



CONSEJO INTERNACIONAL DE LAS MADERAS TROPICALES

COMITÉ DE FINANZAS Y ADMINISTRACIÓN

Distr.
GENERAL

CFA(XXIX)/7
22 de septiembre de 2014

ESPAÑOL
Original: INGLÉS

VIGÉSIMO NOVENO PERÍODO DE SESIONES
Del 3 al 8 de noviembre de 2014
Yokohama, Japón

Revisión del Estatuto y Reglamento del Personal de la OIMT [Tema 10 del programa provisional]

Contexto

1. El Comité de Finanzas y Administración, en su vigésimo octavo período de sesiones, convocado en Libreville (Gabón) del 25 al 30 de noviembre de 2013, recomendó incluir en su programa del siguiente período de sesiones la revisión del Estatuto y Reglamento del Personal de la OIMT, y solicitó a la Secretaría que presentara información actualizada sobre el Estatuto y Reglamento del Personal de las Naciones Unidas a los países miembros.

Distribución de información a los países miembros

2. La Regla 901 del Estatuto y Reglamento del Personal de la OIMT sobre “Modificaciones del Reglamento del Personal y excepciones a su aplicación” estipula, entre otras cosas, lo siguiente:

“El Director Ejecutivo podrá proponer al Consejo, para su aprobación, modificaciones al presente Reglamento del Personal”

3. De conformidad con esta disposición y la recomendación presentada por el Comité de Finanzas y Administración en su vigésimo octavo período de sesiones, el Director Ejecutivo ha propuesto una serie de enmiendas al Estatuto y Reglamento del Personal de la Organización Internacional de las Maderas Tropicales con el fin de actualizarlo y compatibilizarlo con los reglamentos de otras organizaciones de productos básicos y de las Naciones Unidas. Las modificaciones propuestas fueron distribuidas a los países miembros para solicitar sus comentarios a través de la carta L.14-0186 con fecha del 4 de junio de 2014. Se recibieron comentarios de la UE, Japón y Nueva Zelandia.

Revisión del Estatuto y Reglamento del Personal de la OIMT

4. La revisión propuesta para el Estatuto y Reglamento del Personal de la OIMT, su comparación con los reglamentos de otras organizaciones y sus repercusiones financieras se adjuntan en los anexos I, II y III para su examen por los miembros. Los comentarios recibidos de la UE, Japón y Nueva Zelandia figuran en el anexo IV. La última vez que se enmendó el Estatuto y Reglamento del Personal de la OIMT fue en el año 2008.

Anexo I

Enmiendas propuestas al Estatuto y Reglamento del Personal de la OIMT

a) TEXTO ORIGINAL

Cláusula 1.2

En el cumplimiento de sus deberes, los miembros del personal no solicitarán ni aceptarán instrucciones de ningún gobierno, ni de ninguna autoridad ajena a la Organización.

Cláusula 1.4

Los miembros del personal están sometidos a la autoridad del Director Ejecutivo, quien podrá destinarlos a cualquiera de las actividades u oficinas de la Organización. El personal es responsable ante él en el desempeño de sus funciones. Los miembros del personal estarán en todo momento a disposición del Director Ejecutivo. El Director Ejecutivo establecerá la semana normal de trabajo.

Regla 102: Días feriados oficiales

Los días feriados oficiales serán los días observados en Japón, el 25 de diciembre, Eid-al-Fitr y Eid-al-Adha.

Regla 103: Actividades e intereses fuera de la Organización

(a) Los funcionarios no podrán ejercer ninguna profesión ni ocupar ningún empleo fuera de la Organización de un modo continuo o repetido sin la aprobación previa del Director Ejecutivo.

Cláusula 2.8

b) TEXTO PROPUESTO

Cláusula 1.2

En el cumplimiento de sus deberes, los miembros del personal no solicitarán ni aceptarán instrucciones de ningún gobierno, ni de ninguna otra fuente ajena a la Organización.

Cláusula 1.4

Los miembros del personal están sometidos a la autoridad del Director Ejecutivo, quien podrá destinarlos a cualquiera de las actividades u oficinas de la Organización. El personal es responsable ante él/ella en el desempeño de sus funciones. Los miembros del personal estarán en todo momento a disposición del Director Ejecutivo. El Director Ejecutivo establecerá la semana normal de trabajo.

Regla 102: Días feriados oficiales

(a) Los días feriados oficiales serán los siguientes: Día de Año Nuevo, Viernes Santo, Lunes de Pascua, Día de Navidad, Eid-al-Fitr, Eid-al-Adha y otros feriados públicos declarados por el gobierno del país anfitrión de la Sede. El Director Ejecutivo podrá modificar la lista de feriados según sea el lugar de la Sede de la Organización, con la condición de que se observen un mínimo de nueve feriados oficiales al año.

(b) Cuando un feriado oficial caiga en un sábado y/o domingo, se observará como feriado el siguiente lunes y/o martes.

Regla 103: Actividades e intereses fuera de la Organización

(a) Los funcionarios no podrán ejercer ninguna profesión ni ocupar ningún empleo fuera de la Organización sin la aprobación previa del Director Ejecutivo.

Cláusula 2.8

(b) Los funcionarios del cuadro de servicios generales tendrán derecho a prestaciones familiares a las tasas aplicables al personal de las Naciones Unidas en el país de la Sede y aprobadas por el Consejo. Estas prestaciones serán pagaderas respecto de:

- (i) un cónyuge a cargo;
- (ii) todo hijo a cargo de un funcionario soltero, casado, viudo o divorciado;

a) TEXTO ORIGINAL

b) TEXTO PROPUESTO

- (iii) cuando el funcionario no tenga un cónyuge a cargo, podrá pagarse una prestación anual única respecto de un padre, madre, hermano o hermana a cargo.

Cláusula 2.9

Las solicitudes de prestaciones familiares deberán presentarse anualmente por escrito e ir acompañadas de los documentos probatorios que el Director Ejecutivo considere suficientes. Los funcionarios deberán comunicar inmediatamente al Director Ejecutivo cualquier cambio que afecte el pago de las prestaciones ocurrido durante el año.

Cláusula 2.9

Las solicitudes de prestaciones familiares deberán presentarse anualmente por escrito e ir acompañadas de los documentos probatorios que el Director Ejecutivo considere suficientes. Los funcionarios deberán comunicar inmediatamente al Director Ejecutivo cualquier cambio que afecte el pago de las prestaciones ocurrido durante el año.

Un funcionario que no haya recibido una prestación, subsidio u otro pago al que tenga derecho no podrá recibir tal prestación, subsidio o pago retroactivamente a menos que haya presentado un reclamo por escrito:

(i) en el caso de cancelación o modificación de la regla del personal que rige su elegibilidad dentro de un plazo de tres meses a partir de tal cancelación o modificación;

(ii) en cualquier otro caso, dentro de un plazo de un año a partir de la fecha en que a dicho funcionario le habría correspondido recibir el pago inicial.

Cláusula 2.10

Todo funcionario que sea contratado internacionalmente y que resida fuera de su país de origen tendrá derecho a un subsidio de educación para sus hijos y todo funcionario que tenga hijos con discapacidad tendrá derecho a un subsidio de educación especial para ellos. Dichos subsidios se ajustarán a las escalas pertinentes de las Naciones Unidas.

Cláusula 2.10

Todo funcionario que sea contratado internacionalmente y que resida fuera de su país de origen tendrá derecho a un subsidio de educación para sus hijos y todo funcionario de cualquier cuadro que tenga hijos con discapacidad, independientemente de que preste o no servicios en su país de origen, tendrá derecho a un subsidio de educación especial para ellos. Dichos subsidios se ajustarán a las escalas pertinentes de las Naciones Unidas.

Regla 201: Definición de las personas a cargo

(c) A los efectos de la prestación por personas a cargo, se reconocerá que un hijo está a cargo de un funcionario cuando éste atienda regularmente a su sustento y lo haga constar así en su solicitud; sin embargo, cuando haya habido divorcio y el hijo no resida con el funcionario, o si el hijo está casado, sólo se pagará la prestación familiar si el funcionario presenta pruebas satisfactorias de que ha asumido la responsabilidad de seguir atendiendo regularmente al sustento de su hijo.

Regla 201: Definición de las personas a cargo

(c) A los efectos de la prestación por personas a cargo, se reconocerá que un hijo está a cargo de un funcionario cuando éste atienda regularmente a su sustento y lo haga constar así en su solicitud; sin embargo, cuando haya habido divorcio y el hijo no resida con el funcionario, o si el hijo está casado, sólo se pagará la prestación familiar si el funcionario presenta pruebas satisfactorias de que ha asumido la responsabilidad de seguir atendiendo regularmente al sustento de su hijo.

Se deducirá de la prestación la suma de cualquier otra prestación por personas a cargo recibida de otra fuente en relación con el mismo hijo del funcionario o su cónyuge.

a) TEXTO ORIGINAL

(d) Se entenderá por padre, madre, hermano o hermana a cargo, el padre, la madre, el hermano no casado o la hermana no casada para cuyo sustento el funcionario aporte por lo menos la mitad de la suma necesaria y, en todo caso, una cantidad equivalente a, por lo menos, el doble del subsidio por persona a cargo; en todo caso, el hermano o la hermana deberá ser menor de 18 años o menor de 21 años si asiste regularmente a una escuela, universidad o institución docente similar. Los requisitos de edad y asistencia a una institución docente no se exigirán cuando el hermano o la hermana se halle total y permanentemente discapacitado.

Regla 202: Incrementos salariales

(c) Para la concesión de los incrementos salariales se considerará que han prestado servicios satisfactorios los funcionarios cuyo trabajo y conducta en el puesto que ocupan sean considerados satisfactorios por sus supervisores.

Regla 203: Sueldo de los funcionarios al ser ascendidos

b) TEXTO PROPUESTO

(d) Se entenderá por padre, madre, hermano o hermana a cargo, el padre, la madre, el hermano no casado o la hermana no casada para cuyo sustento el funcionario aporte por lo menos la mitad de la suma necesaria y, en todo caso, una cantidad equivalente a, por lo menos, el doble del subsidio por persona a cargo; en todo caso, el hermano o la hermana deberá ser menor de 18 años o menor de 21 años si asiste regularmente a una escuela, universidad o institución docente similar. Los requisitos de edad y asistencia a una institución docente no se exigirán cuando el hermano o la hermana se halle total y permanentemente discapacitado.

No se pagará la prestación para un familiar secundario a cargo de un funcionario con un cónyuge a cargo.

Regla 202: Incrementos salariales

(c) Cuando un incremento salarial haya sido aplazado o rechazado, se pagará al expirar el período de aplazamiento de forma proporcional a la duración restante del período normal del incremento. El aplazamiento no afectará la fecha normal de pago de los incrementos subsiguientes.

(d) Cuando un incremento salarial haya sido rechazado, se pagará un solo incremento en la fecha de aumento normal que siga al período en que fue rechazado.

(e) Para la concesión de los incrementos salariales se considerará que han prestado servicios satisfactorios los funcionarios cuyo trabajo y conducta en el puesto que ocupan sean considerados satisfactorios por sus supervisores.

Regla 203: Sueldo de los funcionarios al ser ascendidos

(ii) Si el ascenso de un funcionario se hace efectivo en el mes en que le correspondería un incremento en la categoría inferior, tal incremento se incluirá en el sueldo de la categoría inferior, al que posteriormente se le sumarán dos incrementos para determinar el sueldo del funcionario ascendido en la categoría superior de conformidad con el apartado (i) *supra*.

(iii) La fecha del primer incremento salarial en la categoría superior será la fecha de aniversario del ascenso, excepto cuando el incremento requiera dos años de servicios satisfactorios, en cuyo caso el primer incremento de la categoría superior será pagadero dos años después de la fecha del ascenso.

a) TEXTO ORIGINAL

(ii) Si, por el hecho de ser ascendido, un funcionario pierde el derecho al subsidio de no residente y/o a la prima de idiomas, se agregará la suma correspondiente al sueldo que percibía antes del ascenso a fin de determinar, conforme al apartado (i) *supra*, el escalón a que tiene derecho y la fecha de su próximo incremento periódico.

Regla 204: Horas extraordinarias y tiempo libre compensatorio

(b) Las horas extraordinarias a efectos de la compensación se calcularán con aproximación de media hora. No se tendrán en cuenta a efectos de la compensación los períodos de menos de media hora durante la semana normal de trabajo.

Regla 206: Prima de idiomas

(a) Los funcionarios de la categoría de servicios generales recibirán una prima de idiomas conforme a las disposiciones y escalas vigentes de las Naciones Unidas si aprueban el

b) TEXTO PROPUESTO

(iv) En el caso de un funcionario promovido del cuadro de servicios generales al cuadro profesional y a fin de determinar, de conformidad con el apartado (i) *supra*, el escalón que le corresponde en la categoría a la que ha sido ascendido, se tendrán en cuenta también los siguientes emolumentos:

(a) la cantidad neta de toda remuneración pensionable recibida por el funcionario en la categoría inferior; y

(b) el ajuste por lugar de destino correspondiente al sueldo básico neto a la tasa simple correspondiente al nivel y escalón de la categoría profesional a la cual fue ascendido.

(v) Cuando el ascenso de un funcionario del cuadro de servicios generales al cuadro profesional vaya a originar una reducción de su remuneración pensionable, se mantendrá el nivel de remuneración pensionable alcanzado antes del ascenso hasta que sea sobrepasado como consecuencia del avance del funcionario en la nueva categoría o un nuevo ascenso.

(vi) Si, por el hecho de ser ascendido, un funcionario pierde el derecho al subsidio de no residente y/o a la prima de idiomas, se agregará la suma correspondiente al sueldo que percibía antes del ascenso a fin de determinar, conforme al apartado (i) *supra*, el escalón a que tiene derecho y la fecha de su próximo incremento periódico.

Regla 204: Horas extraordinarias y tiempo libre compensatorio

(b) Las horas extraordinarias a efectos de la compensación se calcularán con aproximación de media hora. No se tendrán en cuenta a efectos de la compensación los períodos de menos de media hora durante la semana normal de trabajo. Cuando a un funcionario se le requiera trabajar horas extraordinarias un sábado o domingo o un día feriado oficial, recibirá compensación por un mínimo de cuatro horas.

(d) Inmediatamente después de un período de intenso trabajo en horas extraordinarias, y si las exigencias del servicio lo permiten, el Director Ejecutivo otorgará tiempo libre compensatorio a los funcionarios que tengan derecho a tal compensación.

Regla 206: Prima de idiomas

(a) Los funcionarios de la categoría de servicios generales recibirán una prima de idiomas conforme a las disposiciones y escalas vigentes de las Naciones Unidas si aprueban el examen

a) TEXTO ORIGINAL

examen prescrito a tal efecto en cualquier idioma de la Organización distinto del idioma o idiomas que deban conocer de conformidad con los términos de su nombramiento. La prima de idiomas se pagará por dos idiomas de la Organización como máximo. Podrá exigirse a los funcionarios que se sometan a un nuevo examen a intervalos no inferiores a cinco años para demostrar su continua eficiencia en el empleo de los idiomas.

Regla 208: Subsidio de educación

(a) A los efectos de la presente regla:

(h) Habrá un subsidio de educación especial para hijos con discapacidad, disponible para los funcionarios de todas las categorías, sin perjuicio de que presten servicios en su país de residencia, siempre que sus nombramientos sean por más de un año o que hayan completado un año de servicio continuo. La cuantía del subsidio se fijará de conformidad con las reglas y escalas vigentes de las Naciones Unidas.

b) TEXTO PROPUESTO

prescrito a tal efecto en cualquier idioma de la Organización distinto del idioma o idiomas que deban conocer de conformidad con los términos de su nombramiento. La prima de idiomas se pagará por dos idiomas de la Organización como máximo. Podrá exigirse a los funcionarios que se sometan a un nuevo examen a intervalos no inferiores a dos años para demostrar su continua eficiencia en el empleo de los idiomas.

Regla 208: Subsidio de educación

(a) A los efectos de la presente regla:

(iv) por "costos de participación" se entiende los gastos de inscripción, matrícula, libros de texto obligatorios, cursos, exámenes, diplomas y, si las condiciones locales lo justifican, almuerzo ofrecido en las cantinas escolares, y transporte colectivo diario provisto por la institución de enseñanza o transporte escolar organizado.

(h) Habrá un subsidio de educación especial para hijos con discapacidad, disponible para los funcionarios de todas las categorías, sin perjuicio de que presten servicios en su país de residencia, siempre que sus nombramientos sean por más de un año o que hayan completado un año de servicio continuo. La cuantía del subsidio se fijará de conformidad con las reglas y escalas vigentes de las Naciones Unidas.

(i) Los gastos reembolsables en el marco del subsidio especial de educación comprenderán aquéllos en que se incurra en la provisión de un programa educativo concebido para responder a las necesidades del niño con discapacidad y permitirle adquirir la máxima autonomía funcional posible. Los gastos relacionados con equipos especiales requeridos para la rehabilitación del niño con discapacidad podrán ser reembolsados, hasta el máximo aprobado por las Naciones Unidas, si no son cubiertos por un seguro médico;

(ii) La cuantía del subsidio se calculará en base al año calendario si el niño no puede asistir a una institución ordinaria de enseñanza o en base al año académico si el niño asiste a tiempo completo a una institución ordinaria de enseñanza aunque requiera educación o capacitación especial. El subsidio será pagadero para cada hijo con discapacidad a partir de la fecha en que se requiera la educación o capacitación especial hasta el final del año académico o año calendario, según corresponda, en que el hijo cumpla 25 años de edad. A criterio del

a) TEXTO ORIGINAL

b) TEXTO PROPUESTO

Director Ejecutivo, se podrá autorizar el pago del subsidio antes de la edad mínima; en circunstancias excepcionales, el Director Ejecutivo podrá aumentar la edad máxima para la recepción del subsidio a 28 años;

(iii) Cuando el período de servicios del funcionario no abarque todo el año académico o el año calendario, la relación entre el subsidio pagadero y el subsidio anual será igual a la relación entre la duración de los servicios y la del año escolar o el año calendario completo;

(iv) Las solicitudes de pago del subsidio de educación deberán presentarse anualmente al Director Ejecutivo por escrito e ir acompañadas de comprobantes médicos satisfactorios sobre la discapacidad del hijo. El funcionario deberá asimismo demostrar que ha agotado todas las posibilidades de recibir prestaciones de otras fuentes relativas a la enseñanza y capacitación de su hijo. La cantidad de gastos de educación utilizados como base para calcular el subsidio especial se reducirá en un monto equivalente a las prestaciones que sean o puedan ser recibidas por el funcionario;

(v) Cuando el hijo con discapacidad deba asistir a una institución de enseñanza fuera del lugar de destino del funcionario, se reembolsarán los gastos de viaje del niño entre el lugar donde se encuentre la institución y el lugar de destino a razón de dos viajes por año. En circunstancias excepcionales y a criterio del Director Ejecutivo, se podrán reembolsar también los gastos de viaje de un acompañante. Para el transporte local requerido para niños con discapacidad, se podrá reembolsar hasta el doble de los costos de transporte colectivo ordinario reembolsados.

Regla 210. Anticipo de sueldo

(a) Las solicitudes de anticipos de sueldo se examinarán a la luz de cualquier otro anticipo previamente concedido al interesado, el importe de su deuda con la Organización y otros factores pertinentes.

(b) El importe del anticipo no deberá exceder un mes de sueldo neto, excluyendo el ajuste por lugar de destino cuando corresponda.

(c) Todo anticipo se expresará en la moneda en que esté expresado el sueldo básico. Cuando sea necesaria la conversión de una moneda a otra para el pago o la recuperación de un anticipo, tal conversión se efectuará al tipo de cambio

a) TEXTO ORIGINAL

b) TEXTO PROPUESTO

adoptado por la Organización y en vigor en la fecha o fechas en que se efectúe el anticipo o la recuperación respectivamente.

(d) La recuperación del anticipo de sueldo se efectuará por deducción de la mensualidad siguiente o mediante deducciones mensuales durante un período máximo de seis meses.

Regla 211. Subsidio por funciones especiales

(a) Podrá encomendarse a todo funcionario que, como parte de su trabajo habitual y sin designación o título especial ni remuneración suplementaria, asuma temporalmente (por ejemplo, durante la ausencia de otro funcionario por licencia o cuando un cargo se encuentre vacante provisionalmente) las funciones y responsabilidades de un puesto de nivel superior al suyo. No obstante, el Director Ejecutivo podrá autorizar el pago de un subsidio por funciones especiales al funcionario que se le pida que asuma tales funciones y responsabilidades durante un período considerable de tiempo. Un período de tres o más meses será considerado considerable. El Director Ejecutivo podrá asimismo designar a ese funcionario para asumir el título del funcionario ausente. En todos los casos,

(i) el funcionario deberá estar totalmente calificado para ejercer las funciones y responsabilidades del puesto superior y deberá haber demostrado su habilidad para efectuar su trabajo a ese nivel durante un período de, por lo menos, tres meses;

(ii) el puesto al que se haya asignado el funcionario deberá estar previsto en el organigrama aprobado y representar una función específica claramente definida.

(b) La cuantía del subsidio por funciones especiales deberá ser:

(i) aproximadamente equivalente al aumento del sueldo que hubiese recibido el funcionario si hubiese sido promovido al puesto superior; o

(ii) determinado por el Director Ejecutivo si el funcionario sólo asume una parte de las funciones y responsabilidades del puesto superior.

(c) El pago del subsidio no será retroactivo más allá del comienzo del primer período de pago después de tres meses de servicio en el puesto superior.

(d) El subsidio por funciones especiales no se tendrá en cuenta al calcular las aportaciones a la Caja de Previsión.

a) TEXTO ORIGINAL

Cláusula 3.1

A reserva de lo establecido en el Convenio Internacional de las Maderas Tropicales, 1983, o convenios sucesores, y a menos que el Consejo disponga otra cosa, el Director Ejecutivo nombrará el personal. Al ser nombrado (o ascendido), todo funcionario recibirá una carta de nombramiento (o una notificación de ascenso) de conformidad con las disposiciones del presente Estatuto y Reglamento.

Cláusula 3.2

La consideración primordial para nombrar, transferir o ascender al personal será la necesidad de obtener el más alto grado de eficiencia, competencia e integridad. Se dará debida consideración también a la importancia de contratar al personal sobre la base de la más amplia representación geográfica posible entre los países miembros.

Con sujeción a las disposiciones del párrafo anterior y sin perjuicio de la contratación de nuevas personas idóneas en todos los niveles, al proveer las vacantes, deberán tenerse plenamente en cuenta las calificaciones y experiencia de las personas que ya se encuentren al servicio de la Organización. Los miembros del personal deberán poseer un conocimiento práctico de, por lo menos, uno de los idiomas de la Organización, además de su lengua materna.

Cláusula 3.3

Los miembros del personal serán nombrados con carácter permanente o temporal en los términos y condiciones que establezca el Director Ejecutivo de conformidad con el presente Estatuto y Reglamento.

Cláusula 3.4

La selección de los miembros del personal se hará sin distinciones por motivos de raza, sexo o religión. Siempre que ello sea posible, la selección se hará por concurso.

b) TEXTO PROPUESTO

Cláusula 3.1

A reserva de lo establecido en el Convenio Internacional de las Maderas Tropicales, 2006, o convenios sucesores, y a menos que el Consejo disponga otra cosa, el Director Ejecutivo nombrará el personal. Al ser nombrado (o ascendido), todo funcionario recibirá una carta de nombramiento (o una notificación de ascenso) de conformidad con las disposiciones del presente Estatuto y Reglamento.

Cláusula 3.2

La consideración primordial para nombrar, transferir o ascender al personal será la necesidad de obtener el más alto grado de eficiencia, competencia e integridad. Se dará debida consideración también a la importancia de contratar al personal sobre la base de la más amplia representación geográfica posible entre los países miembros.

Cláusula 3.3

Los miembros del personal podrán recibir nombramientos continuos, de plazo fijo o temporales en los términos y condiciones que establezca el Director Ejecutivo de conformidad con el presente Estatuto y Reglamento.

Cláusula 3.4

En la medida de lo posible, la selección de los miembros del personal se hará por concurso a fin de optimizar los niveles de eficiencia, competencia e integridad en el marco de los siguientes principios generales:

(a) El proceso de nombramiento permitirá identificar y seleccionar el personal que demuestre el más alto grado de eficiencia, competencia e integridad;

a) TEXTO ORIGINAL

b) TEXTO PROPUESTO

(b) Las decisiones sobre la selección del personal deberán ser transparentes, imparciales y exentas de todo tipo de discriminación;

(c) La selección se realizará por concurso para todos los puestos sin importar la categoría, grado o nivel. Las decisiones sobre la selección se basarán en los requisitos mínimos y criterios de evaluación previamente aprobados, y serán transparentes y correctamente documentadas;

(d) En la contratación del personal del cuadro profesional y categorías superiores se dará debida consideración a la necesidad de asegurar la más amplia representación geográfica posible;

(e) En la selección del personal se dará debida consideración a la necesidad de asegurar la equidad entre géneros, especialmente para los puestos del cuadro profesional y categorías superiores;

(f) Sin perjuicio de la contratación de nuevo personal idóneo, deberá prestarse la máxima atención a la aptitud profesional y la experiencia de las personas que ya se encuentren al servicio de la Organización;

(g) Se dará debida consideración al conocimiento práctico de, por lo menos, dos idiomas de trabajo de la Organización, especialmente para los puestos del cuadro profesional y categorías superiores; y

(h) Todos los puestos vacantes serán publicitados, inclusive los puestos de nivel superior.

Cláusula 3.5

El Director Ejecutivo determinará qué funcionarios podrán ser nombrados con carácter permanente. Normalmente, el período de prueba para la concesión de contratos permanentes al personal de la Organización será de dos años. En casos excepcionales, el período de prueba podrá prolongarse o reducirse por no más de un año. Al finalizar el período de prueba, el funcionario recibirá el nombramiento permanente o será separado del servicio.

Cláusula 3.6

Los nombramientos de carácter temporal, con una fecha de expiración especificada en la carta de nombramiento, podrán concederse por un período que no exceda de dos años. Los nombramientos de carácter temporal no autorizan a su titular a esperar una prórroga o la conversión en un nombramiento de tipo diferente.

Cláusula 3.5

El Director Ejecutivo determinará qué funcionarios podrán recibir un nombramiento continuo. Normalmente, los nombramientos continuos del personal de la Organización estarán sujetos a un período de prueba de seis meses, que se podrá prolongar por otro plazo de seis meses como máximo. Al finalizar el período de prueba, el funcionario recibirá el nombramiento permanente o será separado del servicio.

Cláusula 3.6

1. Los nombramientos de carácter temporal, con una fecha de expiración especificada en la carta de nombramiento, serán de dos tipos, a saber:

(a) nombramientos de corto plazo para períodos de menos de un año; y

(b) nombramientos de plazo fijo para un período continuo de un año o más.

a) TEXTO ORIGINAL

b) TEXTO PROPUESTO

2. Un nombramiento temporal no conlleva ninguna expectativa de prórroga o de conversión en un nombramiento continuo y expirarán conforme a la fecha especificada en la carta de nombramiento sin preaviso ni indemnización.

3. Sin perjuicio de las disposiciones del párrafo 2 *supra*, un nombramiento temporal podrá, a discreción del Director Ejecutivo, ser prorrogado por un período adicional o convertido en un nombramiento continuo.

Regla 303: Cartas de nombramiento

(c) Con la carta de nombramiento, se entregará al funcionario una copia del Convenio Internacional de las Maderas Tropicales, 1983 (CIMT), o convenio sucesor, y del Estatuto y Reglamento del Personal. Al aceptar el nombramiento, el funcionario hará constar por escrito que conoce y acepta las condiciones establecidas en el Estatuto y Reglamento del Personal.

Cláusula 4.1

Los miembros del personal disfrutarán de vacaciones anuales apropiadas.

En casos excepcionales, el Director Ejecutivo podrá conceder licencias especiales.

Regla 401: Vacaciones anuales

Regla 402: Licencias especiales

(a) Podrán concederse licencias especiales sin goce de sueldo para seguir estudios o realizar investigaciones en interés de la Organización, así como también en casos de enfermedad o por otra razón importante, por la duración que determine el Director Ejecutivo.

Regla 303: Cartas de nombramiento

(c) Con la carta de nombramiento, se entregará al funcionario una copia del Convenio Internacional de las Maderas Tropicales, 2006 (CIMT, 2006), o convenio sucesor, y del Estatuto y Reglamento del Personal. Al aceptar el nombramiento, el funcionario hará constar por escrito que conoce y acepta las condiciones establecidas en el Estatuto y Reglamento del Personal.

Cláusula 4.1

Los miembros del personal disfrutarán de vacaciones anuales apropiadas.

En casos excepcionales, el Director Ejecutivo podrá conceder licencias especiales si el funcionario en cuestión ha utilizado la totalidad de sus vacaciones anuales.

Regla 401: Vacaciones anuales

(g) En circunstancias excepcionales y a discreción del Director Ejecutivo, se podrá otorgar a un funcionario con nombramiento permanente o de plazo fijo vacaciones anuales anticipadas hasta un máximo de diez días laborables, siempre que el interesado vaya a permanecer en el servicio más tiempo del necesario para devengar los días de vacaciones anticipadas.

Regla 402: Licencias especiales

(a) Normalmente las licencias especiales se concederán sin goce de sueldo. En circunstancias excepcionales, se podrá conceder una licencia especial con sueldo completo o parcial para cursar estudios o realizar investigaciones en interés de la Organización, así como también en casos de enfermedad prolongada cuando se hayan agotado todas las disposiciones relativas a la licencia por enfermedad, o por otra razón importante, por la duración que determine el Director Ejecutivo.

a) TEXTO ORIGINAL

(b) Los períodos de licencia sin goce de sueldo no se tendrán en cuenta al calcular la duración de los servicios a los efectos de la licencia por enfermedad, las vacaciones anuales, las vacaciones en el país de origen, la licencia de maternidad, los incrementos periódicos de sueldo, la indemnización por rescisión del nombramiento y la prima de repatriación. Los períodos de licencia especial de menos de un mes completo sí se tendrán en cuenta a esos efectos. Los períodos de licencia especial sin goce de sueldo no interrumpirán la continuidad de los servicios del funcionario.

Cláusula 5.2

El Director Ejecutivo, con la aprobación del Consejo, establecerá un plan de seguridad social para el personal que incluya la concesión de licencias por enfermedad y maternidad y tomará disposiciones para proporcionar al personal un sistema adecuado de seguro médico y de accidentes.

b) TEXTO PROPUESTO

(b) Los períodos de licencia con sueldo completo o parcial o sin goce de sueldo no se tendrán en cuenta al calcular la duración de los servicios a los efectos de la licencia por enfermedad, las vacaciones anuales, las vacaciones en el país de origen, la licencia de maternidad, los incrementos periódicos de sueldo, la indemnización por rescisión del nombramiento y la prima de repatriación. Los períodos de licencia especial de menos de un mes completo sí se tendrán en cuenta a esos efectos. Los períodos de licencia especial sin goce de sueldo no interrumpirán la continuidad de los servicios del funcionario.

Regla 404. Licencia especial por motivos familiares

(a) En caso de fallecimiento del cónyuge, madre, padre o hijo de un funcionario, se concederán tres días de licencia especial con goce de sueldo, más el tiempo de viaje necesario cuando corresponda.

(b) En caso de enfermedad o lesión grave del cónyuge, madre, padre o hijo, o cualquier otro evento familiar excepcional que requiera la presencia del funcionario, se le concederá una licencia especial con goce de sueldo por la duración que determine el Director Ejecutivo.

(c) En caso de casamiento de un funcionario, el Director Ejecutivo podrá conceder dos días de licencia especial con goce de sueldo más el tiempo de viaje necesario si la boda tiene lugar fuera del lugar de destino oficial.

Regla 405. Ausencia no autorizada

(a) En caso de ausencia no autorizada se aplicarán las medidas disciplinarias previstas en la Regla 801.

(b) Toda ausencia no autorizada durante un período de 15 días consecutivos o más se considerará abandono del puesto y se determinará que el interesado habrá cesado en su cargo a partir del primer día de ausencia.

Cláusula 5.2

El Director Ejecutivo, con la aprobación del Consejo, establecerá un plan de seguridad social para el personal que incluya la concesión de licencias por enfermedad y maternidad y tomará disposiciones para proporcionar al personal un sistema adecuado de seguro de vida, médico y de accidentes.

a) TEXTO ORIGINAL

Regla 503: Licencia de maternidad

(a) Las interesadas que cuenten con un año de servicios ininterrumpidos en la fecha prevista para el parto tendrán derecho a licencia de maternidad de conformidad con las disposiciones siguientes:

(b) Con sujeción a las condiciones establecidas por el Director Ejecutivo, todo miembro del personal tendrá derecho a licencia de paternidad de conformidad con las disposiciones siguientes:

Regla 504: Seguro de accidente y enfermedad

(a) La Organización ofrecerá a los funcionarios:

(i) un plan de seguros que establezca indemnizaciones en los casos de fallecimiento, lesiones o enfermedad imputables al desempeño de funciones oficiales al servicio de la Organización; y

(ii) un plan de seguro médico.

Regla 608: Condiciones de viaje

(a) Cuando el viaje autorizado sea por avión, los funcionarios y familiares autorizados viajarán en clase económica o equivalente, excepto el Director Ejecutivo y sus familiares, salvo cuando estos últimos viajen en relación con el subsidio de educación de conformidad con la Regla 208, quienes viajarán en primera

b) TEXTO PROPUESTO

Regla 503: Licencia de maternidad y paternidad

(a) Las funcionarias tendrán derecho a licencia de maternidad de conformidad con las disposiciones siguientes:

(b) Con sujeción a las condiciones establecidas por el Director Ejecutivo, los funcionarios tendrán derecho a licencia de paternidad de conformidad con las disposiciones siguientes:

Regla 504: Seguro de vida, accidente y enfermedad

(a) La Organización ofrecerá a los funcionarios:

(i) un plan de seguros de vida que establezca indemnizaciones en los casos de fallecimiento de un funcionario ocurrida por cualquier motivo durante el desempeño de sus funciones al servicio de la Organización. La cuantía de la prestación para cada vida asegurada será equivalente al triple de la remuneración pensionable anual en el caso de funcionarios del cuadro profesional y categorías superiores y el triple del sueldo bruto en el caso de funcionarios de la categoría de servicios generales, al momento de producirse la muerte;

(ii) un plan de seguros adicional que establezca indemnizaciones en los casos de lesiones imputables al desempeño de funciones oficiales al servicio de la Organización. La cuantía de la prestación para cada persona asegurada será equivalente al doble de la remuneración pensionable anual en el caso de funcionarios del cuadro profesional y categorías superiores y el doble del sueldo bruto en el caso de funcionarios de la categoría de servicios generales, al momento de producirse el accidente; y

(iii) un plan de seguro médico.

Regla 608: Condiciones de viaje

(a) Cuando el viaje autorizado sea por avión, los funcionarios viajarán en clase económica. El Director Ejecutivo podrá autorizar el viaje aéreo en clase ejecutiva si las circunstancias lo ameritan, por ejemplo, en los casos de vuelos de larga duración o falta de disponibilidad de asientos en clase económica. Los funcionarios de nivel

a) TEXTO ORIGINAL

clase cuando la duración del vuelo exceda de nueve horas (por la ruta más directa y económica), incluyendo las escalas requeridas para trasbordos o reabastecimiento de combustible, pero excluyendo los traslados hasta el aeropuerto y desde el aeropuerto.

Regla 613: Cálculo de las dietas de viaje

(b) No se pagará ninguna dieta cuando el viajero regrese a su lugar de destino oficial dentro de las diez horas siguientes a su partida y sólo se abonará el 40 por ciento de la dieta si el viaje es de diez horas o más.

(c) Cuando el viaje se haga por mar, se pagará la dieta íntegra por el día de llegada al puerto de desembarque, a condición de que el viaje autorizado dure doce horas más. No se pagará ninguna dieta por el día de embarque.

Regla 614: Gastos de viaje diversos

Los demás gastos que deba efectuar el funcionario con ocasión de una comisión de servicio o de un viaje oficial autorizado serán reembolsados por la Organización una vez que termine el viaje, a condición de que el interesado explique satisfactoriamente la necesidad y la naturaleza de esos gastos y presente los recibos pertinentes, que normalmente se exigirán por todo gasto que exceda de diez dólares. Tales gastos –para los cuales, en la medida de lo posible, se solicitará autorización previa– sólo podrán corresponder, en principio, a los siguientes conceptos:

b) TEXTO PROPUESTO

superior a la categoría “P” tendrán derecho a viajar en clase ejecutiva de conformidad con las Instrucciones Administrativas de la Secretaría de las Naciones Unidas. No está permitido viajar en primera clase en los vuelos que ofrezcan clase ejecutiva.

Regla 613: Cálculo de las dietas de viaje

(b) No se pagará ninguna dieta cuando el viajero regrese a su lugar de destino oficial dentro de las diez horas siguientes a su partida y sólo se abonará el 40 por ciento de la dieta si el viaje es de diez horas o más.

(c) Cuando el viaje se haga por mar, se pagará la dieta íntegra por el día de llegada al puerto de desembarque, a condición de que el viaje autorizado dure doce horas más. No se pagará ninguna dieta por el día de embarque.

Regla 614: Gastos de viaje diversos

Los demás gastos que deba efectuar el funcionario con ocasión de una comisión de servicio o de un viaje oficial autorizado serán reembolsados por la Organización una vez que termine el viaje, a condición de que el interesado explique satisfactoriamente la necesidad y la naturaleza de esos gastos y presente los recibos pertinentes, que normalmente se exigirán por todo gasto que exceda de US\$ 30. Tales gastos –para los cuales, en la medida de lo posible, se solicitará autorización previa– sólo podrán corresponder, en principio, a los siguientes conceptos:

a) TEXTO ORIGINAL

Regla 616: Exceso de equipaje y equipaje no acompañado

(b) Los funcionarios que viajen por avión, en clase económica o equivalente, tendrán derecho al pago de los gastos de exceso de equipaje para sí y para sus familiares autorizados igual a la diferencia entre la franquicia en primera clase y en clase económica o su equivalente.

(f) Cuando el transporte por vía terrestre o marítima de conformidad con los apartados (d) (ii) o (e) sea el medio más económico, tales envíos podrán convertirse en envíos de equipaje no acompañado por vía aérea, sobre la base de la mitad del peso o volumen autorizado para el transporte por superficie:

(i) Cuando el funcionario opte por transportar como equipaje no acompañado por vía aérea la totalidad de la cantidad autorizada; o

(ii) Cuando, a juicio del Director Ejecutivo, sea necesario enviar como carga aérea una parte del envío por razones de necesidad urgente.

(g) Cuando el viaje autorizado sea por avión, en relación con las vacaciones en el país de origen o con el subsidio de educación de conformidad con el apartado (d) (i) *supra*, el funcionario podrá expedir la totalidad del envío en equipaje no acompañado por vía aérea sobre la base de la mitad del peso o volumen autorizado. En este caso, no se pagará el costo del embalaje o desembalaje, aunque sí se reembolsará el acarreo por tierra de esta carga aérea hasta un límite razonable.

Regla 619: Gastos de mudanza

(e) El Director Ejecutivo decidirá el pago de los gastos de mudanza por la Organización con sujeción a las siguientes condiciones:

(v) la Organización pagará el costo del seguro de tránsito de los efectos personales y enseres domésticos, excluidos los artículos de valor que sean objeto de una prima especial, hasta un máximo de US\$65.000 cuando el funcionario vaya acompañado de uno o varios miembros de su familia que viajen

b) TEXTO PROPUESTO

Regla 616: Exceso de equipaje y equipaje no acompañado

(b) Los funcionarios que viajen por avión, en clase económica o equivalente, tendrán derecho al pago de los gastos de exceso de equipaje para sí y para sus familiares autorizados igual a la diferencia entre la franquicia en clase ejecutiva y en clase económica o su equivalente, salvo en circunstancias excepcionales en que sea necesaria una franquicia adicional para las funciones de la organización, en cuyo caso se podrá autorizar la diferencia entre la franquicia en primera clase y en clase económica o su equivalente.

(f) Cuando el transporte por vía terrestre o marítima de conformidad con los apartados (d) (ii) o (e) sea el medio más económico, tales envíos podrán convertirse en envíos de equipaje no acompañado por vía aérea, sobre la base de la mitad del peso o volumen autorizado para el transporte por superficie:

(i) Cuando, a juicio del Director Ejecutivo, sea necesario enviar como carga aérea una parte del envío por razones de necesidad urgente.

Regla 619: Gastos de mudanza

(e) El Director Ejecutivo decidirá el pago de los gastos de mudanza por la Organización con sujeción a las siguientes condiciones:

(v) la Organización pagará el costo del seguro de tránsito de los efectos personales y enseres domésticos, excluidos los artículos de valor que sean objeto de una prima especial, hasta el máximo autorizado por las Naciones Unidas.

a) TEXTO ORIGINAL

por cuenta de la Organización, o de US\$40.000 para el funcionario solo. La Organización no será responsable en ningún caso de las pérdidas o daños.

Regla 620: Pérdida del derecho al pago de los gastos de mudanza

(b) El derecho al pago de los gastos de mudanza cesará cuando no se espere que el funcionario permanezca al servicio de la Organización más de seis meses después de la fecha prevista para la llegada de sus efectos personales y enseres domésticos.

(c) No se pagarán los gastos de mudanza si ésta no se inicia dentro del año siguiente a la fecha de la separación del servicio.

Cláusula 7.1

(a) El Director Ejecutivo podrá rescindir el nombramiento de un miembro del personal que tenga un nombramiento permanente y haya concluido su período de prueba si las necesidades del servicio exigen la supresión del puesto o una reducción del personal, si los servicios del interesado no son satisfactorios o si, por motivos de salud, (a reserva de la Regla 502), el funcionario se halla incapacitado para continuar prestando sus servicios.

(b) El Director Ejecutivo podrá también, indicando los motivos que haya para ello, rescindir el nombramiento de un miembro del personal que tenga nombramiento continuo:

(ii) Si se descubren hechos anteriores al nombramiento del funcionario y referentes a su idoneidad que, de haberse conocido en el momento del nombramiento, hubieran impedido ese nombramiento.

(c) No se rescindirá ningún nombramiento en virtud de los incisos (i) y (ii) *supra* mientras el caso no haya sido examinado y objeto de un informe por el Comité Mixto de Disciplina establecido de conformidad con la Regla 801.

b) TEXTO PROPUESTO

Regla 620: Pérdida del derecho al pago de los gastos de mudanza

(b) Normalmente, el funcionario que presente su renuncia con el fin de aceptar otro nombramiento en el mismo país de destino no tendrá derecho al pago de gastos de mudanza.

(c) El derecho al pago de los gastos de mudanza cesará cuando no se espere que el funcionario permanezca al servicio de la Organización más de seis meses después de la fecha prevista para la llegada de sus efectos personales y enseres domésticos.

(d) No se pagarán los gastos de mudanza si ésta no se inicia dentro del año siguiente a la fecha de la separación del servicio.

Cláusula 7.1

(a) El Director Ejecutivo podrá rescindir el nombramiento de un miembro del personal que tenga un nombramiento continuo y haya concluido su período de prueba si las necesidades del servicio exigen la supresión del puesto o una reducción del personal, o si, por motivos de salud, (a reserva de la Regla 502), el funcionario se halla incapacitado para continuar prestando sus servicios

(b) El Director Ejecutivo podrá también, indicando los motivos que haya para ello, rescindir el nombramiento de un miembro del personal que tenga nombramiento continuo:

(ii) Si se descubren hechos anteriores al nombramiento del funcionario y referentes a su idoneidad que, de haberse conocido en el momento del nombramiento, hubieran impedido ese nombramiento.

(iii) Si se comprueba que el funcionario ha cometido una falta grave de conducta.

(c) No se rescindirá ningún nombramiento en virtud de los incisos (i), (ii) y (iii) *supra* mientras el caso no haya sido examinado y objeto de un informe por el Comité Mixto de Disciplina establecido de conformidad con la Regla 801.

(d) El Director Ejecutivo podrá rescindir el nombramiento de un funcionario que tenga nombramiento continuo si sus servicios se han

a) TEXTO ORIGINAL

b) TEXTO PROPUESTO

considerado insatisfactorios durante un período prolongado de tiempo. Se considerará que existe tal situación si:

- el funcionario, en la evaluación anual, ha recibido la calificación de servicio “insatisfactorio” durante dos años consecutivos o durante tres años de un quinquenio; y
- el jefe de la División del funcionario en cuestión ha presentado una explicación detallada por escrito al Director Ejecutivo de las razones por las cuales ha adjudicado tal calificación, y el funcionario tendrá derecho a añadir sus comentarios y observaciones; y
- el Director Ejecutivo y los jefes de las Divisiones deciden por unanimidad mantener la calificación de “insatisfactorio”.

Cláusula 7.2

En el caso de todos los demás funcionarios, inclusive los que estén cumpliendo el período de prueba previo a un nombramiento permanente, el Director Ejecutivo podrá rescindir en cualquier momento el nombramiento si, a su juicio, tal medida ha de redundar en interés de la Organización.

Cláusula 7.2

En el caso de todos los demás funcionarios, inclusive los que estén cumpliendo el período de prueba previo a un nombramiento continuo, el Director Ejecutivo podrá rescindir en cualquier momento el nombramiento si, a su juicio, tal medida ha de redundar en interés de la Organización.

Cláusula 7.4

(a) En general, la Organización no mantendrá en servicio a los funcionarios que hayan cumplido 62 años, que es la edad normal de jubilación. Podrá convenirse la jubilación anticipada entre la Organización y el funcionario de conformidad con el reglamento de la Caja de Previsión.

Cláusula 7.4

(a) En general, la Organización no mantendrá en servicio a los funcionarios que hayan cumplido 65 años, que es la edad normal de jubilación. Podrá convenirse la jubilación anticipada entre la Organización y el funcionario de conformidad con el reglamento de la Caja de Previsión.

(b) El Director Ejecutivo podrá recomendar al Consejo que mantenga en servicio a un funcionario que haya cumplido los 62 años si ello redunda en interés de la Organización.

(b) El Director Ejecutivo podrá recomendar al Consejo que mantenga en servicio a un funcionario que haya cumplido los 65 años si ello redunda en interés de la Organización.

Regla 701: Definición de rescisión del nombramiento

Por “rescisión del nombramiento”, en el sentido del presente Estatuto y Reglamento, se entenderá toda separación del servicio por iniciativa del Director Ejecutivo que no se deba a la jubilación a la edad de 62 años o más, o la destitución sumaria por falta grave de conducta.

Regla 701: Definición de rescisión del nombramiento

Por “rescisión del nombramiento”, en el sentido del presente Estatuto y Reglamento, se entenderá toda separación del servicio por iniciativa del Director Ejecutivo que no se deba a la jubilación a la edad de 65 años o más, o la destitución sumaria por falta grave de conducta.

a) TEXTO ORIGINAL

Regla 703: Renuncia

(c) El Director Ejecutivo podrá exigir que la renuncia sea presentada personalmente para que sea aceptable.

Regla 707: Prima de repatriación

(c) El pago de la prima de repatriación estará sujeto a las siguientes condiciones y definiciones:

(vii) La pérdida del derecho al pago de los gastos del viaje de regreso de conformidad con la Regla 603 no afectará el derecho del funcionario al pago de la prima de repatriación.

(viii) En el caso de fallecimiento del funcionario solamente se pagará la prima de repatriación si sobreviven el cónyuge o uno o más hijos a cargo a los cuales la Organización tenga la obligación de repatriar al país de origen. Si sólo sobrevive una persona a cargo, la prima de repatriación se pagará a la tasa correspondiente a funcionarios sin personas a cargo; si sobreviven dos o más personas a cargo, la prima se pagará conforme a la escala correspondiente a funcionarios con personas a cargo.

Regla 708: Indemnización por rescisión del nombramiento

(c) No se pagará indemnización por rescisión del nombramiento:

b) TEXTO PROPUESTO

Regla 703: Renuncia

(c) El pago de la prima de repatriación estará sujeto a las siguientes condiciones y definiciones:

(vii) Cuando ambos cónyuges sean funcionarios y los dos tengan derecho a percibir una prima de repatriación con motivo de la separación del servicio, se efectuará el pago que corresponda a cada uno de ellos, a la tasa para funcionarios sin familiares a cargo. Cuando haya hijos a cargo reconocidos, el primer padre que se separe del servicio podrá presentar la solicitud para recibir el pago a la tasa para funcionarios con familiares a cargo. En tal caso, el segundo padre, al separarse del servicio, podrá solicitar el pago a la tasa para funcionarios sin familiares a cargo para el período de servicio subsiguiente al cual tenga derecho, o, si le corresponde, a la tasa de funcionarios con hijos a cargo para la totalidad del período al que tenga derecho, suma de la que normalmente será deducida la prima de repatriación pagada al primer padre.

(viii) La pérdida del derecho al pago de los gastos del viaje de regreso de conformidad con la Regla 603 no afectará el derecho del funcionario al pago de la prima de repatriación.

(ix) En el caso de fallecimiento del funcionario solamente se pagará la prima de repatriación si sobreviven el cónyuge o uno o más hijos a cargo a los cuales la Organización tenga la obligación de repatriar al país de origen. Si sólo sobrevive una persona a cargo, la prima de repatriación se pagará a la tasa correspondiente a funcionarios sin personas a cargo; si sobreviven dos o más personas a cargo, la prima se pagará conforme a la escala correspondiente a funcionarios con personas a cargo.

Regla 708: Indemnización por rescisión del nombramiento

(c) No se pagará indemnización por rescisión del nombramiento:

(ii) a los funcionarios que tengan un nombramiento temporal;

a) TEXTO ORIGINAL

(ii) a los funcionarios cuyo nombramiento se rescinda porque sus servicios no son satisfactorios o que sean destituidos por falta grave o por un expediente disciplinario, o que sean objeto de destitución sumaria;

(iii) a los funcionarios que se jubilen de conformidad con el reglamento de la Caja de Previsión;

(iv) a los funcionarios que reciban una indemnización por incapacidad total, de conformidad con el plan de seguro de accidentes establecido conforme a la Regla 504 del presente Reglamento; y

(v) a los funcionarios que lleguen al término del período de su nombramiento.

Cláusula 8.1

El Director Ejecutivo podrá imponer medidas disciplinarias a los funcionarios cuya conducta no sea satisfactoria y podrá destituir sumariamente a cualquier funcionario que haya cometido una falta grave de conducta.

b) TEXTO PROPUESTO

(iii) a los funcionarios cuyo nombramiento se rescinda porque sus servicios no son satisfactorios o que sean destituidos por falta grave o por un expediente disciplinario, o que sean objeto de destitución sumaria;

(iv) a los funcionarios que abandonen su puesto;

(v) a los funcionarios que se jubilen de conformidad con el reglamento de la Caja de Previsión;

(vi) a los funcionarios que reciban una indemnización por incapacidad total, de conformidad con el plan de seguro de accidentes establecido conforme a la Regla 504 del presente Reglamento; y

(vii) a los funcionarios que lleguen al término del período de su nombramiento.

Cláusula 8.1

El incumplimiento por un funcionario de sus obligaciones con arreglo al Estatuto y Reglamento del Personal de la Organización, o de las normas de conducta que se esperan de un funcionario internacional, podrá ser calificado de falta de conducta y dar lugar a la incoación de un procedimiento disciplinario y a la imposición de medidas disciplinarias por falta de conducta. Después de haber solicitado y recibido el asesoramiento del Comité Mixto de Disciplina, el Director Ejecutivo podrá rescindir el nombramiento del funcionario por alguna de las siguientes razones:

- (i) una falta grave de conducta; o
- (ii) si la conducta del funcionario indica que no posee el más alto grado de integridad exigido por la Organización; o
- (iii) si se descubren hechos anteriores al nombramiento del funcionario y referentes a su idoneidad que, de haberse conocido en el momento de su nombramiento, habrían impedido ese nombramiento.

a) TEXTO ORIGINAL

Regla 802: Medidas disciplinarias

Las medidas disciplinarias consistirán en la amonestación por escrito, la suspensión sin goce de sueldo, el descenso de categoría o la destitución por falta grave de conducta.

b) TEXTO PROPUESTO

Regla 802: Medidas disciplinarias

(a) Las medidas disciplinarias consistirán en la amonestación por escrito, la postergación o pérdida del derecho al incremento de sueldo, la suspensión sin goce de sueldo durante un período determinado, el descenso de categoría o la destitución por falta grave de conducta. La suspensión en espera de la investigación no se considerará una medida disciplinaria.

(b) La amonestación por escrito debe ser autorizada por el Director Ejecutivo y se diferencia de la reprimenda de un funcionario por un supervisor. Tal reprimenda no se considerará una medida disciplinaria en el sentido de la presente disposición.

Annex II

**Comparison of Proposed Revisions with the Staff Rules and Regulations of the United Nations and
Other International Commodity Organizations**

c) PROPOSED TEXT	UNITED NATIONS	INTERNATIONAL COCOA ORGANIZATION	INTERNATIONAL COFFEE ORGANIZATION
<u>1. DUTIES AND RESPONSIBILITIES</u>			
<u>Regulation 1.2</u> In the performance of their duties staff members shall neither seek nor accept instructions from any government or from any other source external to the Organization. (New Zealand)	Regulation 1.2(d) of ST/SGB/2013/3 of United Nations Staff Rules and Staff Regulations (UN SR (2013))	Regulation I-2 of ICC/31/5/Rev.3 of Staff Regulations and Staff Rules of the International Cocoa Organizations (ICCO SR) (Jul 2006)	Regulation 1.3 of the International Coffee Organization (ICO SR) (Feb 2011)
<u>Regulation 1.4</u> Staff members are subject to the authority of the Executive Director and to assignment by him/her to any of the activities or offices of the Organization. They are responsible to him/her in the exercise of their functions. The whole time of staff members shall be at the disposal of the Executive Director. The Executive Director shall establish a normal working week.	Regulation 1.3 (c) of UN SR (2013)	Regulation I-8 of ICCO SR (2006)	Regulation 1.2 of ICO SR (2011)
<u>Rule 102: Official Holidays</u>			
(a) Official holidays shall be: New Year's Day, Good Friday, Easter Monday , Christmas Day, Eid-al-Fitr, Eid-al-Adha and any other public holiday declared by the Government of the host country. This list of days may be amended by the Executive Director, depending on the location of the Headquarters of the Organization, with the proviso that there should be at least nine official holidays per year.	See Rule 1.4 (b) of UN SR (2013)	Rule 102: Official Holidays of ICCO SR (2006)	Rule 101.2: Official holidays of ICO SR (2011)
(b) When a holiday falls on a Saturday and/or Sunday, the following Monday and/or Tuesday will be observed as a holiday in lieu thereof.			

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

Rule 103: Outside Activities and Interests

(a) Staff members shall not engage in any outside occupation or employment without the prior approval of the Executive Director [NZ].

See “outside employment and activities” at page 8 of UN SR (2013)

Rule 103: Outside Activities and Interests of ICCO SR (2006)

Rule 101.3: Outside activities and interests of ICO SR (2011)

2. CLASSIFICATION OF STAFF, SALARIES AND
RELATED ALLOWANCES

Regulation 2.8

(a) Staff members in professional and higher categories shall be entitled to receive dependency allowances in conformity with the prevailing dependency allowances schedule and related provisions of the United Nations. Such allowances are payable in respect of:

See Rule 3.6 of UN SR (2013)

Regulation III-7(a)&(b) of ICCO SR (2006)

Regulation 3.5.1 of ICO SR (2011)

(i) Each dependent child of a single, married, widowed or divorced staff member;

(ii) Where there is no dependent spouse, a single annual allowance for either a dependent parent, a dependent brother or a dependent sister.

(b) Staff members in the General Service category shall be entitled to receive dependency allowances at the rates applicable to the United Nations staff in the host country and approved by the Council for the following:

(i) a dependent spouse;

c) PROPOSED TEXT

(ii) each dependent child of a married, single, widowed or divorced staff member;[NZ]

[NZ]

(iii) where there is no dependent spouse or dependent child, a single annual allowance for either a dependent parent, dependent brother or dependent sister.

Regulation 2.9

Claims for dependency allowances shall be submitted annually in writing and supported by evidence satisfactory to the Executive Director. Staff members shall be responsible for reporting immediately to the Executive Director any change which affects the payment of the allowances during the year.

[NZ]

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.”[NZ]

Regulation 2.10

A staff member who is internationally recruited and who is outside his/her home country shall be entitled

UNITED NATIONS

Regulation 3.6 (d) of UN SR (2013)

See Rule 3.9 of UN SR (2013)

INTERNATIONAL COCOA ORGANIZATION

Regulation III-7(c) of ICCO SR (2006)

Regulation III-7(d) of ICCO SR (2006)

Regulation III-8 of ICCO SR (2006)

INTERNATIONAL COFFEE ORGANIZATION

Regulation 3.5.2 of ICO SR (2011)

Regulation 3.6 of ICO SR (2011)

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
 ORGANIZATION**

**INTERNATIONAL COFFEE
 ORGANIZATION**

to an education grant for his/her children and a staff member of any categories, regardless of whether or not they are serving in their home country, with disabled children shall be entitled to a special education grant for such children. These grants shall be in accordance with the prevailing United Nations schedule for such grants.

Rule 303: Education Grant(j)
 of ICCO SR (2006)

Rule 201: Definition of Dependency

(a) A dependent spouse shall be a spouse whose annual occupational earnings, if any, during the calendar year considered do not exceed the lowest entry salary level of the United Nations general service salary scale in effect in Japan.

(b) For purposes of the Staff Regulations and the Staff Rules a "child" shall be the unmarried child of a staff member, 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. If the child is totally and permanently disabled, the requirements as to school attendance and age shall be waived.

(c) For the purpose of the dependency allowance a child shall be recognized as dependent when the staff member provides continuing support and submits a claim certifying this; provided that, where divorce has occurred and the child does not reside with the staff member, or if the child is married, dependency allowance will be payable only where the staff member submits satisfactory documentary evidence that he has assumed responsibility for the main and continuing support of the child.

Rule 3.6 of UN SR (2013)

Rule 301: Definition of
 Dependency

Rule 103.1: Definition of
 dependency of ICO SR
 (2011)

The allowance shall be reduced by the amount of any

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

dependency allowance received from other sources in respect of the same child by the staff member or his spouse.

(d) A dependent parent, dependent brother or dependent sister shall be a parent, unmarried brother or unmarried sister of whose financial support the staff member provides one half or more, and in any case at least twice the amount of the dependency allowance; provided that the brother or sister is under the age of 18 years, or, if in full-time attendance at a school or university, or similar educational institution, under the age of 21 years. If the brother or sister is totally and permanently disabled the requirements as to school attendance and age shall be waived.

No allowance for a secondary dependant shall be paid to a staff member with a dependent spouse.

Rule 202: Salary Increments

(a) Annual salary increments shall be effective from the first day following the date on which the service requirements are completed.

(b) A salary increment may be deferred within an incremental period, or withheld, if service or conduct is unsatisfactory. The staff member involved shall be so informed by the Executive Director.

(c) An increment which has been deferred or withheld shall, at the expiring period of deferment, become payable in respect of the unexpired portion of the incremental period concerned. The deferment shall not affect the date at which future increments shall fall due.

(d) Where an increment has been withheld, one

Rule 3.3 of UN SR (2013)

Rule 3.3 of UN SR (2013)

Rule 3.3 & Annex I to UN SR
(2013) Paragraph 4

Rule 304: Salary Increments

Rule 103.2: Increments
in salary of ICO SR
(2011)

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

increment shall be payable at the normal incremental date following the period for which it has been withheld.

(e) Satisfactory service for the purpose of awarding a salary increment shall be defined as satisfactory performance and conduct of staff members in their assignments as evaluated by their supervisors.

Rule 203: Salary Policy in Promotions

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

(i) During the first year following promotion a staff member in continuous service shall receive in salary the amount of two full steps in the level to which the staff member has been promoted more than he or she would have received without promotion except where promotion to the lowest step of the level yields a greater amount. The step rate and date of salary increment in the higher salary level shall be adjusted to achieve this end.

(ii) If promotion is effective in the month in which an increment at the lower grade is due, such increment will be included in the salary at the lower grade, to which two increments will then be added to determine the staff member's salary on promotion in accordance with paragraph (i) above.

(iii) The date of the first salary increment at the higher grade shall be the anniversary date of promotion except that, in the case of those increments that require two years of satisfactory service, the first increment at the higher grade will become due two years from the date of promotion.

Rule 3.4 (b) of UN SR (2013)

Rule 305: Salary Policy in Promotions

Rule 103.3: Salary policy on promotion ICO SR (2011)

See UN Guidelines for determination of level and step
See Rule 13.8 of UN SR (2013) for non-resident allowance

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

(iv) On promotion from the General Service category to the Professional category and in order to determine in accordance with paragraph (i) above the step that should be granted within the grade to which the staff member is promoted, the following emoluments shall also be taken into account:

(a) the net amount of any pensionable allowance that the staff member received at the lower grade; and

(b) the post adjustment corresponding to the net base salary at the single rate for the grade and step in the Professional category which the staff member is promoted.

(v) Where the promotion of a staff member from the General Service category to the Professional category would result in a reduction of his or her pensionable remuneration, the staff member may retain the level of pensionable remuneration reached immediately prior to promotion until it is surpassed as a result of the staff member's advancement in the level of further promotion.

(vi) When, on promotion, a staff member becomes ineligible for payment of non-resident allowance and/or language allowance which he or she has formerly 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 rate and date of next salary increment under (i) above.

Rule 204: Overtime and Compensatory Time Off

Rule 103.4: Overtime

c) PROPOSED TEXT

(a) Compensatory time off or additional payment under conditions established by the Executive Director shall be given to staff members in the general service category who are required to work:

- (i) in excess of eight hours in a day;
- (ii) on Saturday or Sunday when these days are not part of the scheduled work week; or
- (iii) on official holidays

(b) Compensation for overtime work shall be computed to the nearest half-hour. Less than half an hour on any day during the scheduled work week shall not be considered. *A member of the staff who is required to report for overtime work on Saturday or Sunday or on an official holiday shall receive not less than four hours of overtime compensation.*

(c) Overtime compensation shall be made at the rate of one-and-a-half times the staff member's hourly basic salary for overtime performed during the scheduled work week or on Saturdays and at the rate of twice the staff member's hourly basic salary on Sunday or on an official holiday.

(d) Immediately following a period of intensive overtime work and should the exigencies of the service permit, occasional compensatory time-off may be granted by the Executive Director to staff members not entitled to overtime compensation.

Rule 206: Language Allowance

(a) A staff member in the general service category shall be paid a language allowance in accordance with prevailing United Nations' rules and rates if

UNITED NATIONS

Rule 3.11 of UN SR (2013)

Paragraph 7 of Annex I of UN SR (2013) & Rule 3.8 of UN SR (2013)

INTERNATIONAL COCOA ORGANIZATION

Rule 306: Overtime and Compensatory Time-Off of ICCO SR (2006)

Rule 308: Language Allowance of ICCO SR (2006)

INTERNATIONAL COFFEE ORGANIZATION

and compensatory time off of ICO SR (2011)

Rule 103.6: Language allowance of ICO SR (2011)

c) PROPOSED TEXT	UNITED NATIONS	INTERNATIONAL COCOA ORGANIZATION	INTERNATIONAL COFFEE ORGANIZATION
he/she passes a test, prescribed for this purpose, in any language of the Organization other than the language or the languages in which he/she is required to be proficient by the terms of his/her appointment. No staff member shall be paid a language allowance for more than two official languages of the Organization. Further tests at intervals of not less than 2 years will be required in order to demonstrate their continued proficiency.[NZ] (b) The language allowance shall be taken into account in determining the contributions to the Provident Fund. <u>Rule 208: Education Grant</u> (a) For the purpose of this rule: (i) “child” means an unmarried child of a staff member who is dependent upon the staff member for continuing support. “Disabled child” means a child who is unable, by reasons of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him or her for full integration into society or, while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability. (iv) “cost of attendance” includes charges for enrolment, registration, prescribed text books, courses, examinations, diplomas and, if justified by local conditions, for mid-day meals provided by the school, and for daily group transportation provided by the school or organized on a school-wide basis.	Rule 3.8 (c) of UN SR (2013)	Rule 303: Education Grant of ICCO SR (2006)	Rule 103.7: Education grant of ICO SR (2011)

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
 ORGANIZATION**

**INTERNATIONAL COFFEE
 ORGANIZATION**

(h) A special education grant for disabled children shall be available to staff members of all categories, regardless of whether they are serving in their home country, provided that they have appointments of one year or longer or have completed one year of continuous service. The amount of the grant shall be in conformity with the prevailing rules and scales of the United Nations.

UN rule ST/AI/2011/4/Amend I (2011) and ST/IC/2013/35 (2013) provides for latest rates.

(i) Educational expenses reimbursable under the special education grant shall comprise the expenses incurred to provide an educational programme designed to meet the needs of the disabled child in order that he or she may obtain the highest possible level of functional ability. Expenses for special equipment required for the rehabilitation of disabled child may be reimbursed, if not otherwise covered under health insurance, up to the maximum United Nations rate;

ST/AI/2011/4 (2011)

(ii) the grant shall be computed on the basis of the calendar year, if the child is unable to attend a normal educational institution, or non the basis of the school year, if the child is in full-time attendance at a normal educational institution while receiving special teaching or training. The grant shall be payable in respect of any disabled child from the date on which the special teaching or training is required up to the end of the school year or the calendar year, as appropriate, in which the child reaches the age of 25 years. At the discretion of the Executive Director, the lower age-limit for payment of the grant may be waived; in exceptional circumstances, the Executive Director may increase the upper age-limit to 28;

ST/IC/2013/35 (2013) Provides latest rates of education grant effective from 1 January 2013.

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

(iii) where the period of service does not cover the full school year or calendar year, the amount of the grant shall be that proportion of the annual grant which the period of service bears to the full school or calendar year;

(iv) Claims for the grant shall be submitted annually in writing and supported by medical evidence satisfactory to the Executive Director regarding the child's disability. The staff member shall also be required to provide evidence that he or she has exhausted all other sources of benefits that may be available for the education and training of the child. The amount of educational expenses used as the basis for the calculation of the special education grant shall be reduced by the amount of any benefits so received or receivable by the staff member.

ST/AI/2011/4 (2011)

(iv) In circumstances where a staff member has to place a disabled child in an educational institution away from the duty station, expenses relating to special education grant travel may be reimbursed up to the cost of two trips per year between the educational institution and the duty station. In very exceptional circumstances and at the discretion of the Executive Director, travel expenses may also be reimbursed for the person accompanying a disabled child. Transportation costs up to twice the reimbursement made for normal group transportation arrangements may be reimbursed for local transportation required for disabled children.

ST/AI/2011/4 (2011)

Rule 303 (j): Special
Education Grant for Disabled
Children of ICCO SR (2006)

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

Rule 210. Salary Advance

(a) A request for a salary advance shall be considered in the light of any advance previously granted to the applicant, the extent of his/her indebtedness to the Organization and other relevant factors.

(b) The amount of an advance shall not exceed one month's net salary, exclusive of post adjustment where applicable.

(c) A salary advance shall be expressed in the currency in which the salary is expressed. Where conversion from one currency into another is necessary for the payment or recovery of an advance, such conversion shall be effected at the accounting rate of exchange adopted by the Organization and in force at the date or dates of payment or recovery respectively.

(d) A salary advance shall be recovered either by deduction from the following month's pay or by monthly deductions over a period not exceeding six months.

Rule 211. Special Post Allowance

(a) Any staff member shall be expected, as a normal part of his or her functions and without special designation, extra compensation or title, to assume for short periods (such as during the absence of another staff member on leave or when a position is temporarily vacant) the duties and responsibilities of a higher-level post. If, however, a staff member should

Rule 309: Salary Advance of
ICCO SR (2006)

Rule 310: Special Post
Allowance of ICCO SR (2006)

Rule 103.8: Special Post
Allowance of ICO SR
(2011)

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

be required to assume such higher duties and responsibilities for substantial periods of time, the Executive Director may authorize payment to that staff member of a special post allowance. A period of three months or more shall be considered a substantial period of time. The Executive Director may also designate that staff member to assume the title of the one who is absent. In either case,

(i) the staff member shall be fully qualified to undertake the duties and responsibilities of the higher-level post and shall have demonstrated his or her ability to perform the work at this level during a period of not less than three months;

(ii) The post to which the staff member is assigned shall be provided for in the approved establishment table and shall represent a clearly identifiable individual function.

(b) The amount of the special post allowance shall be:

(i) Approximately equivalent to the salary increase the staff member would have received had he or she been promoted to the higher post; or

(ii) Determined by the Executive Director if the staff member assumes only some of the duties and responsibilities of the higher post.

(c) Payment of the allowance shall not be retroactive beyond the beginning of the first pay period following three months' service in the higher-level post.

(d) The special post allowance shall not be taken into consideration for the purposes of assessing

c) PROPOSED TEXT**UNITED NATIONS****INTERNATIONAL COCOA
ORGANIZATION****INTERNATIONAL COFFEE
ORGANIZATION**

contributions to the Provident Fund.

3. RECRUITMENT AND APPOINTMENT**Regulation 3.1**

Except where expressly provided for in the International Tropical Timber Agreement, 2006 (ITTA) or succeeding Agreements, or as might be otherwise determined by the Council, the Executive Director shall appoint the staff. Upon appointment (or notification of promotion) each staff member shall receive a letter of appointment (or notification of promotion) in accordance with the provisions of these Regulations and Rules.

See Rule 4.1 of UN SR (2013)

Regulation IV-1 of ICCO SR
(2006)

Regulation 4.1 of ICO SR
(2011)

Regulation 3.2

The paramount consideration in the appointment, transfer or promotion of the staff shall be the necessity for securing the highest standards of efficiency, competence and integrity.

Regulation 4.2 of UN SR
(2013)

Regulation IV-2 of ICCO SR
(2006)

Regulation 4.2 of ICO SR
(2011)

Regulation 3.3

Staff members shall be granted either continuing, fixed term or temporary appointments under such terms and conditions consistent with these Regulations and Rules as the Executive Director may prescribe.

Regulation 4.4 of UN SR
(2013)

Regulation IV-4 of ICCO SR
(2006)

Regulation 4.4 of ICE SR

Regulation 4.5 of UN SR
(2013)

Regulation IV-5 of ICCO SR
(2006)

Regulation 4.5.1 of ICO
SR (2011)

Regulation 3.4

c) PROPOSED TEXT	UNITED NATIONS	INTERNATIONAL COCOA ORGANIZATION	INTERNATIONAL COFFEE ORGANIZATION
So far as is practicable, selection of staff shall be made on a competitive basis to secure the highest standards of efficiency, competence and integrity based on the following general framework and principles: (a) The recruitment process identifies and selects staff who demonstrate the highest standards of efficiency, competency and integrity; (b) Selection decisions are transparent and free of bias or discrimination of any kind; (c) Selection is made on a competitive basis for all positions irrespective of category, grade or level. Selection decisions are based on pre-approved minimum requirements and evaluation criteria, and are transparent and well documented; (d) Staff at the Professional level and above are recruited on as wide a geographical basis as possible; (e) Due consideration is given at the time of selection to the need for achieving gender parity, particularly for positions at the professional level and above; (f) Full regard is given to the qualifications and experience of persons already in service, without prejudice to the recruitment of new talent; (g) Due consideration is given to knowledge of at least two working languages, particularly for positions at the professional level and above; and (h) All vacant posts are advertised, including senior-level posts.	Regulation 4.3 of UN SR (2013) Also see Rule 4.15 of UN SR (2013)	Regulation IV-3 of ICCO SR (2006)	Regulation 4.3 of ICO SR (2011)

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

Regulation 3.5

The Executive Director shall prescribe which staff members are eligible for continuing appointments. Continuing appointment to the staff of the Organization shall normally be subject to a probationary period of ~~two years~~ six months which may be extended for not more than an additional six months. ~~In exceptional circumstances, the period of probationary service may be reduced or extended for not more than one additional year.~~ At the end of this period the member shall be granted a permanent appointment or be separated from the service.

Regulation 4.5 (d) of UN SR (2013)
+ Rule 13.3 of UN SR (2013)

Regulation 4.5.2 of ICO SR (2011)

Rule 104.8: Permanent appointments of ICO SR (2011)

Regulation 3.6

1. Temporary appointments, having an expiration date specified in the letters of appointment, shall be of two types, namely:

- (a) a short-term appointment for a period of less than one year; and
- (b) a fixed-term appointment for a continuous period of one year or more.

2. A temporary appointment shall not carry any expectation of extension or conversion into a continuing appointment and shall expire according to its terms on the date specified in the letter of appointment without notice or indemnity.

3. Notwithstanding the provisions of paragraph 2 above, a temporary appointment may, at the discretion of the Executive Director, be extended for a further period or converted into a continuing appointment.

Regulation 4.5 (b) of UN SR (2013)

Rule 104.9: Temporary appointments of ICO SR (2011)

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

~~may be granted for a period not exceeding two years. Temporary appointments do not carry any expectancy of renewal or conversion to any other type of appointment.~~

Rule 303: Letters of Appointment

(c) A copy of the International Tropical Timber Agreement, 2006 (ITTA, 2006) or succeeding Agreement and the Staff Regulations and Staff Rules shall be transmitted to the staff member with the letter of appointment. In accepting appointment, the staff member shall state in writing that he/she has been made acquainted with and accepts the conditions laid down in the Staff Regulations and Staff Rules.

Annex II (b) of UN SR (2013)

4. ANNUAL, HOME AND SPECIAL LEAVE

Regulation 4.1

Staff members shall be allowed appropriate annual leave.

Special leave may be authorized by the Executive Director in exceptional cases **if the annual leave entitlement has been exhausted.**

UN Regulation 5.1 and 5.3 of
UN SR (2013)

Regulation V-1&2 of ICCO SR
(2006)

Regulation 5.1 & 5.2 of
ICO SR (2011)

Rule 401: Annual Leave

~~(g) A member of the staff holding a permanent or fixed-term appointment may, in exceptional circumstances and at the discretion of the Executive Director, be granted advance annual leave up to a maximum of 10 working days provided his/her service~~

Same as UN SR (2013)
Reg. 5.1

Rule 501: Annual Leave of
ICCO SR (2006)

Rule 105.1: Annual leave
of ICO SR (2011)

c) PROPOSED TEXT

is expected to continue for a period beyond that necessary to accrue the leave so advanced.

Rule 402: Special Leave

(a) Special leave shall normally be granted without pay. In exceptional circumstances, special leave with full or partial pay may be granted for advanced study or research in the interest of the Organization, or in cases of extended illness **when all the provisions regarding sick leave have been exhausted**, or for other important reasons for such period as the Executive Director may prescribe. [NZ]

(b) Staff members shall not accrue service credits toward sick, annual, home and maternity leave, salary increment, termination indemnity and repatriation grant during full months of **special leave with full pay, 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 404. Special Leave for Family Reasons

(a) **In the event of a death of a spouse, mother, father or child, a staff member will be granted three days' special leave with pay, plus necessary travel time when appropriate.**

(b) **In the event of serious illness or injury of a spouse, mother, father or child, or any exceptional family event requiring the staff member's presence, he or she will be granted special leave with pay for a period of time fixed by the Executive Director.**

UNITED NATIONS

Rule 5.3 (a)(i) of UN SR (2013)

Rule 5.3 (g) of UN SR (2013)

**INTERNATIONAL COCOA
 ORGANIZATION**

Rule 502: Special Leave of
 ICCO SR (2006)

Rule 504: Special Leave for
 Family Reasons of ICCO SR
 (2006)

**INTERNATIONAL COFFEE
 ORGANIZATION**

Rule 105.2: Special
 leave of ICO SR (2011)

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

(c) In the case of marriage of a staff member, the Executive Director is authorized to grant two days' special leave with pay plus necessary travel time when the marriage is taking place outside the duty station.

Rule 405. Unauthorized absence

(a) Unauthorized absence shall render a staff liable to disciplinary action under Rule 801.

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

Rule 505: Unauthorized
absence of ICCO SR (2006)

5. SOCIAL SECURITY

Regulation 5.2

The Executive Director with the approval of the Council shall establish a scheme of social security for the staff, including provisions for sick leave and maternity leave and shall make arrangements to provide the staff with adequate life, accident and health insurance.

Regulation 6.2 of UN SR
(2013)

Regulation VI-2 of ICCO SR
(2006)

Regulation 6.2 of ICO SR
(2011)

Rule 503: Maternity and Paternity Leave

(b) A female staff member ~~who will have served continuously for one year at the anticipated time of confinement~~ shall be entitled to maternity leave in accordance with the following provisions:

Rule 6.3 of UN SR (2013)

Rule 603: Maternity and
Paternity Leave of ICCO SR
(2006)

Rule 106.3: Maternity
leave of ICO SR (2011)

c) PROPOSED TEXT	UNITED NATIONS	INTERNATIONAL COCOA ORGANIZATION	INTERNATIONAL COFFEE ORGANIZATION
(c) Subject to conditions established by the Executive Director, a male staff member shall be entitled to paternity leave in accordance with the following provisions:	Rule 6.3 of UN SR (2013)		
<u>Rule 504: Life. Accident and Health Insurance</u>	Life insurance: + ST/AI/2002/6 (2002), ST/SGB/1997/1 (1997)+ Staff Reg. 6.2 (2013)	Rule 604: Life, Accident and Health Insurance of ICCO SR (2006)	Rule 106.4: Life, accident and health insurance of ICO SR (2011)
(a) The Organization shall provide staff members with:			
(i) A life insurance scheme to cover the staff member's death from any cause whilst in service. The amount of benefit in respect of each life insured shall be three times the staff member's annual pensionable remuneration in the case of staff members in the Professional and higher categories and three times the gross salary in the case of those in the General Service category, at the time of death;	Rule 6.4 see App. D of UN SR (2013)		
(ii) an additional accident insurance scheme to compensate staff members in the event of injury attributable to the performance of official duties on behalf of the Organization. The amount of benefit in respect of each person insured shall be twice the staff member's annual pensionable remuneration in the case of staff members in the Professional and higher categories and twice the gross salary in the case of those in the General Service category, at the time of the accident; and			
(iii) a health insurance scheme.			
(b) The premium for the scheme mentioned under (i) and (ii) above shall be borne by the Organization.			

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

(c) The premium for the scheme mentioned under (iii) above shall be subsidized by the Organization at a percentage proposed by the Executive Director for the approval of the Council.

Rule 605: Authority to Travel

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

Rule 7.4 of UN SR (2013)

Rule 705: Authority to Travel of ICCO SR (2006)

Rule 107.6: Travel expenses of ICO SR (2011)

Rule 608: Standard of Travel Accommodation

For official travel, travel accommodation shall be provided in accordance with the following general standards:

(a) When the approved travel is by air, it shall normally be by economy class. The Executive Director may authorize business-class air travel if circumstances so require e.g. long-haul flights or non-availability of seats in economy class. Staff members above P-level shall be entitled to business class air travel in accordance with the applicable Administrative Instruction of the United Nations Secretariat. First-class travel is not permitted on flights where business class is offered.

~~For all official travel by air, staff members and their eligible family members shall be provided with economy class accommodation or its equivalent, except the Executive Director and his family members, other than on travel in connection with an~~

See Rule 7.6 of UN SR (2013) and ST/AI/2013/3 (2013)

Rule 709: Standard of Transportation of ICCO SR (2006)

Rule 107.9: Standard of accommodation of ICO SR (2011)
ICO: standard of accommodation for the Executive Director shall be first class
Executive Director may allow a higher standard of accommodation than prescribed above, including first class travel

ST./AI/2013/3 PAGE 4 para (d)

c) PROPOSED TEXT

~~education grant under Rule 208, who shall be provided with first class accommodation when the duration of a particular flight exceeds nine hours (by the most direct and economical route), including scheduled stops for such purposes as change of planes or refueling, but excluding travel time to and from airports.~~

Rule 613: Computation of Travel Subsistence Allowance

(b) No allowance shall be paid when a traveller returns to his/her official duty station within 10 hours after departure, and 40 per cent of the allowance shall be paid for a journey of 10 hours or more.

(c) Where travel is by sea, a full day's allowance at the appropriate rate shall be paid for the day of arrival at the port of disembarkation, provided the traveller remains in official travel status for more than 12 hours thereafter. No allowance shall be paid for the day on which embarkation takes place.

Rule 614: Miscellaneous Travel Expenses

Necessary additional expenses, incurred by a staff member in connection with the transaction of official business or in the performance of authorized travel, shall be reimbursed by the Organization after completion of travel provided the necessity and nature of the expenses are satisfactorily explained and as far as practicable supported by proper receipts which shall normally be required for any expenditure in excess of US\$30.00. Such expenses,

UNITED NATIONS

UN SR (2013) Rule 7.7

See section 7 of ST/AI/1998/3 (1998)

Rule 7.11 of UN SR (2013)

INTERNATIONAL COCOA ORGANIZATION

Rule 714: Computation of the Travel Subsistence Allowance of ICCO SR (2006)

Rule 715: Miscellaneous Travel Expenses of ICCO SR (2006)

INTERNATIONAL COFFEE ORGANIZATION

Rule 107.15: Computation of the travel subsistence allowance of ICO SR (2011)

Rule 107.16: Miscellaneous travel expenses of ICO SR (2011)

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

for which advance authorization shall be obtained to the extent practicable, shall normally be limited to:

- (i) hire of local transportation other than provided for under Rule 610;
- (ii) telephone, telegraph, radio and cable messages of official business;
- (iii) transfer of authorized baggage by rail or other appropriate agency;
- (iv) hire of room for official use;
- (v) stenographic or typing services or rental of typewriters in connection with the preparation of official reports or correspondence; and
- (vi) transportation or storage of baggage or property used on official business.

Rule 7.11 of UN SR (2013)

Rule 616: Excess Baggage and Unaccompanied Shipments

(b) Staff members traveling by air economy class or its equivalent shall be entitled to payment of excess baggage for themselves and their eligible family members to the extent of the difference between the free baggage allowance by business class and by economy class or its equivalent, except in exceptional circumstances where additional baggage allowance is necessary for the functions of the organizations in which case the difference between the free baggage allowance by first class and by economy class or its equivalent may be authorised [NZ].

See Section 1.1 of
ST/AI/2006/5 (2006)

Rule 717: Excess Baggage of
ICCO SR (2006)

Rule 107.17: Excess
baggage of ICO SR
(2011)

(f) Where surface shipment under paragraphs (d) (ii),

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
 ORGANIZATION**

**INTERNATIONAL COFFEE
 ORGANIZATION**

or (e) is the most economical means of transport, such shipment may be converted to air freight on the basis of one half of the weight or volume of the authorized surface entitlement:

(i) [NZ]

(i) When, in the opinion of the Executive Director, the conversion to air freight of a portion of the surface entitlement is necessary to meet urgent needs.

(g) [NZ].

Rule 619: Removal Costs

(v) the cost of insurance in transit of household goods and effects, excluding any articles of value for which special rates of premium are charged, shall be payable by the Organization up to the maximum allowable by United Nations rules. ~~valuation of US\$ 65,000 if the staff member is accompanied by a member or members of his/her family whose travel is authorized at the expense of the Organization or of US\$ 40,000 if he/she is not so accompanied. The Organization shall in no case be responsible for loss or damage.~~

Rule 7.16 of UN SR (2013)

Rule 720: Removal Costs of
 ICCO SR (2006)

Rule 107.19: Removal
 costs of ICO SR (2011)

Section 17.3 ST/AI/2006/5
 (2006)

Rule 620: Loss of Entitlement to Removal Expenses

(b) ~~A staff member who resigns in order to take up another appointment within the country of the duty station shall not normally be entitled to payment of removal expenses.~~

See Rule 7.17 of UN SR
 (2013)

Rule 721: Loss of Entitlement
 to Removal Expenses of
 ICCO SR (2006)

Rule 107.20: Loss of
 entitlement to the
 payment of removal
 costs of ICO SR (2011)

7. SEPARATION FROM SERVICE

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

Regulation 7.1

(a) The Executive Director shall terminate the appointment of a staff member who holds a continuing appointment and whose probationary period has been completed if the necessities of the service require abolition of the post or reduction of the staff, ~~if the service of the individual concerned proves unsatisfactory~~, or, if he/she is, for reasons of health, (subject to Rule 502), incapacitated for further service.

Regulation 9.3 (a)(i) to (vi) of
UN SR (2013)
Also see Rule 9.6 (c) of UN SR
(2013)

Regulation VIII-1 of ICCO SR
(2006)

Regulation 9.1 of ICO SR
(2011)

(b) The Executive Director may also, giving his reasons therefore, terminate the appointment of a staff member who holds a continuing appointment:

(i) If the conduct of the staff member indicates that the staff member does not meet the highest standards of integrity required by the Organization.

(ii) If facts anterior to the appointment of the staff member and relevant to his suitability come to light which, if they had been known at the time of his appointment, should have precluded his/her appointment.

(iii) If the staff member is found to have seriously misconducted himself/herself.

(c) No termination under subparagraphs (i), (ii) and (iii) shall take place until the matter has been considered and reported on by the Joint Disciplinary Committee established under Rule 801.

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
 ORGANIZATION**

**INTERNATIONAL COFFEE
 ORGANIZATION**

(d) The Executive Director may terminate the appointment of a staff member who holds a continuing appointment if the services of the individual concerned prove unsatisfactory over a prolonged period of time. Such a situation is deemed to prevail if:

- the overall rating of the annual appraisal of a staff member is “not satisfactory” during two consecutive years or during three years out of a period of five years; and
- the Head of Division of the staff member in question has provided a detailed explanation in writing to the Executive Director of the reasons for the said ratings to which the staff member is entitled to add his or her comments and observations; and
- the Executive Director and the Heads of Divisions are unanimous in upholding all the “not satisfactory” ratings.

Regulation 7.2

In the case of all other staff members, including staff members serving a probationary period for a continuing appointment, the Executive Director may at any time terminate the appointment, if, in his opinion, such action would be in the interest of the Organization.

Rule 13.3 (d) of UN SR (2013)

Regulation VIII-2 of ICCO SR
 (2006)

Regulation 9.2 of ICO SR
 (2011)

Regulation 7.4

(a) Staff members shall normally not be retained in the service of the Organization beyond the age of 65

See Regulation 9.2 of UN SR
 (2013)

Regulation VII-4 of ICCO SR
 (2006)

Regulation 9.4 of ICO SR
 (2011)

c) PROPOSED TEXT	UNITED NATIONS	INTERNATIONAL COCOA ORGANIZATION	INTERNATIONAL COFFEE ORGANIZATION
years and are expected to retire at that age. Earlier retirement consistent with the rules of the Provident Fund may be agreed between the Organization and the staff member.			
(b) The Executive Director may recommend to the Council the retention of a member of the staff aged 65 or over if this would be in the interest of the Organization.	See Regulation 9.2 of UN SR (2013)		
(c) The normal age of retirement shall not debar the Executive Director from appointing to the staff, for a fixed term, a person whose age would exceed the normal retirement age during the course of his/her appointment.			
<u>Rule 701: Definition of Termination</u>			
A termination within the meaning of these Regulations is a separation from service initiated by the Executive Director, other than retirement at the age of 65 years or more or summary dismissal for serious misconduct.	Rule 9.6 of UN SR (2013)	Rule 801: Definition of Termination of ICCO SR (2006)	Rule 109.1: Definition of termination of ICO SR (2011)
<u>Rule 703: Resignations</u>			
(c) [NZ]	Rule 9.2 of UN SR (2013)	Rule 802: Resignation of ICCO SR (2006)	Rule 109.2: Resignation of ICO SR (2011)
<u>Rule 707: Repatriation Grant</u>			
(c) Payment of repatriation grant shall be subject to the following conditions and definitions:	Rule 3.19 (c) of UN SR (2013)	Rule 807: Repatriation Grant of ICCO SR (2006)	
(vii) Where both husband and wife are staff members and each is entitled, on separation, to			

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

payment of a repatriation grant, payment shall be made to each, at single rates, according to their respective entitlements, provided that, where dependent children are recognized, the first parent to be separated may claim payment at dependency rates. In this event the second parent, on separation, may claim payment at the single rate for the period of qualifying service subsequent thereto, or, if eligible, at the dependency rate for the whole period of his or her qualifying service, from which shall normally be deducted the amount of the repatriation grant paid to the first parent.

Rule 708: Termination Indemnity

(c) No termination indemnity shall be payable to:

UN Rule 9.8 of UN SR (2013)

Rule 808: Termination
Indemnity of ICCO SR (2006)

Rule 109.6: Termination
indemnity of ICO SR
(2011)

(i) a staff member who resigns;

(ii) a staff member holding a temporary appointment;

(iii) a staff member whose appointment is terminated for unsatisfactory services or who, for disciplinary reasons, is dismissed for misconduct or who is summarily dismissed;

(iv) a staff member who abandons his or her post;

(v) a staff member who is retired under the rules of the Provident Fund;

(vi) a staff member who receives compensation for permanent total disability under the accident insurance scheme established under Rule 504

c) PROPOSED TEXT

of these Rules; and

(vii) a staff member who has reached the end of his term of appointment.

8. DISCIPLINARY MEASURES

Regulation 8.1

Failure by a staff member to comply with his or her obligations under the Staff Regulations and Rules of the Organization or to observe the standards of conduct expected of an international civil servant may amount to misconduct and may lead to the institution of a disciplinary process and the imposition of disciplinary measures for misconduct. . After having requested and received advice from the Joint Disciplinary Committee, the Executive Director, may terminate the appointment of a member of the staff for:

(i) serious misconduct; or
(ii) if the staff member does not meet the highest standards of integrity required by the Organization; or

(iii) If facts anterior to the appointment of the staff member and relevant to his suitability come to light which, if they had been known at the time of his appointment, should have precluded his/her appointment.

.[NZ]

Rule 802: Disciplinary Measures

(a) Disciplinary measures shall consist of written censure, deferment or withholding of within-grade salary increment, suspension without pay for a

UNITED NATIONS

Chapter X of UN SR (2013)

See Chapter X of UN SR (2013)
Rule 10.2 of UN SR (2013)

**INTERNATIONAL COCOA
ORGANIZATION**

Regulation IX-1 of ICCO SR (2006)

Rule 902: Disciplinary Measures of ICCO SR (2006)

**INTERNATIONAL COFFEE
ORGANIZATION**

Regulation 10.1 of ICO SR (2011)

Rule 110.3: Disciplinary measures of ICO SR (2011)

c) PROPOSED TEXT

UNITED NATIONS

**INTERNATIONAL COCOA
ORGANIZATION**

**INTERNATIONAL COFFEE
ORGANIZATION**

specified period, demotion or dismissal for misconduct. Suspension pending investigation shall not be considered a disciplinary measure.

(b) Written censure shall be authorized by the Executive Director and shall be distinguished from 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.

Annex III

Financial Implications of the Proposed Revisions

d) PROPOSED TEXT

FINANCIAL IMPLICATION

1. DUTIES AND RESPONSIBILITIES

Regulation 1.2

In the performance of their duties staff members shall neither seek nor accept instructions from any government or from any other source external to the Organization.

No financial implication

Regulation 1.4

Staff members are subject to the authority of the Executive Director and to assignment by him/her to any of the activities or offices of the Organization. They are responsible to him/her in the exercise of their functions. The whole time of staff members shall be at the disposal of the Executive Director. The Executive Director shall establish a normal working week.

No financial implication

Rule 102: Official Holidays

(a) Official holidays shall be: New Year's Day, Good Friday, Easter Monday, Christmas Day, Eid-al-Fitr, Eid-al-Adha and any other public holiday declared by the Government of the host country. This list of days may be amended by the Executive Director, depending on the location of the Headquarters of the Organization, with the proviso that there should be at least nine official holidays per year.

No financial implication

(b) When a holiday falls on a Saturday and/or Sunday, the following Monday and/or Tuesday will be observed as a holiday in lieu thereof.

No financial implication

Rule 103: Outside Activities and Interests

(a) Staff members shall not engage in any outside occupation or employment without the prior approval of the Executive Director.

No financial implication

**2. CLASSIFICATION OF STAFF, SALARIES AND
RELATED ALLOWANCES**

Regulation 2.8

(b) Staff members in the General Service category shall be entitled to receive dependency allowances at the rates applicable to the United Nations staff in the host country and approved by the Council for the following:

Paid since inception of ITTO. No financial implication as this proviso is introduced to regularize the current practice and remove ambiguity in the existing ITTO Staff Regulations and Rules and make it explicit (Refer ITTO 2014 Budget, Item A6, p1 of CFA[XXVIII]/2 Rev.3)

(v) a dependent spouse;

d) PROPOSED TEXT

FINANCIAL IMPLICATION

(vi) each dependent child of a married, single, widowed or divorced staff member;

(vii) where there is no dependent spouse or dependent child, a single annual allowance for either a dependent parent, dependent brother or dependent sister.

Regulation 2.9

Claims for dependency allowances shall be submitted annually in writing and supported by evidence satisfactory to the Executive Director. Staff members shall be responsible for reporting immediately to the Executive Director any change which affects the payment of the allowances during the year.

No financial implication as this is a procedural matter

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.”

Regulation 2.10

A staff member who is internationally recruited and who is outside his/her home country shall be entitled to an education grant for his/her children and a staff member of any categories, regardless of whether or not they are serving in their home country, with disabled children shall be entitled to a special education grant for such children. These grants shall be in accordance with the prevailing United Nations schedule for such grants.

No financial implication currently. Amendment introduced to align with UN rules.

Rule 201: Definition of Dependency

(c) For the purpose of the dependency allowance a child shall be recognized as dependent when the staff member provides continuing support and submits a claim certifying this; provided that, where divorce has occurred and the child does not reside with the staff member, or if the child is married, dependency allowance will be payable only where the staff member submits satisfactory documentary evidence that he has assumed responsibility for the main and continuing support of the child.

No financial implication

The allowance shall be reduced by the amount of any dependency allowance received from other

d) PROPOSED TEXT

FINANCIAL IMPLICATION

sources in respect of the same child by the staff member or his spouse.

(d) A dependent parent, dependent brother or dependent sister shall be a parent, unmarried brother or unmarried sister of whose financial support the staff member provides one half or more, and in any case at least twice the amount of the dependency allowance; provided that the brother or sister is under the age of 18 years, or, if in full-time attendance at a school or university, or similar educational institution, under the age of 21 years. If the brother or sister is totally and permanently disabled the requirements as to school attendance and age shall be waived.

No financial implication

No allowance for a secondary dependant shall be paid to a staff member with a dependent spouse.

Rule 202: Salary Increments

(c) An increment which has been deferred or withheld shall, at the expiring period of deferment, become payable in respect of the unexpired portion of the incremental period concerned. The deferment shall not affect the date at which future increments shall fall due.

No financial implication currently. Amendment introduced to align with UN rules.

(d) Where an increment has been withheld, one increment shall be payable at the normal incremental date following the period for which it has been withheld.

No financial implication currently. Amendment introduced to align with UN rules.

Rule 203: Salary Policy in Promotions

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

(ii) If promotion is effective in the month in which an increment at the lower grade is due, such increment will be included in the salary at the lower grade, to which two increments will then be added to determine the staff member's salary on promotion in accordance with paragraph (i) above.

No financial implication currently. Amendment introduced to align with UN rules.

(iii) The date of the first salary increment at the higher grade shall be the anniversary date of promotion except that, in the case of those increments that require two years of satisfactory service, the first increment at the higher grade will become due two years from the date of promotion.

No financial implication currently. Amendment introduced to align with UN rules.

(iv) On promotion from the General Service category to the Professional category and in order to determine in accordance with paragraph (i) above the step that should be granted within the grade to which the staff member is promoted, the following emoluments shall also be taken into account:

No financial implication currently. Amendment introduced to align with UN rules.

(a) the net amount of any pensionable allowance that the staff member received at the lower grade;

d) PROPOSED TEXT

FINANCIAL IMPLICATION

and

(b) the post adjustment corresponding to the net base salary at the single rate for the grade and step in the Professional category which the staff member is promoted.

No financial implication currently. Amendment introduced to align with UN rules.

(v) Where the promotion of a staff member from the General Service category to the Professional category would result in a reduction of his or her pensionable remuneration, the staff member may retain the level of pensionable remuneration reached immediately prior to promotion until it is surpassed as a result of the staff member's advancement in the level of further promotion.

Rule 204: Overtime and Compensatory Time Off

(b) Compensation for overtime work shall be computed to the nearest half-hour. Less than half an hour on any day during the scheduled work week shall not be considered. A member of the staff who is required to report for overtime work on Saturday or Sunday or on an official holiday shall receive not less than four hours of overtime compensation.

No financial implication

(d) Immediately following a period of intensive overtime work and should the exigencies of the service permit, occasional compensatory time-off may be granted by the Executive Director to staff members not entitled to overtime compensation.

Rule 206: Language Allowance

(a) A staff member in the general service category shall be paid a language allowance in accordance with prevailing United Nations' rules and rates if he/she passes a test, prescribed for this purpose, in any language of the Organization other than the language or the languages in which he/she is required to be proficient by the terms of his/her appointment. No staff member shall be paid a language allowance for more than two official languages of the Organization. Further tests at intervals of not less than 2 years will be required in order to demonstrate their continued proficiency.

No financial implication. 5 years reduced to 2.

Rule 208: Education Grant

(a) For the purpose of this rule:

(iv) "cost of attendance" includes charges for enrolment, registration, prescribed text books, courses, examinations, diplomas and, if justified by local conditions, for mid-day meals provided by the school, and for daily group transportation provided by the school or

No financial implication currently. Amendment introduced to align with UN rules.

d) PROPOSED TEXT

FINANCIAL IMPLICATION

organized on a school-wide basis.

(h) A special education grant for disabled children shall be available to staff members of all categories, regardless of whether they are serving in their home country, provided that they have appointments of one year or longer or have completed one year of continuous service. The amount of the grant shall be in conformity with the prevailing rules and scales of the United Nations.

(i) Educational expenses reimbursable under the special education grant shall comprise the expenses incurred to provide an educational programme designed to meet the needs of the disabled child in order that he or she may obtain the highest possible level of functional ability. Expenses for special equipment required for the rehabilitation of disabled child may be reimbursed, if not otherwise covered under health insurance, up to the maximum United Nations rate;

(ii) the grant shall be computed on the basis of the calendar year, if the child is unable to attend a normal educational institution, or on the basis of the school year, if the child is in full-time attendance at a normal educational institution while receiving special teaching or training. The grant shall be payable in respect of any disabled child from the date on which the special teaching or training is required up to the end of the school year or the calendar year, as appropriate, in which the child reaches the age of 25 years. At the discretion of the Executive Director, the lower age-limit for payment of the grant may be waived; in exceptional circumstances, the Executive Director may increase the upper age-limit to 28;

(iii) where the period of service does not cover the full school year or calendar year, the amount of the grant shall be that proportion of the annual grant which the period of service bears to the full school or calendar year;

(iv) Claims for the grant shall be submitted annually in writing and supported by medical evidence satisfactory to the Executive Director regarding the child's disability. The staff member shall also be required to provide evidence that he or she has exhausted all other sources of benefits that may be available for the education and training of the child. The amount of educational expenses used as the basis for the calculation of the special education grant shall be reduced by the amount of any benefits so received or receivable by the staff member.

No financial implication currently. Amendment introduced to align with UN rules.

No financial implication currently. Amendment introduced to align with UN rules.

No financial implication currently. Amendment introduced to align with UN rules.

No financial implication currently. Amendment introduced to align with UN rules.

No financial implication currently. Amendment introduced to align with UN rules.

d) PROPOSED TEXT

FINANCIAL IMPLICATION

(viii) In circumstances where a staff member has to place a disabled child in an educational institution away from the duty station, expenses relating to special education grant travel may be reimbursed up to the cost of two trips per year between the educational institution and the duty station. In very exceptional circumstances and at the discretion of the Executive Director, travel expenses may also be reimbursed for the person accompanying a disabled child. Transportation costs up to twice the reimbursement made for normal group transportation arrangements may be reimbursed for local transportation required for disabled children.

Rule 210. Salary Advance

(a) A request for a salary advance shall be considered in the light of any advance previously granted to the applicant, the extent of his/her indebtedness to the Organization and other relevant factors.

No financial implication as advance is recovered from the staff member.

(b) The amount of an advance shall not exceed one month's net salary, exclusive of post adjustment where applicable.

No financial implication as advance is recovered from the staff member.

(c) A salary advance shall be expressed in the currency in which the salary is expressed. Where conversion from one currency into another is necessary for the payment or recovery of an advance, such conversion shall be effected at the accounting rate of exchange adopted by the Organization and in force at the date or dates of payment or recovery respectively.

No financial implication as this is a procedural matter

(d) A salary advance shall be recovered either by deduction from the following month's pay or by monthly deductions over a period not exceeding six months.

No financial implication as this is a procedural matter

Rule 211. Special Post Allowance

(a) Any staff member shall be expected, as a normal part of his or her functions and without special designation, extra compensation or title, to assume for short periods (such as during the absence of another staff member on leave or when a position is temporarily vacant) the duties and responsibilities of a higher-level post. If, however, a staff member should be required to assume such higher duties and responsibilities for substantial periods of time, the Executive Director may authorize payment to that

No financial implication as budgetary provision will cover the approved establishment table.

d) PROPOSED TEXT

FINANCIAL IMPLICATION

staff member of a special post allowance. A period of three months or more shall be considered a substantial period of time. The Executive Director may also designate that staff member to assume the title of the one who is absent. In either case,

(i) the staff member shall be fully qualified to undertake the duties and responsibilities of the higher-level post and shall have demonstrated his or her ability to perform the work at this level during a period of not less than three months;

(ii) The post to which the staff member is assigned shall be provided for in the approved establishment table and shall represent a clearly identifiable individual function.

(b) The amount of the special post allowance shall be:

(iii) Approximately equivalent to the salary increase the staff member would have received had he or she been promoted to the higher post; or

(iv) Determined by the Executive Director if the staff member assumes only some of the duties and responsibilities of the higher post.

(c) Payment of the allowance shall not be retroactive beyond the beginning of the first pay period following three months' service in the higher-level post.

(d) The special post allowance shall not be taken into consideration for the purposes of assessing contributions to the Provident Fund.

No financial implication as this is a procedural matter

No financial implication as this is a procedural matter

No financial implication as this is a procedural matter

3. RECRUITMENT AND APPOINTMENT

Regulation 3.1

Except where expressly provided for in the International Tropical Timber Agreement, 2006 (ITTA) or succeeding Agreements, or as might be otherwise determined by the Council, the Executive Director shall appoint the staff. Upon appointment (or notification of promotion) each staff member shall receive a letter of appointment (or notification of promotion) in accordance with the provisions of these Regulations and Rules.

No financial implication

Regulation 3.2

The paramount consideration in the appointment, transfer or promotion of the staff shall be the necessity for securing the highest standards of

No financial implication as this is a procedural matter

d) PROPOSED TEXT

FINANCIAL IMPLICATION

efficiency, competence and integrity.

Regulation 3.3

Staff members shall be granted either continuing, fixed term or temporary appointments under such terms and conditions consistent with these Regulations and Rules as the Executive Director may prescribe.

No financial implication as this is a procedural matter

Regulation 3.4

So far as is practicable, selection of staff shall be made on a competitive basis to secure the highest standards of efficiency, competence and integrity based on the following general framework and principles:

No financial implication as this is a procedural matter

(a) The recruitment process identifies and selects staff who demonstrate the highest standards of efficiency, competency and integrity;

(b) Selection decisions are transparent and free of bias or discrimination of any kind;

(c) Selection is made on a competitive basis for all positions irrespective of category, grade or level. Selection decisions are based on pre-approved minimum requirements and evaluation criteria, and are transparent and well documented;

(d) Staff at the Professional level and above are recruited on as wide a geographical basis as possible;

(e) Due consideration is given at the time of selection to the need for achieving gender parity, particularly for positions at the professional level and above;

(f) Full regard is given to the qualifications and experience of persons already in service, without prejudice to the recruitment of new talent;

(g) Due consideration is given to knowledge of at least two working languages, particularly for positions at the professional level and above; and

(h) All vacant posts are advertised, including senior-level posts.

Regulation 3.5

The Executive Director shall prescribe which staff members are eligible for continuing appointments. Continuing appointment to the staff of the Organization shall normally be subject to a probationary period of six months which may be

No financial implication as this is a procedural matter

d) PROPOSED TEXT

FINANCIAL IMPLICATION

extended for not more than an additional six months. At the end of this period the member shall be granted a permanent appointment or be separated from the service.

Regulation 3.6

1. Temporary appointments, having an expiration date specified in the letters of appointment, shall be of two types, namely:

(a) a short-term appointment for a period of less than one year; and

(b) a fixed-term appointment for a continuous period of one year or more.

2. A temporary appointment shall not carry any expectation of extension or conversion into a continuing appointment and shall expire according to its terms on the date specified in the letter of appointment without notice or indemnity.

3. Notwithstanding the provisions of paragraph 2 above, a temporary appointment may, at the discretion of the Executive Director, be extended for a further period or converted into a continuing appointment.

Rule 303: Letters of Appointment

(c) A copy of the International Tropical Timber Agreement, 2006 (ITTA, 2006) or succeeding Agreement and the Staff Regulations and Staff Rules shall be transmitted to the staff member with the letter of appointment. In accepting appointment, the staff member shall state in writing that he/she has been made acquainted with and accepts the conditions laid down in the Staff Regulations and Staff Rules.

No financial implication as this is a procedural matter

No financial implication

4. ANNUAL, HOME AND SPECIAL LEAVE

Regulation 4.1

Staff members shall be allowed appropriate annual leave.

Special leave may be authorized by the Executive Director in exceptional cases if the annual leave entitlement has been exhausted.

No financial implication currently. Amendment introduced to align with UN rules.

Rule 401: Annual Leave

(g) A member of the staff holding a permanent or fixed-term appointment may, in exceptional circumstances and at the discretion of the Executive Director, be granted advance annual leave up to a maximum of 10 working days provided his/her

No financial implication as this is a procedural matter

d) PROPOSED TEXT

FINANCIAL IMPLICATION

service is expected to continue for a period beyond that necessary to accrue the leave so advanced.

Rule 402: Special Leave

(a) Special leave shall normally be granted without pay. In exceptional circumstances, special leave with full or partial pay may be granted for advanced study or research in the interest of the Organization, or in cases of extended illness when all the provisions regarding sick leave have been exhausted, or for other important reasons for such period as the Executive Director may prescribe.

No financial implications. Budgetary provisions already contained in Staff establishment.

(b) Staff members shall not accrue service credits toward sick, annual, home and maternity leave, salary increment, termination indemnity and repatriation grant during full months of special leave with full pay, 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.

No financial implication. Budgetary provisions already contained in staff establishment.

Rule 404. Special Leave for Family Reasons

(a) In the event of a death of a spouse, mother, father or child, a staff member will be granted three days' special leave with pay, plus necessary travel time when appropriate.

No financial implication as this is a procedural matter. Budgetary provisions fully covered in staff establishment table.

(b) In the event of serious illness or injury of a spouse, mother, father or child, or any exceptional family event requiring the staff member's presence, he or she will be granted special leave with pay for a period of time fixed by the Executive Director.

No financial implication as this is a procedural matter. Budgetary provisions fully covered in staff establishment table.

(c) In the case of marriage of a staff member, the Executive Director is authorized to grant two days' special leave with pay plus necessary travel time when the marriage is taking place outside the duty station.

No financial implication as this is a procedural matter. Budgetary provisions fully covered in staff establishment table.

Rule 405. Unauthorized absence

(a) Unauthorized absence shall render a staff liable to disciplinary action under Rule 801.

No financial implication as this is a procedural matter

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

No financial implication as this is a procedural matter

d) PROPOSED TEXT

FINANCIAL IMPLICATION

5. SOCIAL SECURITY

Regulation 5.2

The Executive Director with the approval of the Council shall establish a scheme of social security for the staff, including provisions for sick leave and maternity leave and shall make arrangements to provide the staff with adequate life, accident and health insurance.

No financial implication as we are currently providing life insurance cover to the staff members and is budgeted (refer item D2 of 2014 ITTO budget. See page1 of CFA[XXVIII]/2Rev.3).

Rule 503: Maternity and Paternity Leave

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

No financial implication currently. Amendment introduced to align with UN rules.

(e) Subject to conditions established by the Executive Director, a male staff member shall be entitled to paternity leave in accordance with the following provisions:

No financial implication currently. Amendment introduced to align with UN rules.

Rule 504: Life, Accident and Health Insurance

(a) The Organization shall provide staff members with:

(i) A life insurance scheme to cover the staff member's death from any cause whilst in service. The amount of benefit in respect of each life insured shall be three times the staff member's annual pensionable remuneration in the case of staff members in the Professional and higher categories and three times the gross salary in the case of those in the General Service category, at the time of death;

No financial implication as we are currently providing life insurance cover to the staff members and is budgeted (refer item D2 of 2014 ITTO budget. See page1 of CFA[XXVIII]/2Rev.3). The amendment is introduced to regularize the current practice and remove any ambiguity in the future.

(ii) an additional accident insurance scheme to compensate staff members in the event of injury attributable to the performance of official duties on behalf of the Organization. The amount of benefit in respect of each person insured shall be twice the staff member's annual pensionable remuneration in the case of staff members in the Professional and higher categories and twice the gross salary in the case of those in the General Service category, at the time of the accident; and

Slight financial implication as we are currently providing life insurance which covers accident in case of permanent disability during travel (Refer item D2 of 2014 ITTO budget. See page1 of CFA[XXVIII]/2Rev.3).

Rule 608: Standard of Travel Accommodation

For official travel, travel accommodation shall be provided in accordance with the following general

d) PROPOSED TEXT

FINANCIAL IMPLICATION

standards:

(a) When the approved travel is by air, it shall normally be by economy class. The Executive Director may authorize business-class air travel if circumstances so require e.g. long-haul flights or non-availability of seats in economy class. Staff members above P-level shall be entitled to business class air travel in accordance with the applicable Administrative Instruction of the United Nations Secretariat. First-class travel is not permitted on flights where business class is offered.

No financial implication

Rule 613: Computation of Travel Subsistence Allowance

(b) No allowance shall be paid when a traveller returns to his/her official duty station within 10 hours after departure, and 40 per cent of the allowance shall be paid for a journey of 10 hours or more.

No financial implication as this is a procedural matter

(c) Where travel is by sea, a full day's allowance at the appropriate rate shall be paid for the day of arrival at the port of disembarkation, provided the traveller remains in official travel status for more than 12 hours thereafter. No allowance shall be paid for the day on which embarkation takes place.

No financial implication as this is a procedural matter

Rule 614: Miscellaneous Travel Expenses

Necessary additional expenses, incurred by a staff member in connection with the transaction of official business or in the performance of authorized travel, shall be reimbursed by the Organization after completion of travel provided the necessity and nature of the expenses are satisfactorily explained and as far as practicable supported by proper receipts which shall normally be required for any expenditure in excess of US\$30.00. Such expenses, for which advance authorization shall be obtained to the extent practicable, shall normally be limited to:

No financial implication as this is a procedural matter.

Rule 616: Excess Baggage and Unaccompanied Shipments

(b) Staff members traveling by air economy class or its equivalent shall be entitled to payment of excess baggage for themselves and their eligible family members to the extent of the difference between the free baggage allowance by business class and by economy class or its equivalent, except in exceptional circumstances where additional baggage allowance is necessary for the functions of the organizations in which case the difference between the free baggage allowance by first class and by

No financial implication as this is a procedural matter

d) PROPOSED TEXT

FINANCIAL IMPLICATION

economy class or its equivalent may be authorised.

(f) Where surface shipment under paragraphs (d) (ii), or (e) is the most economical means of transport, such shipment may be converted to air freight on the basis of one half of the weight or volume of the authorized surface entitlement:

No financial implication as this is a procedural matter

(i) When, in the opinion of the Executive Director, the conversion to air freight of a portion of the surface entitlement is necessary to meet urgent needs.

No financial implication as this is a procedural matter

Rule 619: Removal Costs

(v) the cost of insurance in transit of household goods and effects, excluding any articles of value for which special rates of premium are charged, shall be payable by the Organization up to the maximum allowable by United Nations rules.

No financial implication. Amendment introduced to align with UN rules.

Rule 620: Loss of Entitlement to Removal Expenses

(b) A staff member who resigns in order to take up another appointment within the country of the duty station shall not normally be entitled to payment of removal expenses.

No financial implication as this is a procedural matter

7. SEPARATION FROM SERVICE

Regulation 7.1

(a) The Executive Director shall terminate the appointment of a staff member who holds a continuing appointment and whose probationary period has been completed if the necessities of the service require abolition of the post or reduction of the staff, or, if he/she is, for reasons of health, (subject to Rule 502), incapacitated for further service.

No financial implication as this is a procedural matter

(b) The Executive Director may also, giving his reasons therefore, terminate the appointment of a staff member who holds a continuing appointment:

No financial implication as this is a procedural matter

(i) If the conduct of the staff member indicates that the staff member does not meet the highest standards of integrity required by the Organization.

(ii) If facts anterior to the appointment of the staff member and relevant to his suitability come to light which, if they had been known at

d) PROPOSED TEXT

FINANCIAL IMPLICATION

the time of his appointment, should have precluded his/her appointment.

(iii) If the staff member is found to have seriously misconducted himself/herself.

(c) No termination under subparagraphs (i), (ii) and (iii) shall take place until the matter has been considered and reported on by the Joint Disciplinary Committee established under Rule 801.

(d) The Executive Director may terminate the appointment of a staff member who holds a continuing appointment if the services of the individual concerned prove unsatisfactory over a prolonged period of time. Such a situation is deemed to prevail if:

- the overall rating of the annual appraisal of a staff member is “not satisfactory” during two consecutive years or during three years out of a period of five years; and
- the Head of Division of the staff member in question has provided a detailed explanation in writing to the Executive Director of the reasons for the said ratings to which the staff member is entitled to add his or her comments and observations; and
- the Executive Director and the Heads of Divisions are unanimous in upholding all the “not satisfactory” ratings.

No financial implication as this is a procedural matter

No financial implication as this is a procedural matter

Regulation 7.2

In the case of all other staff members, including staff members serving a probationary period for a continuing appointment, the Executive Director may at any time terminate the appointment, if, in his opinion, such action would be in the interest of the Organization.

No financial implication as this is a procedural matter

Regulation 7.4

(a) Staff members shall normally not be retained in the service of the Organization beyond the age of 65 years and are expected to retire at that age. Earlier retirement consistent with the rules of the Provident Fund may be agreed between the Organization and the staff member.

No financial implication currently. Amendment introduced to align with proposed UN rules.

(b) The Executive Director may recommend to the Council the retention of a member of the staff aged 65 or over if this would be in the interest of the Organization.

No financial implication as this is a procedural matter

Rule 701: Definition of Termination

d) PROPOSED TEXT

FINANCIAL IMPLICATION

A termination within the meaning of these Regulations is a separation from service initiated by the Executive Director, other than retirement at the age of 65 years or more or summary dismissal for serious misconduct.

No financial implication currently. Amendment introduced to align with proposed UN rules.

Rule 703: Resignations

(c)

No financial implication as this is a procedural matter

Rule 707: Repatriation Grant

(c) Payment of repatriation grant shall be subject to the following conditions and definitions:

No financial implication

(vii) Where both husband and wife are staff members and each is entitled, on separation, to payment of a repatriation grant, payment shall be made to each, at single rates, according to their respective entitlements, provided that, where dependent children are recognized, the first parent to be separated may claim payment at dependency rates. In this event the second parent, on separation, may claim payment at the single rate for the period of qualifying service subsequent thereto, or, if eligible, at the dependency rate for the whole period of his or her qualifying service, from which shall normally be deducted the amount of the repatriation grant paid to the first parent.

Rule 708: Termination Indemnity

(c) No termination indemnity shall be payable to:

No financial implication as this is a procedural matter

(i) a staff member who resigns;

(ii) a staff member holding a temporary appointment;

(iii) a staff member whose appointment is terminated for unsatisfactory services or who, for disciplinary reasons, is dismissed for misconduct or who is summarily dismissed;

(iv) a staff member who abandons his or her post;

(v) a staff member who is retired under the rules of the Provident Fund;

(vi) a staff member who receives compensation for permanent total disability under the accident insurance scheme established under Rule 504 of these Rules; and

d) PROPOSED TEXT

FINANCIAL IMPLICATION

(vii) a staff member who has reached the end of his term of appointment.

8. DISCIPLINARY MEASURES

Regulation 8.1

Failure by a staff member to comply with his or her obligations under the Staff Regulations and Rules of the Organization or to observe the standards of conduct expected of an international civil servant may amount to misconduct and may lead to the institution of a disciplinary process and the imposition of disciplinary measures for misconduct. . After having requested and received advice from the Joint Disciplinary Committee, the Executive Director, may terminate the appointment of a member of the staff for:

(i) serious misconduct; or
(ii) if the staff member does not meet the highest standards of integrity required by the Organization; or

(iii) If facts anterior to the appointment of the staff member and relevant to his suitability come to light which, if they had been known at the time of his appointment, should have precluded his/her appointment.

No financial implication as this is a procedural matter

Rule 802: Disciplinary Measures

(a) Disciplinary measures shall consist of written censure, deferment or withholding of within-grade salary increment, suspension without pay for a specified period, demotion or dismissal for misconduct. Suspension pending investigation shall not be considered a disciplinary measure.

(b) Written censure shall be authorized by the Executive Director and shall be distinguished from 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.

No financial implication as this is a procedural matter

No financial implication as this is a procedural matter

Annex IV

Comments Received from Member Countries

- 1. EU and Its Member States**
- 2. Japan**
- 3. New Zealand**



SUBMISSION ON BEHALF OF THE EU AND ITS MEMBER STATES

Subject: Ref: L. 14-0186 - “Staff Regulations and Rules of the International Tropical Timber Organization”

The European Union (EU) and its Member States would like to thank the ITTO secretariat for the letter Ref: L. 14-0186 of 4 June 2014 inviting ITTO members to provide their comments on the proposed amended Staff Regulations and Rules.

The EU and its Member States attach a high importance to the ongoing process of modernization of the organization with the aim to achieve great efficiency and cost-effectiveness, including the recent restructuring of the secretariat, as well as the revision of its working methods and procedures. In this context we would like to thank the Executive Director for circulating a proposal for the amendment of the ITTO's Staff Regulations and Rules in line with the recommendation made by the Committee on Finance and Administration at its last meeting.

Given the importance of the matter, we look forward to an in-depth discussion on this subject amongst members of the organization during the upcoming meeting of the Council in November 2014. Nonetheless, without going, at this stage, into details of the current regulations and rules, and/or the proposed amendments, we would like to make the following general remarks to be taken into due consideration by the ITTO secretariat in finalizing its proposal for amendment of the staff regulations and rules that will be officially submitted to the Council for its consideration at its 50th session.

As a general comment, we would like to acknowledge the effort by the Secretariat to create a table that can allow a clear presentation of the current ITTO's rules and regulations, and proposed amendments vis-à-vis UN rules and staff rules and regulations of international commodity bodies such as the International Cocoa Organization (ICCO) and the International Coffee Organization. We believe that the adopted approach is useful. However, on the substance we would like to point out that for instance ICCO's rules and regulations, from which many of the ED's proposed amendments originate, are themselves also currently under a revision process, hence they may not represent the most appropriate reference at this point in time.

We also note that the current rules and regulations are quite detailed and would like to suggest that in the context of a thorough review the possibility to adopt a different approach, namely separating staff rules from the related administrative instructions, could be considered by the ITTO similarly to the current practice of the UN. This would allow for more flexibility and adaptability of the detailed regulations as and when needed.

The EU and its Member States would also like to note that within the current staff rules there are many automatic links to the UN staff rules. This makes the ITTO staff rules more difficult to read and understand, while also creating an automatic mechanism for adjustment for instance in the case of salaries even under circumstances where the financing situation of the ITTO may not be in a position to support such changes.

For instance, with regard to staff salaries, we wonder whether it would be more appropriate for the organization to adopt UN scales and grades as an upper limit rather than as an automatic classification mechanism. These issues are under discussion in the framework of a number of International Commodity Organizations and ITTO should also reflect on these issues.

Specifically with regard to Regulation 3.3, we would like to note that the UN has since the 1st July 2009 adopted a new system of contracts, namely temporary, fixed term or continuing appointments. The ITTO should consider align itself to the most recent contract types and practices/policies (including with regard to the use of so-called permanent appointments (now continuing appointments according to UN rules).

We would also like to request the ITTO secretariat to consider ways through which transparency and competitiveness of the recruitment could be enhanced, including by specifying more clearly in the staff rules and regulations (or any possible administrative instructions) modalities for publications of posts and selection procedures.

Finally, we would also like to suggest that the ITTO takes advantage of this opportunity to verify whether the current staff rules are fully in line with most recent UN rules with regard to the rights of staff members in areas such as the freedom of opinion and expression (e.g. rule 103 or 104) and to update consistently any reference to the International Tropical Timber Agreement (ITTA) in line with the its most recent version ITTA, 2006.

20 June 2014

Mr. Emmanuel Ze Meka
Executive Director
International Tropical Timber Organization
International Organizations Center
5th Floor, Pacifico-Yokohama
1-1-1, Minato Mirai
Yokohama 220-0012

Dear Mr. Ze Meka,

On the discussion on "Staff Regulations and Staff Rules of the International Tropical Timber Organization" of the 50th ITTC Session in Yokohama, Japan, the Government of Japan would like to make some comments on our view as described as follows.

First of all, I would like to thank you and your secretariat for working on this issue. Secondly, I would like to propose the discussion based on the original Staff Regulations and Staff Rules of the International Tropical Timber Organization, instead of the proposed version because amendments of the Regulations and Rules is aimed at enhancing efficiency and effectiveness of the Secretariat and should not have any implications to increase administrative budget.

Attached, please find our proposal on the revision for the part of the Staff Regulation and the Staff Rules of the International Tropical Timber Organization.

With best regards,

Yours sincerely,



Kazuhiro Takahashi
Director
Global Environment Division
International Corporation Bureau
Ministry of Foreign Affairs, Japan

Regulation 3.4

Selection of staff members shall be made without distinction as to race, sex or religion. So far as is practicable, selection shall be made on a competitive basis, apart from selection of Assistant Director which without exception, must be made on a competitive basis through vacancy announcement.

Information of contract duration of staff employment members should be included in CFA document of the annual council

Rule 608: Standard of Travel Accommodation

For official travel, travel accommodation shall be provided in accordance with the following general standards:

(a) For all official travel by air, staff members and their eligible family members shall be provided with economy class accommodation or its equivalent, except the Executive Director and his/her family members, other than on travel in connection with an education grant under Rule 208, who shall may be provided with first-business class accommodation when the duration of a particular flight exceeds nine hours (by the most direct and economical route), including scheduled stops for such purposes as change of planes or refueling, but excluding travel time to and from airports.

(b) When approved travel is by train, staff members and their family members shall be provided with regular firsteconomy class or equivalent accommodation except the Executive Director who may be provided with business class accommodation, including sleeper and other facilities, as appropriate.

New Zealand's comments on the Executive Director's proposed changes to the *Staff Rules and Staff Regulations of the International Tropical Timber Organisation*

General Comments

Overall the changes seem sensible, and are welcome amendments to the current rules and regulations. It would be useful if the secretariat were able to provide information on the forecasted cost of proposed changes under the rules, versus current costs. This would be very helpful for the council in assessing changes to the rules and regulations that may have financial implications. We would be grateful if this information could be presented for delegates' consumption before the next council session where the rules and regulations will be discussed.

There are some inconsistencies in the document where rules requiring specification either: a) follow the UN lead (e.g. regulation 2.8 dependency allowances); b) specify in the document itself (e.g. rule 616 unaccompanied shipping amounts) or; c) leave it to the discretion of the Executive Director. It would be best if these were streamlined, and preferably all followed the UN rules and regulations, whilst still leaving flexibility for the Executive Director to act as they deem appropriate to the circumstances.

Specific Comments

(New Zealand's comments are in **bold**; the text of the rules/regulations being referred to is underlined)

Regulation 1.2

In the performance of their duties staff members shall neither seek nor accept instructions from any government or from any other authority external to the Organization.

The UN rules use 'source' rather than 'authority'; this covers a wider range of possibilities and is more preferable wording.

Regulation 1.4

Staff members are subject to the authority of the Executive Director and to assignment by him/her to any of the activities or offices of the Organization. They are responsible to him in the exercise of their functions. The whole time of staff members shall be at the disposal of the Executive Director. The Executive Director shall establish a normal working week.

Gender-neutral language should be used, where possible, throughout the rules. Suggest adding "/her" or simply referring to the Executive Director without the pronoun.

Rule 103: Outside Activities and Interests

(a) Staff members shall not engage in any continuous or recurring outside occupation or employment without the prior approval of the Executive Director.

As currently drafted this rule would allow staff to engage in non-continuous employment that didn't re-occur (one-off jobs). Is this desirable? Do one-off jobs not raise similar issues to continuous/recurring employment? Are there instances where staff engaging in one-off jobs would add value to the organisation?

Regulation 2.8

(a) Staff members in professional and higher categories shall be entitled to receive dependency allowances in conformity with the prevailing dependency allowances schedule and related provisions of the United Nations. Such allowances are payable in respect of:

- (i) Each dependent child of a single, married, widowed or divorced staff member;
- (ii) Where there is no dependent spouse, a single annual allowance for either a dependent parent, a dependent brother or a dependent sister.

(b) Staff members in the General Service category shall be entitled to receive dependency allowances at the rates applicable to the United Nations staff in the host country and approved by the Council for the following:

Is regulation 2.8 b) common practice in international organisations? The UN rules suggest it's allowed if it is a locally common practice, but this doesn't seem to be explicitly stated.

Under UN rule 3.2 "(ii) Salaries for staff members in the General Service and related categories shall be subject to the assessment rates specified in subparagraph (b) (ii) of that regulation."

This doesn't seem to mention dependents. However, UN rule 3.6 e) "Staff members in the General Service and related categories shall receive a dependency allowance with respect to a secondary dependant when local conditions and/or the practices of comparator employers call for the establishment of such an allowance, under conditions established by the Secretary-General."

What is current ITTO practice?

- (i) a dependent spouse;**
- (ii) first dependent child of a single, widowed or divorced staff member;**

Has "married" been left out of regulation 2.8 b)ii) accidentally or deliberately? If accidentally, then insert; if deliberately, why?

(iii) first dependent child of a single, widowed or divorced staff member;

Regulation 2.8 b) iii) is a duplicate of regulation 2.8 b) ii): suggest deleting it.

(iv) each additional dependent child;

Why split up “first” and “each additional” child between two different articles? If ii) just read “each dependent child....” And iv) was deleted would it not give the same meaning?

(v) where there is no dependent spouse or dependent child, a single annual allowance for either a dependent parent, dependent brother or dependent sister.

Regulation 2.9

Claims for dependency allowances shall be submitted annually in writing and supported by evidence satisfactory to the Executive Director. Staff members shall be responsible for reporting immediately to the Executive Director any change which affects the payment of the allowances during the year.

Retroactive payment of an allowance may in special circumstances be authorized for a period not in excess of one year preceding the date on which evidence of entitlement is received by the Organization.

The UN rule on Retroactivity provides more useful wording that could be used here in place of the second paragraph:

Rule 3.17 Retroactivity of payments

“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.”

Rule 203: Salary Policy in Promotions

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

(i) During the first year following promotion a staff member in continuous service shall receive in salary the amount of two full steps in the level to which the staff member has been promoted more than he or she would have received without promotion except where promotion to the lowest step of the level yields a greater amount. The step rate and date of salary increment in the higher salary level shall be adjusted to achieve this end.

(ii) If promotion is effective in the month in which an increment at the lower grade is due, such increment will be included in the salary at the lower grade, to which two increments will then be added to determine the staff member's salary on promotion in accordance with paragraph (a) above.

Is the reference to “paragraph (a) above” Correct? It appears to be a copy/paste job from the ICCO text and should presumably be changed to “paragraph (i) above”.

Rule 206: Language Allowance

(a) A staff member in the general service category shall be paid a language allowance in accordance with prevailing United Nations' rules and rates if he/she passes a test, prescribed for this purpose, in any language of the Organization other than the language or the languages in which he/she is required to be proficient by the terms of his/her appointment. No staff member shall be paid a language allowance for more than two official languages of the Organization. Further tests at intervals of not less than five years will be required in order to demonstrate their continued proficiency.

The ICCO and ICO interval is one year, five years seems a little long. Can the length of the interval be reduced without being too onerous on the organisation?

Rule 210. Salary Advance

(a) A request for a salary advance shall be considered in the light of any advance previously granted to the applicant, the extent of his indebtedness to the Organization and other relevant factors.

As with Rule 1.4, gender-neutral language should be used, where possible, throughout the rules. Suggest adding “/her” or simply referring to the Executive Director without the pronoun.

Regulation 3.1

Except where expressly provided for in the International Tropical Timber Agreement, 1983 (ITTA) or succeeding Agreements, or as might be otherwise determined by the Council, the Executive Director shall

appoint the staff. Upon appointment (or notification of promotion) each staff member shall receive a letter of appointment (or notification of promotion) in accordance with the provisions of these Regulations and Rules.

Would it not be more relevant to make this a reference to the ITTA 2006, and preceding agreements only if really necessary.

Regulation 3.6

1. Temporary appointments, having an expiration date specified in the letters of appointment, **shall be of two types, namely:**

(a) a short-term appointment for a period of less than one year; and

(b) a fixed-term appointment for a continuous period of one year or more.

2. A temporary appointment shall not carry any expectation of extension or conversion into a permanent appointment and shall expire according to its terms on the date specified in the letter of appointment without notice or indemnity.

3. Notwithstanding the provisions of paragraph 2 above, a temporary appointment may, at the discretion of the Executive Director, be extended for a further period or converted into a permanent appointment.

Regulation 3.6 (3) is ICO text. The ICCO text is slightly different “the contract may be renewed at the discretion of the Executive Director.” And UN Rules Annex II (vii) seems to prohibition conversion to a permanent role “That a temporary appointment does not carry any expectancy, legal or otherwise, of renewal. A temporary appointment shall not be converted to any other type of appointment;” however this is for UN “temporary appointments” which are less than one year. A fixed term appointment (from 1-5 years) may be renewed, under UN Rules, for up to 5 years and nothing said on conversion to permanent.

It would be preferable that reference to converting temporary appointments to permanent appointments be removed, and that permanent appointments be made only under the provisos of regulations 3.1-3.5

Rule 303: Letters of Appointment

(a) The letter of appointment granted to every staff member shall contain expressly or by reference all the terms and conditions of employment.

(b) The letter of appointment shall state:

(i) that the appointment is subject to the provisions of the Staff Regulations and Staff Rules applicable to the grade of appointment in question and to changes which may be duly made in such Regulations and Rules from time to time;

(ii) the nature of the appointment;

(iii) the date at which the staff member is required to enter upon his/her duties;

(iv) the periods of appointment and of probation, if any, and the notice required to terminate the appointment;

(v) the grade, level, commencing rate of salary and, if increments are allowable, the scale of increments and the maximum attainable;

(vi) any special conditions which may be applicable.

(c) A copy of the International Tropical Timber Agreement, 1983 (ITTA) or succeeding Agreement and the Staff Regulations and Staff Rules shall be transmitted to the staff member with the letter of appointment. In accepting appointment, the staff member shall state in writing that he/she has been made acquainted with and accepts the conditions laid down in the Staff Regulations and Staff Rules.

Would it not be more relevant to send the staff member the ITTA 2006, and proceeding agreements only if really necessary.

Rule 402: 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, or in cases of extended illness **when all the provisions regarding sick leave have been exhausted**, or for other important reasons for such period as the Executive Director may prescribe.

The UN rule 5.3 ii) “(ii) Special leave is normally without pay. In exceptional circumstances, special leave with full or partial pay may be granted;” This UN language may be more appropriate wording to use here.

(Rule 402: Special Leave continued)

(b) Staff members shall not accrue service credits toward sick, annual, home and maternity leave, salary increment, termination indemnity and repatriation grant during full months of **special leave with partial 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.

Shouldn't this also include full pay too? Or is there a credible reason to leave it out?

Rule 614: Miscellaneous Travel Expenses

Necessary additional expenses, incurred by a staff member in connection with the transaction of official business or in the performance of authorized travel, shall be reimbursed by the Organization after completion of travel provided the necessity and nature of the expenses are satisfactorily explained and as far as

practicable supported by proper receipts which shall normally be required for any expenditure in excess of US\$10.00. Such expenses, for which advance authorization shall be obtained to the extent practicable, shall normally be limited to:

Under proposed amendments to UN Staff Rules (A/69/117) the figure is \$30. Is \$10 preferable? Is it practical when travelling?

Rule 616: Excess Baggage and Unaccompanied Shipments

(a) Baggage in excess of the weight or volume carried without extra charge by transportation companies shall be considered as excess baggage within the meaning of these Regulations.

(b) Staff members traveling by air economy class or its equivalent shall be entitled to payment of excess baggage for themselves and their eligible family members to the extent of the difference between the free baggage allowance by first class and by economy class or its equivalent.

Suggest amending to "...the difference between the free baggage allowance by business class and by economy class or its equivalent, except in exceptional circumstances where additional baggage allowance is necessary for the functions of the organizations in which case the difference between the free baggage allowance by first class and by economy class or its equivalent may be authorised." Or something similar.

Rule 616: Excess Baggage and Unaccompanied Shipments (continued)

(f) Where surface shipment under paragraphs (d) (ii), or (e) is the most economical means of transport, such shipment may be converted to air freight on the basis of one half of the weight or volume of the authorized surface entitlement:

(i) When a staff member elects to convert the whole surface entitlement to air freight; or

(ii) When, in the opinion of the Executive Director, the conversion to air freight of a portion of the surface entitlement is necessary to meet urgent needs.

Clause 616 (f)(i) should be deleted and only (ii) retained so that any conversion to airfreight only occurs in order to meet urgent needs.

(g) When the authorized travel is by air, the staff member may elect to convert the whole surface shipment relating to travel on home leave, or education grant under paragraph (d) (i) above, to air freight on the basis of the one-half rule. No costs for packing, crating, unpacking and uncrating will be paid, but reasonable costs will be paid for cartage of such air freight shipments.

Clause (G) should have "only if necessary to meet urgent needs." Added to the end of the first sentence.

Regulation 7.2

In the case of all other staff members, including staff members serving a probationary period for a permanent appointment, the Executive Director may at any time terminate the appointment, if, in his opinion, such action would be in the interest of the Organization.

This is ICO text. The related ICCO clause only covers probationary and temporary staff.

The related UN rule 13.3(d) only covers probationary staff members. Temporary and fixed-term appointments, in the UN rules, would fit under regulation 7.1, affording those staff similar conditions to permanent staff. ITTO rules should follow the UN rule unless there is a compelling reason not to.

Rule 703: Resignations

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

(b) Unless otherwise specified in their letters of appointment, written notice of resignation shall be given by staff members as follows:

(i) Staff members in the professional and higher categories holding an appointment longer than one year : three months, and

(ii) Staff members in the (1) general service category and (2) professional and higher categories holding an appointment less than one year: 30 days.

The Executive Director may, however, accept resignations on shorter notice.

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

Whilst this clause is in the UN rules, is it really practical for an international organisation? There could be instances where this would be very difficult, and does it benefit the organisation enough to keep it in the rules?

Regulation 8.1

The Executive Director may impose disciplinary measures on staff members whose conduct is unsatisfactory. He may dismiss a member of the staff for serious misconduct, **after having requested and received advice from the Joint Disciplinary Committee.**

The UN rule X terminology is 'misconduct', which is slightly different from 'conduct is unsatisfactory'. The UN language should be used here.

Again, gender neutral wording is needed (suggest using 'The Executive Director' rather than a pronoun.

Suggest changing 'dismiss' to 'terminate' to match regulation 7.1 language.

Regulation 7.1 (b) refers to only (i) 'not meeting standards of integrity' and (ii) facts coming to light after appointment. These are not the same as serious misconduct which is the language used here in Regulation 8.1. The three reasons (integrity, facts, and misconduct) should be included in both regulation 7.1 and regulation 8.1 to maintain consistency.

Rule 802: Disciplinary Measures

(a) Disciplinary measures shall consist of written censure, **deferment or withholding of within-grade salary increment, suspension without pay**, demotion or dismissal for misconduct. **Suspension pending investigation shall not be considered a disciplinary measure.**

The UN Rules read "suspension without pay for a specified period", which would be preferable language.

Rule 805: Appeals

An appeal against the Executive Director's decision on disciplinary action and termination of appointment under Regulation 7.1 (b) may be addressed to the Chairman of the Council within one month from the time the staff member received notification of the decision in writing. The Chairman of the Council will refer the appeal to a three member panel composed of himself/herself, the Vice-Chairman of the Council, and the Chairman of any one of the Committees (to be chosen by the Council Chairman). The decision of this panel, which shall be taken within 60 days, shall be final.

Would the report produced by the Joint Disciplinary Committee under Rule 804 be made available to the three member panel? If so, this needs to be specified. If not, why not?

Rule 902: Financial Responsibility

A staff member may be required to reimburse the Organization either partially or in full for any financial loss suffered by the Organization as a result of his/her negligence or of his/her violation of any Regulation, Rule or administrative instruction.

Should this rule not be under rule 8.2 b) as a non-disciplinary measure that would fall under the misconduct procedure? This is where it is found in the equivalent UN rules where it falls under 10.2 b)ii).