



## **100-Series**

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UNITED NATIONS INDUSTRIAL DEVELOPMENT ORGANIZATION

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**Rule 100.01  
Applicability**

Staff rules 101.01 through 113.04 are applicable to all staff members appointed by the Director-General except technical co-operation project personnel and staff members specifically engaged for conferences and other short-term service, who are in each case governed by a separate series of the Staff Rules.

## **Chapter I - Duties, Obligations and Privileges**

### **Rule 101.01**

#### **Outside Activities and Interests**

(a) Staff members shall not engage in any continuous or recurring outside occupation or employment without prior approval of the Director-General. Staff members shall not engage in any outside activity that is incompatible with the proper discharge of their duties with the Organization, is incompatible with their employment status with UNIDO, or conflicts with the interests of the Organization or with their status as international civil servants. In case of doubt, staff should seek clarification from the office charged with that responsibility.

(b) No staff member may be actively associated, directly or indirectly, with the management of any business or other concern, nor may he or she hold a financial or other personal interest in such a concern, if there is a possibility that the staff member or the concern will benefit from such association or interest by reason of his or her official position with the Organization.

(c) A staff member who has occasion to deal in his or her official capacity with any matter involving a business or other concern in which he or she holds a financial or other personal interest shall disclose the nature and scope of that interest to the Director-General, and, except as otherwise authorized by the Director-General, either dispose of that interest or formally excuse himself or herself from participating or being involved in such a matter.

(d) Staff members may be required, in the interests of the Organization, to periodically disclose to the Director-General the nature and scope of financial and other personal interests and assets in respect of themselves, their spouses and dependants, under the procedures established by the Director-General. Such disclosures are privileged and confidential documents and shall be subject only to such access and use as may be authorized by the Director-General.

### **Rule 101.02**

#### **Communication of Information**

Except in the normal course of official duties, staff members shall be required to seek prior approval of the Director-General for performance of any one of the following acts, if such act relates to the purpose, activities or interests of the Organization:

- (i) Issue statements to the press, radio or other media of public information;
- (ii) Accept speaking engagements;
- (iii) Take part in film, theatre, radio or television productions; or
- (iv) Submit articles, books or other material for publication.

**Rule 101.03**  
**Acceptance of Honour or Gift from External Sources**

A staff member who is offered any honour or decoration by a Government or any honour, favour, gift or remuneration of a substantial value by any other public or private source external to the Organization shall report this fact to the Director-General who, on the basis of staff regulation 1.5, will decide in each case whether the offer may be accepted.

**Rule 101.04**  
**Membership in Political Parties and Political Activities**

(a) Membership in a political party is permitted provided that such membership does not entail action or obligation to action contrary to staff regulation 1.6. The payment of normal financial contributions shall not be construed as an activity contrary to staff regulation 1.6.

(b) In case of doubt as to the interpretation or application of staff regulation 1.6 and the present rule, the staff member concerned shall request a ruling from the Director-General.

**Rule 101.05**  
**Proprietary Rights**

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

**Rule 101.06**  
**Financial Responsibility**

Staff members may be required to reimburse the Organization either partially or in full for any financial loss suffered by the Organization as a result of their negligence or of their failure to observe any regulation, rule or administrative instruction, as determined by the Director-General.

## **Chapter II - Classification of Posts**

### **Rule 102.01 Job Classification**

(a) Pursuant to staff regulation 2, the Director-General shall establish uniform standards and procedures for the classification of posts at each category with a view to ensuring consistency between the actual duties and responsibilities of a post and its grade, guaranteeing equity in the grading of similar duties and responsibilities performed by various staff members and assuring clear definition of post titles and levels for budgetary and personnel purposes.

(b) For each post the classification shall be based on an official post description, setting out the functional title, organizational setting, duties and responsibilities attached to the post and qualification requirements of the post.

### **Rule 102.02 Requests for Reclassification**

(a) A staff member may request a review of the classified grade of his or her post (reclassification) on the following grounds:

- (i) A significant change in the level of functions and responsibilities that is not of a temporary nature and that is certified by a revised official post description; or
- (ii) An error or omission in the representation of substantive duties in the official post description.

(b) Such a request for reclassification shall be addressed to the Director, Human Resource Management Branch, through the appropriate supervisory level(s), for review in accordance with conditions established by the Director-General. If the request is denied, the staff member may apply for a review of the classification to the appropriate classification appeals committee established by the Director-General. Provisions governing the composition of the classification appeals committees are set out in appendix L to the Staff Rules.

## **Chapter III - Appointment of Staff**

### **Rule 103.01 Letters of Appointment**

- (a) Upon appointment, each staff member shall receive a letter of appointment in the format set out in the annex to the Staff Rules.
- (b) All contractual entitlements of staff members are strictly limited to those contained expressly or by reference in their letters of appointment.

### **Rule 103.02 Effective Date of Appointment**

- (a) The appointment of every locally recruited staff member shall take effect from the date on which the staff member starts to perform his or her duties.
- (b) The appointment of every internationally recruited staff member shall take effect from the date on which the staff member enters into official travel status to assume his or her duties or, if no official travel is involved, from the date on which the staff member starts to perform his or her duties.

### **Rule 103.03 Re-Employment**

- (a) A former staff member who is re-employed shall be given a new appointment or, if he or she is re-employed within 12 months of being separated from service or within any longer period following retirement on disability under the Regulations and Rules of the United Nations Joint Staff Pension Fund, he or she may be reinstated in accordance with the provisions of paragraph (b) below. If the former staff member is reinstated, it shall be so stipulated in his or her letter of appointment. If the former staff member is given a new appointment, its terms shall be fully applicable without regard to any period of former service. However, such former service shall be counted for the purpose of determining seniority in grade.
- (b) On reinstatement, the staff member's services shall be considered as having been continuous, and the staff member shall return to the Organization any monies he or she received on account of separation, including termination indemnity under rule 110.07, repatriation grant under rule 110.11 and payment for accrued annual leave under rule 110.08. The interval between separation and reinstatement shall be charged, to the extent possible and necessary, to annual leave, with any further period charged to special leave without pay. The staff member's sick leave credit under rule 108.03 at the time of separation shall be re-established. The staff member's participation, if any, in the United Nations Joint Staff Pension Fund shall be governed by the Regulations and Rules of that Fund.

#### **Rule 103.04**

#### **Notification by Staff Members and Obligation to Supply Information**

- (a) On appointment, staff members shall be responsible for supplying the Director-General with any information that may be required for determining their status under the Staff Regulations and Staff Rules or for completing administrative arrangements in connection with their appointments.
- (b) Staff members shall be responsible also for notifying the Director-General, promptly and in writing, of any subsequent changes affecting their status under the Staff Regulations and Staff Rules.
- (c) A staff member who intends to acquire permanent residence status in any country other than that of his or her nationality or who intends to change his or her nationality shall notify the Director-General of that intention before he or she initiates formal steps to that end.
- (d) A staff member who is arrested and charged with an offence other than a minor traffic violation or summoned before a court of law as a defendant in a criminal proceeding or convicted and fined or imprisoned for any offence other than a minor traffic violation shall immediately report the fact to the Director-General.
- (e) A staff member may, at any time, be required by the Director-General to supply information relevant to his or her suitability for service as a staff member.

#### **Rule 103.05**

#### **Geographical Distribution**

Recruitment on a wide and equitable geographical basis, in accordance with the requirements of staff regulation 3.2, shall not apply to posts in the Professional category that require special linguistic skills or to posts in the General Service or related categories.

#### **Rule 103.06**

#### **Local Recruitment**

- (a) The conditions under which staff members in the General Service and related categories shall be regarded as local recruits for the purposes of these rules are set forth in appendix B to the Staff Rules.
- (b) A staff member regarded as having been locally recruited shall not be eligible for the allowances or benefits indicated under staff rule 103.07.



**Rule 103.07**  
**International Recruitment**

(a) Staff members other than those regarded under staff rule 103.06 as having been locally recruited shall be considered as having been internationally recruited. The allowances and benefits in general available to internationally recruited staff members include payment of travel expenses upon initial appointment and on separation from service for themselves, their spouses and dependent children, removal of household effects, home leave, education grant, repatriation grant and non-resident's allowance (in the case of eligible General Service staff).

(b) A staff member who has acquired permanent resident status in any country other than that of his or her nationality may lose entitlement to non-resident's allowance, home leave, education grant, repatriation grant and payment of travel expenses upon separation from service for the staff member and his or her spouse and dependent children and removal of household effects, based upon place of home leave, if the Director-General considers that the continuation of such entitlement would be contrary to the purposes for which the allowance or benefit was created.

**Rule 103.08**  
**Nationality**

(a) In the application of the Staff Regulations and Staff Rules, the Organization shall not recognize more than one nationality for each staff member.

(b) When a staff member has been legally accorded nationality status by more than one State, the staff member's nationality for the purposes of the Staff Regulations and Staff Rules shall be the nationality of the State with which the staff member is, in the opinion of the Director-General, most closely associated.

**Rule 103.09**  
**Family Relationships**

(a) Except where another person equally well qualified cannot be recruited, appointment shall not be granted to a person who bears any of the following relationships to a staff member: father, mother, son, daughter, brother or sister.

(b) The husband or wife of a staff member may be appointed provided that he or she is fully qualified for the post under consideration and that he or she is not given any preference by virtue of the relationship to the staff member.

(c) A staff member who bears to another staff member any of the relationships specified in paragraphs (a) and (b) above:

(i) Shall not be assigned to serve in a post that is superior or subordinate in the line of authority to the staff member to whom he or she is related; and

(ii) Shall disqualify himself or herself from participating in the process of reaching or reviewing an administrative decision affecting the status or entitlement of the staff member to whom he or she is related.

(d) The marriage of one staff member to another shall not affect the contractual status of either spouse, but their entitlements and other benefits shall be modified as provided in the relevant staff regulations and rules. The same modifications shall apply in the case of a staff member whose spouse is a staff member of another organization participating in the United Nations common system. Where both husband and wife are staff members and maintain separate households because they are assigned to different duty stations, the Director-General may decide to maintain such separate entitlements and benefits, provided that this is not inconsistent with the purposes for which the entitlement or benefit was created under the Staff Regulations and Staff Rules.

### **Rule 103.10 Fixed-Term Appointments**

(a) On initial recruitment, staff members shall be granted a fixed-term appointment normally for a period of three years, with the first 12 months being a probationary period referred to in paragraph (e).

(b) On initial recruitment a fixed-term appointment for a period of less than three years may be granted if the interests of the Organization so require, as determined by the Director General upon recommendation of the Human Resource Management Branch.

(c) In the interest of the programme activities of the Organization, and subject to the achievement of satisfactory service as defined in Staff Rule 104.08 as well as budgetary coverage, the fixed-term appointment shall normally be extended for a period of three years. When one or both of the overall performance ratings are less than satisfactory, as defined in Appendix M to the Staff Rules, the fixed-term appointment shall be extended to cover a performance improvement period for a minimum of six months up to a maximum of 12 months. Where a fixed-term appointment is due to expire within a performance improvement period, the appointment shall be extended to cover the performance improvement period plus one month. If both overall performance ratings do not reach a satisfactory level at the end of the performance improvement period, the fixed-term appointment shall normally be allowed to expire or be terminated prior to its expiration date in accordance with Staff Regulation 10.3 (c). Extensions of fixed-term appointments exceeding the normal three-year period up to a maximum of five years may exceptionally be granted under conditions established by the Director General. For staff appointed under the Young Professionals Programme the three-year period is the maximum duration of employment under this programme.

(d) The appointment of officers at the D-2 level and the extension of their appointments shall be for a period of up to two years at a time and shall not normally exceed the term of office of the Director General by more than six months.

## **Probationary period**

(e) The probationary period of all fixed-term appointments shall be of a total duration of 12 months. For fixed-term appointments with a duration under three years as provided for in paragraph (b) above, the 12-month probationary period can be accrued over two consecutive appointments. At the end of the period of probationary service, the results of the staff member's performance reflected in the overall rating for the compact and overall rating for the demonstration of core values, core competencies and managerial competencies as applicable, shall determine the staff member's suitability for continued service under the fixed-term appointment and whether (i) the appointment be confirmed, (ii) the probationary period be extended to cover a performance improvement period of maximum six months, or (iii) the appointment be terminated in accordance with Staff Regulation 10.3(d).

## **Rule 103.11 Permanent Appointments**

(a) A permanent appointment may be granted, under such terms and conditions as the Director-General may prescribe, to staff members who have completed five years or more of continuous service under one or more fixed-term appointments and who, by their qualifications, performance and conduct, have fully demonstrated their suitability as international civil servants and have shown that they meet the highest standards of efficiency, competence and integrity as established in the UNIDO Constitution.

(b) Permanent appointments granted after the entry into effect of the present rules shall be subject to review every five years for the purpose of determining whether the staff member concerned has maintained the highest standards of efficiency, competence and integrity as established in the UNIDO Constitution. Permanent appointments granted prior to the entry into effect of the present rules shall be subject to review in accordance with the staff rules applicable at the time such appointments were granted.

(c) (i) Proposals for the granting of permanent appointments on the grounds that the holder of a fixed-term appointment with five years or more of continuous service has met the requirements of this rule shall be referred to the appropriate appointment and promotion body for examination and recommendation to the Director-General;

(ii) Affirmative recommendations to the effect that the holder of a permanent appointment under a five-year review as provided in paragraph (b) above has maintained the requisite standards of suitability may be made by agreement between the Human Resource Management Branch and the Division or Office concerned. Such agreements shall be reported to the appropriate appointment and promotion body before submission to the Director-General;

(iii) In the absence of an agreed favourable recommendation as provided in (c)(ii) above, the matter shall be referred to the appropriate appointment and promotion body.

**Rule 103.12**  
**Appointment and Promotion Board**

(a) An Appointment and Promotion Board shall be established by the Director-General to give advice on the appointment and promotion of staff in the Professional and General Service categories and at the D-2 and D-1 levels, except for staff in the Office of the Director-General, heads of the Offices reporting to the Director-General, entry grades G-1/G-2 in the General Service category and staff in the General Service category serving at field duty stations;

(b) Subject to the criteria of article 11, paragraph 5, of the Constitution and to the provisions of Staff Regulation 3.2 and Staff Regulation 4.2, the appointment and promotion bodies shall, in filling vacancies through recruitment, normally give preference, where qualifications are equal, to staff members already in the service of the Organization. This consideration shall also apply on a reciprocal basis to staff from other organizations in the United Nations family of organizations. Due regard shall also be paid to gender balance and, subject to staff rule 103.05, to geographical distribution.

(c) Provisions governing the composition and procedure of the Appointment and Promotion Board are set out in Appendix P to the Staff Rules.

**Rule 103.13**  
**Medical Examination**

(a) Staff members may be required from time to time to satisfy the Medical Officer of the Organization, by medical examination, that they are free from any ailment likely to impair the health of others.

(b) Staff members may also be required to undergo such medical examination and receive such inoculations as may be required by the Medical Officer of the Organization before they go on or after they return from mission service.

(c) In exceptional cases, a staff member may be required to satisfy the Medical Officer of the Organization, through medical examination by an independent medical practitioner, that he or she is fit to perform his or her duties.

## **Chapter IV - Service and Career Development**

### **Rule 104.01 Hours of Work**

- (a) Normal working hours at Headquarters shall be from 8.30 a.m. to 5.30 p.m., from Monday to Friday, with an interruption of one hour for lunch. Summer working hours commencing on the first Monday in June for a 14-week period shall be from 8 a.m. to 4.30 p.m. Exceptions may be made by the Director-General as the needs of the service may require.
- (b) Flexible working hours may be applied for individual organizational units at Headquarters under conditions established by the Director-General.
- (c) The Director-General shall set the normal working hours for each duty station away from Headquarters.
- (d) A staff member may be requested to work beyond the normal tour of duty whenever the exigencies of the service so require.

### **Rule 104.02 Official Holidays**

The Director-General shall designate ten days in each calendar year to be observed as official holidays and shall notify the staff of these holidays.

### **Rule 104.03 Change of Official Duty Station**

A change of official duty station shall take place when a staff member is assigned from Headquarters to a field duty station for a fixed period exceeding six months or is reassigned to Headquarters for an indefinite period. Detailment of a staff member from his or her official duty station for service with a temporary mission or conference shall not constitute a change of official duty station within the meaning of the present rules.

### **Rule 104.04 Inter-Organization Exchange and Transfer**

- (a) The Director-General may exchange and/or transfer a staff member with/to another Organization participating in the United Nations common system, provided that such exchange or transfer in no way diminishes the rights and entitlements of the staff member under his or her letter of appointment with the Organization.
- (b) The inter-organization exchange and transfer referred to in paragraph (a) above shall be governed by the terms of the Inter-Agency Mobility Accord.

**Rule 104.05**  
**Training**

Training programme and facilities provided by the Organization shall be available to staff members who are likely to derive benefits therefrom in enhancing the usefulness of their current or prospective services to the Organization.

**Rule 104.06**  
**Reassignments**

(a) Consistent with the requirements of the work programmes of the Organization and with due regard to individual circumstances, staff members shall be given adequate opportunities for career development through different assignments within the Organization, including assignments to technical co-operation or other posts away from Headquarters.

(b) Staff members assigned to posts of project personnel shall continue to be governed by rules 100.01 to 113.04, subject to such adjustment as may be provided for in rules 200.01 to 213.03 applicable to project personnel.

**Rule 104.07**  
**Service at Designated Duty Stations**

Internationally recruited staff members serving at duty stations where conditions of life and work are determined to be very difficult by the International Civil Service Commission shall be accorded special consideration in terms of their entitlement to a mobility incentive under rule 106.13, a hardship allowance and a non-family service allowance under rule 106.14, education grant travel under rule 106.17, home leave under rule 107.03, family visit travel under rule 109.01, and unaccompanied shipments under rule 109.11.

**Rule 104.08**  
**Service and Conduct Reports**

The service and conduct of a staff member shall be subject of regular appraisals under the Staff Performance Management system (SPM). Satisfactory service for the purposes of the SPM is defined as the achievement of overall performance ratings of “3”, “4” or “5” as described in Appendix M to the Staff Rules. The staff member has the right of rebuttal with respect to one or both final overall ratings in accordance with the provisions set forth in Appendix M to the Staff Rules.

## **Chapter V - Staff Relations**

### **Rule 105.01 Staff Union**

(a) In accordance with the principle of freedom of association, staff members may form and join associations, unions or other groupings.

(b) Staff members may form a Staff Union. The functions of the Staff Union shall be as described in its statute, which shall be adopted by the members of the Union and agreed to by the Director-General.

(c) Members of the Union shall elect the Staff Council as the representative body referred to in staff regulation 5.2. The election of the Staff Council shall be organized by the polling officers, who are selected by the staff, under electoral regulations drawn up by the Council and agreed to by the Director-General, in such a way as to ensure the complete secrecy and fairness of the vote. Each member of the staff may participate in the election of the Staff Council and any member of the staff shall be eligible for election to the Council, subject to any exceptions that may be provided in the electoral regulations.

(d) As the executive organ of the Union, the Council shall be entitled to effective participation in identifying, examining and resolving issues relating to staff welfare, including conditions of employment and work, general conditions of life and other matters of personnel policy. It shall be entitled to make proposals and representations to the Director-General on behalf of the staff on such issues.

(e) General administrative instructions or directives on questions within the scope of paragraph (d) above shall be transmitted in advance, unless emergency situations make this impracticable, to the Staff Council for consideration and comments before being put into effect.

### **Rule 105.02 Joint Advisory Committee**

(a) The joint staff/management machinery provided for in staff regulation 5.3 shall consist of a Joint Advisory Committee composed as follows:

- (i) A Chairperson selected by the Director-General from a list proposed by the Staff Council;
- (ii) Three members and three alternates representing the Staff Council;
- (iii) Three members and three alternates representing the Director-General.

(b) At the invitation of the Committee, other persons may participate in the Committee's discussion of particular problems.

- (c) The Joint Advisory Committee shall establish its own rules of procedure.
- (d) The Director-General shall designate a suitably qualified staff member to act as Secretary to the Joint Advisory Committee and shall arrange for such services as may be necessary for its proper functioning.
- (e) Instructions or directives embodying recommendations made by the Joint Advisory Committee shall be regarded as having satisfied the requirements of rule 105.01(d) and (e).
- (f) Working groups to advise on special problems may be set up by the Joint Advisory Committee as the occasion arises.
- (g) The Joint Advisory Committee may recommend to the Director-General the establishment of joint staff/management advisory bodies on specific areas related to staff welfare.



## **Chapter VI - Salaries and Related Allowances**

### **Rule 106.01**

#### **Salary Scales and Increments**

(a) The salary scales and conditions of salary increments for staff members in the Professional and higher categories shall be as provided in Staff Regulation 6.1 and shown in Schedule I of the Staff Regulations.

(b) In accordance with staff regulation 6.5(a), the Director-General shall set the salary scales, including salary increments, of staff members in the General Service category, and these scales and increments shall be published in Appendix A to the Staff Rules.

(c) In accordance with staff regulation 6.6, the Director-General shall set the salary rates, including salary increments, of Language Teachers, and these rates and increments shall be published in Appendix A to the Staff Rules.

### **Rule 106.02**

#### **Conditions for Salary Increments**

(a) Satisfactory service for the purpose of awarding a salary increment shall be defined, unless otherwise decided by the Director-General in any particular case, as the achievement of overall performance ratings of “3”, “4” or “5” as described in Appendix M to the Staff Rules, for the most recent completed performance cycle. To ensure that increments are considered following an up-to-date performance document, the same performance document should normally not be considered for more than one increment.

(b) Salary increments shall be effective on the first day of the pay period in which the service requirements are completed, provided that such increments shall not be effective earlier than the first day of the pay period in which a staff member returns to pay status from a period of leave without pay. No increment shall be paid in the case of a staff member whose services cease during the month in which the increment would otherwise have been due.

### **Rule 106.03**

#### **Staff Assessment**

In application of the staff assessment plan under staff regulation 6.8:

(i) Salaries for staff members in the Professional and higher categories shall be subject to the assessment rates specified in paragraph (i) of Schedule II of the Staff Regulations;

(ii) Salaries for staff members in the General Service category and for Language Teachers shall be subject to the assessment rates specified in paragraph (ii) of that schedule.

**Rule 106.04**  
**Post Adjustment**

(a) The post adjustment provided in staff regulation 6.2 shall be paid as an addition to the staff member's net base salary at the rate of 1 per cent of that salary for every index point by which the multiplier index for the duty station concerned exceeds the base index. The post adjustment index and the corresponding multiplier for each duty station shall be as determined at regular intervals by the International Civil Service Commission.

(b) The post adjustment shall normally apply to the salary of a staff member assigned to a duty station for a period of one year or more in accordance with the classification of that duty station. The Director-General may, however, authorize alternative arrangements under the following circumstances:

(i) If the assignment to a duty station is for a period of less than one year, the Director-General shall decide whether to apply the post adjustment for the duty station and, if appropriate, to pay the daily subsistence portion of the settling-in grant and/or a mobility incentive, a hardship allowance and a non-family service allowance, or, in lieu of the above, to authorize appropriate subsistence payments;

(ii) If the duty station to which the staff member is assigned is classified lower in the post adjustment classification than his or her former duty station, the Director-General may authorize that the post adjustment be maintained according to the classification applicable to the former duty station for a period of up to six months while the staff member's immediate family (spouse and dependent children) remains at that duty station.

**Rule 106.05**  
**Rental Subsidies and Deductions**

(a) At duty stations where staff members have to pay rental cost for housing accommodation at substantially higher rates than the average rental cost used in the calculation of the post adjustment index for the duty station, they may be paid a supplement to the post adjustment in the form of a rental subsidy at rates and under conditions established by the International Civil Service Commission.

(b) At duty stations where staff members are provided with housing by the Organization, by a Government or by a related institution either free of charge or at rents substantially lower than the average rental cost used in the calculation of the post adjustment index for the duty station, they shall normally be subject to payroll deductions so as to maintain equity in the application of the post adjustment system between staff members serving at the duty station. The rental deductions shall be applied at rates and under conditions established by the International Civil Service Commission.

**Rule 106.06**  
**Pensionable Remuneration**

(a) The pensionable remuneration of a staff member shall, except as provided in paragraph (c) below, be in accordance with articles 1(q) and 54 of the Regulations of the United Nations Joint Staff Pension Fund.

(b) The scales of pensionable remuneration for Professional and higher categories for purposes of pension benefits and pension contributions are set out in appendix C to the Staff Rules.

(c) Where a promotion from the General Service category to the Professional category would result in a reduction of the pensionable remuneration used for computing the final average remuneration, the level of pensionable remuneration reached prior to the promotion shall be maintained until it is surpassed by that applicable to the staff member's grade and step in the Professional category. In such cases, contributions payable in accordance with article 25 of the Regulations of the United Nations Joint Staff Pension Fund shall be based on whichever is the higher of:

- (i) The level of pensionable remuneration reached prior to the promotion; or
- (ii) The pensionable remuneration applicable to the staff member's grade and step in the Professional category.

**Rule 106.07**  
**Currency of Salary Payments**

In general, all salaries and allowances shall be payable in the currency of the duty station. Staff members in the Professional and higher categories whose salaries and allowances are established in the Staff Regulations and staff members in the General Service category having non-local status, however, may at their request be paid part or all of their total emoluments in a currency other than that of their duty station unless otherwise determined by the Director-General.

**Rule 106.08**  
**Salary Advances**

(a) Salary advances may be made to staff members under the following circumstances and conditions:

- (i) In cases where new staff members arrive without sufficient funds, in such amounts as the Director-General may deem appropriate;
- (ii) Upon change of official duty station, in such amounts as the Director-General may deem appropriate;

- (iii) Upon departure for extended official travel or for approved leave involving absence from duty for one or more pay days, in the amount that would fall due for payment during the anticipated period of absence;
  - (iv) In cases where staff members do not receive their regular pay cheque through no fault of their own, in the amount due;
  - (v) Upon separation from service, where final settlement of pay accounts cannot be made at the time of departure, subject to the advance not exceeding 80 per cent of the estimated final net payments due.
- (b) The Director-General may, in exceptional and compelling circumstances, and if the request of the staff member is supported by a detailed justification in writing, authorize an advance for any reason other than those enumerated above.
- (c) Salary advances made under subparagraphs (a)(i) or (ii) above shall be recovered at a constant rate as determined at the time the advance is authorized, in consecutive pay periods, commencing not later than the period following that in which the advance is made.

#### **Rule 106.09**

#### **Payroll Deductions and Contributions**

- (a) The following deductions shall be made from the total payments due to each staff member for each pay period:
- (i) Staff assessment, at the rates and subject to the conditions prescribed in staff regulation 6.8 and rule 106.03;
  - (ii) Contributions to the United Nations Joint Staff Pension Fund in accordance with article 25 of the Regulations of the United Nations Joint Staff Pension Fund and rule 106.06.
- (b) Payroll deductions may also be made for the following:
- (i) Contributions to premiums of group medical insurance schemes for which provision is made under these rules;
  - (ii) Premium payments for voluntary participation in a group life insurance scheme arranged through the Organization;
  - (iii) Indebtedness to the Organization;
  - (iv) Lodging provided by the Organization, by a Government or by a related institution;
  - (v) Staff Union dues at the request of the staff member;
  - (vi) Indebtedness to third parties when any deduction for this purpose is authorized by the Director-General.

**Rule 106.10**  
**Retroactiveness of Payments**

(a) A staff member who has not been receiving an allowance, grant or other payment to which he or she is entitled shall not receive retroactively such allowance, grant or payment unless the staff member has made written claim:

(i) In the case of the cancellation or modification of the staff rule governing eligibility, within three months following the date of such cancellation or modification;

(ii) In every other case, within one year following the date on which the staff member would have been entitled to the initial payment.

(b) Any payment made by the Organization to which a staff member is not entitled but which was received by the staff member in good faith may not be recovered by the Organization after a lapse of two years following such over-payment.

**Rule 106.11**  
**Salary Policy on Promotions**

Staff members receiving promotions shall be paid in accordance with the following provisions:

(i) On promotion, a staff member shall be placed at a step in the level to which he or she has been promoted representing an increase in net base salary equal to at least the amount that would have resulted from the granting of two steps at the lower level;

(ii) When, on promotion, a staff member becomes ineligible for payment of the non-resident's allowance and/or language allowance that he or she has been receiving, the amount the staff member has been receiving for these allowances shall be added to his or her salary before promotion to establish the step within the level to which the staff member has been promoted, in accordance with (i) above.

**Rule 106.12**  
**Special Post Allowance**

(a) Staff members shall be expected to assume temporarily, as a normal part of their customary work and without extra compensation, the duties and responsibilities of higher level posts.

(b) Without prejudice to the principle that promotion shall be the normal means of recognizing increased responsibilities and demonstrated ability, a staff member who is called upon to assume the full duties and responsibilities of a post at a clearly recognizable

higher level than his or her own for a temporary period exceeding three months may, in exceptional cases, be granted a non-pensionable special post allowance from the beginning of the fourth month of service at the higher level.

(c) In the case of a staff member assigned to serve in a mission, or when a staff member in the General Service category is required to serve in a higher level established post in the Professional category, the allowance may be paid immediately the staff member assumes the higher duties and responsibilities.

(d) The amount of the special post allowance shall be equivalent to the salary increase (including post adjustment and dependency allowances where applicable) that the staff member would have received had the staff member been promoted to the post in which he or she is serving. In no case shall the net salary of the staff member at the higher level be lower than the net salary had the special post allowance not been given.

### **Rule 106.13 Mobility Incentive**

(a) Staff members in the Professional and higher categories may be paid a non-pensionable mobility incentive.

(b) The mobility incentive shall be discontinued after five continuous years of service at the same duty station.

(c) The mobility incentive shall take into account the length of a staff member's continuous service in organizations participating in the United Nations common system of salaries and allowances, the number of duty stations at which he or she has previously served for a period of one year or longer, and the hardship classification of the new duty station to which the staff member is assigned.

(d) The amount of the incentive, if any, and the terms and conditions under which it shall be paid are set forth in appendix N to the Staff Rules.

### **Rule 106.14 Hardship Allowance and Non-Family Service Allowance**

#### **Hardship allowance**

(a) Staff members in the Professional and higher categories who are appointed or reassigned to a new duty station may be paid a non-pensionable hardship allowance.

(b) The amount of the hardship allowance, if any, and the terms and conditions under which it shall be paid are set forth in appendix N to the Staff Rules.

### **Non-family service allowance**

(c) When a duty station has been designated as non-family by the International Civil Service Commission, the presence of eligible dependants of the staff member shall not be authorized at the duty station, unless exceptionally approved by the Director-General.

(d) Staff members in the Professional and higher categories who are appointed or reassigned to a non-family duty station may be paid a non-pensionable non-family service allowance. In no event shall the non-family service allowance be payable if the Director-General has exceptionally approved the presence of eligible dependants of the staff member at the duty station pursuant to paragraph (c) above.

(e) The amount of the non-family service allowance, if any, and the terms and conditions under which it shall be paid are set forth in appendix N to the Staff Rules.

### **Rule 106.15 Definition of Dependency**

For the purpose of the Staff Regulations and Staff Rules, dependency shall be defined as follows:

(a) A dependent spouse shall be a spouse whose annual gross income, including pensions and other retirement-related income, if any, does not exceed the lowest entry level of the General Service gross salary scales at the spouse's place of work and in effect on 1 January of the year concerned, provided that, in the case of staff in the Professional and higher categories, this limit shall not be less than the lowest entry level (G-2, step I) at New York, the base city of the Professional salary system.

(b) A "dependent child" shall be any of the following children under the age of 18 years or, if the child is in full-time attendance at a school or university (or similar educational institution), under the age of 21 years, for whom the staff member provides main and continuing support, i.e. more than one half of the total support:

- (i) The staff member's natural or legally adopted child;
- (ii) The staff member's stepchild, if residing with the staff member;
- (iii) Where adoption is not possible, a child for whom the staff member assumes legal responsibility as a member of the family.

If a child over the age of 18 years is physically or mentally incapacitated for substantial gainful employment, either permanently or for a period expected to be of long duration, the requirements as to age and school attendance shall be waived.

(c) A staff member claiming a child as dependent must certify that he or she provides main and continuing support. Such certification must be supported by documentary evidence satisfactory to the Director-General, if the child:

- (i) Does not reside with the staff member because of the divorce or legal separation of the staff member;
- (ii) Is married; or
- (iii) Is recognized as a dependant under subparagraph (b)(iii) above.

(d) A secondary dependant shall be the father, mother, brother or sister of a staff member for whom the staff member provides one half or more of the total support and in any case at least twice the amount of the dependency allowance, provided that the brother or sister fulfils the same age and school attendance requirements established for a dependent child. If the brother or sister is physically or mentally incapacitated for substantial gainful employment, either permanently or for a period expected to be of long duration, the requirements as to age and school attendance shall be waived.

#### **Rule 106.16 Dependency Allowances**

(a) Staff members in the Professional and higher categories shall be entitled to receive dependency allowances at the rates and under the conditions set out in the Staff Regulations.

(b) The rates of dependency allowances applicable to the General Service and related categories are set out in appendix A to the Staff Rules. The rate of the regular child allowance will be doubled for a child who is physically or mentally incapacitated for substantial gainful employment.

(c) An allowance for a secondary dependant shall not be paid where a dependency benefit is paid in respect of a spouse. A staff member may not concurrently receive more than one secondary dependant's allowance.

(d) A staff member in the Professional and higher categories recognized as a single parent shall, under conditions established by the Director General, receive a single parent allowance in the amount of six per cent of net base salary plus post adjustment in respect of the first dependent child in lieu of a dependency allowance.

(e) Subject to the provisions of paragraph (a) and (b) above, the full amount of the dependency or single parent allowance in respect of a dependent child shall be payable, except where a direct governmental grant is made in respect of the same child. In such cases, the amount of the grant shall be deducted from the dependency or single parent allowance. The deduction shall be made regardless of whether the governmental grant is



paid to the staff member, his or her spouse or former spouse, or any other person with whom the child may reside.

(f) In cases where the spouse's annual gross income exceeds the established limit under rule 106.15(a), the dependency benefits in respect of the spouse shall be paid to the extent by which the excess of the spouse's earnings over the established limit is less than the amount of the allowance.

(g) If both husband and wife are staff members, one may claim dependency benefits in respect of a dependent child or children, in which case the other may claim only the allowance in respect of a secondary dependant, if otherwise entitled.

(h) Staff members shall be responsible for notifying the Director-General in writing of claims for dependency allowances and may be required to support such claims by documentary evidence satisfactory to the Director-General. A separate claim for dependency allowances shall be made each year. Staff members shall be responsible for reporting to the Director-General any change in the status of a dependant affecting the payment of the allowance.

(i) Unless otherwise eligible for a single parent allowance, staff members in the Professional and higher categories in receipt of the dependency rate of salary in respect of a first dependent child at the time of conversion to the unified salary scale structure shall be entitled to receive a transitional allowance of six per cent of net remuneration in respect of that dependent child as follows:

(i) No child allowance should be paid concurrently in that case, except where the child qualifies for a special dependency allowance for a disabled child;

(ii) The transitional allowance would be reduced by one percentage point of net remuneration every 12 months thereafter, until the amount of the transitional allowance is equal or less than the amount of the dependency allowance for a child, at which time the dependency allowance shall be payable in lieu;

(iii) The transitional allowance shall be discontinued earlier if the first dependent child in respect of whom the transitional allowance is payable is no longer recognized as a dependent child.

#### **Rule 106.17 Education Grant**

(a) A staff member who is regarded as an international recruit under rule 103.07 and whose duty station is outside his or her home country shall be entitled to an education grant as provided in staff regulation 6.12 in respect of each child in full-time attendance at a school, university or other post-secondary educational institution. If such a staff member is reassigned to a duty station within his or her home country, he or she may receive the

education grant for the balance of a school year, not exceeding one full school year after his or her return from expatriate service.

(b) A special education grant for disabled children shall be available, under staff regulation 6.12, to staff members of all categories, regardless of whether or not they are serving in their home country, provided that they have an appointment of one year or longer or have completed one year of continuous service.

(c) The education grant and special education grant for disabled children as well as the related travel expenses shall be paid in accordance with the terms and conditions set forth in appendix E to the Staff Rules.

### **Rule 106.18 Non-Resident's Allowance**

(a) Staff members in the General Service category who have non-local status shall be entitled to a non-resident's allowance if recruited for or subsequently assigned to a duty station that has been designated by the International Civil Service Commission as qualifying for such an allowance.

(b) The allowance shall be paid at the rate of \$US 2,400 a year for a staff member with no dependent spouse or child and at the rate of \$US 3,000 a year for a staff member with a dependent spouse or child. It shall be payable for a maximum period of five years at the duty station. Where both husband and wife are staff members entitled to the non-resident's allowance, the allowance will be paid to each at the single rate. If they have a dependent child, the allowance will be paid at the dependency rate to the spouse having the higher salary level and at the single rate to the other spouse.

(c) Notwithstanding the provisions of paragraphs (a) and (b) above, eligible staff members who were in receipt of a non-resident's allowance on 31 August 1983 may continue to receive the allowance at the rate and in accordance with the relevant provisions in effect before 1 September 1983.

(d) Except in the case of staff members referred to in paragraph (c) above, the non-resident's allowance shall not be taken into account in determining pensionable remuneration, group medical and life insurance contributions, overtime compensation, night differential, and payments and indemnities on separation from service.

### **Rule 106.19 Language Allowance**

(a) A staff member in the General Service category shall be paid a language allowance if he or she passes a test, prescribed for this purpose, in any official language other than the language in which the staff member is required to be proficient by the terms of his or her

appointment. No staff member shall be paid a language allowance for more than two official languages.

(b) Proficiency tests in the use of official languages shall be held not less than once each year.

(c) Staff members in receipt of a language allowance may be required to undergo further tests at intervals of not less than five years in order to demonstrate their continued proficiency in the use of two or more official languages.

(d) The amount of the language allowance shall be determined by the Director-General and shown in appendix A to the Staff Rules, provided that the amount payable for a second language shall be half the amount payable for the first additional language.

(e) The language allowance shall be taken into account in determining pensionable remuneration, medical and group insurance contributions, overtime compensation and night differential, and payments and indemnities on separation from service.

#### **Rule 106.20**

#### **Overtime and Compensatory Time Off**

(a) Staff members in the General Service and related categories who are required to work in excess of the working week established for this purpose shall be given compensatory time off or may receive additional payment, under conditions established by the Director-General and set forth in appendix B to the Staff Rules.

(b) Subject to the exigencies of the service and prior approval of the Director-General, limited compensatory time off may be granted to staff members in the Professional category who have been required to work substantial or recurrent periods of overtime.

#### **Rule 106.21**

#### **Night Differential**

Staff members who are assigned to night-time tours of duty shall receive a night differential at a rate and under conditions set forth in appendix B to the Staff Rules. Night differential shall not be paid for the same work for which overtime payment or compensatory time off is allowed or for any hours when the staff member is on leave or in travel status.

## **Chapter VII - Annual and Special Leave**

### **Rule 107.01 Annual Leave**

(a) Staff members shall accrue annual leave while in full pay status at the rate of six weeks a year, subject to the provisions of rule 107.02(b) and provided that no leave shall accrue while a staff member is receiving compensation equivalent to salary and allowances under rule 108.05.

(b) Annual leave may be taken in units of days and half-days. All arrangements as to leave shall be subject to the exigencies of the service, which may require that leave be taken by a staff member during a period designated by the Director-General. Leave may be taken only when authorized, but the personal circumstances and preferences of the individual staff member shall, as far as possible, be considered.

(c) Staff members are encouraged to make use of their annual leave entitlements. Annual leave may be accumulated, provided that not more than 12 weeks of such leave shall be carried forward beyond 1 January of any year.

(d) Any absence from duty not specifically covered by other provisions in these rules shall be charged to the staff member's accrued annual leave, if any; if the staff member has no accrued annual leave, it shall be considered as unauthorized, and pay and allowances shall cease for the period of such absence.

(e) A staff member may, in exceptional circumstances, be granted advance annual leave up to a maximum of two weeks, provided his or her service is expected to continue for a period beyond that necessary to accrue the leave so advanced.

### **Rule 107.02 Special Leave**

(a) Special leave, with full or partial pay, or without pay, may be granted for advanced study or research in the interest of the Organization, for child care, in cases of extended illness, or for other important or compassionate reasons for such period as, in the opinion of the Director-General, is appropriate.

(b) Staff members shall not accrue service credits towards sick leave, annual leave, home leave, salary increment, seniority, termination indemnity and repatriation grant during periods of special leave with partial pay or without pay. Periods of less than one calendar month of such leave shall not affect the ordinary rates of accrual, nor shall continuity of service be considered broken by periods of special leave.

**Rule 107.03**  
**Home Leave**

(a) Staff members who are regarded as internationally recruited under rule 103.07 and who are serving outside their home country shall be entitled once in each two-year period of qualifying service to visit their home country at the Organization's expense in order to spend in that country a substantial period of annual leave. Such leave, referred to in the Staff Regulations and the Staff Rules as home leave, is granted to eligible staff members for the purpose of enabling them to maintain effective association with the culture of their home country, to keep up their professional interests and to renew their family and personal ties therein.

(b) Staff members serving at duty stations designated by the International Civil Service Commission as D and E category and that do not fall under the rest and recuperation framework may be granted home leave once every 12 months.

(c) The terms and conditions for home leave and related travel are set forth in appendix F and appendix G to the Staff Rules.

**Rule 107.04**  
**Leave for Military Training or Service**

(a) In accordance with section 18(c) of the Convention on Privileges and Immunities of the United Nations and with section 20 of the Convention on Privileges and Immunities of the Specialized Agencies, staff members who are nationals of those Member States who have undertaken to apply either Convention with regard to UNIDO shall be "immune from national service obligations" in the armed services of the country of their nationality.

(b) Staff members who have completed one year of satisfactory probationary service or who have a permanent appointment may, if called by the Government of a Member State for military service, whether for training or active duty, be placed on special leave without pay for the duration of their required military service. Other staff members, if called for military service, shall be separated from the Organization according to the terms of their appointments.

(c) If the period of special leave without pay referred to in (b) above is expected to last at least six months, the Organization shall, upon request of the staff member, pay the travel costs for him, his spouse and dependent children, provided that such expenses are not borne by his Government and provided that any such expenses shall be charged to his next home leave entitlement.

(d) Upon request of the staff member, within 90 days after release from military service, the staff member shall be restored to active duty in the Organization with the same status he had at the time of his leaving for military service, subject only to the rules governing necessary reduction in force or abolition of posts.

(e) The Director-General may apply such of the foregoing provisions as are appropriate in the case of staff members who, with the advance approval of the Director-General, volunteer for military service or request a waiver of the immunity referred to in paragraph (a) above.

## **Chapter VIII - Social Security**

### **Rule 108.01 Participation in the Pension Fund**

Staff members whose appointments are for six months or longer or who complete six months of service under shorter appointments without an interruption of more than 30 days shall become participants in the United Nations Joint Staff Pension Fund, provided that participation is not excluded by their letters of appointment.

### **Rule 108.02 Medical Insurance Coverage**

Upon appointment a staff member shall be required to subscribe to the group medical insurance plan provided by the Organization, unless he or she elects coverage by (a) the Austrian sickness insurance scheme or (b) another medical insurance scheme that, in the opinion of the Director-General, provides adequate coverage. If the staff member elects the coverage under (b), no contribution or other payments towards medical expenses shall be made by the Organization.

### **Rule 108.03 Sick Leave**

(a) Staff members who are incapacitated from the performance of their duties by illness or injury or whose attendance is prevented by public health requirements shall be granted sick leave in accordance with the following provisions:

- (i) All sick leave must be approved on behalf of the Director-General;
- (ii) A staff member holding a fixed-term appointment of less than one year shall be granted sick leave credit at the rate of two working days per month of contractual service;
- (iii) A staff member holding a fixed-term appointment of 1 year or longer but less than 3 years shall be granted sick leave of up to 3 months on full salary and 3 months on half salary in any period of 12 consecutive months, provided that the amount of sick leave permitted in any 4 consecutive years shall not exceed 18 months, 9 months on full salary and 9 months on half salary;
- (iv) A staff member who holds a permanent appointment, who holds a fixed-term appointment for three years or more or who has completed three years of continuous service shall be granted sick leave of up to nine months on full salary and nine months on half salary in any period of four consecutive years;
- (v) Staff members shall be responsible for informing their supervisors as soon as possible of absences due to illness or injury;
- (vi) A staff member who is on sick leave for a period of more than three consecutive working days is required to produce a certificate from a duly recognized medical

practitioner to the effect that the staff member is unable to perform his or her duties and stating the nature of the illness and the probable duration of incapacity. Such certificate shall, except in circumstances beyond the control of the staff member, be produced not later than the end of the fourth working day following the initial absence from duty of the staff member;

(vii) After a staff member has taken periods of uncertified sick leave totalling seven working days within a calendar year, any further absence from duty within that year shall either be supported by a medical certificate or deducted from annual leave or charged as special leave without pay; part or all of the uncertified sick leave may be used to attend to family related emergencies, i.e. sudden illness or injury of a family member (spouse, child, parent, brother or sister).

(viii) A staff member who, in the opinion of the Medical Officer of the Organization, is unfit for duty may be required at any time to submit a medical certificate as to his or her condition or to undergo examination by a medical practitioner named by the Director-General. Further sick leave may be refused or the unused portion withdrawn, if the Director-General is satisfied that the staff member is able to return to duty, provided that, if the staff member so requests, the matter shall be referred to an independent practitioner or a medical board acceptable to both the Director-General and the staff member;

(ix) A staff member shall not, while on sick leave, leave the area of the duty station without prior approval of the Director-General.

(b) When sickness of more than three consecutive working days occurs within a period of annual leave, including home leave, sick leave may be approved on production of an appropriate medical certificate or other satisfactory evidence. In such circumstances, a staff member should submit his or her request for sick leave together with the supporting certificate or other evidence as soon as practicable, and in any event immediately on his or her return to duty.

(c) A staff member shall notify the Medical Officer of the Organization immediately of any case of contagious disease occurring in his or her household, or of any quarantine order affecting the household. A staff member who, as a result of these circumstances, is directed not to attend the office shall receive his or her full salary and other emoluments for the period of authorized absence.

(d) On the advice of the Medical Officer of the Organization, the Director-General may require a staff member to absent himself or herself on sick leave in cases referred to in staff rule 103.13(c).

(e) Entitlement to sick leave shall lapse on the final date of a staff member's appointment.



**Rule 108.04**  
**Maternity Leave/Paternity Leave**

(a) A staff member shall be entitled to maternity leave in accordance with the following provisions:

(i) The leave shall commence six weeks prior to the anticipated date of birth upon production of a certificate from a duly recognized medical practitioner indicating the anticipated date of birth. However, at the staff member's request and upon production of a certificate from a duly recognized medical practitioner indicating that she is fit to continue to work, the absence may be permitted to commence less than six weeks but normally not less than two weeks before the anticipated date of birth;

(ii) The leave shall extend for a total period of sixteen weeks from the time it is granted. The post-delivery leave shall therefore extend for a period equivalent to sixteen weeks less the period between the commencement of the maternity leave and the actual date of birth, subject to a minimum of ten weeks. However, the staff member, on her request, may be permitted to return to work after the lapse of a minimum period of six weeks following delivery;

(iii) The staff member shall receive maternity leave with full pay for the entire duration of her absence in accordance with (i) and (ii) above. However, if due to a miscalculation on the part of the medical practitioner or midwife as to the date of birth the pre-delivery leave is more than six weeks, the staff member shall receive full pay to the actual date of birth and will be allowed the minimum of ten weeks of post-delivery leave as provided in (ii) above.

(b) Sick leave shall not be granted for the duration of maternity leave except where serious complications arise.

(c) Annual leave shall accrue during the period of maternity leave, provided that the staff member returns to service for at least six months after the completion of maternity leave.

(d) A staff member shall be entitled to time off for two 30-minute periods daily in order to nurse her child for such period as may be authorized.

(e) Male staff members shall be entitled to paternity leave within the limits and under terms and conditions established by the Director-General. A duration of up to four weeks paid leave for paternity purposes shall be granted to staff at headquarters and family duty stations and up to eight weeks for staff at non-family duty stations.

**Rule 108.05**

**Compensation for Death, Injury or Illness Attributable to Service**

Staff members shall be entitled to compensation in the event of death, injury or illness attributable to the performance of official duties on behalf of the Organization, in accordance with the rules set forth in appendix D to the Staff Rules.

**Rule 108.06**

**Staff Member's Beneficiaries**

(a) At the time of appointment, each staff member shall nominate a beneficiary or beneficiaries in writing in a form prescribed by the Director-General. It shall be the responsibility of the staff member to notify the Director-General of any revocations or changes of beneficiaries.

(b) In the event of the death of a staff member, all amounts standing to the staff member's credit will be paid to his or her nominated beneficiary or beneficiaries, subject to application of the Staff Rules. Such payment shall afford the Organization complete release from all further liability in respect of any sum so paid.

(c) If a nominated beneficiary does not survive, or if a designation of beneficiary has not been made or has been revoked, the amount standing to the credit of a staff member will, upon the staff member's death, be paid to his or her estate.

**Rule 108.07**

**Compensation for Loss of or Damage to Personal Effects Attributable to Service**

Staff members shall be entitled, within the limits and under terms and conditions established by the Director-General, to reasonable compensation in the event of loss of or damage to their personal effects determined to be directly attributable to the performance of official duties on behalf of the Organization, provided that reasonable precaution had been taken to safeguard the personal effects.

## **Chapter IX - Travel and Removal Expenses**

### **Rule 109.01**

#### **Official Travel of Staff Members**

(a) Subject to the conditions laid down in the present rules, the Organization shall pay the travel expenses of a staff member under the following circumstances:

- (i) On initial appointment, provided the staff member is considered to have been internationally recruited under rule 103.07;
- (ii) When required to travel on official business;
- (iii) On change of official duty station, as defined in rule 104.03;
- (iv) On home leave, in accordance with the provisions of rule 107.03;
- (v) On a family visit, in accordance with the provisions of paragraph (b) below;
- (vi) On separation from service, in accordance with the provisions of chapter X of the Staff Regulations and Staff Rules;
- (vii) On travel authorized for medical or security reasons or in other appropriate cases, when, in the opinion of the Director-General, there are compelling reasons for paying such expenses.

(b) Under subparagraph (a)(v) above, the Organization may pay the travel expenses of a staff member to the place of recruitment, to the place of home leave or to the previous duty station for the purpose of visiting his or her eligible family members (see rule 109.03) once every year in which the staff member's home leave does not fall due, provided that:

- (i) The staff member has completed not less than one year of continuous service at the duty station since the initial appointment or assignment or not less than nine months since departure on his or her last home leave journey;
- (ii) The staff member's service at the duty station is expected to continue at least six months beyond the date of return to the duty station;
- (iii) During the preceding twelve months, none of the eligible family members has been present with the staff member at the duty station after travel at the Organization's expense except education grant travel.

Should a staff member wish to visit his or her eligible family members residing at any other place, the travel expenses borne by the Organization shall not exceed the maximum amount that would have been payable on the basis of travel to the place of home leave. The Director-General may establish special conditions for payment of these travel expenses in respect of eligible staff members serving at duty stations designated by the International Civil Service Commission as having very difficult conditions of life and work.

(c) Under subparagraph (a)(vi) above, the Organization shall pay the travel expenses of a staff member to the place of recruitment or, if the staff member has had an appointment for

a period of two years or longer or has completed not less than two years of continuous service, his or her place of home leave. Should a staff member, on separation from service, wish to go to any other place, the travel expenses borne by the Organization shall not exceed the maximum amount that would have been payable on the basis of return transportation to the place of recruitment or home leave.

**Rule 109.02**  
**Official Travel of Family Members**

(a) Subject to the conditions laid down in these rules, the Organization shall pay the travel expenses of a staff member's eligible family members under the following circumstances:

(i) On the initial appointment of a staff member who is considered to have been internationally recruited under rule 103.07, provided the appointment is for a period of one year or longer and provided the staff member's services are expected by the Director-General to continue for more than six months beyond the date on which the travel of his or her family members commences;

(ii) Following completion by the staff member of not less than one year of continuous service, provided his or her services are expected by the Director-General to continue for more than six months beyond the date on which the travel of his or her family members commences;

(iii) On change of official duty station, provided the services of the staff member at the new duty station are expected by the Director-General to continue for more than six months beyond the date on which the travel of his or her family members commences;

(iv) On home leave, in accordance with the provisions of rule 107.03;

(v) On separation of a staff member from service, provided the staff member's appointment was for a period of one year or longer or the staff member had completed not less than one year of continuous service;

(vi) On travel approved in connection with the education of a staff member's child;

(vii) On travel authorized for medical or security reasons or in other appropriate cases, when, in the opinion of the Director-General, there are compelling reasons for paying such expenses;

(viii) On the travel of the spouse to the duty station, in lieu of the staff member's family visit travel under rule 109.01(a)(v), subject to the same conditions as specified in rule 109.01(b).

(b) Under subparagraphs (a)(i) and (ii) above, the Organization shall pay the travel expenses of a staff member's eligible family members either from the place of recruitment or from the place of home leave. Should a staff member wish to bring any eligible family member to the official duty station from any other place, the travel expenses borne by the Organization shall not exceed the maximum amount that would have been payable on the basis of travel from the place of recruitment or home leave.

(c) Under subparagraph (a)(v) above, the Organization shall pay the travel expenses of a staff member's eligible family members from the official duty station to the place to which the staff member is entitled to be returned under rule 109.01(c). Where both husband and wife are staff members and either or both are entitled to the payment of travel expenses on separation from service, travel expenses shall be paid for each only upon their own separation from service. Where both spouses are entitled to return travel expenses, each staff member shall have the choice either of exercising his or her own entitlement or of accompanying the other spouse, provided that in no case shall such expenses be paid for a staff member while he or she remains in the service of the Organization.

**Rule 109.03**  
**Eligible Family Members**

(a) Eligible family members, for the purposes of official travel, shall be deemed to comprise a spouse and those children recognized as dependent under rule 106.15(b). In addition, those children in respect of whom an education grant is payable, even though they are no longer recognized as dependent under rule 106.15(b), shall be eligible for education grant travel under the terms and conditions set forth in Appendix E to the Staff Rules.

(b) The Director-General may authorize payment of the travel expenses of a child for one trip either to the staff member's duty station or to his or her home country beyond the age when the dependency status of the child would otherwise cease under rule 106.15(b), either within one year or upon completion of the child's continuous full-time attendance at a university, when the attendance at the university commenced during the period of recognized dependency status.

(c) Notwithstanding rule 109.02(a)(v), the Director-General may also authorize payment of the travel expenses for repatriation purposes of a former spouse.

**Rule 109.04**  
**Authority to Travel**

Before travel is undertaken it shall be authorized in writing. In exceptional cases, staff members may be authorized to travel on oral instructions, but such oral authorization shall require subsequent written confirmation. A staff member shall be personally responsible for ascertaining that he or she has the proper authorization before commencing travel.

**Rule 109.05**  
**Route, Mode and Standard of Transportation**

(a) Official travel shall, in all instances, be by a route, mode and standard of transportation approved in advance by the Director-General.

(b) Travel shall be by the most direct and economical route and mode of transportation unless it is established to the satisfaction of the Director-General that the use of an alternate route or mode is in the best interests of the Organization.

(c) Travel expenses or other entitlements, including travel time, shall be limited to the amount allowable for a journey by the approved route, mode and standard of transportation. Staff members who wish to make other arrangements for personal convenience must obtain advance approval to do so and pay all additional costs.

**Rule 109.06**  
**Provisions Governing Official Travel**

Official travel of staff members and their eligible family members shall be undertaken in accordance with the provisions set out in appendix G to the Staff Rules.

**Rule 109.07**  
**Travel Expenses**

(a) Travel expenses that shall be paid or reimbursed by the Organization in respect of official travel shall include:

- (i) Transportation expenses;
- (ii) Terminal expenses;
- (iii) Transit expenses;
- (iv) Travel subsistence allowance;
- (v) Justifiable additional expenses incurred during travel.

(b) The Director-General may establish special conditions for the payment or reimbursement of travel expenses in respect of home leave, family visit or repatriation.

(c) Staff members shall exercise the same care in incurring expenses on behalf of the Organization as they would if travelling on personal business.

**Rule 109.08**  
**Travel Subsistence Allowance**

Subject to the terms and conditions set forth in appendix G to the Staff Rules, staff members shall be paid, in respect of official travel undertaken by them or their eligible family members, an appropriate daily subsistence allowance in accordance with a schedule of rates established by the International Civil Service Commission.

**Rule 109.09**  
**Settling-in Grant**

**Definition and computation of the grant**

(a) On official travel upon appointment or reassignment to a duty station for a period of one year or more, staff members in the Professional and higher categories shall be paid a

settling-in grant. The settling-in grant is intended to provide such staff members with a reasonable amount of cash at the beginning of the assignment for costs incurred as a result of the appointment or assignment and is based on the assumption that the main expenses of installation are incurred at the outset of an assignment.

(b) The settling-in grant shall consist of two portions:

(i) The daily subsistence allowance portion, which shall be equivalent to:

- a. Thirty days of daily subsistence allowance at the daily rate applicable under subparagraph (c) (i) below; and
- b. Thirty days of daily subsistence allowance at half the daily rate in respect of each accompanying eligible family member for whom travel expenses have been paid by the Organization under staff rule 109.02 (a) (i)-(iii).

(ii) The lump-sum portion, which is calculated on the basis of one month of the staff member's net base salary and, where appropriate, post adjustment at the duty station of assignment.

(c)

(i) The Director General may establish and publish special rates of travel subsistence allowance for the purposes of the settling-in grant for specific categories of staff at various duty stations. Where such special rates have not been established, the travel subsistence allowance rates under staff rule 109.08 shall be used in computing the settling-in grant;

(ii) Under conditions established by the Director General, the limit of 30 days provided in paragraph (b) above may be extended to a maximum of 90 days. The amount of the grant during the extended period shall be up to 60 per cent of the appropriate prevailing rate.

### **Eligibility**

(d) A staff member holding a fixed-term appointment who travels at the Organization's expense to a duty station for an assignment expected to be for one year or more shall be paid a settling-in grant in accordance with paragraphs (b) and (c) above.

(e) If a change of official duty station or a new appointment involves a return to a place at which the staff member was previously stationed, the full amount of the settling-in grant shall not be payable unless the staff member has been absent from that place for at least one year. In the case of a shorter absence, the amount payable shall normally be that proportion of the full grant that the completed months of absence bear to one year.

**Rule 109.10**  
**Loss of Entitlement to Return Transportation**

(a) A staff member who resigns before completing one year of service or within six months following the date of his or her return from travel on home leave or family visit shall not be entitled to payment of return travel expenses for himself or herself and family members unless, in the opinion of the Director-General, there are compelling reasons for authorizing such payment.

(b) Entitlement to return travel expenses shall cease if travel has not commenced within six months after the date of separation from service. However, where both husband and wife are staff members and the spouse who separates first is entitled to return travel expenses, his or her entitlement shall not cease until six months after the date of separation of the other spouse.

**Rule 109.11**  
**Excess Baggage and Partial Relocation Shipments**

In conjunction with official travel undertaken by themselves or their eligible family members under these rules, staff members shall be entitled to payment by the Organization of the following expenses for the transportation of their personal effects and household goods within the limits and under the conditions set forth in the relevant provisions of appendix H to the Staff Rules:

- (i) Charges for excess baggage on travel by air economy class;
- (ii) Costs for partial relocation shipments of personal effects on travel on home leave, family visit or education grant;
- (iii) Costs for partial relocation shipments of personal effects and household goods on travel on initial appointment, change of duty station or separation from service;
- (iv) Premiums for insurance coverage of personal effects and household goods shipped under (iii) above.

**Rule 109.12**  
**Relocation Shipment**

**Eligibility**

(a) When an internationally recruited staff member is to serve at a duty station for a continuous period that is expected to be two years or more, the Director-General shall decide whether to pay the costs for the relocation shipment for full removal of the staff member's personal effects and household goods or to pay a lump-sum in lieu of the relocation shipment under paragraph (g) below under the following circumstances:

- (i) Upon initial appointment for a period of two years or longer;



- (ii) Upon completion of two years of continuous service;
- (iii) Upon change of duty station, provided that the staff member is expected to serve at the new duty station for a period of two years or longer and that, in exceptional cases where the expected period of service is one year or more but less than two years, the Director-General may authorize payment of relocation costs under the present rule.
- (iv) Upon separation from service, provided that the staff member had an appointment for a period of two years or longer or had completed not less than two years of continuous service.

When an entitlement to relocation shipment arises under paragraph (a) above, it shall normally be paid in case of service at headquarters duty stations or other duty stations classified in the same category. Other shipment entitlements apply to assignments to a duty station in the field as provided in Appendix H.

(b) Under subparagraphs (a)(i) and (ii) above, the Organization shall pay the costs of relocation shipment either from the staff member's place of recruitment or place of home leave, provided that the personal effects and household goods were in the staff member's possession at the time of appointment and are being transported for his or her own use. Payment of relocation shipment from a place other than those specified may be authorized by the Director-General in exceptional cases, on such terms and conditions as the Director-General deems appropriate. No expenses shall be paid for removing a staff member's personal effects and household goods from one residence to another at the duty station.

(c) Under subparagraph (a)(iv) above, the Organization shall pay the costs of relocation shipment from the official duty station to any one place to which the staff member is entitled to be returned under staff rule 109.01(c) or to another place authorized by the Director-General in exceptional cases on such terms and conditions as the Director-General deems appropriate, provided that the personal effects and household goods were in the staff member's possession at the time of separation from service and are being transported for his or her own use.

(d) Payment by the Organization of the relocation shipment shall be subject to the terms and conditions set out in appendix H to the Staff Rules.

(e) In addition to the relocation shipment under this rule, the cost of transporting a privately owned car to a duty station may be partially reimbursed under conditions established by the Director-General, provided that the duty station to which the car is transported is one of the duty stations designated for that purpose and that the assignment of the staff member to the duty station is expected to be for a period of two years or more or that the initial assignment for a lesser period is extended so that the total period of assignment becomes two years or more.

(f) When an internationally recruited staff member is assigned to a new duty station without entitlement to relocation shipment, the Organization shall pay the costs of storage of

personal effects and household goods within the limits and subject to the conditions set out in appendix H to the Staff Rules.

### **Lump sum option in lieu of relocation shipment**

(g) On arrival at the duty station upon appointment or assignment for two years or longer, transfer or separation from service of a staff member appointed for two years or longer, internationally recruited staff members entitled to relocation shipment under paragraph (a) above, may opt for a lump sum option in lieu of the relocation shipment, at rates and conditions set by the Director-General.

### **Rule 109.13 Reimbursement of Travel or Removal Expenses**

The Director-General may reject any claim for payment or reimbursement of travel or removal expenses that are incurred by a staff member in contravention of any provision of these rules or appendix G or H to the Staff Rules.

### **Rule 109.14 Loss of Entitlement to Relocation Shipment or Partial Relocation Shipment**

(a) A staff member who resigns before completing two years of service shall not normally be entitled to payment of relocation shipment under rule 109.12 above.

(b) Entitlement to relocation or partial relocation shipment under rule 109.12 (a)(i), (ii) and (iii) shall normally cease if the shipment has not commenced within two years of the date on which the staff member became entitled to relocation or partial relocation shipment costs or if the staff member's services are not expected to continue for more than six months beyond the proposed date of arrival of the shipment.

(c) Upon separation from service, entitlement to:

(i) Partial Relocation Shipment under rule 109.11 shall cease if the shipment has not commenced within six months after the date of separation.

(ii) Relocation Shipment under rule 109.12 shall cease if the shipment has not commenced within one year after the date of separation.

(iii) However, where both husband and wife are staff members and the spouse who separates first is entitled to partial relocation or relocation shipment, his or her entitlement shall not cease until six months or one year, as the case may be, after the date of separation of the other spouse.

**Rule 109.15**  
**Transportation of Deceased Persons**

Upon the death of a staff member or of his or her spouse or dependent child, the Organization shall pay the expenses of transportation of the body from the official duty station or, in the event of death having occurred while in travel status, from the place of death, to a place to which the deceased was entitled to return transportation under rule 109.01 or 109.02. These expenses shall include reasonable costs for preparation of the body. If local interment is selected, reasonable expenses incurred for the interment may be reimbursed.

## **Chapter X - Separation from Service**

### **Rule 110.01 Resignation**

(a) A resignation, within the meaning of the Staff Regulations and Staff Rules, is a separation initiated by a staff member.

(b) Unless otherwise specified in their letters of appointment, three months' written notice of resignation shall be given by staff members having permanent appointments and 30 days' written notice of resignation by those having fixed-term appointments. The Director-General may, however, accept a resignation on shorter notice.

(c) The Director-General may require the resignation to be submitted in person in order to be acceptable.

### **Rule 110.02 Abolition of Posts and Reduction of Staff**

(a) If the necessities of the service require abolition of a post or reduction of staff, and subject to the availability of suitable posts in which their services can be effectively utilized, staff members with permanent appointments shall be retained in preference to those on fixed-term appointments, provided that due regard shall be paid in all cases to relative competence, to integrity and to length of service. Due regard shall also be paid to nationality in the case of staff members with not more than five years of service and in the case of staff members who have changed their nationality within the preceding five years when the suitable posts available are subject to the principle of geographical distribution.

(b) In application of paragraph (a) above, locally recruited staff members may only be considered for alternative suitable posts at the duty station.

### **Rule 110.03 Retirement**

Retirement under articles 28-30 of the United Nations Joint Staff Pension Fund Regulations shall not be regarded as a termination within the meaning of the Staff Regulations and Staff Rules.

### **Rule 110.04 Definition of Termination**

A termination, within the meaning of the Staff Regulations and Staff Rules, is a separation from service initiated by the Director-General, other than retirement at the age of 60 years or more, or summary dismissal for serious misconduct.

**Rule 110.05**  
**Expiration of Fixed-Term Appointments**

(a) A fixed-term appointment does not carry any expectancy of renewal or conversion to another type of appointment. It shall expire automatically and without prior notice on the expiration date specified in the letter of appointment. Separation as a result of the expiration of a fixed-term appointment shall not be regarded as a termination within the meaning of the Staff Regulations and Staff Rules. Accordingly, non-extension of fixed-term appointments does not entail payment of an indemnity.

(b) Notwithstanding the terms of (a) above and in the interests of sound management, every effort shall be made to inform staff members who have held fixed-term appointments for a continuous period of five years or more of the outcome of the review of their contractual status reasonably in advance of the expiration of their appointment.

**Rule 110.06**  
**Notice of Termination**

(a) A staff member whose permanent appointment is to be terminated shall be given not less than three months' written notice of such termination.

(b) A staff member whose fixed-term appointment is to be terminated shall be given not less than 30 days' written notice of such termination or such notice as may otherwise be stipulated in his or her letter of appointment.

(c) In lieu of these notice periods, the Director-General may authorize compensation calculated on the basis of the salary and allowances that the staff member would have received had the date of termination been at the end of the notice period.

**Rule 110.07**  
**Termination Indemnity**

(a) Payment of termination indemnity under staff regulation 10.6 and schedule III of the Staff Regulations shall be calculated:

(i) For staff in the Professional and higher categories, on the basis of the staff member's gross salary less staff assessment according to the schedule of rates set forth in paragraph (i) of schedule II of the Staff Regulations applied to the gross salary;

(ii) For staff in the General Service and related categories, on the basis of the staff member's gross salary, including language allowance and non-resident's allowance, if any, less staff assessment according to the schedule of rates set forth in paragraph (ii) of schedule II of the Staff Regulations applied to the gross salary alone.

(b) "Completed years of service" referred to in paragraph (a) of schedule III of the Staff Regulations shall be deemed to comprise the total period of a staff member's full-time

continuous service with the Organization, including any such service performed under a United Nations appointment immediately prior to 1 January 1986. Completed months of service shall be taken into account on a proportionate basis. Continuity of such service shall not be considered as broken by periods of special leave without pay or with partial pay, but full months of any such periods exceeding one calendar month shall not be credited as service for indemnity purposes; periods of less than one calendar month shall not affect the ordinary rates of accrual.

(c) In cases where the staff member is eligible for payment of a termination indemnity as well as the end-of-service allowance in line with Rule 110.13, the staff member shall be granted either of the payments, whichever yields a greater amount.

**Rule 110.08**  
**Commutation of Accrued Annual Leave**

If, upon separation from service, a staff member has accrued annual leave, the staff member shall be paid a sum of money in commutation of the period of such accrued leave up to a maximum of 60 working days. The payment shall be calculated:

- (i) For staff in the Professional and higher categories, on the basis of the staff member's net base salary and post adjustment applicable to his or her last duty station before separation;
- (ii) For staff in the General Service and related categories, on the basis of the staff member's gross salary, including language allowance and non-resident's allowance, if any, less staff assessment according to the schedule of rates set forth in paragraph (ii) of schedule II of the Staff Regulations applied to the gross salary alone.

**Rule 110.09**  
**Restitution of Advance Annual and Sick Leave**

Upon separation from service, a staff member who has taken advance annual leave or sick leave beyond that which he or she has subsequently accrued shall make restitution for such advance leave by means of a cash refund or an offset against monies due to the staff member from the Organization, equivalent to the remuneration received, including allowances and other payments, in respect of the advance leave period. This requirement may be waived by the Director-General in exceptional or compelling circumstances.

**Rule 110.10**  
**Last Day for Pay Purposes**

(a) When a staff member is separated from service, the date on which entitlement to salary, allowances and benefits shall cease shall be determined according to the following provisions:

- (i) Upon resignation, the date shall be either the date of expiration of the notice period under rule 110.01 or such other date as the Director-General accepts. Staff

members will be expected to perform their duties during the period of notice of resignation, except when the resignation takes effect upon the completion of maternity leave or following sick leave or special leave. Annual leave will be granted during the notice of resignation only for brief periods;

(ii) Upon expiration of a fixed-term appointment, the date shall be the date specified in the letter of appointment;

(iii) Upon termination, the date shall be the date provided in the notice of termination;

(iv) Upon retirement, the date shall be the date approved by the Director-General for retirement;

(v) In the case of summary dismissal, the date shall be the date of dismissal;

(vi) In the case of death, the date on which entitlement to salary, allowances and benefits shall cease shall be the date of death, except in the case of staff members who die in service while holding an appointment of at least one year or having completed at least one year's service and who are survived by a spouse or dependent child. In this event, the date shall be determined in accordance with the following schedule:

<b>Completed years of service (As defined in rule 110.07)</b>	<b>Months of extension beyond date of death</b>
3 or less	3
4	4
5	5
6	6
7	7
8	8
9 or more	9

Payment related to the period of extension beyond the date of death may be made in a lump sum as soon as the pay accounts and related matters can be closed. Such payment shall be made only to the surviving spouse and dependent children. For staff in the Professional and higher categories, the payment shall be calculated on the basis of the staff member's gross salary less staff assessment according to the schedule of rates set forth in paragraph (i) of schedule II of the Staff Regulations applied to the gross salary. For staff in the General Service and related categories, the payment shall be calculated on the basis of the staff member's gross salary, including language allowance and non-resident's allowance, if any, less staff assessment according to the schedule of rates set forth in paragraph (ii) of schedule II of the Staff Regulations applied to the gross salary alone. All other entitlements and accrual of benefits shall cease as of the date of death.

(b) When an internationally recruited staff member exercises an entitlement to return travel, the last day for pay purposes shall be the date established under subparagraphs (a)(i), (ii) or (iii) above or the estimated date of arrival at the place of entitlement, whichever is later. The estimated date of arrival shall be determined on the basis of the time it would take to travel without interruption by an approved route and mode of direct travel from the duty station to the place of entitlement, the travel commencing no later than the day following the date established under paragraph (a) above.

**Rule 110.11**  
**Repatriation Grant**

The repatriation grant payable to staff members whom the Organization is obligated to repatriate under staff regulation 10.8 and schedule IV of the Staff Regulations shall be paid according to the provisions set forth in appendix I to the Staff Rules.

**Rule 110.12**  
**Certification of Service**

Any staff member who so requests shall, on leaving the service of the Organization, be given a statement relating to the nature of his or her duties and the length of service. On the staff member's written request, the statement shall also refer to the quality of his or her work and his or her official conduct.

**Rule 110.13**  
**End-of-Service Allowance**

Staff members in the General Service category may be paid an end-of-service allowance in accordance with the terms and conditions set forth in Appendix O to these Staff Rules. In cases where the staff member is eligible for payment of a termination indemnity in line with Rule 110.07 as well as the end-of-service allowance, the staff member shall be granted either of the payments, whichever yields a greater amount.



## **Chapter XI - Disciplinary Measures**

### **Rule 111.01 Joint Disciplinary Committee**

A Joint Disciplinary Committee is established and shall be available to advise the Director-General in disciplinary cases involving staff members of the Organization. Provisions governing the composition and procedure of the Joint Disciplinary Committee are set out in appendix J to the Staff Rules.

### **Rule 111.02 Breaches of Conduct**

(a) Failure to meet the highest standards of integrity, unsatisfactory conduct or misconduct referred to in staff regulation 11.2 shall extend, but not be limited, to conduct incompatible with the staff member's duties and obligations under staff regulations 1.1 to 1.7.

(b) The conduct expected from an international civil servant as described in the Standards of Conduct for the International Civil Service prepared by the International Civil Service Commission, will generally serve as a basis for the consideration by the Director-General of what would constitute failure to meet the highest standards of integrity, unsatisfactory conduct or misconduct referred to in staff regulation 11.2.

### **Rule 111.03 Disciplinary Measures**

(a) Disciplinary measures referred to in staff regulation 11.2 shall consist of written censure, suspension without pay, demotion or dismissal for misconduct, provided that suspension pending investigation under rule 111.04 shall not be considered a disciplinary measure.

(b) Except in cases of serious misconduct requiring summary dismissal, no staff member shall be subject to disciplinary measures until the matter has been referred for advice to the Joint Disciplinary Committee, provided that referral to the Joint Disciplinary Committee may be waived by agreement of the staff member concerned and the Director-General.

(c) Written censure shall be authorized by the Director-General and shall be distinguished from a reprimand of a staff member by a supervisory official. Such reprimand shall not be deemed to be a disciplinary measure within the meaning of this rule.

**Rule 111.04**  
**Suspension Pending Investigation**

If a charge of misconduct is made against a staff member and the Director-General considers that there is prima facie evidence of the staff member's misconduct and that the staff member's continuance in service would prejudice the interests of the Organization, the staff member may be suspended from duty pending investigation. Such suspension shall be with pay unless, in exceptional circumstances, the Director-General decides that suspension without pay is appropriate. The suspension shall be without prejudice to the rights of the staff member under the Staff Regulations and Staff Rules.

## **Chapter XII - Appeals**

### **Rule 112.01 Joint Appeals Board**

(a) A Joint Appeals Board shall be established at Headquarters to consider and advise the Director-General regarding appeals filed by staff members under the terms of staff regulation 12.1 against an administrative decision in which the staff member alleges the non-observance of his or her terms of appointment, including all pertinent regulations and rules, or against disciplinary action.

(b) Provisions governing the composition and procedure of the Joint Appeals Board are set out in appendix K to the Staff Rules.

### **Rule 112.02 Procedure for Initiating an Appeal**

(a) A serving or former staff member who wishes to appeal an administrative decision under the terms of regulation 12.1, shall, as a first step, address a letter to the Director-General, requesting that the administrative decision be reviewed. Such a letter must be sent within 60 days from the date the staff member received notification of the decision in writing.

(b) (i) If the staff member wishes to make an appeal against the answer received from the Director-General, the staff member shall submit his or her appeal in writing to the Secretary of the Joint Appeals Board within 60 days from the date of receipt of the answer;

(ii) If no reply has been received from the Director-General within 60 days from the date the letter was sent to the Director-General, the staff member may, within the following 30 days, submit his or her written appeal against the original administrative decision to the Secretary of the Joint Appeals Board; alternatively, the staff member may, within the following 90 days, apply directly to the Administrative Tribunal of the International Labour Organisation in accordance with the provisions of its Statute.

(c) An appeal against the Director-General's decision on disciplinary action shall be addressed to the Secretary of the Joint Appeals Board within one month of the date on which the staff member received notification of the decision in writing.

(d) The filing of an appeal with the Joint Appeals Board shall not have the effect of suspending action on an administrative decision that is the subject of the appeal. However, upon request of the staff member, the Board may, after a preliminary hearing, recommend to the Director-General the suspension of action on that decision; the Director-General's decision on such a recommendation is not subject to any appeal.

**Rule 112.03**  
**Administrative Tribunal**

(a) Staff members shall have the right of further appeal against administrative decisions by applying to the Administrative Tribunal of the International Labour Organisation in accordance with the provisions of the Statute of the Tribunal.

(b) An application to the Tribunal shall not be receivable unless the applicant has previously submitted the dispute to the Joint Appeals Board under rule 112.01 and the Board has communicated its opinion to the Director-General, except where the circumstances described in rule 112.02(b)(ii) obtain.

## **Chapter XIII - General Provisions**

### **Rule 113.01 Gender of Terms**

In the French text of these rules reference to staff members in the masculine gender shall apply to staff members of both sexes, unless clearly inappropriate from the context.

### **Rule 113.02 Amendment of, and Exceptions to, Staff Rules**

(a) These rules may be amended by the Director-General in a manner consistent with the Staff Regulations.

(b) Exceptions to these rules may be made by the Director-General, provided that such exception is not inconsistent with any staff regulation or other decision of the General Conference or the Industrial Development Board and provided further that it is agreed to by the staff member directly affected and is, in the opinion of the Director-General, not prejudicial to the interests of any other staff member or group of staff members.

(c) The present rules may be amplified by administrative instructions issued by the Director, Personnel Services Division, in consultation with the Deputy Director-General, Department of Administration, or the Director-General, as appropriate.

### **Rule 113.03 Provisional Nature of Staff Rules and Amendments**

(a) These rules and any amendments thereto shall be provisional until the following requirements have been met:

(i) The full text of provisional staff rules and amendments thereto shall be reported annually to the Industrial Development Board by the Director-General. Should the Board find that such a rule and/or amendment is inconsistent with the intent or purpose of the Staff Regulations, it may direct that the rule and/or amendment be withdrawn or modified;

(ii) The provisional rules and amendments reported by the Director-General, taking into account such modifications and/or deletions that may be directed by the Industrial Development Board, shall enter into force and effect on 1 January following the year in which the report is made to the Board.

(b) Staff rules shall not give rise to acquired rights within the meaning of staff regulation 13.1 while they are provisional.

**Rule 113.04**  
**Effective Date and Authentic Texts of Rules**

Except as otherwise indicated and subject to the provisions of rule 113.03, rules 100.01 to 113.04 as published in the present revised edition shall be effective from 1 July 1990. The English and French texts of these rules are equally authoritative.

## Annex - Sample Letters of Appointment

### I. Sample Letter of Fixed-Term Appointment

To:

You are hereby offered a FIXED-TERM APPOINTMENT in the Secretariat of the United Nations Industrial Development Organization, in accordance with the terms and conditions specified below, and subject to the provisions of the Staff Regulations and Staff Rules, together with such amendments as may be made thereto. This appointment is offered on the basis, inter alia, of your certification of the accuracy of the information provided by you on the personal history form. A copy of the Staff Regulations and Staff Rules is transmitted herewith.

#### 1. INITIAL ASSIGNMENT

Function:                    Department or Office:  
Category:                    Level:  
Official Duty Station:

Assessable Salary:

\$ ....., rising, subject to satisfactory service to  
\$ ....., in accordance with the schedule of increments for this  
category and level set out in the Staff Regulations and Staff Rules.

Effective Date of Appointment:

#### 2. ALLOWANCES

The salary shown above does not include any allowances to which you may be entitled.

#### 3. TENURE OF APPOINTMENT

This temporary appointment is for a fixed term of .....  
from the effective date of appointment shown above.  
It therefore expires on .....

A Fixed-term Appointment may be terminated prior to its expiration date in accordance with the relevant provisions of the Staff Regulations and Staff Rules, in which case the Director-General will give 30 days' written notice.

Should your appointment be thus terminated, the Director-General will pay such indemnity as may be provided for under the Staff Regulations and Staff Rules. There is no entitlement to either a period of notice or an indemnity payment in the event of summary dismissal for serious misconduct. The Fixed-term Appointment does not carry any expectancy of renewal or of conversion to any other type of appointment in the Secretariat of the United Nations Industrial Development Organization.

**4. INFORMATION NOTE**

Your attention is drawn, in particular, to the Staff Regulations and Staff Rules relating to the Staff Assessment Plan and to the United Nations Joint Staff Pension Fund.

**5. SPECIAL CONDITIONS**

[The following condition is to be inserted, where applicable:

"This appointment shall be subject to a period of probationary service, which is normally for one year. At the end of the probationary service, the appointment will be either confirmed or terminated." ]

**Date**

Director, Personnel Services Division  
on behalf of the Director-General

**To: Director, Personnel Services Division**

I hereby accept the appointment described in this letter, subject to the conditions therein specified and to those laid down in the Staff Regulations and the Staff Rules. I have been made acquainted with these Regulations and Rules, a copy of which has been transmitted to me with this letter of appointment.

**Date**

Staff member



## II. Sample Letter of Permanent Appointment

To:

You are hereby offered a PERMANENT APPOINTMENT in the Secretariat of the United Nations Industrial Development Organization, in accordance with the terms and conditions specified below, and subject to the provisions of the Staff Regulations and Staff Rules, together with such amendments as may be made thereto. This appointment is offered on the basis, inter alia, of your certification of the accuracy of the information provided by you on the personal history form.

### 1. INITIAL ASSIGNMENT

**Function: Department or Office:**

**Category: Level:**

**Official Duty Station:**

**Assessable Salary:**

\$ ....., rising, subject to satisfactory service to  
\$ ....., in accordance with the schedule of increments for  
this category and level set out in the Staff Regulations and Staff Rules.

Effective Date of Appointment:

### 2. ALLOWANCES

The salary shown above does not include any allowances to which you may be entitled.

### 3. TENURE OF APPOINTMENT

A permanent appointment may be terminated by the Director-General upon not less than three months' written notice in accordance with the relevant provisions of the Staff Regulations and Staff Rules. Should your appointment be terminated, the Director-General will pay such indemnity as may be provided for under the Staff Regulations and Staff Rules.

There is no entitlement to either a period of notice or an indemnity payment in the event of summary dismissal for serious misconduct.

### 4. INFORMATION NOTE

Your attention is drawn, in particular, to the Staff Regulations and Staff Rules relating to the Staff Assessment Plan and to the United Nations Joint Staff Pension Fund.

**5. SPECIAL CONDITIONS**

**Date**

Director, Personnel Services Division  
on behalf of the Director-General

**To: Director, Personnel Services Division**

I hereby accept the appointment described in this letter, subject to the conditions therein specified and to those laid down in the Staff Regulations and the Staff Rules.

**Date**

**Staff Member**