



Organization for Security and Co-operation in Europe

The Secretary General

Vienna, 21 December 2007

To: All Heads of Delegations

Subject: Amended OSCE Staff Rules

In accordance with OSCE Staff Regulation 1.04 and PC.DEC/825, I hereby promulgate the amended Staff Rules (SEC.GAL/151/07/Rev.2) effective 13 December 2007.



ENGLISH only

Organization for Security and Co-operation in Europe
T h e S e c r e t a r i a t

Director for Human Resources

Vienna, 10 December 2007

To: Chairman of the Advisory Committee on Management and Finance
Cc: Members of the Advisory Committee on Management and Finance
Subject: Proposals on Amendments to Staff Rules

In reference to SEC.GAL/151/07/Rev.1 and feedback by the ACMF, please find attached the revised proposals on the Amendments to the Staff Rules.

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AMENDMENTS TO STAFF RULES		
CURRENT	PROPOSED	RATIONALE
<p>Rule 5.08.2 — Travel upon appointment/assignment and upon separation</p> <p>(a) Upon appointment/assignment, the OSCE shall pay travel expenses of:</p> <p>(i) International short-term or fixed-term contracted OSCE officials either from the place of residence immediately preceding the appointment or from the place recognized as their place of home leave to their duty station;</p> <p>(ii) International seconded officials from Vienna or from any other place, as authorized by the Secretary General or the respective head of institution/mission, to the duty station, provided that the costs are not higher than those which would have been incurred for the travel from Vienna to the duty station.</p>	<p>Rule 5.08.2 — Travel upon appointment/assignment and upon separation</p> <p>(a) Upon appointment/assignment, the OSCE shall pay travel expenses of:</p> <p>(i) International short-term or fixed-term contracted OSCE officials either from the physical place of residence immediately preceding the appointment or from the place recognized as their place of home leave to their duty station;</p> <p>(ii) International seconded officials from Vienna or from any other place, as authorized by the Secretary General or the respective head of institution/mission, to the duty station, provided that the costs are not higher than those which would have been incurred for the travel from Vienna to the duty station.</p>	<p>The regulatory gap regarding the separation travel of the short-term international staff is frequently brought to DHR's attention. Further revised in line with the guidance from the Participating States.</p>

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<p>(b) Upon separation, the OSCE shall pay travel expenses of:</p> <p>(i) International fixed-term contracted OSCE officials from their duty station to their place of home leave or to any other place as authorized by the Secretary General or the respective head of institution/mission, provided that the costs are not higher than those which would have been incurred for the travel from the duty station to the place of home leave;</p> <p>(ii) International OSCE seconded officials from their duty station to Vienna or to any other place as authorized by the Secretary General or the respective head of institution/mission, provided that the costs are not higher than those which would have been incurred for the travel from the duty station to Vienna.</p>	<p>(b) Upon separation, the OSCE shall pay travel expenses of:</p> <p>(i) International fixed-term contracted OSCE officials from their duty station to their place of home leave or to any other place as authorized by the Secretary General or the respective head of institution/mission, provided that the costs are not higher than those which would have been incurred for the travel from the duty station to the place of home leave;</p> <p>(ii) International short-term contracted OSCE officials from their duty station to their physical place of residence immediately preceding the appointment, or to any other place as authorized by the Secretary General or the respective head of institution/mission, provided that the costs are not higher than those which would have been incurred for the travel from the duty station to the physical place of residence immediately preceding the appointment;</p> <p>(ii) (iii) International OSCE seconded officials from their duty station to Vienna or to any other place as authorized by the Secretary General or the respective head of institution/mission, provided that the costs are not higher than those which would have been incurred for the travel from the duty station to Vienna.</p>	
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<p>Rule 5.15.1 — Education Allowance</p> <p>(b) The entitlement shall cease when the child is no longer in full-time attendance at an educational institution, or completes four years of post-secondary studies, or is awarded the first recognized post-secondary degree, whichever is earlier. The allowance shall not normally be payable beyond the school year in which the child reaches the age of twenty-five years.</p>	<p>Rule 5.15.1 — Education Allowance</p> <p>(a) <i>remains unchanged.</i></p> <p>(b) The entitlement shall cease when the child is no longer in full-time attendance at an educational institution, or completes four years of post-secondary studies. or is awarded the first recognized post-secondary degree, whichever is earlier. The allowance shall not normally be payable beyond the school year in which the child reaches the age of twenty-five years. If the child's education is interrupted for at least one school year by national service, illness or other compelling reasons, the period of eligibility shall be extended by the period of interruption.</p> <p>(c), (d), (e), (f), (g), (h), (i) and (j) <i>remain unchanged..</i></p>	<p>In line with a recent change put into practice in the UN system effective the school year 2006/2007.</p>
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<p>Rule 6.02.2 — Health insurance coverage of contracted OSCE officials</p> <p>Contracted OSCE officials shall participate in the OSCE health insurance scheme. However, they may participate in another scheme in the following cases:</p> <p>(a) International OSCE officials may request to continue participation in a health insurance scheme recognized by the Secretary General as providing coverage comparable to the OSCE health insurance scheme;</p>	<p>Rule 6.02.2 — Health insurance coverage of contracted OSCE officials</p> <p>Contracted OSCE officials shall participate in the OSCE health insurance scheme. However, they may participate in another scheme in the following cases:</p> <p>(a) International OSCE officials may request permission to continue participation participate in a health insurance scheme recognized by the Secretary General as providing coverage comparable to the OSCE health insurance scheme;</p> <p><i>(b) and (c) remain unchanged.</i></p>	<p>To align the Rule with the amended Staff Regulation 6.02.</p>
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<p>Rule 6.02.3 — Health insurance coverage of seconded OSCE officials</p> <p>(a) The OSCE shall not contribute to the health insurance coverage of seconded OSCE officials.</p> <p>(b) Should the OSCE consider that the evidence provided by seconded OSCE officials does not demonstrate that their health insurance coverage is valid worldwide, including war-risk areas, the OSCE shall enrol the seconded OSCE officials concerned into the OSCE health insurance scheme.</p> <p>(c) Full contributions of seconded OSCE officials to the OSCE health insurance scheme for themselves and, as the case may be, for their spouse and children under Rule 6.02. shall be deducted from their Boarding and Lodging Allowances, unless otherwise provided in the arrangements made with seconding countries.</p>	<p>Rule 6.02.3 — Health insurance coverage of seconded OSCE officials</p> <p>(a) The OSCE shall not contribute to the health insurance coverage of seconded OSCE officials.</p> <p>(b) Should the OSCE consider that the evidence provided by seconded OSCE officials does not demonstrate that their health insurance coverage is valid worldwide, including war-risk areas, the OSCE shall enrol the seconded OSCE officials concerned into the OSCE health insurance scheme.</p> <p>(c) — Full contributions of seconded OSCE officials to the OSCE health insurance scheme for themselves and, as the case may be, for their spouse and children under Rule 6.02. shall be deducted from their Boarding and Lodging Allowances, unless otherwise provided in the arrangements made with seconding countries.</p>	<p>To align the Rule with the amended Regulation 6.02</p>
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<p>Rule 6.03.2 — Participation in the OSCE Provident Fund or a pension insurance scheme</p> <p>(a) The OSCE shall enrol fixed-term contracted OSCE officials into the OSCE Provident Fund, except in the following cases:</p> <p>(i) International OSCE officials may request to continue participation in a pension insurance scheme recognized by the Secretary General as providing an appropriate pension insurance;</p>	<p>Rule 6.03.2 — Participation in the OSCE Provident Fund or a pension insurance scheme</p> <p>(a) The OSCE shall enrol fixed-term contracted OSCE officials into the OSCE Provident Fund, except in the following cases:</p> <p>(i) International OSCE officials may request permission to continue participation participate in a pension insurance scheme recognized by the Secretary General as providing an appropriate pension insurance;</p> <p>(ii) and (iii) remain unchanged.</p> <p>(b) remains unchanged.</p>	<p>To align the Rule with the amended Regulation 6.03.</p>
<p>Rule 7.05.2 — Certified Sick Leave</p> <p>(b) Fixed-term contracted staff/mission members, including the Secretary General and the heads of institutions, shall be granted sick leave not exceeding three months on full pay and three months on half pay every two-year period. Unused sick leave entitlement shall be carried forward into the next two-year period up to nine months on full pay and nine months on half-pay for the total length of service with the OSCE.</p>	<p>Rule 7.05.2 - Certified Sick Leave</p> <p>(a) remains unchanged.</p> <p>(b) Fixed-term contracted staff/mission members, including the Secretary General and the heads of institutions, shall be granted sick leave not exceeding three months 65 working days on full pay and three months 65 working days on half pay every two-year period. Unused sick leave entitlements shall be carried forward into the next two-year period up to nine months 195 working days on full pay and nine months 195 working days on half-pay.</p>	<p>Not a substantive amendment. It is aimed to bring clarity to the calculation methodology, in line with the UN practices. Further revised in line with the guidance from the Participating States.</p>

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	<i>(b), (c), (d), (e), (f), (g) and (h) remain unchanged.</i>	
<p>(e) Seconded staff/mission members, including the heads of mission, shall accrue credits towards certified sick leave at the rate of two working days for each month of service. Upon assignment, they shall be credited with the full amount of sick leave to which they are entitled for the corresponding duration of their assignment. Unused sick leave credits shall not be carried forward into the new assignment.</p>	<p>(e) Seconded staff/mission members, including the heads of mission, shall accrue credits towards certified sick leave at the rate of two working days for each month of service. Upon assignment, they shall be credited with the full amount of sick leave to which they are entitled for the corresponding duration of their assignment. Unused sick leave credits shall not be carried forward into the new assignment. Seconded members with no break in service shall be able to carry forward up to 24 days of sick leave entitlements.</p>	<p>Sick leave entitlements for seconded and contracted mission members vary significantly.</p> <p>Contracted members are entitled to three months sick leave on full pay and three months on half pay for every two year period of service and can carry forward unused entitlements up to nine months on full pay and nine months on half pay.</p>
<p>(Maternity Leave)</p> <p>Rule 7.06.1 Conditions for entitlement</p> <p>(a) The entitlement for maternity and adoption leave on full pay shall be applicable to fixed-term staff/mission members.</p> <p>(b) A minimum of one year of service preceding maternity or adoption leave shall be a precondition for the entitlement.</p> <p>(c) The same provisions shall apply to the Secretary General and head of institution/mission.</p>	<p>(Maternity Leave)</p> <p>Rule 7.06.1 Conditions for entitlement</p> <p>(a) The entitlement for maternity and adoption leave on full pay shall be applicable to fixed-term staff/mission members.</p> <p>(b) A minimum of one year of service preceding maternity or adoption leave shall be a precondition for the entitlement.</p> <p>(b) The same provisions shall apply to the Secretary General and head of institution/mission</p>	<p>To align with UN Regulations and Rules, which do not set a minimum period of service as a precondition for entitlement neither to maternity nor to paternity leave.</p>

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<p>Rule 7.06.2 Maternity Leave</p> <p>(a) Maternity leave may commence not earlier than six weeks prior to the anticipated date of birth indicated by a recognized medical practitioner.</p> <p>(b) The post-delivery leave shall extend for a period of not less than ten weeks after the date of birth. This period may be extended by adding any unused portion of uncertified sick leave provided for in Rule 7.05.3.</p> <p>(c) Sick leave shall not be granted for the duration of maternity leave.</p> <p>(d) Any maternity leave of contracted OSCE officials participating in a national health insurance scheme shall be reported to that scheme for payment of benefits due from that scheme. Such benefits shall be deducted from the amount equivalent to their full pay during the period of maternity leave.</p> <p>(e) If both spouses are OSCE officials, an unused period of maternity leave may be used as paternity leave.</p> <p>(f) After completing maternity leave, a staff/mission member shall be allowed time off for not more than one hour daily in order to breast-feed her child below six months.</p>	<p>Rule 7.06.2 Maternity Leave</p> <p>(a) Maternity leave shall may commence not earlier than six weeks prior to the anticipated date of birth indicated by a recognized medical practitioner. However, at the individual's request and upon production of a certificate from a duly qualified medical practitioner that she is fit to continue to work, the absence may be permitted to commence less than six weeks from the anticipated date of birth.</p> <p>(b) <i>remains unchanged.</i></p> <p>(c) Sick leave shall not be granted for the duration of maternity leave except where serious medical complications arise. Annual leave shall accrue during the period of maternity leave.</p> <p>(d) <i>remains unchanged.</i></p> <p>(e) <i>remains unchanged.</i></p> <p>(f) After completing maternity leave, a staff/mission member shall be allowed time off for up to two hours daily, in order to nurse her child below the age of 1 year.</p>	<p>Aligns the rule more closely to UN practice and provides administrative clarity.</p>
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<p>Rule 7.06.3 Adoption Leave</p>	<p>Rule 7.06.3 Paternity Leave</p> <p>(a) Fixed-term staff/mission members shall be granted paternity leave on full pay for a total period of four weeks, or in the case of international fixed-term mission members serving at a non-family duty station, eight weeks. The staff member may take the paternity leave either continuously or in separated periods during the year following the birth of the child up to its first birthday.</p> <p>(b) Annual leave shall accrue during the period of paternity leave.</p>	<p>Alignment with UN practice.</p>
<p>Rule 7.06.4. Extension of appointments/assignments during maternity or adoption leave</p>	<p>Rule 7.06.4. Adoption leave</p>	<p>No change proposed. Only change in Rule numbering.</p>
<p>Rule 7.06.4 Extension of appointments/assignments during maternity or adoption leave</p> <p>(a) The appointment of a fixed-term staff/mission member shall be extended until the end of her maternity/adoption leave or her special leave without pay in connection with maternity/adoption, if granted.</p> <p>(b) The assignment of a fixed-term seconded staff/mission member shall expire at</p>	<p>Rule 7.06.5 Extension of appointments/assignments during maternity, paternity or adoption leave</p> <p>(a) The appointment of a fixed-term staff/mission member shall be extended at least until the end of her the maternity, paternity or adoption leave or her the special leave without pay in connection with maternity/paternity/adoption, if granted.</p> <p>(b) <i>remains unchanged</i></p>	<p>Provides administrative clarity. Indeed, there is no reason for not extending the fixed-term staff/mission members' contracts in line with the established periods.</p>

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<p>the end of the assignment, unless it has been decided, in agreement with the seconding country, to extend the assignment and that the seconded staff/mission member has undertaken to resume her work upon expiry of her maternity leave.</p>		
<p>Rule 7.06.5 Special leave without pay in connection with maternity leave or adoption leave</p> <p>(a) Subject to the exigencies of service, fixed-term contracted staff/mission members entitled to maternity or adoption leave may, after the exhaustion of their maternity or adoption leave and annual leave entitlements, be granted, special leave without pay up to the first birthday of the child.</p> <p>(b) If the special leave without pay goes beyond the expiry date of the appointment/assignment, the appointment/assignment shall be extended accordingly. After the leave, the staff/mission member shall have the right to return to the post he/she occupied before special leave without pay.</p> <p>(c) The provisions of Rule 7.04.2 (c), (d), (e) and (f) shall apply <i>mutatis mutandis</i> to such leave, except that for the purpose of the calculation of the total length of service, such</p>	<p>Rule 7.06.6 Special leave without pay in connection with maternity, paternity or adoption leave</p> <p>(a) Subject to the exigencies of service, fixed-term contracted staff/mission members entitled to maternity, paternity or adoption leave may, after the exhaustion of their maternity, paternity or adoption leave and annual leave entitlements, be granted, special leave without pay up to the first birthday of the child.</p> <p><i>(b) and (c) remain unchanged.</i></p>	<p>Brings the rule closer to UN practice. The UN has more detailed rules on such special leaves, including a longer period of leave without pay up to two years.</p>

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special leave without pay shall not be considered as period of service.		
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<p>Rule 8.02.2 — Election of Staff Representatives</p> <p>(a) Election of staff representatives shall take place once a year, by secret ballot.</p> <p>(b) Every fixed-term staff/mission member is eligible to elect staff representatives in the Secretariat or the respective institution/mission.</p> <p>(c) The staff representatives shall be elected from among fixed-term staff/mission members who have been continuously employed for at least:</p> <p>(i) One year with the Secretariat or the respective Institution;</p> <p>(ii) Six months with the mission.</p> <p>In addition, a Staff Instruction issued by the Secretary General shall list the posts which make their incumbents ineligible to be elected as staff representatives.</p> <p>(d) The procedure for the election of staff representatives shall be specified in a Staff Instruction issued by the Secretary General.</p>	<p>Rule 8.02.2 — Election of Staff Representatives</p> <p>(a) Election of staff representatives shall take place once in every two years once a year, by secret ballot.</p> <p>(b) Every fixed-term staff/mission member is eligible to elect staff representatives in the Secretariat or the respective institution/mission.</p> <p>(c) The staff representatives shall be elected from among fixed-term staff/mission members who have successfully completed their probationary period and been continuously employed for at least six months.</p> <p>(i) Six months One year with the Secretariat or the respective Institution;</p> <p>(ii) Six months with the mission.</p> <p>(d) A Staff Instruction issued by the Secretary General shall list the posts which make their incumbents ineligible to be elected as staff representatives, and specify the procedure for the election of staff representatives.</p>	<p>Requested by the Secretariat Staff Committee and given the practical benefits of such a practice, the proposal was found reasonable and useful.</p>
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<p>Rule 9.03.4 Disciplinary Committee/Investigative Panel</p> <p>(a) Subject to paragraph (b) hereinbelow, no disciplinary measure shall be imposed on a fixed-term staff/mission member until the matter has been fully investigated by a Disciplinary Committee/Investigative Panel, except:</p> <p>(i) In the case of summary dismissal;</p> <p>(ii) In the case of short-term staff/mission members;</p> <p>(iii) In the case where the institution or mission concerned has less than twenty fixed-term staff/mission members;</p> <p>(iv) In the case where the staff/mission member concerned has in writing waived his/her right that the case be referred to the Disciplinary Committee/Investigative Panel.</p>	<p>Rule 9.03.4 Disciplinary Committee/Investigative Panel</p> <p>(a) Subject to paragraph (b) hereinbelow, no disciplinary measure shall be imposed on a fixed-term staff/mission member until the matter has been fully investigated by a Disciplinary Committee/Investigative Panel, except:</p> <p>(i) In the case of summary dismissal;</p> <p>(ii) In the case of short-term staff/mission members;</p> <p>(iii) — In the case where the institution or mission concerned has less than twenty fixed-term staff/mission members;</p> <p>(iii) In the case where the staff/mission member concerned has in writing waived his/her right that the case be referred to the Disciplinary Committee/Investigative Panel.</p>	<p>Not a substantive amendment. It is aimed to bring clarity to the functions of a Disciplinary Committee versus those of an Investigative Panel. The role of an Investigative Panel is defined under paragraph (b) of the same Rule. The rest of the Rule remains unchanged.</p>
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<p>Appendix 12</p> <p>INTERNAL APPEALS PROCEDURE</p> <p>Article V Procedure of the Internal Review Board</p> <p>3. In cases of a decision relating to the performance of a staff member, the Board shall not consider the substantive question of the standard of performance, but only evidence that the decision has been motivated by prejudice or by some other extraneous factors.</p>	<p>Appendix 12</p> <p>INTERNAL APPEALS PROCEDURE</p> <p>Article V Procedure of the Internal Review Board</p> <p>3. In cases of a decision relating to the performance of a staff member or classification of a job, the Board shall not consider the substantive question of the standard of performance or the substantive evaluation of the post in question, but only evidence that the decision has been motivated by prejudice or by some other extraneous factors, and whether or not the established procedures have been followed.</p>	<p>This amendment aims to ensure consistency between Appendix 12 of the Staff Regulations and Rules (Article X) and the new Staff Instruction on Job Classification System. The established international practice is that the Internal Review Board considers an appeal against a classification decision only on procedural grounds, but not on substantive basis. The rest of the Appendix 12 remains unchanged.</p>
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