
INTERNATIONAL RENEWABLE ENERGY AGENCY

Second meeting of the Council

Abu Dhabi, 13 – 14 November 2011

Staff Rules**Report of the Director-General**

1. Staff regulation 13.2 provides that the Director-General as chief administrative officer of the Agency, shall provide and enforce such Staff Rules as he or she considers necessary in order to implement these regulations. In accordance with staff regulation 13.3, new or amended Staff Rules are provisional until the Director-General has reported to the Assembly the full text of provisional new and/or amended Staff Rules. Should the Assembly find that a provisional rule or amendment is inconsistent with the intent or purpose of the Staff Regulations, it may direct that the rule or amendment be withdrawn or modified.
2. After adoption of the Staff Regulations by the Assembly in decision A/1/DC/3, the Director-General promulgated the attached Staff Rules on a provisional basis on 14 April 2011. The provisional Staff Rules follow the same order and structure as the Staff Regulations. For ease of reference, and in order to facilitate understanding of the legal regime governing staff members, ST/Directive/2011/1 promulgated the provisional Staff Rules together with the Staff Regulations in a consolidated document where each chapter of the Staff Rules immediately followed the relevant article of the Staff Regulations.
3. In accordance with staff regulation 2.4(c), the Director-General promulgated at the same time a Code of Conduct that was an annex to, and an integral part of, the Staff Rules.
4. As mandated by the Staff Regulations, the conditions of service of staff contained in the provisional Staff Rules were elaborated in accordance with the United Nations common system standards.
5. The Director-General recommends that the Assembly take note of the Staff Rules set out in the annex to the present report.

6. In accordance with staff regulation 13.3 (c), the provisional rules reported by the Director-General, taking into account such modifications and/or deletions as may be directed by the Assembly, shall enter into full force and effect no later than thirty days after the end of the Assembly session having considered the provisional rules, unless the Assembly decides on a different date.

**PROVISIONAL STAFF RULES FOR THE
INTERNATIONAL RENEWABLE ENERGY AGENCY**

Chapter 1

SCOPE AND DEFINITIONS

Rule 101.1

Scope

These Staff Rules shall apply to all staff members of the International Renewable Energy Agency at all levels.

Rule 101.2

Definitions

- (a) “Agency” means the International Renewable Energy Agency (IRENA);
- (b) “Statute” means the Statute of the Agency;
- (c) “Assembly” means the supreme organ of the Agency, as set out in Article IX of the Statute;
- (d) “Staff Regulations” means the regulations approved by the Assembly to establish the fundamental conditions of service and the basic rights, duties and obligations of the staff of the Secretariat;
- (e) “Staff Rules” means the rules issued by the Director-General to implement the Staff Regulations;
- (f) “Secretariat” means the Secretariat of the Agency, as set out in Article XI of the Statute;
- (g) “Director-General” means the head and chief administrative officer of the Agency, as set out in Article XI paragraph (B) of the Statute;
- (h) “Staff” means all staff members of the Secretariat who serve under a letter of appointment subject to the Staff Regulations and who have been appointed by the Director-General under Article XI of the Statute;
- (i) “United Nations common system standards” means the United Nations common system of salaries, allowances and benefits;
- (j) “Category” of staff means the basis on which the United Nations common system determines the applicability of distinct conditions of service for staff appointed to perform substantive functions in the Professional category and above, and for staff appointed to perform support functions in the General Service category.

Chapter 2**DUTIES, OBLIGATIONS, RIGHTS AND PRIVILEGES****Rule 102.1***Status of staff*

(a) The interests of the Agency and the loyalty that staff members owe to it shall always take precedence over their other interests and ties, as emphasized in the declaration they are required to make on appointment pursuant to staff regulation 2.10. Staff members shall act in such a manner as to ensure their independence from any person, entity or authority outside the Agency.

(b) The declaration made by each staff member pursuant to staff regulation 2.10 shall be placed in his or her official file.

Rule 102.2*Code of Conduct*

(a) All staff members shall comply with the provisions of the Code of Conduct set out in the Annex to these Rules, of which the Code of Conduct is an integral part.

(b) The Code of Conduct elaborates on the principles set out in staff regulations 2.3 to 2.9.

(c) Violation of the provisions of the Code of Conduct shall constitute misconduct under Article 11 of the Staff Regulations and Chapter 11 of the Staff Rules.

Rules 102.3*Notification by staff members and obligation to supply information*

(a) Staff members shall be responsible on appointment for supplying the Director-General with any information that may be required in order to determine their status under the Staff Regulations and Rules or to complete administrative arrangements in connection with their appointment.

(b) Staff members shall also be responsible for promptly notifying the Director-General, in writing, of any subsequent changes that may affect their status under the Staff Regulations and Rules.

- (c) A staff member may at any time be required by the Director-General to supply information concerning facts anterior to his or her appointment and relevant to his or her suitability as an international civil servant, or concerning facts relevant to his or her integrity, conduct and service as a staff member.
- (d) A staff member who has been arrested, charged with an offence other than a minor traffic violation or summoned before a court as a defendant in a criminal proceeding, or who has been convicted, fined or imprisoned for any offence other than a minor traffic violation shall immediately report the fact to the Director-General.
- (e) At the time of appointment, each staff member shall nominate a beneficiary or beneficiaries in writing in a form prescribed by the Director-General. It shall be the responsibility of the staff member to notify the Director-General of any revocation or change of beneficiaries. In the event of the death of a staff member, all amounts due to the staff member by the Agency under the Staff Regulations and Rules will be paid to the nominated beneficiary or beneficiaries, unless otherwise specified under particular rules. Such payment will release the Agency of all further liability in respect of any sum being paid. In the absence of beneficiary, the amount due to the staff member will be paid to his or her estate.

Rule 102.4

Performance management

- (a) Supervisors shall be responsible for:
 - i. Establishing a work plan for each staff member, in consultation with the staff member concerned, and informing him or her of the related performance indicators;
 - ii. Guiding staff under their supervision through work review and discussion with each staff member.
- (b) Supervisors shall periodically make a formal evaluation of the performance and conduct of every staff member under their supervision. This evaluation shall be made once a year. Should performance problems arise in the course of the year, supervisors shall discuss their assessment with the staff member concerned and make specific suggestions for improvement.
- (c) The evaluation of the performance for staff members with supervisory responsibilities shall include an assessment of their performance as supervisors.

(d) The performance of staff members during the preceding year shall be evaluated according to procedures established by the Director-General. The report shall be signed by the supervisors and the staff members concerned. If a staff member disagrees with the evaluation, he or she may attach to the report a statement explaining the grounds for disagreement which will be part of the official performance record.

Rule 102.5

Proprietary rights

All rights, including title, copyright and patent rights, in any work performed or produced by staff members as part of their official duties shall be vested in the Agency.

Chapter 3

CLASSIFICATION OF POSTS AND STAFF

Rule 103.1

Classification standards

The Director-General shall apply the United Nations common system classification standards to determine the level of posts in the Secretariat.

Rule 103.2

Classification of individual posts

To the maximum possible extent, the definition of duties of individual posts shall follow the generic job profiles used in the United Nations common system, adjusting them as necessary to reflect the requirements of the functions to be performed for the Agency.

Chapter 4

SALARIES AND RELATED ALLOWANCES

Rule 104.1

Definitions

- (a) *"Base salary"* means the salary at a given grade and step as defined in the salary scales applicable in the United Nations common system;
- (b) *"Remuneration"* means the sum of the net base salary, plus post adjustment and allowances where applicable, subject to deductions made under rule 104.9;
- (c) *"Pensionable remuneration"* means the amount set by grade and category of staff for pension purposes in the United Nations common system on the basis of which contributions by the staff member and the Agency to the pension scheme shall be calculated;
- (d) *"Home country"* means the country that is recognized by the Agency at the time of recruitment of internationally-recruited staff members for the purpose of establishing their entitlements under the Staff Rules. The home country is the country of nationality of the staff member unless there are valid reasons for the Director-General to accept that another country be recognized as the home country;
- (e) *"Child"* for the purpose of determining entitlements under the Staff Rules, means:
 - i. a staff member's natural or legally adopted child; or
 - ii. a staff member's stepchild who is residing with the staff member.
- (f) *"Dependants"* for the purpose of determining entitlements under the Staff Rules, means:
 - i. a staff member's spouse whose gross occupational earnings from the exercise of a trade, profession, business or other regular employment do not exceed during any calendar year:
 - (aa) for General Service staff, a limit equivalent to the annual gross occupational earnings at the lowest entry level in the General Service salary scale in force on 1 January of the year concerned at the closest duty station applying the United Nations common system standards in the country of the spouse's place of work;
 - (bb) for staff at the Professional level and above, the limit is the higher of the amount determined in (aa) above, or of the gross salary for the lowest entry level in force on 1 January of the year concerned at the base of the salary system (G-2, step 1 in New York);

- (cc) if both spouses are staff members of international organizations applying the United Nations common system, neither may be recognized as a dependant of the other;
- ii. a child for whom the staff member certifies that he or she provides the main and continuing support, provided that the child is under 18 years of age or, if in full-time attendance at a school or university, under the age of 21 years. Age and school attendance requirements shall not apply if the child is physically or mentally incapacitated for substantial gainful employment either permanently or for a period expected to be of long duration. If both parents are staff members of international organizations applying the United Nations common system standards, the children, if determined dependent, shall be recognized as the dependants of the parent whose annual gross occupational earnings yield the higher amount;
- iii. one secondary dependant, who can be the father, mother, brother or sister of the staff member. Not more than one such dependant may be claimed and this only when the staff member does not have a recognized dependent spouse. Payment of an allowance for a secondary dependant is subject to the following requirements:
 - (aa) the staff member demonstrates that he or she provides more than half the total support and, in any case, at least twice the amount of the allowance claimed;
 - (bb) the brother or sister fulfills the age and school attendance conditions for recognition of a dependent child set out in (ii) above; and
 - (cc) for General Service staff, the local salary scale provides for payment of a secondary dependant allowance.
- iv. the definitions of dependants in this rule apply to staff in the Professional and higher categories and in the General Service category except as otherwise specified in these Rules or in the local salary scale.

Rule 104.2***Salary determination***

- (a) On appointment, the net base salary of staff members shall normally be fixed at step 1 of the grade of the post or function to be occupied. However, in accordance with guidelines established by the Director-General, it may be fixed at a higher step in the grade in order to take into account a staff member's qualifications, skills and experience in relation to the requirements of the post or function.

- (b) Salary increments of one step on the salary scale may be granted subject to confirmation of satisfactory performance and conduct by the staff member's supervisor after one year of service at a given step, or two years where indicated in the applicable salary scale. The increment will be effective on the first day of the month in which the required period of service at the prior step is completed.
- (c) On promotion of a staff member on a fixed-term appointment to a higher grade, the net base salary of a staff member shall be at the lowest step at the new grade that provides an increase in net base salary equal to at least the amount that would have resulted from the granting of two steps at the grade of the staff member before promotion.
- (d) On reduction in grade of a staff member with a fixed-term appointment:
- i. due to reasons other than unsatisfactory performance or misconduct, the net base salary of a staff member shall be fixed at that step in the lower grade that corresponds to his current net base salary, or at the step nearest below if there is no exactly corresponding step;
 - ii. due to unsatisfactory performance or misconduct, the net base salary may be fixed at a step in the lower grade below the level determined under paragraph (d)(i) above.
- (e) A staff member with a fixed-term appointment may be required to assume temporarily the responsibilities of a post at a higher level. Such temporary arrangements shall not be continued for more than 12 months, unless otherwise decided by the Director-General. As from the beginning of the fourth consecutive month of such service, the staff member shall be granted a special post allowance equal to the difference between the staff member's current pay, consisting of net base salary, post adjustment and allowances, and the amount that would have been payable in case of promotion to the higher level post. Granting of a special post allowance shall not affect the level of contributions to the pension scheme from the staff member or the Agency.

Rule 104.3

Post adjustment and rental subsidy

- (a) The net base salary of staff in the Professional and higher categories shall be adjusted for cost-of-living variations in accordance with the United Nations common system standards. A staff member who is entitled to salary at the dependency rate shall be paid post adjustment calculated on the basis of such salary.

(b) Post adjustment at the rate applicable at the duty station is normally paid for assignments of six months or longer. However:

- i. When a staff member is assigned to an office for less than six months, the Director-General shall decide at that time whether to pay a daily subsistence allowance for the period, or to pay post adjustment, assignment grant under rule 104.8 and hardship allowance under rule 104.7(a), provided the applicable conditions are met;
- ii. A staff member assigned by the Director-General to a new duty station where the post adjustment is lower than at the previous Agency office may continue to receive the higher post adjustment for up to six months while at least the spouse or a dependent child remains at the location of the prior Agency office.

(c) A supplement to the post adjustment in the form of a rental subsidy may be paid to eligible staff members who have to rent housing accommodation at substantially higher commercial rates than the average rental cost used in calculating the post adjustment, in accordance with conditions established by the Director-General.

Rule 104.4

Dependency benefits

(a) Staff members appointed to the Professional and higher categories are entitled to the following dependency benefits for dependants as defined in rule 104.1(f):

- i. Payment of net salary and post adjustment at the dependency rate for the first recognized dependant (either spouse or child);
- ii. Payment of a dependency allowance for every dependent child, other than a dependent child on whose account the staff member may be paid salary at the dependency rate;
- iii. For a child that is physically or mentally disabled as determined under conditions defined by the Director-General, payment of an additional amount corresponding to the amount of the regular dependency allowance for a child, whether the staff member is entitled to be paid at the dependency rate on account of the disabled child or to a regular dependency allowance for that child;

- iv. For one secondary dependant, who may be the father, mother, brother or sister of the staff member, provided the staff member is not paid at the dependency rate for a dependent spouse.
- (b) General Service staff members are entitled to the following dependency benefits for dependants as defined in rule 104.1(f):
- i. Payment of a dependency allowance for their spouse and every dependent child, subject to the limit on the number of dependent children for whom a dependency benefit may be paid as may be specified in the local salary scale;
 - ii. For a child that is physically or mentally disabled as determined under conditions defined by the Director-General, the regular dependency allowance is payable at twice the regular rate;
 - iii. For a secondary dependant, as defined in paragraph (a)(iv) above, provided such payment is authorized under the local salary scale.
- (c) The amount of the allowances to be paid shall be determined in accordance with the UN common system standards.

Rule 104.5

Education grant

- (a) Staff members shall be eligible to receive education grant on account of a child or children when the following conditions are met:
- i. They are appointed to a position in the Professional category or above and hold a fixed-term appointment of one year or longer;
 - ii. The child, as defined in rule 104.1(e), is in full time attendance in an educational institution at the primary level and above until the end of the school year in which the child reaches the age of 25 or completes four years of post-secondary studies, whichever is earlier;

- iii. For the purpose of this rule, education shall be deemed primary if the child is five years or older at the beginning of the school year, or reaches the age of five within three months of the beginning of the school year;
 - iv. If the child's education is interrupted for at least one scholastic year by national service obligations, illness or other compelling reasons, the period of eligibility may be extended for the duration of the period of interruption beyond the scholastic year in which the child reaches the age of 25.
- (b) The education grant is payable for the following expenses:
- i. the cost of full-time attendance when a child attends an educational institution in the country or area of the Agency office;
 - ii. the cost of full-time attendance when the child attends an educational institution outside the country of the duty station, plus the cost of full board if provided by the institution. Where full board is not provided by the institution, a flat amount is paid in lieu;
 - iii. tuition for teaching the mother tongue to a child for whom the staff member is entitled to the grant, under conditions defined by the Director-General;
- (c) The education grant shall not be paid for:
- i. periods during which staff members are assigned to, or reside in, their home country as defined in rule 104.1(d) except when such periods are immediately preceded by an assignment to a duty station outside that country in which case the grant is payable for the balance of the current school year following reassignment but not exceeding one full school year;
 - ii. attendance at a kindergarten or nursery school at the pre-primary level;
 - iii. attendance at a free school or a school charging only nominal fees;
 - iv. vocational training or apprenticeships which either do not involve full-time schooling or in which the child receives some payment for services rendered.

- (d) The amount of the grant shall be determined in accordance with the United Nations common system standards.
- (e) The grant shall be paid in full if in any scholastic year for which the staff member's period of employment with the Agency and the period of the child's attendance at the educational institution are each not less than two-thirds of the scholastic year. If this condition is not met the grant shall be proportionately reduced, except if the staff member dies while in service after the beginning of the school year.
- (f) If both parents are staff members in the United Nations common system, only the parent being paid at the dependency rate may claim education grant and education grant travel under rule 108.2(c)(v).
- (g) Administration of the education grant is subject to conditions established by the Director-General.

Rule 104.6

Special education grant for disabled children

Staff members holding a fixed-term appointment of one year or longer are entitled to a special education grant in respect of any physically or mentally disabled child, up to the end of the year in which such child reaches the age of 28, under conditions established by the Director-General in accordance with the United Nations common system standards.

Rule 104.7

Hardship and non-removal allowances

- (a) Staff members in the Professional and higher categories assigned to duty stations classified “B” to “E” pursuant to the United Nations common system standards shall receive a hardship allowance;
- (b) Staff members in the Professional and higher categories on a fixed-term appointment of one year or longer who are traveling at the Agency’s expense to take up an assignment at a new duty station shall receive a non-removal allowance.
- (c) The hardship and non-removal allowances shall be paid as determined by the Director-General on the basis of the United Nations common system standards.

Rule 104.8***Assignment grant***

- (a) Staff members holding a fixed-term appointment to a position in the Professional category and above whose travel to a new duty station has been authorized shall be paid an assignment grant:
- i. upon appointment or reassignment to a new duty station for a period of at least one year; or
 - ii. upon extension of an initial appointment or reassignment of less than one year to a new duty station, resulting in an uninterrupted period of service of one year or longer at that duty station.
- (b) The amount of the assignment grant shall be the equivalent of:
- i. Daily subsistence allowance in respect of the staff member for a period of 30 days from arrival at the duty station;
 - ii. Daily subsistence allowance in respect of each family member accompanying or joining the staff member at the duty station at the Agency's expense under rule 108.2 for 30 days after their arrival, at half the rate payable to the staff member.
- (c) Subject to conditions established by the Director-General in accordance with the United Nations common system standards, the assignment grant payable to a staff member holding a fixed-term appointment shall be increased by a lump sum equivalent to one month or two months of the staff member's net base salary and post adjustment at the new duty station, depending on the category of the duty station and the duration or expected duration of the assignment at that duty station.
- (d) Staff members holding a temporary appointment of six months or longer to whom post adjustment and related allowances are paid under rule 104.3(b) shall be paid an assignment grant equivalent to daily subsistence allowance for 30 days when travel has been authorized by the Agency. No assignment grant shall be paid in respect of any family member.
- (e) No assignment grant shall be paid for children born, or for any other dependant acquired after the arrival of the staff member at the new duty station.
- (f) The assignment grant is subject to adjustment and recovery when a staff member serves at a duty station for a period that is less than anticipated, as follows:
- i. When a staff member resigns within six months of the date of appointment or reassignment to the duty station, both the daily subsistence allowance portion paid under

paragraph (b) above, and the lump-sum portion paid under paragraph (c) above shall be subject to full recovery;

ii. In other situations:

(aa) the daily subsistence allowance portion is normally not recoverable;

(bb) the lump-sum portion payable to staff on a fixed-term appointment is subject to adjustment and recovery under conditions established by the Director-General.

(g) If both spouses are staff members of international organizations applying the United Nations common system standards at the same duty station, the daily subsistence allowance under paragraph (b)(i) above shall be payable to each staff member. The daily subsistence allowance on account of eligible family members under paragraph (b)(ii) above shall be payable to the staff member in respect whom the child or children are recognized as dependants. The lump-sum portion shall be payable to one spouse only, who shall be the spouse whose entitlement yields the higher amount.

Rule 104.9

Payments and deductions

(a) The normal pay period is from the first to the last day of any calendar month. A month's pay corresponds to 1/12 of the annual net base salary plus allowances and benefits expressed on an annual basis. Staff members who are not in pay status for a full calendar month are paid for each calendar day at the rate of 1/360 of the annual net base salary plus allowances and benefits expressed on an annual basis.

(b) An advance against monthly pay may be made to a staff member if the regularly scheduled payment date falls due during the staff member's absence on leave or official travel. An advance may also be approved by the Director-General in emergency situations.

(c) Payments shall be made to staff members in such currencies and at such rates of exchange as the Director-General may determine, with due regard to the legitimate interests of the staff.

(d) Deductions from salaries and other emoluments, including entitlements paid on separation from service, may be made in the following cases:

- i. for the staff member's contributions to a pension scheme and for health insurance;
- ii. for indebtedness to the Agency;

- iii. for lodging provided by the Agency or a related institution to a staff member at no cost to the staff member or at nominal rent;
- iv. for indebtedness to third parties when any deduction for this purpose is authorized by the Director-General;
- v. as otherwise authorized by the staff member and agreed by the Director-General.

Rule 104.10

Time limit on claims for retroactive payments

Claims in respect of any salary, allowance or benefit which the staff member considers should have been paid to him or her under the Staff Regulations and Rules shall be submitted in writing within one year of the date on which the initial payment would have been due. Claims relating to earlier periods are time-barred and shall not be accepted by the Agency.

CHAPTER 5

APPOINTMENT AND PROMOTION

Rule 105.1

Recruitment policies

- (a) The paramount consideration in the selection of staff shall be the necessity of securing the highest standards of efficiency, competence and integrity. For posts in the Professional category and above, due regard shall be paid to the importance of recruiting the staff primarily from Members, taking into account the adequate representation of developing countries and gender balance.
- (b) Except where another person equally well qualified cannot be recruited, appointment shall not be granted to a person who bears any of the following relationships to a staff member: father, mother, son, daughter, brother or sister.
- (c) The spouse of a staff member may be appointed provided that the spouse is fully qualified for the position and is not given any preference for appointment by virtue of the relationship to the staff member.
- (d) A staff member who is related to another staff member under conditions specified in paragraphs (b) and (c) above shall not:

- i. be assigned to serve in a position which is superior or subordinate in the line of authority to the position occupied by the staff member to whom he or she is related;
- ii. participate in the process of selection, assignment, promotion or transfer of the related staff member; or in the taking or reviewing of any administrative decision affecting the employment status, entitlements or other benefits of the related staff member.

(e) The marriage of one staff member to another shall not affect the contractual status of either spouse, but their entitlements and other benefits shall be modified as specified by the Director-General. The same modification shall apply in case of a staff member whose spouse is a staff member of an organization that applies the United Nations common system standards.

Rule 105.2

Appointment procedure

- (a) Upon selection for a post in accordance with procedures established by the Director-General, a candidate shall be informed of the proposed appointment and of its terms, including the fact that the appointment would be subject to the Staff Regulations and Rules, including the Code of Conduct, and shall also be informed of the requirements that need to be met before the offer can be confirmed.
- (b) The offer shall specify the grade and step of the proposed appointment, established in accordance with rule 104.2(a).
- (c) On reporting for duty, an appointee shall receive and sign a letter of appointment consistent with Annex I to the Staff Regulations and subscribe to the Declaration of Office required by staff regulation 2.10.

Rule 105.3

Types of appointment

- (a) Staff members may be granted fixed-term or temporary appointments, as defined below. No appointment carries any expectation of renewal or conversion to any other type of appointment, irrespective of the length of service or its extension.

(b) A “fixed-term appointment” is a time-limited appointment of one year or longer. The initial period shall normally not exceed three years. The total length of service on fixed-term appointments shall normally not exceed seven years. The Director-General may extend this maximum period once for a period of up to two years. For staff at the professional level and above, such an extension may be made only when there is a documented record of good performance and of the need to ensure continuity of the work of the Agency.

(c) A “temporary appointment” shall be granted for a period of less than one year to meet seasonal or peak workloads and specific short-term requirements. The appointment of a staff member who has served for the maximum period may be extended up to a total continuous period of less than two years when warranted by surge requirements and operational needs related to special projects with finite mandates.

Rule 105.4

Effective date of appointment

(a) The effective date of appointment shall be the date the staff member reports for duty if locally recruited. If travel is authorized, the effective date of appointment shall be the date the staff member enters travel status, provided that this date is not earlier than that required for travel by the route and type of transport designated by the Agency.

(b) No appointee shall report for duty or commence any travel for the purpose of entering on duty until the medical requirements of rule 105.8 and the appointment procedure requirements of rule 105.2(a) have been met.

Rule 105.5

Probation

(a) In accordance with staff regulation 5.4 (d), new staff members shall serve a probationary period of six months for fixed-term appointments and three months for temporary appointments of six months or longer.

(b) The purpose of the probationary period is to assess whether new staff members are willing and able to perform their work satisfactorily, and to regulate their conduct in accordance with the obligations flowing from the Staff Regulations and Rules, including the Code of Conduct, and from their status as international civil servants.

(c) At the end of the probationary period, the appointment shall be confirmed if the assessment of the staff member's performance and conduct is positive. If the assessment is negative, the staff member shall be separated from service in accordance with rule 110.5.

Rule 105.6

Determination of recognized home country and place of residence in the home country

(a) At the time of appointment, the Director-General shall determine, in consultation with the staff member, the place that is to be recognized throughout the staff member's service as the home country and the place of residence in the home country for purposes of establishing the staff member's entitlements under the Staff Rules.

(b) Unless there are valid reasons to the contrary, the home country shall be the country of nationality of the staff member, and the place of residence shall be the place in the home country where the staff member was last residing before appointment. Consideration may be given in individual cases to designating a country other than the country of nationality as the home country, and a place other than the last residence in that country as the place of residence for administrative purposes.

Rule 105.7

Promotion

(a) Promotion is the advancement of a staff member with a fixed-term appointment to a higher level post, after a competitive selection process.

(b) Salary on promotion shall be determined in accordance with rule 104.2(c).

Rule 105.8

Medical examination and required inoculations

(a) Upon selection, a candidate that has been selected for appointment shall undergo a prescribed medical examination by a physician designated by the Director-General.

(b) Should the report of the physician show that the candidate is not fit for the post in question, a decision shall be made whether or not to make an offer of appointment and, if an offer has been made, whether to confirm it and upon what terms.

(c) Upon appointment and before any subsequent travel for the Agency, a staff member shall have such inoculations as the physician shall prescribe.

(d) Any medical examination and any inoculation required by the Agency shall be at the Agency's expense, subject to conditions and maximum amounts established by the Director-General in accordance with United Nations common system standards.

CHAPTER 6

ATTENDANCE AND LEAVE

Rule 106.1

Working hours

(a) The Director-General shall establish for each duty station the normal working hours and the normal working week, on the basis of the standards used by United Nations common system organizations at each duty station.

(b) Staff members may be required to work beyond the normal working hours and the normal working week, in which case they will be compensated as provided in rule 106.3.

Rule 106.2

Official holidays

The number of official holidays at each duty station shall be ten days in each calendar year. The Director-General shall establish the official holidays at each duty station, taking into account the most commonly observed holidays at the duty station and the practice followed by other international organizations.

Rule 106.3

Overtime and compensatory leave

(a) General Service staff who have been required to work by the appropriate supervisor beyond the normal working hours and the normal working week shall be given compensatory leave or monetary compensation in accordance with procedures established by the Director-General;

(b) Should the exigencies of service permit, and subject to prior approval of the Director-General, staff in the Professional category and above may be granted occasional compensatory leave when they have been required to work substantial or recurrent periods of overtime.

Rule 106.4

Annual leave

- (a) Staff members shall accrue annual leave while in full pay status at the rate of two and a half days per month. No annual leave shall accrue while the staff member is on the special leave that may be authorized under rule 107.2 as part of the compensation for service-incurred illness or injury.
- (b) Annual leave accrues and may be taken in units of days and half days.
- (c) Since the purpose of annual leave is to provide a period of rest each year, not more than 15 days of annual leave accrued in a given year shall normally be carried forward to the next calendar year. Not more than 60 days of accumulated annual leave can be carried forward beyond 31 December of each year.
- (d) In exceptional circumstances and after approval from the Director-General, a staff member may be permitted to take advanced annual leave.
- (e) Annual leave may be taken only when authorized. All arrangements as to leave are subject to the exigencies of service, which may require that leave be taken by a staff member during a specified period.
- (f) Staff members who, on leaving the service of the Agency, have an annual leave credit shall be paid in respect of each day of unused annual leave up to a maximum of 60 working days for staff on fixed-term appointments and 30 working days for staff on temporary appointments.

Rule 106.5

Home leave

- (a) Home leave is provided so that staff members on a fixed-term appointment in the Professional category and above who are serving and residing outside their home country, as defined in rule 104.1(d), may spend a reasonable period of annual leave in the home country with a view to maintaining effective association with that country. Staff members may exercise home leave travel in a country other than their home country under conditions established by the Director-General.

- (b) Home leave may be taken for the first time when staff members have completed 24 months of qualifying service as defined in paragraph (c) below, provided their service is expected by the Agency to continue at least six months after the expected date of return from home leave. Subsequent home leave may be taken once every other year, at any time during the calendar year, subject to the same expectation of continuation of service for at least six months after the expected date of return from home leave.
- (c) Qualifying service means continuous service for the Agency outside the staff member's home country. Leave without pay for 30 days or less does not break continuity of service.
- (d) Home leave consists of travel time not charged to the staff member's annual leave and return transportation paid by the Agency for the staff member, the spouse and eligible children, up to the cost of travel between the duty station and the staff member's place of residence in home country or the actual destination, whichever is less, under conditions established by the Director-General. The staff member, his or her spouse and dependent children must spend a reasonable period of time in the country where the leave is exercised.
- (e) If both spouses are staff members in organizations applying the United Nations common system standards and both are eligible for home leave, each shall have the choice of exercising the home leave entitlement as a staff member, or as a spouse, but not as both. Such choice may not result in more than one home leave in every home leave cycle.
- (f) A staff member may be required to take home leave in conjunction with travel on official business or change of duty station, due regard being paid to the interests of the staff member and his family.

Rule 106.6

Special leave in exceptional cases

- (a) Special leave with full, partial or no pay may be granted at the request of a staff member for such period and under such conditions as the Director-General may prescribe. Special leave may be granted for training or research in the interest of the Agency or for other important reasons, including but not limited to child care, serious illness of a family member, or death of an immediate family member.
- (b) The Director-General may, at his or her initiative, place a staff member on special leave with full pay if he or she considers such leave to be in the interest of the Agency.

CHAPTER 7

SOCIAL SECURITY

Rule 107.1

Medical insurance

Staff members shall participate in a medical insurance scheme under terms and conditions determined by the Director-General.

Rule 107.2

Compensation for illness, injury or death attributable to service

A staff member, or his surviving spouse or dependants, shall be entitled to compensation in the event of illness, injury or death attributable to the performance of official duties on behalf of the Agency, in accordance with rules established by the Director-General.

Rule 107.3

Sick leave

(a) Staff members who are unable to perform their duties because of illness or injury, or whose attendance is prevented by public health requirements, will be granted sick leave. All sick leave must be approved under conditions established by the Director-General.

(b) Staff member's maximum entitlement to sick leave shall be determined by the nature and duration of their appointment, as follows:

i. A staff member who holds a temporary appointment shall be granted sick leave with full pay at the rate of two working days for each month of completed service;

ii. A staff member who holds a fixed-term appointment and who has completed less than three years of continuous service shall be granted sick leave of up to three months with full pay and three months on half pay;

iii. A staff member who holds a fixed-term appointment and who has completed three years of continuous service shall be granted sick leave of up to nine months on full pay and nine months on half pay.

- (c) Any absence of more than two consecutive working days which is to be charged as sick leave must be supported by a certificate from a duly recognized medical practitioner stating that the staff member is unable to perform his or her duties and indicating the probable duration of the illness. Not more than seven working days of uncertified absences within one calendar year shall be charged to sick leave. Part or all of this uncertified sick leave may be used to attend to serious family-related emergencies, in which case the certification requirement in respect of two consecutive working days shall not apply.
- (d) A staff member may at any time be required to undergo a medical examination by a medical practitioner designated by the Director-General.
- (e) A staff member shall not, while on sick leave, leave the duty station without the prior approval of the Director-General.
- (f) Staff members shall inform their supervisors as soon as possible in case of absence due to illness or injury. They shall submit a medical certificate for any absence of more than two consecutive working days taken in accordance with paragraph (c) above by the fifth working day of continuous absence or upon return to work, whichever is earlier.

Rule 107.4

Maternity leave

- (a) Staff members shall be entitled to maternity leave, subject to conditions established by the Director-General.
- (b) Maternity leave on full pay shall commence six weeks before the expected date of birth upon submission of a certificate from a duly qualified medical practitioner or midwife indicating the expected due date. At the request of the staff member and on medical advice, the Director-General may permit the maternity leave to commence less than six weeks but not less than two weeks before the expected due date. Maternity leave shall extend for a period of 16 weeks from the time it is granted. However, in no case shall maternity leave terminate less than 10 weeks after the actual date of birth.
- (c) During the first year after the birth of a child, a nursing mother shall be allowed additional maternity leave of sufficient time each day to nurse her child.

- (d) Where both parents of a newborn child are staff members of the Agency, any unused portion of maternity leave to which the mother could otherwise have been entitled may be used by the other parent, under conditions established by the Director-General.
- (e) Sick leave shall not normally be granted to a staff member on maternity leave, except where serious complications arise.
- (f) Annual leave shall accrue during the period of maternity leave.

Rule 107.5

Paternity leave

A staff member shall be entitled to paternity leave subject to conditions established by the Director-General. Upon presentation of satisfactory evidence of the birth of the staff member's child, the staff member shall be entitled to paternity leave for a total period of up to four weeks. In exceptional circumstances, typically related to a severe medical condition of the mother or the child, the Director-General may authorize paternity leave for a total period of up to eight weeks. Paternity leave must be exhausted within 12 months from the date of the child's birth.

Rule 107.6

Adoption leave

Subject to conditions established by the Director-General, and upon presentation of satisfactory evidence of the adoption of a child, a staff member shall be entitled to adoption leave for a total period of up to eight weeks.

Rule 107.7

Special grant in case of death while in service

- (a) On the death of a staff member with a surviving spouse or one or more dependent children, a special grant shall be paid to the spouse or, if none, to the dependent children, in equal shares.

(b) The grant shall be calculated in accordance with United Nations common system standards and on the basis of the following schedule:

Years of continuing service	Months of net base salary at the last grade and step of the staff member
0-3	3
4	4
5	5
6	6
7	7

(c) The grant shall not be payable if the staff member did not have a spouse or one or more dependent children.

Rule 107.8

Loss of personal property

Loss of personal property incurred in the course of service may be compensated under conditions and subject to maximum limits established by the Director-General. Staff members are expected in all cases to take reasonable precautions to against loss of their personal property and shall obtain insurance for all valuable items.

CHAPTER 8

TRAVEL AND REMOVAL EXPENSES

Rule 108.1

Travel of staff

Subject to conditions established by the Director-General, the Agency shall pay the travel expenses of a staff member in the following circumstances:

(a) On initial appointment of a staff member to a position in the Professional category and above;

- (b) On change of duty station;
- (c) On official business;
- (d) On home leave;
- (e) On family visit, provided the Agency did not pay travel expenses to the duty station and assignment grant for the spouse or any dependent children;
- (f) On separation from service, the staff member will be paid return travel except in cases of abandonment of post and as provided in rule 108.3.

Rule 108.2

Travel of eligible family members

- (a) Eligible family members, for the purposes of official travel, comprise the spouse and dependent children as defined in rule 104.1(f)(ii). In addition, children on whose account the staff member receives an education grant may be eligible for education grant travel even though they are no longer recognized as dependants under rule 104.1(f)(ii).
- (b) Travel for eligible family members shall be paid only in respect of staff members appointed or assigned from outside the duty station to a position in the Professional category and above and holding an appointment of one year or longer.
- (c) Subject to conditions established by the Director-General, the Agency shall pay the travel expenses of eligible family members of a staff member holding a fixed-term appointment in the following circumstances:
 - i. On appointment or assignment for a period of one year or longer, or upon extension of an initial assignment of less than one year resulting in an uninterrupted period of service of one year or longer at the duty station, from the recognized home country or, at the option of the Agency, the place of recruitment, provided that the spouse and dependent children are expected by the Director-General to remain at the duty station for at least six months while the staff member remains in service;

- ii. On change of duty station, provided that the service of the staff member at the new duty station is expected by the Director-General to continue for more than six months beyond the date of travel of eligible family members to the new duty station;
 - iii. On home leave;
 - iv. On travel of the spouse to the duty station in lieu of the staff member's family visit travel under staff rule 108.1(e);
 - v. On education grant travel for children on whose account the staff member receives an education grant or special education grant;
 - vi. On separation of a staff member from service, the Agency will pay return travel for eligible family members, provided that the staff member has completed not less than one year of continuous service, subject to the provisions of rule 108.3.
- (d) When a child for whom travel expenses have previously been paid by the Agency reaches the age beyond which he or she no longer qualifies as a dependant under rule 104.1(f)(ii), payment of a one-way trip by the child to either the staff member's duty station or to the home country may be paid provided the travel takes place:
- i. Within the year following the date when the child ceases to qualify as a dependant under rule 104.1(f)(ii); or
 - ii. Upon completion of the child's continuous attendance at a university or equivalent institution, when the child's attendance commenced during the period of dependency status.
- (e) If both spouses are staff members of the Agency and both are eligible for repatriation travel, each shall have the choice of exercising the entitlement as a staff member or as a spouse, but not as both. Such choice shall not result in more than one journey for each staff member.

Rule 108.3

Loss of entitlement

- (a) Staff members who resign before completing one year of service or within three months following the date of return from travel on home leave shall not be entitled to payment of return travel for themselves and eligible family members unless, in the opinion of the Director-General, there are compelling reasons for authorizing such payment.
- (b) Entitlement to return travel shall cease if travel has not commenced within one year after the date of separation. However, where both spouses are staff members and the spouse who separates first is

entitled to return travel expenses his or her entitlement shall not cease until one year after the date of separation of the other spouse.

(c) Entitlements under rules 108.1 and 108.2 that have not been exercised within the above time limits and in accordance with the conditions established by the Director-General shall lapse.

Rule 108.4

Authorization to travel

Travel shall be authorized in writing before it is undertaken. A staff member shall be personally responsible for ascertaining that he or she has the proper authorization before commencing travel.

Rule 108.5

Travel expenses

(a) Travel expenses that shall be paid or reimbursed by the Agency under the relevant provisions of the Staff Rules include:

- i. Transportation expenses (i.e. carrier fare);
- ii. Terminal expenses;
- iii. Daily subsistence allowance;
- iv. Miscellaneous travel expenses.

(b) Staff members shall exercise the same care in incurring expenses that a prudent person would exercise if travelling on personal business.

Rule 108.6

Route, mode and standard of travel

(a) All travel at the Agency's expense shall be by a route, mode and standard of travel approved by the Director-General.

(b) Travel expenses and other entitlements, including travel time, shall be limited to the amounts and conditions applicable for a journey by the approved route, mode and standard of travel.

- (c) Staff members who wish to make travel arrangements that vary from the approved route, mode and standard of travel must obtain permission to do so in advance and assume responsibility for any extra charges resulting from the variation.
- (d) Travel shall normally be by the most direct and economical route. An alternative route may be approved when the Director-General determines that it is in the best interest of the Agency.
- (e) The standard of travel shall be determined in accordance with the conditions established by the Director-General.

Rule 108.7

Transportation expenses - Purchase of tickets

- (a) Tickets for official travel of staff members and eligible family members shall be purchased by the Agency in advance of actual travel. Staff members may be authorized to purchase their own tickets under conditions established by the Director-General. The Director-General shall endeavour to negotiate contract fare rates advantageous to the Agency, especially for the most frequently travelled routes.
- (b) When staff members, for reasons of personal preference or convenience, request a standard of travel in excess of their entitlement or request travel by other than the approved route or mode of travel, they shall be required to reimburse the Agency for any additional costs thus incurred before the Agency provides them with the necessary tickets.

Rule 108.8

Travel by automobile

Staff members who are authorized to travel by automobile shall be reimbursed by the Agency at rates and under conditions established by the Director-General.

Rule 108.9

Terminal expenses

Terminal expenses shall be deemed to cover all expenditures for transportation and incidental charges between the airport or other point of arrival and departure and the hotel or other accommodation for the staff member and each family member authorized to travel at the Agency's expense. They shall be reimbursed at rates and under conditions established by the Director-General.

Rule 108.10

Daily subsistence allowance

- (a) A staff member authorized to travel at the Agency's expense shall be paid a daily subsistence allowance at rates and under conditions established by the Director-General.
- (b) When the spouse or dependent children of a staff member are authorized to travel at the Agency's expense, the staff member shall be paid an additional daily subsistence allowance for each family member at half the rate applicable to the staff member.
- (c) No daily subsistence allowance shall be payable for travel:
 - i. On appointment, assignment or repatriation;
 - ii. On home leave, family visit or education grant travel.

Rule 108.11

Miscellaneous travel expenses

Necessary additional expenses incurred by a staff member in connection with official business or in the performance of authorized travel shall be reimbursed by the Agency after completion of travel, under conditions established by the Director-General.

Rule 108.12

Unaccompanied shipment of personal effects and household goods

- (a) The Agency shall pay for the cost of unaccompanied shipment of the staff member's personal effects and household goods to and from the duty station through a lump-sum relocation grant that will be paid under conditions and within limits established by the Director-General in accordance with the United Nations common system standards.
- (b) No relocation grant on separation from service shall be payable to staff members appointed or assigned for one year or longer who resign after less than one year of service at the duty station to which they were appointed or assigned.

Rule 108.13***Transportation of decedents***

On the death of a staff member or his or her spouse or dependent child, the Agency shall pay the expenses of preparing and transporting the remains of a deceased whom the Agency had the obligation to repatriate under rule 108.1 or 108.2, under conditions established by the Director-General.

Chapter 9**STAFF RELATIONS****Rule 109.1*****Staff representative body***

- (a) A staff representative body may be established by the staff of the Agency in accordance with staff regulation 9.2.
- (b) Polling officers selected by the staff shall conduct the election of the staff representatives in a manner that will ensure the regularity of the process.

Chapter 10**SEPARATION FROM SERVICE****Rule 110.1*****Definition***

“Separation from service” means the administrative process through which a person previously employed as a staff member by the Agency will no longer have that status, and at the end of which his or her final entitlements will be established and settled. Separation from service may be as a result of any of the following:

- (a) Resignation;
- (b) Abandonment of post;
- (c) Expiration of appointment;
- (d) Non-confirmation of appointment;

- (e) Termination of appointment;
- (f) Death.

Rule 110.2

Resignation

- (a) Resignation is a separation initiated by the staff member. No termination indemnity is payable.
- (b) Staff members on a fixed-term appointment shall give 30 calendar days' written notice of resignation; staff members on a temporary appointment shall give 15 calendar days' written notice. The Director-General may accept resignation on shorter notice.

Rule 110.3

Abandonment of post

Abandonment of post is a separation initiated by a staff member other than by resignation. Separation as a result of abandonment of post shall not constitute termination within the meaning of the Staff Regulations and Rules. No termination indemnity is payable.

Rule 110.4

Expiration of appointment

Fixed-term and temporary appointments expire automatically and without prior notice on the expiration date specified in the letter of appointment. No termination indemnity is payable.

Rule 110.5

Non-confirmation of appointment

- (a) When a staff member's performance and conduct during the probationary period governed by staff regulation 5.4(d) and rule 105.5 has been assessed negatively, the appointment shall not be confirmed and the staff member shall be separated from service.
- (b) A special report shall be prepared prior to a decision not to confirm the appointment at the end of the probationary period. The staff member shall be notified of the reasons for non-confirmation. Written notice of separation is required 30 calendar days before the separation date for staff on a fixed-term

appointment, and 15 calendar days before the separation date for staff on temporary appointments. No termination indemnity is payable.

Rule 110.6

Termination of appointment

- (a) “Termination” within the meaning of the Staff Regulations and Rules is a separation from service initiated by the Director-General.
- (b) The Director-General may, giving the reasons therefor, terminate the appointment of a staff member who holds a temporary or fixed-term appointment in accordance with the terms of the appointment or on any of the following grounds:
- i. Abolition of post(s) or reduction of staff;
 - ii. Unsatisfactory service;
 - iii. For reasons of health, if the staff member is incapacitated for further service for such reasons;
 - iv. Dismissal or summary dismissal in accordance with staff regulation 11.1 and chapter 11 of the Staff Rules;
 - v. If facts anterior to the appointment and relevant to the suitability of a staff member come to light that, if they had been known at the time of appointment, should have precluded his or her appointment under the standards established in the Statute;
 - vi. In the interest of the good administration of the Agency and in accordance with the standards of the Statute, provided that the action is not contested by the staff member concerned.
- (c) The Director-General shall give 30 calendar days’ written notice of termination to staff on a fixed-term appointment, and 15 calendar days to staff on a temporary appointment.
- (d) In lieu of the notice period, the Director-General may authorize compensation equivalent to salary, post adjustment and allowances that the staff member would have received during the relevant notice period, at the rate in effect on the last day of service.
- (e) The Director-General shall establish, as necessary, detailed conditions applicable to termination on the grounds listed in paragraph (b) above.

Rule 110.7

Termination indemnity

(a) Payment of termination indemnity under staff regulation 10.3 and Annex II to the Staff Regulations shall be calculated on the basis of the net base salary payable to the staff member as of the effective date of separation.

(b) Length of service for purposes of computing the termination indemnity shall comprise the total period of a staff member's full-time continuous service. Continuity of service shall not be considered as broken by periods of special leave. However, periods of special leave with partial pay or without pay of one month or longer shall not be taken into account when determining the length of service for purposes of computing the termination indemnity.

Rule 110.8

Commutation of annual leave

(a) If staff members have accrued annual leave on separation from service, they shall be paid a sum of money in commutation of such accrued leave up to a maximum of 30 working days for staff on temporary appointments and 60 working days for staff on fixed-term appointments, in accordance with rules 106.4(f).

(b) The payment shall be calculated as follows:

- i. For staff in the Professional and higher categories, on the basis of the staff member's net base salary plus post adjustment, calculated for each working day at the rate of 1/260 of the annual amounts;
- ii. For staff in the General Service category, on the basis of the staff member's net base salary, calculated for each working day at the rate of 1/260 of the annual amount.

Rule 110.9

Restitution of advance annual and sick leave

(a) If a staff member has taken advance annual or sick leave that has not been offset by leave accrued before the date of separation, the resulting negative leave balance shall be restituted by the staff member by means of a cash refund or a deduction from terminal payments.

- (b) The amount to be restituted shall be equivalent to the remuneration received by the staff member, including allowances and other payments, in respect of the advance leave period.
- (c) The Director-General may waive this requirement if in his or her opinion there are exceptional or compelling reasons for doing do.

Rule 110.10***Repatriation grant***

- (a) On separation from service other than by abandonment of post under rule 110.3 or summary dismissal under rule 111.1(c), a staff member in the Professional category or above shall be eligible for a repatriation grant provided the following conditions are met:
- i. The Agency has the obligation to return the staff member and his or her spouse and dependent children on separation from service, at the expense of the Agency, to a place outside the country of the last duty station;
 - ii. The staff member worked and resided outside his or her recognized home country while serving at the last duty station;
 - iii. The staff member has completed at least one year of continuous service and residence away from the home country. Any period of one month or longer during which the staff member was assigned to, or residing in, the recognized home country shall be excluded for the purpose of computing the duration of continuous service for purposes of repatriation grant;
 - iv. The staff member provides evidence satisfactory to the Director-General that he or she has relocated in a country other than the country of the last duty station.

(b) Subject to conditions established by the Director-General, the repatriation grant shall be paid on the basis of the following schedule, in accordance with the United Nations common system standards:

Years of qualifying service	Weeks of net base salary	
	Without a spouse or dependent children	With spouse or dependent children
1 year minimum	3	4
2	5	8
3	6	10
4	7	12
5	8	14
6	9	16
7	10	18

(c) In the event of the death of an eligible staff member, no payment shall be made unless there is a surviving spouse or one or more dependent children who are entitled to repatriation at the Agency's expense. The payment shall be made at the lower rate if there is only one such surviving family member, and at the higher rate if there is more than one surviving family member.

(d) Entitlement to the repatriation grant shall cease if no claim has been submitted within one year after the date of separation. However, when both spouses are staff members and the spouse who separates first is entitled to repatriation grant, the claim for payment by that spouse shall be considered timely if submitted within one year of the date of separation of the other spouse.

Rule 110.11

Certificate of service

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

Chapter 11**DISCIPLINARY MEASURES****Rule 111.1***Disciplinary measures*

- (a) Misconduct occurs when a staff member fails to comply with his or her obligations under the Staff Regulations and Rules, including the Code of Conduct, the Financial Regulations and Procedures, and directives issued by the Director-General.
- (b) Once it has been established that misconduct has occurred, disciplinary measures proportionate to the gravity of the misconduct may be imposed.
- (c) Disciplinary measures may take the form of one or more of the following:
- i. Written censure;
 - ii. Loss of one or more steps in grade;
 - iii. Deferment, for a specified period, of eligibility for salary increment;
 - iv. Demotion, with or without deferment for a specified period of eligibility for promotion;
 - v. Dismissal;
 - vi. Summary dismissal, in which case the staff member shall not receive the termination indemnity or repatriation grant that would otherwise be payable.
- (d) An oral or written reprimand given by a supervisor on performance grounds shall not be regarded as a disciplinary measure.

Rule 111.2*Notification of charges and reply*

- (a) A disciplinary measure listed in rule 111.1 (c) may be imposed only after the staff member has been notified of the charges made against him or her and has been given an opportunity to respond to those charges within eight calendar days. This period may be shortened if the urgency of the situation requires it.
- (b) The notification and the reply shall be in writing.

Rule 111.3

Administrative leave

- (a) A staff member may be placed on administrative leave pending completion of an investigation and of any subsequent disciplinary process. Such placement does not constitute a disciplinary measure.
- (b) A staff member placed on administrative leave shall be given a written statement of the reason(s) for such leave and its probable duration.
- (c) Administrative leave shall normally be with full pay. In exceptional circumstances, the Director-General may decide that administrative leave without pay is warranted. If the staff member is placed on administrative leave without pay and the charges are subsequently dropped or found not to warrant dismissal, the staff member shall retroactively be restored in full pay status.

Rule 111.4

Imposition of one or more disciplinary measures

- (a) When serious misconduct has been established, the Director-General may decide to summarily dismiss the staff member without prior notice.
- (b) In all other cases, imposition of a disciplinary measure shall require prior advice to the Director-General from the body with staff participation established under staff regulation 11.2.
- (c) The Director-General shall establish detailed procedures as may be needed for the implementation of the disciplinary process.

Chapter 12

APPEALS AND ADMINISTRATION OF JUSTICE

Rule 112.1

Right to appeal

- (a) Staff members have the right to appeal against administrative decisions affecting them directly. The appeal must be based on an alleged non-observance of their terms of appointment, including pertinent Staff Regulations and Rules.

(b) Appeal against an administrative decision shall not have the effect of suspending action on the contested decision.

Rule 112.2

Internal appeal process

Except as otherwise provided in rules 112.3 and 112.4, staff members wishing to appeal an administrative decision shall follow the internal appeal process set out below:

- (a) As a first step, the staff member shall address to the Director-General a request for management review of the decision within 30 calendar days of being informed of that decision.
- (b) If the staff member is not satisfied with the answer received, or if no answer is received within 15 days of the request for management review, the staff member may submit an appeal to the body with staff participation established under staff regulation 12.2.
- (c) The time limit for filing an appeal is 30 calendar days after the answer to the request for review. If no answer was provided, the time limit is 30 calendar days after the expiration of the 15-day period during which a timely answer could have been provided.
- (d) The appeal body shall consider the appeal expeditiously and advise the Director-General of its findings and recommendations.
- (e) The Director-General shall make a final decision on the appeal, in light of the findings and recommendations of the appeal body.
- (f) The staff member may challenge the Director-General's final decision before the independent judicial or arbitral mechanism provided under staff regulation 12.3.
- (g) The Director-General shall establish detailed procedures as may be needed for the implementation of the appeals process.

Rule 112.3

Appeal against non-confirmation of appointment

- (a) A decision taken under rule 110.5 not to confirm a staff member's appointment may be appealed in writing to the Director-General within 15 calendar days of receipt of notice of non-confirmation.

(b) The Director-General's decision shall be final, and shall not be subject to the internal appeal process established in rule 112.2 (a) to (e).

(c) The staff member may challenge the Director-General's final decision before the independent judicial or arbitral mechanism provided under staff regulation 12.3.

Rule 112.4

Appeal against decisions imposition of disciplinary measures

(a) Decisions to impose disciplinary measures after advice from a body with staff participation under rule 111.4(b) may be appealed directly to the independent judicial or arbitral mechanism provided under staff regulation 12.3.

(b) Appeals against decisions to summarily dismiss a staff member under staff rule 111.4(a) shall be submitted to the appeal body established under staff regulation 12.2. The time limit for submitting such appeals shall be 30 calendar days after notification of the summary dismissal. The provisions of rule 112.2(d) to (f) shall apply after a timely appeal has been submitted to the appeal body.

Chapter 13

GENERAL PROVISIONS

Rule 113.1

Purpose of the Staff Rules

The Staff Rules are issued by the Director-General to implement the provisions of the Staff Regulations as necessary.

Rule 113.2

Relationship between Staff Regulations and Staff Rules

In the event of conflict between the Staff Regulations and the Staff Rules, the Staff Regulations shall prevail.

Rule 113.3

Amendments to the Staff Rules

Subject to staff regulation 13.3, the Staff Rules may be amended by the Director-General in a manner consistent with the Staff Regulations.

Rule 113.4

Exceptions to the Staff Rules

The Director-General may make exceptions to the Staff Rules provided that such exceptions are not inconsistent with any staff regulation or other decision of the Assembly; and provided further that each exception is agreed to by the staff member directly affected and is, in the opinion of the Director-General, not prejudicial to the interests of any other staff member or group of staff members.

Rule 113.5

Delegation of authority

The Director-General may delegate to staff members of the Agency such of his powers as necessary for the effective implementation of the Staff Rules.

ANNEX TO THE PROVISIONAL STAFF RULES

CODE OF CONDUCT

Purpose and Scope

1. The purpose of the Code of Conduct (hereinafter, the “Code”) is to elaborate on the principles set out in staff regulations 2.3 to 2.9 in order to assist the Agency, its staff and other personnel in achieving the mission of the Agency, in accordance with the purposes of the Statute of the International Renewable Energy Agency (IRENA).
2. The foundation of the Code is paragraph C of article XI of the Statute of IRENA, which provides that “[t]he paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity.” This fundamental requirement is the basis for the Agency’s core values: integrity, professionalism and respect for diversity, all of which underpin the specific obligations placed on the staff of the Agency by this Code of Conduct.
3. The Code applies to all Agency personnel. Unless otherwise specified, all obligations placed on staff members in this Code also apply to other types of personnel. Staff members, including those serving on secondment, are covered by virtue of the Staff Regulations and Rules, of which the Code is an integral part. The Code applies to personnel other than staff through their individual services agreements with the Agency which incorporate the Code by reference as part of their contractual terms. This is the case for consultants, persons working for the Agency on reimbursable and non-reimbursable loan, and other individuals performing services at the request of the Agency.
4. Violation of the specific obligations placed on the staff in Part II of the Code shall constitute misconduct under Article 11 of the Staff Regulations and Chapter 11 of the Staff Rules.
5. As situations arise that may present issues of particular importance to the Agency, an Ethics Board will provide guidance to the Director-General on the implementation of the Code, especially in the area of conflicts of interest.
6. The Director-General will appoint a staff member of the Secretariat to serve as Ethics Focal Point to assist the Director-General and the Ethics Board in the implementation of the Code of Conduct.

Part I. – Core Values

Integrity

7. Integrity is a core value in all aspects of professional conduct and personal behaviour. Integrity includes honesty, truthfulness, impartiality, reliability, and incorruptibility. As the integrity of the Agency greatly depends on the integrity of its staff and other personnel, and to their loyalty to the Agency, all are expected to:
- Demonstrate in practice the values of the Agency in all activities and behaviour;
 - Make decisions without consideration for personal gain;
 - Resist political pressure in decision-making;
 - Ensure that official power or authority is not abused;
 - Seek to promote the Agency's interests at all times;
 - Take prompt and effective action to deal with unprofessional or unethical behaviour.

Professionalism

8. Staff members need to be mindful of the duty to serve the collective interest of the international community as effectively and efficiently as possible. In carrying out daily activities, staff members are expected to keep abreast of the latest developments in respective areas of work. In order to achieve high standards of professionalism, staff members will:
- Demonstrate the highest standards of competence
 - Be conscientious and efficient in meeting goals and commitments
 - Be motivated by professional objectives rather than personal concerns
 - Show persistence when faced with problems or challenges
 - Demonstrate self-control in stressful situations

Respect for diversity

9. The diversity of the workforce is an invaluable asset to the Agency's mission, as it brings together individuals from varied backgrounds, cultures, and professional experience. Staff are expected to embrace and respect diversity and its potential to enrich the interaction with colleagues and thereby enrich the work. They are expected to be tolerant, while ensuring that behaviour which some may find unacceptable is discussed and resolved in accordance with the Agency's rules and policies. In order to maintain an environment in which all personnel can work together with openness and trust, they are expected to:
- Work effectively with people from all backgrounds;
 - Treat colleagues fairly and equally, with dignity and respect;
 - Show respect for and understanding of diverse points of view;

- Examine assumptions and avoid stereotypes;
- Not discriminate against any individual or group of persons.

Part II. – Specific obligations

Relations with governments and their representatives

10. Staff members shall serve the interests of the Agency only. They shall not lobby or seek support from government representatives or members of legislative organs to obtain advancement, either for themselves or for others, or to block or reverse unfavourable decisions regarding their status or that of others.
11. Staff members must maintain the best possible relations with governments and avoid any action that might impair these relations. They must not interfere in the policies or affairs of governments. It is unacceptable for them, either individually or collectively, to criticize or try to discredit a government.
12. Staff members are not representatives of their countries, nor do they have authority to act as liaison agents between the Agency and any government. Exceptionally, the Director-General may request a staff member to liaise with a government – a unique role for which international loyalty and integrity are essential.
13. Staff members must immediately report to their supervisors any real or perceived undue pressure exercised by any government or its agents.

Relations with the media

14. Staff members shall not, except in the normal course of their official duties or with the prior approval of the Director-General, communicate with the media on any matters that relate to the purpose, activities or interests of the Agency. This includes speaking engagements, participation in public events or submission of material for publication, electronically or otherwise.
15. When authorized to speak with the media, staff members must be aware that they speak in the name of the Agency and must avoid personal preferences and views that may be at variance with those of the Agency. Under no circumstances should they use the media to further their own interests, air their own grievances, or reveal unauthorized information. No attempt should be made to influence policy decisions under consideration by the Agency, whether this is done to obtain personal benefit or to further a personal agenda.

Relations with the Public

16. Consistent with their duty of loyalty to the Agency, staff members may not air personal grievances or criticise the Agency in public. Should they face criticism of their work or of the Agency, they are expected to respond with tact and restraint, promoting at all times a positive image of the Agency.
17. While staff members are expected to promote openness and transparency, they must exercise the utmost discretion on all matters of official business. They may not disclose information that has not been made public by the Agency. This includes information that is known to them because of their work for the Agency, even when that information is not specifically protected as confidential. These obligations do not cease upon separation from service.

Relations with other staff

18. Staff members must use the authority attached to their official function with utmost respect for other personnel and stakeholders. They need to be aware of the potential damage that an abusive or disrespectful exercise of authority can inflict on others, and they must not abuse the authority associated with their position in the Agency.
19. Staff members have the right to an environment free of harassment, including sexual harassment. No staff member shall engage in harassment against an individual or group of individuals on any basis or in any form. .
20. Sexual exploitation or any other kind of exploitation and abuse violate universally recognized international legal norms and principles. Engaging in such conduct would be treated as serious misconduct.
21. No staff member shall engage in discrimination against an individual or group of individuals on any basis, including gender, nationality, ethnic origin, religion or culture or personal preferences.
22. Staff members shall not seek to obtain confidential information including personnel files, medical records, and information concerning audits, investigations, appeals and disciplinary actions unless they have been specifically authorized to do so for the performance of their official functions. Should they become aware of such information, other than in the context of their official duties, they are prohibited from disseminating it, and should report the fact that confidentiality has been breached to the official responsible to protect the confidentiality of the information that has been disclosed.

Private Conduct

23. The Agency does not seek to regulate staff members' private personal conduct, unless it could bring the Agency into disrepute, or interfere with performance of their official duties. Staff members should be aware that the private conduct of an international civil servant may become the object of public scrutiny, and that their status carries special constraints as regards their private conduct, especially when such conduct puts into question their personal integrity and by inference the integrity of the Agency that employs them. Accordingly, staff are expected:
- a. To fulfil their private obligations, including respect of local laws and compliance with obligations to make alimony payments or to repay debts;
 - b. To refrain from any misrepresentation of their official functions, title or duties, especially when this is done in order to obtain some illegitimate personal advantage or benefit;
 - c. Not to engage in conduct which is, or may be perceived to be, an abuse of the privileges and immunities that are conferred upon them solely in the interest of the Agency, and not for their personal benefit;
 - d. To refrain from engaging in any form of criminal activity.
24. Staff members are free to express their political preferences by exercising their right to vote. They may be members of a political party provided that its prevailing views and the obligations imposed on its members are consistent with the staff members' status as international civil servants.
25. However, in view of the independence and impartiality that staff members are bound to maintain, they may not participate in political activities, such as standing for election or holding a political office. They must exercise discretion in their support for a political party or campaign, and may not accept or solicit funds, write articles, or make public speeches, statements or endorsements to the press for this purpose.
26. This does not, however, preclude participation by staff members in local community or civic activities, provided that such participation is consistent with their status as international civil servants and does not prejudice the full discharge of their official functions. Staff members are also encouraged to participate in outside professional activities that foster contacts with private and public bodies and thus serve to maintain and enhance their professional and technical competencies, subject to the requirements on outside activities specified in paragraphs 35 to 42 below.

Use of the Agency's property and assets

27. Staff members are responsible for ensuring the appropriate use and protection of the Agency's property and assets. Property and assets include financial, material resources such as facilities, equipment, supplies, and other resources, such as staff time. These resources should be used with care for purposes directly related to official objectives and duties.
28. Careless or improper use of resources, whether it involves abuse of the procurement process, theft of property, false claims for sick leave or false certification of information on the basis of which the Agency will establish entitlements, is incompatible with personal integrity.
29. When using the Agency's information and communication technology (ICT) resources, staff members may not knowingly or through negligence create false or misleading data; make data available to unauthorized persons; damage, delete, alter or conceal data or attempt to access data on any system without authorization.
30. While limited personal use of the Agency's ICT resources is permitted within reasonable boundaries, staff members must ensure that this does not result in additional costs to the Agency, encroach on their work time or prevent them in any way from performing all their official duties. They must refrain from any use that may have a deleterious effect on the integrity or efficiency of the ICT resources.
31. Staff members are reminded that all rights, title, copyright and patent rights, in any work created by staff members and other personnel as part of their official duties with the Agency are vested in the Agency and that they may not claim ownership of such rights or in any way benefit from them.

Conflict of Interests

32. A 'conflict of interests' situation arises when staff members' private interests -- such as outside professional relationships or personal financial interests -- might interfere with the proper performance of their professional functions or obligations as Agency's officials. Staff members should strive to avoid situations where they can be seen to benefit, directly or indirectly, or allow a third party to benefit, from the decisions which they make or which they can influence. Even where such a perception is not warranted, staff members need to be aware of how conduct, in the absence of explanation, could appear to others. Such conflict situations do not necessarily imply corruption, wrongdoing or inappropriate activities. However, if they are not identified and managed appropriately, such situations can compromise or be perceived as compromising the official's function and the Agency's integrity. It is of utmost importance that the independence and impartiality of official decision-making be preserved at all times.

33. Conflicts of interest can only be appropriately resolved by clearly placing the interests of the Agency above other interests. In particular, staff members shall not:
- a. Hold a financial interest in, or be actively associated with the management of, any profit-making, business or other concern if it were possible for the staff member or the profit-making, business or other concern to benefit from such financial interest or association by reason of the staff member's position with the Agency;
 - b. Solicit or accept any benefits including economic benefit for themselves, or allow a third party to benefit improperly, directly or indirectly;
 - c. Assist private entities, governments or third parties in their dealings with the Agency where this would result in their preferential treatment;
 - d. Take advantage or obtain a personal benefit, or allow a third party to benefit improperly, directly or indirectly, from information obtained in the course of their official duties that is not generally available to the public;
 - e. Directly or indirectly use, or allow the use of, the Agency's property and the property entrusted to the Agency of any kind, for anything other than officially approved activities;
 - f. Allow their actions and decisions to be influenced by the prospect of employment for themselves and their family members with parties who have dealings with the Agency.
34. Particular situations leading to frequent conflicts of interest, such as outside employment or activities, and receipt of honours, gifts, remuneration or other benefits, are further addressed below, together with the requirement of financial disclosure for certain categories of staff.

Outside Employment and Activities

35. The image and reputation of the Agency depend to a large extent on the conduct of its staff. Engagement in employment and activities outside the Agency may have a negative impact on the Agency and are restricted on that basis. Outside employment and activities are prohibited when they are incompatible with the staff members' status as international civil servants, or with the interests or objectives of the Agency.

Staff members

36. Staff members may not, without prior authorization from the Director-General, engage in any outside employment or activity, whether remunerated or not. When requesting such authorization, staff members must disclose the nature and scope of the activity and whether any honorarium or other compensation will be received.
37. Authorization will not be granted to staff members when the proposed employment or activity would be incompatible with their status as international civil servants or the proper discharge or their official functions, or would conflict with the Agency's interests.
38. Staff members may not submit material for publication without obtaining prior authorization from the Director-General, who may subject authorization to specific conditions. Authorization will not be granted when publication would conflict with the Agency's interests, or breach the obligation of discretion imposed by staff regulation 2.5(f). This obligation does not cease upon separation from service.
39. Staff members on leave, with or without pay, must bear in mind that while on approved leave or absence they remain subject to the terms of their employment by the Agency. Accordingly, staff members may only engage in outside activities during leave, paid or unpaid, after receipt of a written authorization.

Other personnel

40. While performing their work for the Agency, personnel of the Agency other than staff may engage or continue to engage in outside employment or activities and do not need to request prior authorization provided this is consistent with the terms of their respective contracts or arrangements with the Agency.
41. In this regard, personnel other than staff are expected to disclose any outside employment or activity and its nature and scope to the Agency prior to the commencement of their relationship with the Agency and/or prior to the commencement of the outside employment or activity in order for the Agency to determine whether such outside employment or activity is compatible with the purposes and principles of the Agency and with the proper discharge of the duties to be performed for the Agency.
42. However, personnel other than staff that are employed by the Agency on a full-time basis for continuous periods of three months or longer may engage in a new outside employment or activity during the course of their relationship with the Agency only upon a written authorization from the Director-General.

Gifts, Honours & Remuneration

43. Acceptance by a staff member of an honour, decoration, favour, gift or other benefit raises the possibility of a conflict of interests because the staff member may be seen as being expected to reciprocate the favour in some manner, thus compromising his or her impartiality and objectivity. Accordingly, staff members may not accept any honour, decoration, remuneration, favour or gift from a Government or any other source external to the Agency, including non-governmental entities, commercial firms or individuals, unless they have obtained the prior approval of the Director-General or the value of the gift is under the threshold specified below.
44. Prior authorization is not required for small gifts of a social or customary nature up to the value of USD25 each, provided the total value does not exceed USD200 per calendar year. Staff must refrain from creating an impression that acceptance of the gift is likely to improperly influence their professional actions or decisions, and must promptly inform their supervisor, who may instruct them to decline acceptance of any such gifts in future. Additional restrictions may apply to staff performing certain functions, such as those relating to procurement.
45. As part of their official functions, personnel may be expected to attend Government or non-government events such as receptions. Such attendance is not considered receipt of a favour, gift, remuneration or benefit within the meaning of this Code.
46. Where no real, perceived or potential conflict of interest exists, authorization may be granted to accept a gift, honour or token remuneration where such acceptance is not incompatible with the interests of the Agency and with the staff member's status. This will be the case in most cases for acceptance of academic awards, distinctions, and tokens of a commemorative or honorary character, such as scrolls, certificates, trophies or other items of nominal or little monetary value.
47. Without prejudice to the above, where refusal of an unanticipated gift, honour, decoration, remuneration, favour or benefit of more than nominal value would cause embarrassment to the Agency, staff members may receive it on behalf of the Agency and then report and entrust it to the Director-General.

Financial Disclosure

48. The Agency and its staff members must be protected from the reputational damage which would result from accusations of illicit enrichment or conflicts of interest. Such risks may arise in transactions with other organizations, businesses, suppliers and contractors, or through personal financial dealings or asset-holding.

49. It is for that reason the Agency has set out strict requirements for disclosure of financial interests for staff members who are in positions of authority at the levels P-5 and above, or who hold specific positions which carry financial responsibilities for the Agency, such as procurement.
50. These individuals must complete and submit a financial disclosure statement to the Ethics Focal Point of the Agency. Statements shall be updated annually and more frequently whenever there is a material change in the information they contain. The statements shall be safeguarded by the Ethics Focal Point. They shall remain confidential, except when deemed necessary by the Director-General or the Ethics Board.

Administration of the Code of Conduct – Protection of staff having reported possible cases of misconduct

51. The Director-General is responsible for ensuring that all staff members and other personnel are made aware of the Code and for taking appropriate measures when a breach of the provisions of the Code has occurred. The Director-General shall also decide on the conditions of implementation of the provisions of the Code in any area where further guidance may be necessary.
52. The Director-General shall appoint an Ethics Focal Point who will be responsible for monitoring and advising on ethics policies, advising staff on ethics issues, administering the Financial Disclosure statements and reviewing cases of possible retaliation against individuals who have reported violations of the Code of Conduct or other irregularities to ensure that they are adequately protected.
53. Staff members are responsible for strict adherence to the provisions of the Code and for obtaining approvals for actions and activities that are regulated by the Staff Regulations and Rules, the Financial Regulations and Procedures or directives issued by the Director-General.
54. Staff members are also responsible for reporting conflicts of interests and failures to comply with the Code of Ethics to the Ethics Focal Point or the Director-General. They also have the duty to provide information in the context of any official audit or investigation. Only after internal avenues have been exhausted may staff members report directly to the Ethics Board. Information received in that manner will be treated as confidential to the extent possible.
55. When the issues arising from actual or perceived breach of the Code are of nature that may seriously harm the Agency, they will be addressed to the Ethics Board for advice and action. These issues will be brought to the Board's attention by the Director-General.

56. Reports of alleged conflicts of interests or violations of the Code should be made to the Ethics Focal Point who, after review, will refer them to the Director-General. In the event an allegation involves the Director-General, the Ethics Focal Point may refer the matter directly to the Ethics Board. Should an investigation be necessary, it will be carried out in accordance with the rules and procedures of the Agency.

57. Staff members who reported possible cases of misconduct in good faith or who duly cooperated with an audit or investigation are entitled to protection by the Agency against retaliation for these actions. Modalities of such protection as well as the procedure for review and investigation of complaints of retaliation and/or request for protection against retaliation shall be defined by the Director-General in the policy on protection against retaliation.