



# Organization for Security and Co-operation in Europe

Director for Human Resources  
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## Staff Instruction No. 12/Rev.1

### Subject: Transfers and Temporary Assignments

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## **1. References**

Staff Regulation 3.08, 3.09, 3.11, 3.12, 5.10, 5.11, 5.12, 5.13, 5.17  
Staff Rules 3.12.1, 3.12.2, 5.04.3 and 5.04.4, 5.17.1, 6.03.4, 7.04.3  
Staff Instruction No. 1 – Overtime Compensation  
Staff Instruction No. 17 – Standard Recruitment Procedures

## **2. Purpose**

This Staff Instruction specifies the conditions under which fixed-term staff/mission members may be transferred or temporarily assigned to another fixed-term post in the OSCE, and the administrative consequences of such transfers and temporary assignments, including between seconded and contracted posts within and between the Secretariat, Institutions and Field Operations (hereinafter referred to as “executive structures”).

## **3. Applicability**

This Staff Instruction applies to all OSCE fixed-term staff/mission members subject to a transfer or a temporary assignment to another fixed-term post.

## **4. Effective Date**

This Staff Instruction takes effect on 1 September 2022, and it cancels and supersedes Staff Instruction No. 12/2004 of 1 March 2004. Any administrative guidelines issued by executive structures on the same subject shall be aligned with this Staff Instruction.

## **5. Definitions**

For the purposes of this Staff Instruction:

(a) “Transfer” is the appointment or assignment of a fixed-term staff/mission member to another fixed-term post, either within the same executive structure or between executive structures, without any break in service, under conditions which give the staff/mission member no right to return to the previous post and, where applicable, to the releasing structure;

(b) “Temporary assignment” is the movement of a fixed-term staff/mission member for a limited period, not exceeding twelve months, to another fixed-term post within the same executive structure or between executive structures, the incumbent of which is absent, on leave or which is vacant.

(c) “Releasing structure” is an executive structure from which a staff/mission member is transferred or temporarily assigned to another executive structure;

(d) “Receiving structure” is an executive structure which accepts a staff/mission member on transfer or temporary assignment from another executive structure;

(e) “Competitive recruitment process” is any talent acquisition procedure provided for in Staff Instruction No. 17.

## 6. Provisions for Transfer

### 6.1 General Provisions

- (a) To be considered for a transfer, a staff/mission member must have successfully completed the probationary period, unless the transfer is initiated at the request of the Organization.
- (b) A staff/mission member who is transferred to another executive structure will cease as from the date of transfer to have any contractual relationship with the releasing structure, which will therefore be under no obligation to re-employ him or her.
- (c) In all cases of transfer, a staff/mission member shall, upon resignation from his/her previous post pursuant to Staff Regulation 4.05<sup>1</sup> or, if resignation is not required, upon the authorization of the appointing authority/authorities, receive a new letter of appointment or new terms of assignment, as applicable. For the purpose of determining the step in the receiving structure, the levels of P and NP posts shall be considered equivalent.
- (d) The staff/mission member will not be required to serve a new probationary period upon transfer, unless it had not been completed before the transfer. In such a case, the six months' probationary period will commence as of the date of appointment/assignment in the new post.
- (e) The transfer between posts within the same executive structure requires the authorization of the relevant appointing authority defined in Staff Regulations 3.04 and 3.05 and, in the case of seconded staff/mission members, the prior agreement of the seconding authority.
- (f) The transfer between two executive structures requires the authorization of both appointing authorities defined in Staff Regulations 3.04 and 3.05 and, in the case of seconded staff/mission members, the prior agreement of the seconding authority.

### 6.2 Transfer between Contracted Posts

- (a) Lateral transfer to a post of equal grade:
  - (i) A staff/mission member may be transferred to a post of equal grade as the result of a competitive recruitment process or when the Secretary General or the respective head of institution/mission authorizes such transfer pursuant to Staff Rule 3.12.1 (a) (i).
  - (ii) The staff/mission member who is laterally transferred shall maintain the same grade and step, as well as the same periodicity of the step increment.

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<sup>1</sup> A resignation notice shall not be required when the transfer is initiated by the Organization and authorized by the relevant appointing authority.

(b) **Transfer to a post of higher grade:**

- (i) In accordance with Staff Rule 3.12.1 (a) (ii), transfer to any post of higher grade shall require adherence to a competitive recruitment process.
- (ii) In the case of a transfer within the same executive structure, the staff/mission member shall have his/her new step in the new grade determined in accordance with Staff Rule 5.04.3.
- (iii) In the case of a transfer to another executive structure, the determination of the step shall be made as if the staff/mission member had been employed on his/her current grade and step in the receiving structure immediately before the transfer to a post of higher grade.

(c) **Transfer to a post of lower grade:**

- (i) A staff/mission member may be transferred to a post of lower grade as the result of a competitive recruitment process, the imposition of a disciplinary measure, or when the Secretary General or the respective head of institution/mission authorizes such transfer in accordance with Staff Rule 3.12.1 (a) (i).
- (ii) The staff/mission member shall have his/her new step in the new grade determined in accordance with Staff Rule 5.04.4, which provides for no loss in salary to the extent possible.

### **6.3 Transfer between Seconded Posts**

- (a) A seconded staff/mission member may be transferred to another seconded post at the same or lower level as the result of a competitive recruitment process or when the Secretary General or the respective head of institution/mission authorizes such transfer, pursuant to Staff Rule 3.12.1 (a) (i).
- (b) A transfer to a seconded post of a higher level requires adherence to a competitive recruitment process.
- (c) As per Staff Regulation 3.12 (c), transfers of international fixed-term seconded staff/mission members, which are not the result of a disciplinary measure, shall be decided in agreement with the seconding country and the Secretary General.

### **6.4 Transfer between Seconded and Contracted Posts**

A transfer from a seconded to a contracted post, and vice versa, requires adherence to a competitive recruitment process, and the effective date of the transfer shall be defined in consultation with the nominating/seconding authority.

## **7. Provisions for Temporary Assignment**

### **7.1 General Provisions**

- (a) In accordance with Staff Rule 3.12.2, staff/mission members may temporarily be given special duties by the Secretary General or the respective head of institution/mission or they may temporarily be assigned to posts the incumbents of which are absent, on leave or which are vacant. Such temporary assignments may be part of a temporary internal mobility opportunity.
- (b) In the case of a temporary assignment of a seconded staff/mission member, prior consultation with the seconding authority shall be conducted.
- (c) The staff/mission member on a temporary assignment shall be subject to the administrative supervision of the receiving executive structure or office. The staff/mission member shall be informed in writing of the contents of the job description of the post to which s/he is temporarily assigned, to ensure his or her understanding of relevant responsibilities. Performance management shall be the responsibility of the relevant manager supervising the temporary assignment.
- (d) Upon completion of the temporary assignment, the staff/mission member shall resume his or her original appointment/assignment under the same conditions as prior to the temporary assignment.

### **7.2 Temporary Assignment in the Same Executive Structure**

In the case of a temporary assignment in the same executive structure, the provisions of the staff/mission member's letter of appointment or terms of assignment shall remain in force, i.e. such temporary assignment shall not entail any modification in the contractual arrangement for the staff/mission member. However, the temporary assignment shall be duly processed in HR Electronic Resource Planning (ERP) system.

### **7.3 Temporary Assignment to Another Executive Structure**

- (a) A staff/mission member may be temporarily assigned to another executive structure with the agreement of the heads of the respective executive structures and with the permission of the Secretary General or delegated authority as required by Staff Rule 3.07.2 on contractual limitation. In the case of seconded staff/mission members, prior consultation with the seconding authority shall be required.
- (b) While staff/mission members who are on a temporary assignment against an established fixed-term post in another structure shall retain their fixed-term status in the releasing structure, the appointment/assignment in the releasing structure shall be administratively suspended for the duration of the temporary assignment.<sup>2</sup>

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<sup>2</sup> "Administratively suspended" refers to the recording of the staff/mission member's status in HR ERP in the releasing structure. For the purpose of the calculation of benefits, entitlements and accruals, the status of the staff/mission member whose appointment/assignment has been suspended in the releasing structure shall be considered equivalent to the status of a staff/mission member on special leave without pay. Such status shall take effect as of the first day of the temporary assignment.

(c) Such staff/mission members shall be issued with a new letter of appointment or terms of assignment by the receiving structure, which shall set out, expressly or by reference, all terms and conditions of the temporary assignment. In the case of contracted staff members on a temporary assignment to another executive structure, the new letter of appointment shall specify that certain terms and conditions, as elaborated below, of the appointment in the releasing structure shall continue to apply and shall be funded by the releasing structure. Given that the new letter of appointment would thus incur financial commitments from the releasing structure, the new letter of appointment shall be cleared by the relevant administrative approval authority in the releasing structure prior to issuance.

#### **7.4 Calculation of Periods of Service**

In line with Staff Rule 3.12.2 (d), the period served in a temporary assignment shall be regarded as part of the staff/mission member's normal post for the purpose of calculating the periods of service specified in Staff Regulations 3.08 and 3.11, as well as the amount of the repatriation grant provided for in Staff Regulation 5.11.

### **8. Administration of Entitlements**

#### **8.1 Salaries and allowances**

##### Transfer

(a) The change in salary of a staff/mission member arising from a transfer within or between the Secretariat, Institutions or Field Operations shall be governed by Staff Rules 5.04.3 and 5.04.4, and paragraphs 6.2 (b) and (c) of this Staff Instruction.

##### Temporary assignment

(b) In the case of a temporary assignment of a staff/mission member to a post of higher grade in the same executive structure, a special post allowance may be payable in accordance with Staff Rule 5.17.1 (b) and (c).

(c) Pursuant to Staff Regulation 5.17, no special post allowance is payable to a seconded official who is temporarily assigned to higher-level posts in the same executive structure.

(d) In line with Staff Rule 5.17.1 (d), payment of a special post allowance may be authorized by the Secretary General, on an exceptional basis, to a fixed-term contracted staff/mission member who temporarily assumes the responsibilities of a vacant<sup>3</sup> or non-encumbered<sup>4</sup> and advertised seconded post.

(e) For the temporary assignment of a staff/mission member to another executive structure:

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<sup>3</sup> For this purpose, a "vacant" post refers to an encumbered post, the incumbent of which is absent or on leave.

<sup>4</sup> For this purpose, a "non-encumbered" post is a post without an incumbent, for which recruitment is initiated.

- (i) The receiving structure shall pay the staff/mission member the net salary, including post adjustment, if any, applicable to the post to which s/he has been assigned and, where applicable, in accordance with the provisions of Staff Rules 5.04.3 and 5.04.4, and of paragraphs 6.2 (b) and (c) of this Staff Instruction. For the purpose of this calculation, the levels of P and NP posts shall be considered equivalent;<sup>5</sup>
  - (ii) The receiving structure shall pay a rental subsidy or a board and lodging allowance, if and as applicable, as provided for in Staff Regulations 5.12 and 5.13;
  - (iii) The releasing structure shall continue to pay contracted staff members dependency allowances and education grant, if any, to be processed by the receiving structure through the Labour Distribution module.
- (f) No other allowances or grants, other than those defined in paragraph 8.1 (e), shall be payable to staff/mission members on a temporary assignment.

## **8.2 Compensatory Time Off**

- (a) A staff/mission member who is transferred from one General Service (GS) post to another GS post in the same executive structure may carry over any accumulated overtime compensatory time off.
- (b) A staff/mission member who is transferred from one GS post to another GS post in another executive structure may carry over a maximum of 80 hours of compensatory time off, while the rest shall be forfeited, unless it is used before the effective date of the transfer.
- (c) A staff/mission member who is transferred from a GS post to a post in another category shall use any accumulated compensatory time off before the effective date of the transfer or it shall be forfeited.

## **8.3 Annual Leave**

### Transfer

- (a) Upon transfer within the same executive structure, any unused annual leave shall be carried over into the new appointment or assignment. Upon transfer between executive structures, unused annual leave shall be carried over into the new appointment or assignment within the limit specified in Staff Rule 7.02.1 (b), whereas any remaining unused annual leave shall be paid out within the limit specified in Staff Rule 7.02.1 (e).
- (b) In case a staff/mission member carries over unused annual leave upon his/her transfer from seconded to contracted status, on no account shall the OSCE official, upon

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<sup>5</sup> For instance, a mission member temporarily assigned from an NP1/Step 5 post in mission X to a P2 post in institution Y shall have his/her step and salary in institution Y calculated as if s/he had been employed on a P1/Step 5 post in the receiving structure immediately prior to the temporary assignment.

separation from the OSCE, receive payment for unused annual leave accrued during his or her secondment status.

#### Temporary assignment

- (c) For temporary assignments, either in the same or in another structure, the staff/mission member will carry with him or her all accrued annual leave.
- (i) In the case of a temporary assignment to another executive structure, the staff/mission member's accrual of annual leave in the releasing structure shall be suspended as of the first day of his or her temporary assignment in the receiving structure.
  - (ii) So far as possible, the staff/mission member will be enabled to take, before his or her return to the original post, all the annual leave which s/he has accrued during the temporary assignment.
  - (iii) When a staff/mission member returns to the original post, s/he will carry with him or her any accrued and unused leave credit at the date of return.

### **8.4 Home Leave**

#### Transfer

(a) The transfer of international staff/mission members between the Secretariat or Institutions and Field Operations may affect the periodicity of home leave. In accordance with Staff Regulation 7.03, the qualifying period may change from a two-year cycle to a one-year cycle and vice versa. In the cases of transfer within the same cycle, the periodicity and the qualifying period shall not be affected.

(b) The change of home leave periodicity will be established according to the following formula. A weighted average will be applied to the accrued qualifying period. Applying this weighted average will ensure that the qualifying period served under the previous conditions is carried over equitably. The accrual towards the entitlement to home leave shall be regulated on the basis of the following formula:

- (i) Transfers from the Secretariat or Institutions with a two-year cycle to a Field Operation with a one-year cycle.

#### Step 1:

Establish the number the months which were remaining to complete the two-year cycle qualifying period.

#### Step 2:

Multiply the number of months remaining in Step 1 by 1/2 to find the period to be served in the one-year cycle to complete the NEW qualifying period.



Example (i):

*18 months have already been completed in the 2-year cycle duty station when the transfer occurs, therefore 6 months are needed to arrive at the qualifying period of 2 years. These 6 months will now correspond to  $(6 \times \frac{1}{2}) = 3$  months remaining to qualify in the new 1-year cycle to be entitled to home leave.*

- (ii) Transfers from Field Operations with a one-year cycle to the Secretariat or Institutions with a two-year cycle.

Step 1:

Establish the number of months which were remaining to complete the one-year cycle qualifying period.

Step 2:

Multiply the number of months remaining in Step 1 **by 2** to find the period to be served in the two-year cycle to complete the NEW qualifying period.

Example (ii):

*7 months have already been completed in the 1-year cycle duty station when the transfer occurs, therefore 5 months are needed to arrive at the qualifying period of 1 year. These 5 months will now correspond to  $(5 \times 2) = 10$  months remaining to qualify in the new 2-year cycle to be entitled to home leave.*

Temporary assignment

(c) In cases of temporary assignment, staff/mission members shall not have their home leave entitlement, or absence thereof, affected by their holding of a temporary assignment. Where that entitlement existed prior to a temporary assignment in another executive structure, the following provisions shall apply:

- (i) Any home leave entitlement that the staff/mission member may have had prior to the temporary assignment shall be retained and shall continue to be accrued as if all of his or her previous/current time of service had been with the releasing structure.
- (ii) Periods served in the temporary assignment shall not affect the periodicity of a staff/mission member's next home leave entitlement.

**8.5 Sick Leave**

(a) In the case of transfer, all accrued and unused certified sick leave shall be carried over, within the limits specified in Staff Rule 7.05.2.

(b) In all cases of temporary assignment, all accrued and unused sick leave shall be carried over and the further accrual of sick leave shall follow the rules applicable to the post of the temporary assignment. In the case of a temporary assignment in another executive structure, the staff/mission member's accrual of sick leave in the releasing structure shall be suspended as of the first day of his or her temporary assignment in the receiving structure. The accrual of sick leave shall then commence in the receiving structure.

## **8.6 Rest and Recuperation Leave**

(a) A transfer shall not affect the qualifying period for rest and recuperation leave where this entitlement existed prior to the transfer and continues to exist upon transfer. For transfers of international fixed-term staff/mission members to another duty station where the rest and recuperation entitlement does not apply, the staff/mission member shall forfeit any rest and recuperation leave unused before the transfer effective date, in accordance with Staff Rule 7.04.3 (d).

(b) Should a staff/mission member on a temporary assignment in another executive structure become eligible to the rest and recuperation leave entitlement due to the particular conditions of service in the receiving structure, this entitlement shall be used within the duration of the temporary assignment or shall otherwise be forfeited. Any rest and recuperation entitlement that the staff/mission member may have earned prior to the temporary assignment shall also be retained and may be used as if he or she was still serving in the post that carried this entitlement.

## **8.7 Other Types of Leave**

A transfer or temporary assignment shall not affect any other leave entitlements, such as special leave, maternity, paternity and adoption leave.

## **8.8 Social Security**

### Transfer

(a) Upon transfer, the staff/mission member and his or her dependents shall participate in the social security scheme applicable to the new post and/or the receiving structure. Upon transfer between contracted posts, no Provident Fund benefits shall be paid out, in line with Staff Rule 6.03.4.

### Temporary assignment

(b) A staff/mission member on a temporary assignment in the same executive structure will continue participation in the social security scheme in which s/he participated prior to the temporary assignment.

(c) A staff/mission member on a temporary assignment in another executive structure will participate in the social security scheme of the receiving structure applicable to the category of the post in which the temporary assignment has been made. If, however, the staff/mission member prefers to continue participation in the health insurance scheme of the releasing structure, and the DHR and the Chiefs of Fund Administration of the two structures agree that this would be reasonable and possible in the circumstances, the staff/mission member will be enabled to do so.<sup>6</sup> In all cases, the staff/mission member must have a health insurance coverage valid in the duty station/mission area.

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<sup>6</sup> In all cases, the OSCE share, if any, will be the one applicable to the category in which the staff/mission member has been enrolled upon temporary assignment.

## **9. Financial Liabilities**

### Transfer

**9.1** If a transfer entails a change of duty station, the travel expenses, including excess baggage, will normally follow the rules governing the category of the post to which the staff/mission member is transferred. However, if the category of the post from which the staff/mission member is transferred provides for more favourable entitlements for the staff/mission member and/or his or her dependents, the costs of the transfer shall be treated as separation travel and shall be borne by the releasing structure. This provision is without prejudice to cost-sharing arrangements upon which the two executive structures may mutually agree.

**9.2** Upon transfer to another duty station, international fixed-term contracted staff, including the Secretary General and the heads of institution, their spouse and dependent children shall be entitled to an installation grant from the receiving structure, under the conditions set out in Staff Regulation 5.10.

### Temporary assignment

**9.3** If a temporary assignment entails a change of duty station, travel expenses shall be covered in accordance with the provisions related to official travel pursuant to Staff Rule 5.08.1 (a).

**9.4** If, during a period of temporary assignment, the services of a staff/mission member are terminated by the releasing structure, the receiving structure or by both, or if the staff/mission member resigns from one or both structures, or if the staff/mission member dies, his or her entitlements, except for any monies due pursuant to paragraph 8.1 (e) of this Staff Instruction, will be determined as if all his or her service had been with the releasing structure.

## **10. Final Provisions**

Appeals against administrative decisions taken before or after a transfer, or before, during or after a period of temporary assignment shall be submitted to the structure that took the decision which is appealed.