that of the person concerned. In forming each Committee the Bureau of Human Resources Management shall not include any staff member from the sector, office or bureau of the staff member whose case is under consideration nor select more than one member of the same nationality.
 - (d) When the case of a staff member away from Headquarters is to be considered the Director-General may set up an *ad hoc* Joint Committee away from the Headquarters of the Organization, whose chairperson and members need not be drawn from the panels described in paragraph (b) above. The chairperson and half of the members shall be appointed by the Director-General. The other members shall be appointed by the recognized staff association or one of such associations, the choice, if there is more than one, being left to the staff member concerned. Should the staff member not exercise his or her choice within the time allowed, the association shall be designated by the Director-General.
 - (e) Any staff member brought before a Joint Disciplinary Committee may object to not more than two of the persons authorized to sit on that Committee. When the staff member concerned exercises this right one or two other persons, as necessary, shall be appointed. The same procedure shall be applied when several staff members are brought before a committee in connection with the same matter.
 - (f) Proceedings of the Committees and their reports together with their recommendations to the Director-General shall be confidential.
 - (g) In considering cases a Joint Disciplinary Committee shall act with maximum dispatch and shall tender its advice within thirty days from the closing date of the Committee's hearing of the case. Proceedings

before a Committee shall be based on a written presentation of the charge, together with a brief statement and the rebuttal, which may be made in writing or orally or both by the staff member concerned.

- (h) A staff member whose case is before a Joint Disciplinary Committee shall have the right to choose another staff member, serving at the place where the case is heard, to assist or represent him or her before the Committee.
- (i) Attendance at meetings of the Committees shall be regarded as official duty for those concerned, whose supervisors shall give them the necessary latitude.
- (j) The report of each Committee shall contain the recommendation or recommendations formulated by the Committee and a brief account of the reasons for each recommendation. Minority votes and dissenting opinions shall be recorded in the report, should one or more members so wish. The report shall be signed by the chairperson and the members.
- (k) The secretariat of the Committee shall be provided by the Bureau of Human Resources Management.
- (l) Rules of Procedure for the Committee shall be established by the Director-General.

Rule 110.3

Suspension pending investigation

If the Director-General considers that there is *prima facie* evidence of serious misconduct by a staff member and that the staff member's continuance in service pending a decision by him or her would prejudice the interests of the Organization, the Director-General may suspend the staff member from his or her functions, without prejudice to his or her acquired rights, with pay or, in exceptional cases, without pay.

Chapter XI

Appeals

- Regulation 11.1 The Director-General shall maintain an Appeals Board, with staff participation, to advise him or her when a staff member lodges an appeal against disciplinary action, or against an administrative decision, alleging that it conflicts with the terms of his or her appointment or with any relevant regulation or rule.
- Regulation 11.2 The Administrative Tribunal approved from time to time by the General Conference shall be the final court of appeal for staff members against a decision of the Director-General alleged to conflict with their terms of appointment, or with any relevant regulation.
- Rule 111.1 **Appeals Board**
Staff members shall have access to the Appeals Board in accordance with the Statutes of that Board (see Annex A).
- Rule 111.2 **Administrative Tribunal**
- (a) Staff members shall have the right to appeal against a decision of the Director-General, taken after reference to the Appeals Board under Rule 111.1, to the Administrative Tribunal, in accordance with the provisions of the Statute of that Tribunal.
 - (b) Notwithstanding the terms of (a) above, a staff member may, in agreement with the Director-General, waive the jurisdiction of the Appeals Board and appeal directly to the Administrative Tribunal. In such cases the decision impugned shall be considered as final, and the staff member shall be deemed to have exhausted all other means of resisting it.

Chapter XII

General provisions

Regulation 12.1 These Regulations may be supplemented or amended by the General Conference subject to the maintenance of the acquired rights of staff members.

Regulation 12.2 The Director-General shall report to each session of the General Conference such Staff Rules and amendments thereto as he or she may make to implement these Regulations.

Rule 112.1 **Effective date of Staff Rules**
The present revised edition of the *Staff Regulations and Staff Rules* incorporates all the amendments to it that have been approved by the Director-General. The effective date of any modification to its provisions shall be that indicated in the note advising staff members of the modification.

Rule 112.2 **Amendments and exceptions to Staff Rules**
(a) These Rules may be amended by the Director-General in a manner consistent with the Staff Regulations.
(b) The Director-General may make exceptions to the Rules, in specific cases, provided that such exceptions are not inconsistent with the Staff Regulations and do not constitute a breach of contract or prejudice the acquired rights of staff members, and are in the interests of the Organization. Such exceptions shall be made a matter of record, and shall be made known to the Executive Board or the General Conference on request.

Rule 112.3

Liability insurance

All staff members who may become liable to third parties for personal injury, death or property damage as a result of the use of a motor vehicle shall obtain adequate insurance against such liability.

Rule 112.4

Loss of or damage to personal property

- (a) Subject to Staff Rule 107.11 (a), the Director-General may authorize the indemnification of a staff member for loss of or damage to a personal property as a result of conditions of service provided that reasonable precautions had been taken to safeguard and, whenever feasible, insure the property and provided that claims for such indemnification shall normally be limited to items of basic living. In no single case may the indemnification exceed the equivalent of:
 - (i) \$30,000 if none of the members of the staff member's family authorized to travel under Rule 107.2 reside with him or her at the duty station;
 - (ii) \$40,000 if any member of the staff member's family as defined above resides with him or her at the duty station.
- (b) The Director-General may authorize the indemnification of a staff member for loss of or damage to a personal property as a direct result of political disturbances or of a natural disaster. The indemnity payable to the staff member shall not exceed:
 - (i) \$30,000 if none of the members of his or her family under Rule 107.2 are in the area affected;
 - (ii) \$40,000 if any member of his or her family is in the area or has been evacuated from the area in accordance with the security measures prescribed;
 - (iii) in addition, an indemnity not exceeding \$15,000 may be authorized for the loss of or damage to one automobile including all accessories. In the event of the loss or total destruction of the automobile, the Organization may reimburse the cost of transportation of a new vehicle within the limits laid down in Rule 107.9 (f).

Annex A

Statutes of the Appeals Board

Purpose of the Appeals Board

1. The Appeals Board shall advise the Director-General, with whom the final decision shall rest, on appeals made by members of the staff.

Membership of the Board

2. The Board shall consist of five members, having equal votes, selected as follows:
 - (a) A Chairperson appointed by the Executive Board. An alternate Chairperson may be appointed in the same manner.
 - (b) Two members appointed by the Director-General, subject to (d) and (e) (i) below, for each appeal.
 - (c) Two members representing the staff, appointed in rotation, subject to (d), (e) and (f) below, for each appeal, by the Chairperson of the Board from a panel divided into two groups elected every two years by a ballot of staff members as follows:

Group I: fifteen members from the Principal Officer and Director and the Professional categories. Group II: fifteen members from the General Service category.

Not more than two of the fifteen members in Group I and not more than three in Group II shall be of the same nationality.
 - (d) In appointing members for each appeal the Director-General and the Chairperson of the Board shall not appoint any member from the appellant's Division, Bureau or Office and shall observe the principle of equitable geographical distribution.

- (e) (i) On an appeal by a staff member in the Principal Officer and Director category, or in the Professional category, no member shall be appointed from the General Service category.
 - (ii) On an appeal by a staff member in the General Service category, at least one of the representatives of the staff shall be appointed from Group II of the Panel.
 - (f) A staff member appealing to the Board may object to not more than two members of the staff panel and, in that case, the Chairperson shall appoint two other members of the panel.
3. The Director-General shall appoint a Secretary to the Board.
 4. The Administration and the staff association or associations may each be represented by an observer at all hearings by the Board. Every effort shall be made to select as observers persons to whom the appellant has no personal objection.

Jurisdiction of the Board

5. (a) The Board shall consider appeals against an administrative decision or against any disciplinary action where a staff member alleges that it conflicts either in substance or in form with the terms of his or her contract, or with any Staff Regulation or Staff Rule relevant to his or her case.
 - (b) In cases in which the decision appealed against is based on grounds of inefficiency or relative efficiency, the Board shall not have jurisdiction to determine the substantive question of efficiency, but only the question as to whether the decision was affected by prejudice or other extraneous factor.
 - (c) In case of doubt, the Board shall itself decide whether it is competent in accordance with these terms of reference.
6. A staff member, in agreement with the Director-General, may waive his or her right of recourse to the Board and appeal directly to the Administrative Tribunal and in such case the decision impugned shall be considered as final and the staff member shall be deemed to have exhausted all other means of resisting it.

Preliminary procedure

7. (a) A staff member who wishes to contest any administrative decision or disciplinary action shall first protest against it in writing. The protest shall be addressed to the Director-General through the Director of the Bureau of Human Resources Management, within a period of one month of the date of receipt of the decision or of

the action contested by the staff member if he is stationed at Headquarters and within a period of two months if he or she is stationed away from Headquarters or if he or she has been separated from the Organization.

- (b) The Director-General's ruling on the protest under (a) above shall be communicated to the staff member by the Director of the Bureau of Human Resources Management within one month of the date of the protest if the staff member is stationed at Headquarters, and within two months if he or she is stationed away from Headquarters or if he or she has been separated from the Organization.
 - (c) If the staff member wishes to pursue his or her contestation, he or she shall address a notice of appeal in writing to the Secretary of the Appeals Board. The time-limit for the submission of a notice of appeal, to be counted from the date of receipt of the Director-General's ruling (or, if no ruling was communicated to the staff member within the time-limit under (b) above, from the expiry of that time-limit), is one month in the case of a staff member stationed at Headquarters and two months in the case of a staff member stationed away from Headquarters or who has been separated.
 - (d) The notice of appeal under (c) above shall state the date and nature of the decision or action against which the appeal is directed, the date of the protest under (a) above and the date of the Director-General's ruling under (b) above or the fact that no ruling was communicated to the appellant within the appropriate time-limit.
 - (e) Unless the staff member concerned provides proof to the contrary, notice of any ruling or action shall be deemed to have been received one day after the date on which it was sent in the case of a staff member stationed at Headquarters and one week in the case of a staff member stationed away from Headquarters.
8. The time-limits laid down in paragraph 7 may be extended by the Director-General in exceptional circumstances.

Procedure before the Appeals Board

- 9. A staff member may have his or her appeal presented to the Board on his or her behalf by any other member of the Secretariat, stationed at Headquarters.
- 10. Within one month of the notice of appeal, the appellant or his or her representative shall file a detailed appeal in accordance with the model set forth in the Appendix to these Statutes. If the detailed appeal is irregular in any respect, the Secretary of the Board shall return it for rectification, and may grant up to one month for resubmission.

11. Upon receipt of the detailed appeal, the Secretary of the Board shall immediately forward copies to the Chairperson of the Board and to the Administration. Further copies shall be forwarded to the members of the Board, as soon as they are appointed in accordance with paragraph 13.
12. Within one month of the receipt of the detailed appeal, the Administration shall submit to the Secretary of the Board its detailed reply with supporting documents in eight copies. The Secretary of the Board shall immediately forward copies to the Chairperson, to Board members when appointed and to the appellant.
13. Upon receipt of the reply under paragraph 12 (or, failing such a reply upon expiry of the time-limit for its submission), the Chairperson and the Director-General shall appoint members of the Board, in accordance with paragraph 2, to hear the appeal. The Secretary of the Board shall inform the persons appointed and shall inform the appellant of their names. Members so appointed who are unable to serve shall notify the Secretary of the Board immediately. They shall return to the Secretary any documents relating to the case.
14. The Secretary of the Board shall convene the Board to hear the appeal as soon as possible and not later than two months after receiving the reply under paragraph 12 (or, failing such a reply, after the expiry of the time-limit for its submission).
15. The hearing shall be in camera. It shall commence with a brief oral statement of the case by the appellant or his or her representative, followed by an oral reply by the representative of the Director-General. The parties may give evidence and call witnesses. The parties, and at the discretion of the Chairperson, any member of the Board may question all those who give evidence. The two parties and any member of the Board may request the production of any relevant documents. Evidence shall be voluntary.
16. On the completion of the hearing, the Board shall consider the case in private.
17. At the end of these deliberations, the Board shall by a majority vote adopt a report summarizing the case and advising the Director-General on what action, if any, he or she should take. Dissenting votes, and dissenting opinions (if the dissenting members desire) shall be stated in the report. The recommendations shall be made in relation to the Staff Regulations and the Staff Rules.
18. The Chairperson of the Appeals Board may, in agreement with the Director-General, extend the time-limits provided for in paragraphs 10 and 12 above.
19. The Secretary shall forward the report as soon as possible to the Director-General and a copy to the appellant.

20. The Director-General shall make a decision thereon as soon as possible and shall notify the Chairperson of the Board and the appellant.

Records and Reports

21. (a) All proceedings of the Board shall be confidential. Records of the Board shall be confidential and shall be kept by the Secretary of the Board.
- (b) The report of the Board shall be confidential unless otherwise decided by the Director-General. An appellant may disclose the report to the Administrative Tribunal. Reports of the Board and decisions of the Director-General thereon shall be communicated for information to the members of the Executive Board.
- (c) Intending appellants who have protested under paragraph 7, members of the Board appointed for any particular case and the President or Presidents of the staff association or associations may examine all previous reports of the Board, and decisions made thereon by the Director-General.

Appeals by staff members serving away from Headquarters

22. In the case of an appeal by a staff member serving away from Headquarters, if the Director-General after consultation with the Chairperson decides that the presence of the appellant is necessary, he may arrange for the journey to be made at the Organization's expense, either by combining it with official travel or otherwise. If the Director-General does not consider the appellant's presence necessary, the appellant has the right nevertheless to attend the hearing provided that he travels at his or her own expense and at a time approved by the Director-General.

Amendment of these Statutes

23. Paragraphs 2, 5 and 6 may be amended only by the General Conference. The remainder of the Statutes and the Appendix may be amended only by the General Conference or the Executive Board.

Appendix to the Statutes of the Appeals Board

Form in which appeals by Staff Members shall be drawn up.
Appeals shall be submitted in eight copies in the following form, in one of the working languages.

Form

- (a) Surname, first name, and civil status of the appellant.
- (b) Nationality of the appellant.
- (c) The appellant's address for the purpose of the proceedings.
- (d) Grade of the appellant, Sector, Service or Bureau to which he belongs, his or her duty station and a statement of his or her duties.
- (e) Authority and date of the administrative decision or disciplinary action against which the appeal is directed.
- (f) Date of the protest submitted under paragraph 7 (a).
- (g) Date of the Director-General's ruling under paragraph 7 (b) (or date by which such ruling should have been communicated).
- (h) A signed list of documents submitted. These documents must include the text of the appellant's protest, and the text of the Director-General's ruling on the protest (or a statement that no ruling was made within the statutory time-limit). Additional documents may be included by the appellant.
- (i) A short statement of facts and arguments advanced.
- (j) Nominations of witnesses whom the appellant wishes to be called on his or her behalf.
- (k) Conclusions sought by the appellant.
- (l) Date, and appellant's signature.

Annex B

I. Annual gross and net salaries for the Professional category and above

(Rule 103.1) – (In US dollars) – Effective date: 1 January 2009

	Echelon	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
DDG	Brut	194 820														
	Net Dependant	139 633														
	Net Single	125 663														
ADG	Brut	177 032														
	Net Dependant	128 071														
	Net Single	115 973														
D-2	Brut	145 112	148 187	151 322	154 540	157 757	160 974									
	Net Dependant	107 176	109 267	111 359	113 451	115 542	117 633									
	Net Single	98 461	100 226	101 985	103 737	105 486	107 225									
D-1	Brut	132 609	135 310	138 006	140 707	143 409	146 107	148 809	151 578	154 402						
	Net Dependant	98 674	100 511	102 344	104 181	106 018	107 853	109 690	111 526	113 361						
	Net Single	91 206	92 802	94 394	95 982	97 568	99 150	100 725	102 300	103 870						
P-5	Brut	109 690	111 987	114 285	116 581	118 879	121 175	123 474	125 771	128 068	130 365	132 662	134 959	137 257		
	Net Dependant	83 089	84 651	86 214	87 775	89 338	90 899	92 462	94 024	95 586	97 148	98 710	100 272	101 835		
	Net Single	77 190	78 578	79 962	81 345	82 726	84 102	85 478	86 851	88 222	89 590	90 956	92 318	93 680		
P-4	Brut	89 982	92 075	94 168	96 261	98 356	100 475	102 694	104 909	107 126	109 340	111 559	113 774	115 991	118 209	120 426
	Net Dependant	69 287	70 794	72 301	73 808	75 316	76 823	78 332	79 838	81 346	82 851	84 360	85 866	87 374	88 882	90 390
	Net Single	64 521	65 894	67 266	68 634	70 002	71 369	72 735	74 098	75 460	76 822	78 181	79 540	80 898	82 254	83 609
P-3	Brut	73 546	75 483	77 424	79 358	81 299	83 235	85 172	87 113	89 050	90 988	92 928	94 863	96 803	98 739	100 716
	Net Dependant	57 453	58 848	60 245	61 638	63 035	64 429	65 824	67 221	68 616	70 011	71 408	72 801	74 198	75 592	76 987
	Net Single	53 629	54 912	56 196	57 480	58 765	60 046	61 328	62 614	63 895	65 178	66 457	67 737	69 014	70 294	71 573
P-2	Brut	59 908	61 643	63 375	65 110	66 843	68 575	70 310	72 039	73 775	75 510	77 242	78 978			
	Net Dependant	47 634	48 883	50 130	51 379	52 627	53 874	55 123	56 368	57 618	58 867	60 114	61 364			
	Net Single	44 679	45 812	46 941	48 073	49 202	50 334	51 464	52 593	53 722	54 850	55 976	57 102			
P-1	Brut	46 553	48 036	49 514	51 122	52 785	54 450	56 118	57 785	59 447	61 114					
	Net Dependant	37 708	38 909	40 106	41 308	42 505	43 704	44 905	46 105	47 302	48 502					
	Net Single	35 570	36 675	37 781	38 886	39 991	41 095	42 201	43 293	44 379	45 466					

II . Children's and Secondary Dependand's Allowances for Professional and higher categories

Effective 1 January 2009

Amounts for staff who become eligible on or after 1 January 2009

Country or area	Currency	Children's Allowance ¹	Secondary Dependand's Allowance
Austria	Euro	2 031	711
Belgium	Euro	2 031	711
Denmark	Danish krone	15 125	5 293
France	Euro	2 031	711
French Guiana	Euro	2 031	711
Germany	Euro	2 031	711
Ireland	Euro	2 031	711
Japan	Yen	242 546	84 882
Luxembourg	Euro	2 031	711
Monaco	Euro	2 031	711
Netherlands	Euro	2 031	711
Switzerland	Swiss franc	3 014	1 055
USA and the rest of the world	US dollar	2 686	940

¹ The allowance for a disabled child is worth double these amounts

Amounts for staff who became eligible between 1 Jan 2007 and 31 Dec 2008

Country or area	Currency	Children's Allowance ¹	Secondary Dependand's Allowance
Austria	Euro	2 092	763
Belgium	Euro	2 031	711
Denmark	Danish krone	15 125	5 293
France	Euro	2 031	711
French Guiana	Euro	2 031	711
Germany	Euro	2 108	751
Ireland	Euro	2 031	711
Japan	Yen	368 282	160 981
Luxembourg	Euro	2 031	711
Monaco	Euro	2 031	711
Netherlands	Euro	2 074	711
Switzerland	Swiss franc	3 349	1 420
USA and the rest of the world	US dollar	2 686	940

¹ The allowance for a disabled child is worth double these amounts

Amounts for staff who become eligible before 1 January 2007

Country or area	Currency	Children's Allowance ¹	Secondary Dependand's Allowance
Austria	Euro	2 231	814
Belgium	Euro	2 031	711
Denmark	Danish krone	15 125	5 293
France	Euro	2 031	711
French Guiana	Euro	2 031	711
Germany	Euro	2 248	802
Ireland	Euro	2 031	711
Japan	Yen	395 216	173 216
Luxembourg	Euro	2 031	711
Monaco	Euro	2 031	711
Netherlands	Euro	2 211	757
Switzerland	Swiss franc	3 576	1 521
USA and the rest of the world	US dollar	2 686	940

¹ The allowance for a disabled child is worth double these amounts

Annex C

Education Grant Entitlements

Effective from the scholastic year in progress on 1 January 2009

Currency	Maximum admissible expenses and maximum grant for disabled children	Maximum education grant	Normal flat rate when boarding not provided ^a	Additional flat rate for boarding (at designated duty stations)	Maximum grant for staff at designated duty stations ^a
Euro					
Austria	16 719	12 539	3 709	5 564	18 103
Belgium	15 458	11 593	3 452	5 178	16 771
France ^b	10 263	7 697	2 995	4 493	12 190
Germany	18 993	14 245	4 179	6 269	20 514
Ireland	17 045	12 784	3 112	4 668	17 452
Italy	18 936	14 202	3 128	4 692	18 894
Monaco	10 263	7 697	2 995	4 493	12 190
Netherlands	16 521	12 391	3 844	5 766	18 157
Spain	15 139	11 354	3 153	4 730	16 084
Danish krone	108 147	81 110	26 219	39 329	120 439
Japanese yen	2 324 131	1 743 098	607 703	911 555	2 654 653
Swedish krona	157 950	118 462	24 653	36 980	155 442
Swiss franc	28 749	21 562	5 458	8 187	29 749
Pound sterling	22 674	17 005	3 488	5 232	22 237
United States dollar (in the United States of America) ^c	39 096	29 322	5 777	8 666	37 988
United States dollar (outside the United States of America) ^d	19 311	14 484	3 655	5 483	19 967

^a Applies only in respect of children at the primary and secondary levels of education - Staff Rule 103.12 (k).

^b Except for the following schools, where the US dollars in the United States levels will be applied:

- American School of Paris.
- American University of Paris.
- British School of Paris.
- European Management School of Lyon.
- International School of Paris.
- Marymount School of Paris.
- The Ecole Active Bilingue Victor Hugo (for English curriculum only).
- Ecole Active Bilingue Jeanine Manuel (for English curriculum only).

^c Also applies, as a special measure, for Bulgaria, China, Hungary, Indonesia and the Russian Federation

^d Includes Finland, which is no longer tracked as a separate zone.

Annex D

General Service category at Headquarters

I. Annual salary scale showing gross and net amounts after application of staff assessment and amounts of pensionable remuneration, applicable to staff members in service on 31 December 1999

(Rule 103.1) - (In Euros) - Effective date: 1 October 2009

In Euros		En Euros															
		Steps/Echelons															
Level/Grade		I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV	XVI
G1	Brut	30233	31328	32422	33517	34612	35706	36801	37895	38990	40085	41179	42274				
	Net	23812	24622	25432	26242	27052	27862	28672	29482	30292	31102	31912	32722				
	Pensionnable	29638	30690	31740	32792	33843	34896	35947	36996	38051	39101	40153	41204				
G2	Brut	33754	34967	36181	37394	38608	39821	41035	42248	43462	44784	46085	47386	48688	49989		
	Net	26417	27315	28213	29111	30009	30907	31805	32703	33601	34499	35397	36295	37193	38091		
	Pensionnable	33020	34188	35354	36522	37689	38855	40023	41189	42356	43523	44690	45858	47023	48192		
G3	Brut	37664	39010	40356	41702	43048	44482	45926	47369	48813	50256	51699	53143	54586	56030		
	Net	29311	30307	31303	32299	33295	34291	35287	36283	37279	38275	39271	40267	41263	42259		
	Pensionnable	36779	38073	39367	40664	41959	43253	44547	45844	47137	48432	49735	51082	52429	53776		
G4	Brut	41997	43513	45114	46715	48317	49918	51520	53121	54723	56324	57926	59527	61128	62730	64331	
	Net	32517	33622	34727	35832	36937	38042	39147	40252	41357	42462	43567	44672	45777	46882	47987	
	Pensionnable	40944	42381	43818	45254	46691	48124	49562	51057	52550	54045	55539	57034	58530	60022	61518	
G5	Brut	47071	48849	50627	52405	54184	55962	57740	59518	61297	63075	64853	66631	68410	70188	71966	73744
	Net	36077	37304	38531	39758	40985	42212	43439	44666	45893	47120	48347	49574	50801	52028	53255	54482
	Pensionnable	45566	47160	48753	50378	52033	53691	55350	57007	58663	60320	61978	63638	65294	66949	68607	70265
G6	Brut	52797	54769	56742	58714	60686	62659	64631	66604	68576	70549	72521	74494	76466	78439	80411	
	Net	40028	41389	42750	44111	45472	46833	48194	49555	50916	52277	53638	54999	56360	57721	59082	
	Pensionnable	50743	52584	54421	56258	58096	59936	61775	63613	65452	67289	69129	70968	72806	74670	76641	
G7	Brut	59147	61336	63524	65713	67901	70089	72278	74466	76655	78843	81031	83220	85408	87597		
	Net	44410	45920	47430	48940	50450	51960	53470	54980	56490	58000	59510	61020	62530	64040		
	Pensionnable	56665	58706	60747	62788	64829	66870	68910	70952	72993	75088	77275	79467	81654	83842		

Le taux de change utilisé pour la conversion des traitements nets en bruts est de 1 US DOLLAR = 0,720 EURO, représentant la moyenne des taux pratiqués durant les 36 derniers mois, incluant le mois d'ajustement.

The exchange rate used for conversion of net salary amounts to gross is 1 US Dollar = 0,720 EURO, being an average of exchange rates for previous 36 months including the month of adjustment

Family allowances (Rule 103.13)

Dependent spouse	2	305 Euros
First dependent child of staff member with no spouse	3	734 Euros
First dependent child of a staff member with spouse	1	909 Euros
Each subsequent dependent child	1	909 Euros

Language allowance (Rule 103.15)

For first language	1,770 Euros
For second language	885 Euros

General Service category at Headquarters

II. Annual salary scale showing gross and net amounts after application of staff assessment and amounts of pensionable remuneration, applicable to staff members in service as from 1 January 2000

(Rule 103.1) - (In Euros) - Effective date: 1 October 2009

In Euros		En Euros											
Level/Grade		I	II	III	IV	V	Steps/Echelons		VIII	IX	X	XI	XII (*)
							VI	VII					
G1	Brut	30233	31328	32422	33517	34612	35706	36801	37895	38990	40085	41179	42274
	Net	23812	24622	25432	26242	27052	27862	28672	29482	30292	31102	31912	32722
	Pensionnable	29638	30690	31740	32792	33843	34896	35947	36996	38051	39101	40153	41204
G2	Brut	33754	34967	36181	37394	38608	39821	41035	42248	43462	44674	46085	47386
	Net	26417	27315	28213	29111	30009	30907	31805	32703	33601	34499	35397	36295
	Pensionnable	33020	34188	35356	36522	37689	38855	40023	41189	42356	43523	44690	45858
G3	Brut	37664	39010	40356	41702	43048	44482	45926	47369	48813	50256	51699	53143
	Net	29311	30307	31303	32299	33295	34291	35287	36283	37279	38275	39271	40267
	Pensionnable	36779	38073	39367	40664	41959	43253	44547	45844	47137	48432	49735	51082
G4	Brut	41997	43513	45114	46715	48317	49918	51520	53121	54723	56324	57926	59527
	Net	32517	33622	34727	35832	36937	38042	39147	40252	41357	42462	43567	44672
	Pensionnable	40944	42381	43818	45254	46691	48124	49562	51057	52550	54045	55539	57034
G5	Brut	47071	48849	50627	52405	54184	55962	57740	59518	61297	63075	64853	66631
	Net	36077	37304	38531	39758	40985	42212	43439	44666	45893	47120	48347	49574
	Pensionnable	45566	47160	48753	50378	52033	53691	55350	57007	58663	60320	61978	63638
G6	Brut	52797	54769	56742	58714	60686	62659	64631	66604	68576	70549	72521	74494
	Net	40028	41389	42750	44111	45472	46833	48194	49555	50916	52277	53638	54999
	Pensionnable	50743	52584	54421	56258	58096	59936	61775	63613	65452	67289	69129	70988
G7	Brut	59147	61336	63524	65713	67901	70089	72278	74466	76655	78843	81031	83220
	Net	44410	45920	47430	48940	50450	51960	53470	54980	56490	58000	59510	61020
	Pensionnable	56665	58706	60747	62788	64829	66870	68910	70952	72993	75038	77275	79467

(*) Long-service step/Echelon au titre de la longévité

Le taux de change utilisé pour la conversion des traitements nets en bruts est de 1 US DOLLAR = 0,720 EURO, représentant la moyenne des taux pratiqués durant les 36 derniers mois, incluant le mois d'ajustement.

The exchange rate used for conversion of net salary amounts to gross is 1 US Dollar = 0, 720 EURO, being an average of exchange rates for previous 36 months including the month of adjustment

Family allowances (Rule 103.13)

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Each subsequent dependent child	1 909 Euros

Language allowance (Rule 103.15)

For first language	1, 770 Euros
For second language	885 Euros

Annex E

Assignment grant

Staff Rule 103.10 (d) is applicable in respect of staff members assigned to all duty stations outside North America and Europe and in Albania and Turkey.

Annex H

Staff assessment rates applicable to staff in the Professional category and above

(Rule 103.16) - Effective date: 1 January 2006

Staff assessment rates used in conjunction with gross base salaries

A. Staff member with a dependent spouse or a dependent child

Total assessable payments (in United States dollars)	%
First \$50 000 per year	19
Next \$50 000 per year	28
Next \$50 000 per year	32
Remaining assessable payments	35

B. Staff member with neither a dependent spouse nor a dependent child

Staff assessment amount for a staff member with neither a dependent spouse nor a dependent child would be equal to the differences between the gross salaries at different grades and steps and the corresponding net salaries at the single rate.

Annex I

Staff assessment plan

Rates applicable to staff in the General Service and related categories

(Rule 103.16)

Effective date: 1 January 1997

Total assessable payments (in United States dollars)	%
Up to \$20 000 per year	19
\$20 001 to \$40 000 per year	23
\$40 001 to \$60 000 per year	26
\$60 001 and above per year	31

Annex J

Pensionable remuneration for staff in the professional category and above

(Rule 103.20)

(In US dollars) – Effective date: 1 August 2008

Level	STEPS														
	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
DDG	287 872														
ADG	266 074														
D-2	221 246	226 277	231 304	236 327	241 354	246 380									
D-1	201 097	205 222	209 346	213 461	217 585	221 913	226 333	230 751	235 162						
P-5	167 337	170 844	174 349	177 860	181 366	184 873	188 377	191 889	195 394	198 901	202 410	205 925	209 684		
P-4	136 582	139 973	143 346	146 721	150 104	153 476	156 853	160 234	163 608	166 982	170 356	173 745	177 116	180 483	183 872
P-3	112 262	115 131	117 985	120 856	123 726	126 590	129 455	132 324	135 323	138 458	141 580	144 720	147 855	150 986	154 119
P-2	92 100	94 669	97 227	99 791	102 354	104 916	107 478	110 038	112 604	115 167	117 727	120 292			
P-1	71 718	74 186	76 648	79 109	81 574	84 034	86 502	88 961	91 425	93 887					

Annex L

Transportation of personal effects

(Rule 107.9 (c))

Type of travel	Land and/or sea transport			Air transport
	Staff member	First member of the family authorized to travel at the expense of the Organization	Any other member of the family travel at the expense of the Organization	Per person authorized of to travel authorized of of the Organization of
Appointment Transfer Separation	1 000 kg (2 200 lb) in net weight or 6 m ³ (220 cubic feet) in volume ¹	500 kg (1 100 lb) in net weight or 3m ³ (110 cubic feet) in volume ¹	300 kg (660 lb) in net weight ou 1,8 m ³ (66 cubic feet) in volume ¹	By air freight 10% of the quantities shown opposite, plus: - 90 % where land and/or si sea transport is impossible or is impractical in view of geographical situation of the duty station or is more expensive; - 45% of the quantities shown opposite in other cases ¹ 20 kg of excess baggage in each direction or its equivalent transported by air freight; the two weight entitlements may be accumulated and used in a single direction
Home leave Family visit Education grant travel	None	None	None	

1. Deductible from the transportation of household goods if any.

2. At field duty stations to which a 12-months home leave frequency is applicable, each staff member and each member of his or her family are authorized once a year to transport at the expense of the Organization, an extra entitlement at 50 kg net. The entitlement can be neither carried forward to another year nor cumulated with another year entitlement.

Annex M

Index

	Rule
A	
Abandonment of post	105.5 (b), 109.7 (g) (iv) 109.9 (f)
Absence, unauthorized	105.5
Acceptance of remuneration	101.8
Access to Director-General	101.1
Accidents attributable to official duties	106.5
Additional days of absence	101.4 (c)
Adjustment (post-)	103.2
Administrative Tribunal	111.2 Annex A
Advisory Council on Personnel Policies	108.2
Advisory Board on Individual Personnel Matters	104.1
Allowances	
Eligibility	103.7
Family	103.13 Annex B-II, Annex D
Language	103.15, Annex D
Mission	103.11
Mobility and hardship	103.11
Non-residents	103.14, 103.14 <i>bis</i>
Special post	103.17
Subsistence (Per diem)	107.7, 103.11
Annual leave	105.1
Appeals Board	111.1, Annex A
Expiration of	109.3
Extension of	104.6, 104.8
Fixed term	104.6

	Rule
Indeterminate	104.7
Letter of	104.3 (a)
Limitations on	104.2
Temporary	104.8
Assessment plan	Annex I
Applicable for General Service Staff	Annex H
Applicable for Professional Staff	Annex E, 103.10
Assignment grant	101.6
Authorization to publish	101.6
B	
Beneficiaries	103.23
Board	
Appeals	111.1
Personnel Advisory	104.1
Reports	104.11
Special Advisory	104.1
Boarding costs (for children)	103.12 (k)
C	
Carryover of annual leave	105.1 (e)
Certificate of service	109.12
Cession of part of salary	103.19 (g)
Classification standards	102.2
Classified/unclassified posts	102.1
Collaboration	
With a government/an institution	101.10
Committee	
Joint Disciplinary	110.2
Contestation of performance report	104.11 <i>bis</i>
Copyright	101.9
Correspondence courses	
Reimbursement for	103.12 (l)
Council	
Advisory Council on Personnel Policies	108.2
Currency exchange rate	
For payments made by the Organization	103.19 (e), 103.13
Currency of payment	103.21

D

	Rule
Death	103.19 (d), 103.23, 106.5, 107.13, 109.9 (g), 109.10, 109.11
Death grant	109.10
Definitions	110.2, 103.9
Declaration upon appointment	Reg. 1.9
Deductions	
From monthly payments	103.19
Rental	103.11 <i>bis</i>
Dependants	
Definition	103.9
Payment for	103.13
Discretion clause	Reg. 1.5
Disciplinary	
Joint Committee	110.2
Measures	110.1

E

Education grant	103.12, Annex C
Boarding costs	103.12 (k), (j)
Entitlements	Annex C
For disabled children	103.12 <i>bis</i>
Travel expenses in connection with	103.12 (r), (s)
Eligibility	
For allowances	103.7, 103.11, 103.14, 103.15
For repatriation grant	109.9
Employment limitations	104.2
Exceptions of staff rules	112.2
Expiration of appointment	109.3
Extension of appointment	104.6, 104.8

F

Family allowances	103.13, Annex B.II, Annex D
Family visit	105.4
Financial responsibility	101.2

	Rule
G	
General Service category (definition)	100.2 (a) <i>bis.</i> 102.1 (b)
Grants	
Assignment	Annex E, 103.10
Education	103.12, 103.12 <i>bis.</i> , Annex C
Death	109.10
Repatriation	109.9
H	
Hardship allowance (mobility and -)	103.11
Holiday, official and religious	101.4
Home leave	105.3
Home, recognized	103.8
Honours and favours	101.7
Hours of work	Reg.1.2.1, 101.3
I	
Illness	106.5
Immunities and privileges	Reg.1.8
Income tax (reimbursement of)	103.18
Indemnification for loss or damage of property	112.4
Indemnity of termination	109.7
Information required of staff members	104.5
Injury	106.5
Insurance	
For transport of luggage and household goods	107.11
Liability	112.3
J	
Joint Disciplinary Committee	110.2
Junior Personnel Advisory Board	104.1

L

	Rule
Language allowance	103.15
Language tuition (for children)	103.12 (m)
Leave	
Accumulated	105.1 (e)
Adoption	106.2 <i>ter</i>
Annual	Reg. 5.1, 105.1
Family	105.4 <i>bis</i>
Home	Reg. 5.2, 105.3
Maternity	106.2
Paternity	106.2 <i>bis</i>
Sick	Reg. 6.2, 106.1
Special	Reg. 5.1.1, 105.2
Liability insurance	112.3
Limitations on employment	104.2, 104.2 <i>bis</i>
Loss of personal property	112.4

M

Maternity leave	106.2
Medical care	106.3
Medical examination	104.9
Method of payment	
Deductions and contributions	103.19
Mission allowance	103.11

N

Nationality and recognized home	103.8
National and religious holidays	101.4 (c)
Night differential	103.6
Non-residents allowance	103.14
Notice of termination	109.6

O

Oath of staff members	Reg. 1.9
Official holidays	101.4
Official travel	107.2, 107.3

	Rule
Outside activities and interests	101.5
Overtime	103.5
P	
Payments	
Currency of	103.21
For accumulated leave	109.8
Method of (deductions and contributions)	103.19
Recovery of payments made in error	103.24
Upon separation	109.1 <i>bis</i>
Pension age	Reg. 9.5
Pensionable remuneration	Annex J, 103.20
Per diem	107.7
Performance report, contestation	104.11 <i>bis</i>
Personal effects (transport)	Annex L, 107.9
Political activities	Reg. 1.7
Post adjustment	103.2
Post (classified/unclassified)	102.1
Probationary period	
For fixed-term appointments	104.6 (c)
For temporary appointments	104.8 (c)
Promotion	104.13
Property rights in work	101.9
Public information relationship	101.6
Publication of books/articles	101.6

R

	Rule
Rates of assessment	Annex H, Annex I
Recognized home	103.8
Recovery	
Of payments made in error	103.24
Of salary advance	103.22 (e)
Reinstatement	104.15
Relations with the public	101.6
Removal of household goods	107.10
Repatriation grant	109.9
Remuneration	
Acceptance	101.8
Pensionable	Annex J, 103.20
Rental subsidies and deductions	103.11 <i>bis</i>
Reports Board	104.11
Reports on staff members	104.11 <i>bis</i>
Resignation	109.2
Effect of	107.12
Responsibility, financial	101.2
Retirement	Reg. 9.5, 109.4, 109.7 (g) (v)
Review Panels	104.11 <i>ter</i>

S

	Rule
Salary	103.1
Adjustments to	103.2
Advance	103.22
Annual scale for staff in the Professional category and above	Annex B-I
Annual scale for staff in the General Service category	Annex D, 103.1
Increments	103.4
Legal process	103.19 (f) and (g)
On initial appointments	103.3
Seizure of	103.19 (f)
Separation from service	109.1, 109.1 <i>bis</i>
Effective date	109.11
Payments upon (for the Professional category and above)	109.1 <i>bis</i> , 109.7, 109.9, 109.10
Payments upon (for the General Service category)	109.1 <i>bis</i> (a) (ii)
Service	
Record	104.10
Certificate	109.12
Sick leave	106.1
Special Advisory Board	109.13
Special leave (with/without pay)	105.2
Staff assessment plan (for the Professional category and above)	103.16, Annex H
Staff assessment plan (for the General Service category)	Annex I
Staff Associations	108.1, Reg. 8.1
Staff members files	104.10
Staff Rules	
Applicability	100.1, 100.2
Effective date	112.1
Exceptions and modifications	112.2
Statutes of the Appeals Board	Annex A

	Rule
Storage of personal effects	107.10 (f)
Suspension	109.14
Pending investigation	110.3
T	
Termination	Reg. 9.1, Reg. 9.1.2, 109.1, 109.5, 109.7, 110.1
Indemnity on	109.7
Notice of	109.6
Terms of appointment	104.3
Transfer (definition)	104.12
To post of lower grade	104.14
Transportation	
Of decedents	107.13
Of household goods	107.10, 107.11
Of personal effects	Annex L, 107.9, 107.11
Travel	
Authority	107.3
By car	107.5
Educational grant	103.12 (q), (r)
Entitlement of staff members	107.1
Entitlement of staff members family	107.2
Expenses	107.8
Route and mode	107.4
Time	107.6
U	
Unauthorized absence	105.5
United Nations Joint Staff Pension Fund	106.4