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SECRETARY-GENERAL'S BULLETIN

TO: Members of the Staff of the United Nations

Subject: STAFF RULES

Attached is a revised Chapter 17 of the Staff Rules governing the employment of experts and other personnel non-locally recruited specifically for service with technical assistance projects. These staff rules are intended to implement where necessary the Staff Regulations of the United Nations which shall apply to all such personnel.

This new chapter cancels and supersedes Chapter 17 of ST/AFS/SGB/81/Rev.7 and is effective as of 15 August 1953, and, subject to the Staff Regulations, shall govern exclusively the terms and conditions of appointment of such personnel unless otherwise specifically provided herein.

By direction of the Secretary-General

(Signed) Byron Price

BYRON PRICE
Assistant Secretary-General
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CHAPTER 17

EXPERTS AND OTHER PERSONNEL INTERNATIONALLY RECRUITED SPECIFICALLY FOR SERVICE WITH TECHNICAL ASSISTANCE PROJECTS

Rule 210

Staff rules relating to Technical Assistance Projects

The rules in this chapter shall apply to experts and other personnel, except as provided in (i) through (iv) below, who are internationally recruited specifically for service with technical assistance projects and appointed for a fixed period of less than three years. Such personnel shall hereinafter be called "project personnel", and be so identified in the letter of appointment.

- (i) Persons required to act as lecturers or to perform other short-term service (normally for not more than one month) in connexion with the technical assistance programme will be governed by the conditions specifically provided in the agreement which each has signed.
- (ii) Persons employed on a project of broader than national scope whose work takes place exclusively or primarily at an established United Nations office will be appointed under the rules regularly applicable to similar appointments at that office.
- (iii) Experts and other personnel who are internationally recruited specifically for service with technical assistance projects and appointed for a fixed period of three years or more shall be employed under Rules 101.1 to 112.8 provided that no seniority or other re-employment rights outside the technical assistance programme shall be conferred; and provided also that the conditions in this present chapter regarding currency of salary payments, rates of exchange, subsistence allowance while travelling within the mission area, hospitality expenditures, annual travel to residence and home leave for project personnel with dependents at the duty station, shall apply to such appointments. In addition, if their assignment to a specific mission area is to be less than two years, they shall be subject to the provisions of this chapter regarding daily subsistence or monthly lodging allowance, and travel of dependents.

- (iv) The staff rules for regular staff members shall continue to apply to staff members who are detailed or transferred to technical assistance projects and, in addition, the following of these rules shall be applicable:

- rule 212(g) dealing with clothing allowance
- rule 214 dealing with subsistence allowance
- rule 215(g) dealing with medical examinations
- rule 218(c) dealing with annual travel to residence
- rule 218(d) dealing with travel of dependents to mission area
- rule 218(g) dealing with removal of household goods.

Rule 211

Duties and Responsibilities

- (a) The Secretary-General may delegate his authority in respect of any matter covered by these rules.
- (b) Project personnel are subject to the authority of the Secretary-General and are responsible to him in the exercise of their functions.
- (c) Project personnel shall, upon appointment, subscribe to the following oath or declaration:
- "I solemnly swear (undertake, affirm, promise) to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the United Nations, to discharge these functions and regulate my conduct with the interests of the United Nations only in view, and not to seek or accept instructions in regard to the performance of my duties from any government or other authority external to the Organization".
- (d) The acceptance with the concurrence of the Secretary-General of any instruction from an external authority shall be deemed to be permitted by the oath.
- (e) Project personnel shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall not engage in any political, commercial or other activities which are incompatible with those for which they are appointed. They shall avoid any action, and in particular any kind of public pronouncement, which may adversely reflect on

their status. While they are not expected to give up their national sentiments or their political and religious convictions, they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

(f) Project personnel shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person any information known to them by reason of their official position which has not been made public, except in the course of their duties or by authorization of the Secretary-General; nor shall they at any time use such information to private advantage. These obligations do not cease with separation from the service.

(g) Project personnel designated as chiefs of missions shall exercise all discretion in issuing statements to the press, radio or other agencies of public information, releasing any visual information for publication, or taking part in mass communication activities such as film, theatre, radio or television productions which are in any way related to their project activities or to the aims, activities or interests of the Organization. All other personnel shall obtain the prior approval of the designated chief of mission or the Secretary-General, as appropriate, before engaging in any of the above activities. No fee or gift may be accepted for these activities.

(h) Project personnel shall not accept any honour, decoration, favour, gift or fee from any government or from any other source external to the Organization during the period of their appointments, except for war service.

(i) The normal work week shall be determined by the chief of mission with due consideration being given to local conditions and practices. The chief of mission shall also determine what, if any, official holidays shall be observed.

(j) The immunities and privileges attached to the United Nations by virtue of Article 105 of the Charter are conferred in the interests of the Organization. They furnish no excuse to project personnel who enjoy them for non-performance of their private obligations or failure to observe laws and police regulations. In any case where these privileges and immunities arise, the individual shall immediately report to the Secretary-General with whom alone it rests to decide whether they shall be waived.

. (k) All rights, including title, copyright and patent rights, in any work performed by project personnel as part of their official duties, shall be vested in the United Nations.

(l) Project personnel may be required to reimburse the United Nations either partially or in full for any financial loss suffered by the United Nations as a result of their negligence or of their having violated any regulation, rule or administrative instruction.

(m) Project personnel who have occasion to come in contact in their official capacity with any matter concerning a company, partnership, or other business concern in which they have an interest shall disclose the measure of that interest to the Secretary-General. This rule does not, however, apply to the mere holding of shares in a company unless such holding is so great as to give the individual a controlling interest in that company.

Rule 212Salaries and Related Allowances

(a) Project personnel shall be paid on the basis of the following monthly salary schedule, except when they are loaned to the United Nations on a reimbursable or non-reimbursable basis:

I	II	III
ASSESSABLE BASE MONTHLY SALARY (subject to assessment under Rule 213)	APPROXIMATE NET MONTHLY EQUIVALENT \$U.S. (after assessment)	STANDARDS
1,417	1,000	Experts of established international reputation and authority. Normally confined to appointments involving high level technical consultation and advice in some major aspects of a programme.
1,317	950	
1,223	900	
1,139	850	Experts of widely recognized standing and experience in their particular field of activity.
1,056	800	
975	750	
898	700	
822	650	Highly qualified experts capable of assuming technical and/or administrative duties and responsibilities at senior level.
750	600	
679	550	Experts of proven competence and experience.
612	500	
545	450	Qualified specialist personnel below the "expert" professional level.
480	400	
417	350	Technicians
355	300	

(b) Project personnel who are loaned to the United Nations on a reimbursable or non-reimbursable basis and who are not paid a salary directly by the United Nations may be given a monthly honorarium up to the equivalent of \$250 (U.S), subject to assessment under rule 213. Compensation for service-incurred death, illness or accident under rule 220 shall be determined in the case of such project personnel on the basis of the salary rate under (a) above at which the person would have been assigned had the Secretary-General set the rate for the appointment, and shall not include any honorarium.

(c) The Secretary-General may, in exceptional circumstances, make an upward adjustment of the top salary specified in (a), above.

(d) The following minimal amounts of base salary will be paid in the currency of the established country of residence:

- (i) For project personnel unaccompanied by dependents in the field - at least 50 per cent of base salary;
- (ii) For project personnel accompanied by dependents in the field - at least 25 per cent of base salary;
- (iii) Exceptions to the above minima may be made in exceptional circumstances which would involve hardship to the individual or in cases where obligation of a particular currency is in the interest of the organization.

The remainder of the basic salary may be paid either in the currency of the established country of residence or in the country of service, or in both. Arrangements may be made to allow project personnel to meet legitimate expenditures which may be incurred in a third currency by reason of employment in the technical assistance programme, if such currency is available to the Organization. Rates of exchange for the conversion of currencies will be established by the Executive Secretary.

(e) Salary advances may be made to project personnel during financial emergencies.

(f) Deductions may be made from salaries for contributions under the provisions of these rules, for contributions authorized by project personnel, and for indebtedness to the United Nations.

(g) A clothing allowance not to exceed \$200 shall be paid to project personnel who are recruited in temperate areas and sent to non-temperate areas, or vice versa. Except in unusual cases, clothing allowances shall not be paid in respect of assignments of less than one month duration in the field, and shall not be paid more than once to the same individual. For purposes of this rule, "non-temperate areas" shall be those areas designated as such by the Executive Secretary of the Technical Assistance Board.

Rule 213

Staff Assessment Plan

In accordance with the provisions of General Assembly Resolution 359 (IV), project personnel shall be subject to the United Nations Staff Assessment Plan in accordance with the following conditions:

- (i) the following payments shall be subject to an assessment:
 - (1) base salaries specified in column I of Rule 212(a) above;
 - (2) honoraria payable under rule 212(b); (3) payments upon separation, including indemnity pay and payment of unused annual leave.
- (ii) the assessment shall be calculated in accordance with the following rates:

<u>Total Assessable Payments</u>				<u>Assessment</u>
First	\$4,000	per	year	15%
Next	2,000	"	"	20%
"	2,000	"	"	25%
"	2,000	"	"	30%
"	2,000	"	"	35%
"	3,000	"	"	40%
Remaining assessable payments				50%

- (iii) If an individual is not employed by the United Nations for the whole of a calendar year or receives a change in the annual rate of payments made to him, the rate of assessment shall be governed by the annual rate of each payment made to him.
- (iv) No part of the assessment collected shall be refunded to an individual separated during the calendar year.

- (v) Credits shall be deductible from the assessment computed under (ii) at the rates and under the conditions specified below:
- (1) a maximum annual credit of \$200 for either a wife, a dependent husband, or a dependent child;
 - (2) a maximum annual credit of \$100 for either a dependent parent, brother, sister, or incapacitated child over sixteen years of age;
 - (3) a credit shall not be granted under both (1) and (2);
 - (4) if both husband and wife are employed by the United Nations, the husband shall be allowed a credit under (1) and the wife may only claim a credit under (2);
 - (5) credits shall be claimed in writing and supported by satisfactory evidence;
 - (6) a separate claim for credits shall be made for each year;
 - (7) a credit shall be limited to the appropriate portion of the year in which the circumstances giving rise to the claim first occur;
- (vi) For purposes of this rule, a dependent child is defined as a child who is dependent upon the individual for main and continuing support and who is under the age of eighteen years or, if the child is in full-time attendance at a school or university (or similar educational institution) or is totally disabled, under the age of twenty-one years.

Rule 214

Subsistence Allowance

(a) Persons appointed, detailed or transferred under rule 210 for a period of less than one year shall receive a subsistence allowance at a daily rate fixed by the Executive Secretary of the Technical Assistance Board during the period of their service in the mission area. The daily subsistence allowance may be paid in the currency of the duty station or in kind.

(b) Persons appointed, detailed or transferred under rule 210 for service at a duty station for a period of one year or more shall receive, during the period of service in the mission area, subsistence allowances at rates fixed by the Executive Secretary of the Technical Assistance Board. The subsistence allowances will normally be fixed as shown below:

	Subsistence allowance during first thirty days		Subsistence allowance after first thirty days	
	<u>If lodging is not provided</u>	<u>If lodging is provided</u>	<u>If lodging is not provided</u>	<u>If lodging is provided</u>
Project personnel without dependents	Full daily rate as in (a) above.	60 per cent of full daily rate as in (a) above.	Monthly lodging allowance based on 40 per cent of daily rate in (a) above.	None
Project personnel with recognized dependents in the mission area	Full daily rate as in (a) above plus 1/2 of daily rate for each dependent in the mission area up to four dependents.	40 per cent of daily rate in (a) above plus 1/2 of daily rate for each dependent in the mission area up to four dependents.	Monthly lodging allowance based on 60 per cent of daily rate in (a) above.	None
Project personnel whose recognized dependents are not in the mission area.	Full daily rate as in (a) above.	60 per cent of daily rate as in (a) above.	Same as if they were in the mission area.	Additional 20% of daily rate in cash.

(c) Persons appointed, detailed or transferred under rule 210 for a period of less than one year whose appointments are subsequently extended or converted so that their anticipated service at the same duty station will be one year or more, shall receive only the monthly lodging allowance in accordance with (b) above after they have been in the mission area for thirty days or with effect from the date of the conversion or extension, whichever is later; provided that the daily rate for the first thirty days shall be paid on behalf of recognized dependents in the area in accordance with (b) above.

(d) When project personnel travel on official business within the mission area, they will receive a daily travel allowance equivalent to the full daily subsistence allowance established for the country in which the travel is being performed. In addition, project personnel shall be entitled to reimbursement of actual expenditures incurred on their behalf at the base city in respect of lodging and subsistence, to the extent that such expenditures do not exceed their normal entitlement. The daily travel allowance shall be reduced proportionately when lodging and/or subsistence is provided in kind away from the base city.

(e) Project personnel shall continue to receive the authorized subsistence allowance during periods of accrued leave taken within the period of their assignment when it is necessary for them to retain their mission housing accommodation provided that such payment will not be made during periods of home leave, annual travel to home country, or travel on initial recruitment or on separation.

Rule 215

(a) The Secretary-General appoints project personnel as required. Each person so appointed shall receive a letter of appointment in accordance with staff regulation 4.1.

(b) Project personnel shall be engaged on temporary appointments which are for a fixed term and which expire without prior notice on the expiration date specified in the letter of appointment.

(c) Project personnel shall be chosen not only for their technical competence, but also for their sympathetic understanding of the cultural backgrounds and specific needs of the countries to be assisted and for their capacity to adapt methods of work to local conditions, social and material. The highest professional competence shall be maintained in all services undertaken by the United Nations in rendering technical assistance to requesting countries.

(d) The appointment of project personnel who are stateless persons or nationals of states not contributing to the Special Account which has been established for Technical Assistance for Economic Development shall be limited to exceptional cases.

(e) Selection of project personnel shall be made without distinction as to race, sex or religion. So far as practicable, selection shall be made on a competitive basis.

(f) Appointment shall not be granted to a person who is closely related by blood or marriage to a staff member, except in extraordinary circumstances where another person equally well-qualified cannot be recruited; and in no case shall persons closely related by blood or marriage be assigned to serve with the same technical assistance project or to serve in an organizational area where one of the posts is subordinate to the other in the line of authority.

(g) Project personnel, except those employed under special service contracts, shall be required to undergo a medical examination in order to qualify for appointment. The examination shall be given by a United Nations medical officer or if no such officer has been designated, by another qualified member of the medical profession. A report of the examination shall be submitted to and approved by the United Nations Medical Director before the individual leaves the home country and shall include an opinion on his fitness for living, working and travelling under the conditions in the area to which he is assigned for duty. Periodic medical check-ups may also be required and, at the expiration of service, the individual shall undergo another medical examination and have the report submitted promptly to the United Nations Medical Director.

Rule 216

Leave

(a) Project personnel who are granted appointments of six months or more or who have completed six months of service shall be entitled to annual leave accruing while in pay status at the rate of six weeks per annum effective from the date of appointment.

(b) Up to six weeks accrued annual leave may be carried over from the first to the second contract year based on the anniversary date of the appointment; thereafter up to 50 per cent of annual leave accrued during the year may be carried over from one contract year to the next; provided that the maximum amount which may be carried over at the end of any contract year shall be nine weeks.

(c) Upon separation from the service, project personnel shall be paid a sum equivalent to base salary for the period of unused annual leave to which they are entitled under (a) above, up to a maximum of nine weeks.

(d) Annual leave may be taken in units of days and half-days, subject to the exigencies of the service and appropriate supervisory approval. Project personnel may not be granted annual leave in advance of its accrual.

(e) Project personnel appointed for periods of one year or more shall receive, upon appointment and annually thereafter on the anniversary of the date of appointment, a sick leave credit of twenty-five working days in full pay. Those appointed for temporary periods of less than one year shall, upon appointment, receive a sick leave credit of $1\frac{1}{2}$ working days in full pay for each full month of the appointment. Unused credits of sick leave may be carried forward from one service year to the next provided that the total amount which may be carried forward at any time does not exceed 125 working days.

(f) Sick leave is leave of absence with full pay which an individual is granted when incapacitated from the performance of his duty by illness or injury, or when public health restrictions prevent his attendance.

(g) Sick leave shall be reported in units of days and half days. Sick leave of more than seven consecutive days will be granted only when a certificate is submitted signed by a qualified member of the medical profession. The certificate shall indicate the nature and duration of the illness and that the individual was unable to perform his duties during the period involved. Advances of sick leave shall not normally be granted to project personnel.

(h) Project personnel shall not be entitled to home leave except as provided in paragraph (i), below. They may, however, be entitled to annual travel to their home at United Nations expense under the conditions prescribed in rule 218. If such personnel are re-engaged for a period of three years or more, they shall be entitled to home leave and the date of the last return trip to the normal residence provided under rule 218 shall be used in determining the date of eligibility for home leave.

(i) Home leave may be granted upon completion of two years' service to project personnel and their recognized dependents in the mission area provided that:

- (a) The dependents have been in the mission area for at least six months prior to the proposed departure on home leave; and
- (b) The project personnel remain in their home countries for at least 14 calendar days; and
- (c) It is expected that the individual will either:
 - (i) return to his duty station for at least an additional six months of service if unaccompanied by his dependents; or
 - (ii) return to his duty station for at least an additional year, and his dependents for six months, if return travel of dependents to the mission area is to be paid.
- (d) If the conditions specified under (c) above are not met, the Secretary-General may waive responsibility for return transportation.
- (e) Entitlement to home leave under the terms of this article shall accrue as from (a) the date of departure from home country to enter on service, or (b) the date of return to duty station following annual travel or home leave, whichever is later.
- (f) Normally, travel of dependents shall be in conjunction with the approved home leave of project personnel.
- (g) Project personnel may be required to take home leave in connexion with official travel, including change of official duty station, due regard being paid to the interests of the individual and his family.
- (h) Project personnel who do not take home leave to which they are entitled shall not receive payment nor be credited with additional annual leave in lieu thereof.

Rule 217

Separations

- (a) Project personnel may resign their posts on giving thirty days' notice in writing. The Secretary-General may accept resignations on shorter notice.
- (b) The Secretary-General may terminate appointments of project personnel if the necessities of the service require abolition of the post or reduction of the staff, if the services of the individual concerned prove unsatisfactory, if

the person concerned is, for reasons of health, incapacitated for further service or for such other reasons as may be specified in the letter of appointment.

(c) If the Secretary-General terminates an appointment under (b) above, the individual shall be given thirty days' written notice or such shorter period as is specified in the letter of appointment and be paid an indemnity of one week's salary for each month of uncompleted service; provided that for appointments of over six months the minimum indemnity payable shall be six weeks' salary and the maximum shall be three months' salary. No indemnity payment shall be made to an individual who has a temporary appointment for a fixed term which is completed on the expiration date specified in the letter of appointment.

(d) Project personnel shall, upon separation from the service, undergo a medical examination by a physician approved by the Medical Director of the United Nations. This examination shall, whenever possible, be administered immediately prior to separation and the report submitted promptly to the Medical Director. Failure to submit to this examination will relieve the United Nations from any responsibility concerning the state of health of the individual.

Rule 218

Travel

(a) Subject to rates and conditions prescribed by the Secretary-General, the United Nations shall pay the travel expenses of project personnel in respect of:

- (i) travel to the mission area and return;
- (ii) travel on official business outside the mission area;
- (iii) travel to the home country and return in accordance with paragraph (c) below, or travel in connexion with home leave if eligible under rule 216.

(b) While they are travelling outside the mission area or while they are in temporary duty status at Headquarters or other established offices of the United Nations, project personnel shall receive the travel subsistence allowance prescribed by the Secretary-General in lieu of the daily subsistence or monthly lodging allowance payable under rule 214.

(c) Project personnel may be granted round trip travel from their posts of duty to their homes at United Nations expense after completion of at least twelve months of continuous service, subject to the exigencies of the service and provided:

- (i) They have recognized dependents (i.e. wife or dependent husband or dependent children) none of whom they have brought to the mission area under the provisions of paragraph (d) below; and
- (ii) They remain in their home countries for at least fourteen calendar days; and
- (iii) It is anticipated that they will return to their post for at least an additional six months of service; and
- (iv) The actual round trip travel time allowable shall not exceed thirty days by an approved route and type of transport; and
- (v) Except for allowable travel time, any leave involved shall be charged to accrued annual leave or leave without pay.

(d) The wife, dependent husband and/or dependent children may be authorized to travel at United Nations expense to the mission area and return, provided that:

- (i) the individual is appointed for not less than one year, or his assignment after a shorter period is extended so that the total period is not less than one year; or, following his own authorized travel under (c), above, the individual is to remain in service for at least an additional year; and
- (ii) the individual's services are expected to continue at least six months after the arrival date of the dependents and the dependents are expected to remain in the area for at least six months, unless earlier return is approved in exceptional circumstances; and
- (iii) the Secretary-General has decided that there are no local conditions which make it undesirable for personnel to be accompanied by their wives and children; and
- (iv) the individual assumes responsibility for obtaining living accommodations for his wife and children.

(e) Project personnel may receive a reasonable advance of funds against the estimated approved travel expenses authorized under this rule.

(f) In the event of the death of an individual serving with a technical assistance project, or of a recognized dependent who has accompanied him, the relevant provisions established in the staff rule governing the transportation of decedents shall apply.

(g) Project personnel assigned to a duty station for two years or more shall be entitled to reimbursement for expenses incurred in packing, transporting and unpacking household goods up to a maximum of two measurement tons of 40 cubic feet each (or 80 cubic feet), inclusive of packing crates. Storage charges other than those incidental to transportation shall not be reimbursable.

(h) The Secretary-General may authorize excess baggage for project personnel and their authorized dependents travelling by air, on travel in connexion with appointment, separation or change of duty station, within the following weight limits:

- (i) 34 pounds maximum per ticket for baggage shipped by air; or
- (ii) 200 pounds for the appointee and 100 pounds for each authorized dependent for baggage shipped by sea.

Rule 219

Disciplinary Measures, Joint Appeals Board and Administrative Tribunal

(a) In any case involving possible disciplinary action the Secretary-General may establish, on an ad hoc basis, machinery with staff participation according to the principles embodied in the applicable staff rules, to advise him before any decision is taken. The Secretary-General may impose disciplinary measures consisting of written censure, suspension without pay, dismissal with regular notice, or summary dismissal.

(b) In case of any appeal against an administrative decision alleging the non-observance of terms of appointment, including all pertinent regulations and rules, or against disciplinary action, the Secretary-General shall establish administrative machinery with staff participation to advise him. This machinery shall be established according to the principles embodied in the applicable staff rules.

(c) Persons appointed as project personnel shall have the right to appeal to the United Nations Administrative Tribunal in accordance with the provisions of that Tribunal's Statute.

Rule 220

Social Security Provisions

(a) Project personnel are not eligible for participation in the United Nations Joint Staff Pension Fund unless such eligibility is explicitly indicated in the letter of appointment.

(b) Project personnel are not eligible to participate in any medical insurance plans established for regular staff members. They are, however, entitled to receive necessary medical care while in the mission area or while travelling on official business under such conditions as may be established by the Secretary-General, except that no responsibility shall be assumed for the treatment of chronic illnesses which were present prior to appointment.

(c) In the event of death, injury or illness attributable to the performance of official duties on behalf of the United Nations, project personnel or, in the event of death, their dependents shall be entitled to compensation in accordance with the following provisions:

- (i) Section II and Section IV, excluding article 18 of Appendix D to the United Nations Staff Rules shall apply;
- (ii) United Nations shall pay all reasonable medical, hospital and directly related costs, and, in the event of death, a reasonable amount for the preparation of the remains and funeral expenses;
- (iii) The maximum compensation in the event of death or permanent total disability shall be as follows:

	<u>Age of Person on Appointment</u>		
	<u>Under 60 Years</u>	<u>60-65 Years</u>	<u>Over 65 Years</u>
Occasioned by an accident	3 years annual net salary	2 years annual net salary	1 years annual net salary
Occasioned by an illness, after unlimited medical approval on appointment	3 years annual net salary	2 years annual net salary	1 years annual net salary
Occasioned by an illness, after limited medical approval on appointment	1 1/2 years annual net salary	1 years annual net salary	1 years annual net salary

In the case of permanent partial disability the compensation payable will be calculated in accordance with the degree of disability on the basis of the maximum amounts shown above for permanent total disability.
