



Governing Body

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Programme, Financial and Administrative Section

PFA

FOR INFORMATION

Exceptions to the Staff Regulations: Exceptional measures concerning agreed terminations

Summary: This report contains information on exceptions to the Staff Regulations made by the Director-General in 2013 in the context of the reform.

Author unit: Human Resources Development Department (HRD).

Related documents: None.

1. Article 14.6 of the Staff Regulations requires any exception to the Staff Regulations involving additional expenditure to be notified to the Governing Body.
2. Following consultations with the Officers of the Governing Body in March 2013, in the context of the Director-General's reform plan of action, special measures were promulgated in May 2013 to facilitate the early termination of contracts where such terminations had the consent of the official and were in the interests of the efficiency of the work of the Office, or contributed to the restructuring of its administrative structures. These special measures were valid for a limited period in respect of separations effective before the end of 2013.
3. Under these special measures, two financial incentives were offered in addition to the termination indemnities foreseen under article 11.16 of the Staff Regulations.¹ The first financial incentive concerned officials in the Professional and higher categories only and provided for the inclusion of the post adjustment of the official's last duty station in the calculation of the indemnity, in line with the statutory indemnities payable to locally recruited staff that cover the cost of living component of salary. The second incentive, applicable to all categories of staff, was intended to partially bridge the gap in cases where officials were under the minimum age of early retirement or had not completed the average period of contributory service (25 years) by paying the employer contributions to the United Nations Joint Staff Pension Fund (UNJSPF) and Staff Health Insurance Fund for a maximum period corresponding to the number of months of the termination indemnity, or until the official either reached the minimum age of early retirement or completed 25 years of contributory service, whichever was earlier.
4. Fifty-one officials have been separated under these arrangements, including 13 in the Professional and higher categories (five at headquarters and eight in external offices) and 38 in locally recruited categories (19 at headquarters and 19 in external offices). Of these, 35 received one or both of the above incentives in addition to their statutory entitlement. In three cases, the Office also decided to waive the recovery of some mobility-related payments that, under the Staff Regulations, are conditional upon the prospective duration of service, as the officials had made financial commitments in good faith before a termination of their contract had been contemplated.
5. The additional expenditure resulting from the more favourable conditions applied under the special arrangements amounts to US\$2,436,222 and was absorbed under Part I of the budget for 2012–13.

Geneva, 5 February 2014

¹ The Director-General may terminate the appointment of an official if such action would be in the interest of the efficiency of the work of the Office, provided that the official concerned consents to the action. The Director-General may pay to an established official terminated under this article an indemnity not more than 50 per cent higher than that payable under article 11.6 (Indemnity upon reduction of staff), and to a fixed-term official, so terminated, an indemnity not more than 50 per cent higher than that payable under paragraph 3 of article 11.4 (Fixed-term appointments).