



Organization for Security and Co-operation in Europe

Director for Human Resources
Vienna, 17 January 2018

Staff Instruction No. 3/Rev. 1

Subject: Dependency Allowances

1. Reference

- 1.1. Staff Regulation 5.14, Staff Rule 5.14.1, 5.14.2, 5.14.3, 5.14.4 and Staff Rule 5.02.2.
- 1.2. The Report of the International Civil Service Commission of 2015¹.
- 1.3. Resolution adopted by the General Assembly on 23 December 2015².

2. Purpose

- 2.1. The purpose of this Staff Instruction is, pursuant to Staff Regulation 5.14 (a)³, to specify the conditions for payment of dependency allowances and to establish procedures for dependency allowance requests.

3. Applicability

- 3.1. This Staff Instruction applies to all fixed-term contracted staff members, the Secretary General and Heads of Institutions.

4. Effective Date

- 4.1. This revision shall take effect on 17 January 2018 and cancels and supersedes Staff Instruction No. 3/2003, as well as any internal instructions issued by the Secretariat and Institutions.

5. Policy

- 5.1. Pursuant to Staff Regulation 5.14 (b)⁴, in order to avoid duplication of benefits, staff members shall declare if a similar allowance has been paid to them, in respect of, or directly to their spouse and/or dependent children by a third party (e.g. Government child allowance, spouse's employer, etc.). The OSCE shall reduce the amount of the allowance accordingly.

¹ A/70/30 - The Report of the International Civil Service Commission of 2015.

² A/RES/70/244 - Resolution adopted by the General Assembly on 23 December 2015.

³ Staff Regulation 5.14 (a) – “The OSCE shall pay dependency allowances to eligible fixed-term contracted staff members in accordance with the United Nations Common System.”

⁴ Staff Regulation 5.14 (b) – “The Secretary General shall establish a mechanism to avoid duplication of benefits for the same purpose from different sources.”

- 5.2. Staff members shall be entitled to receive dependency benefits for those family members whose dependency status has been recognized, provided the conditions of the present instruction are met.

5.3. Child allowance

- 5.3.1. A child allowance shall be paid to a staff member in respect of each dependent child, as determined in Staff Rule 5.02.2 (d)⁵.

Child allowance for staff members in the Professional and higher categories

- 5.3.2. Staff members in the Professional and higher categories shall receive a dependent child allowance for each dependent child at a fixed amount approved by the United Nations General Assembly upon recommendation from the International Civil Service Commission. Where eligible, a staff member may be paid a single parent or transitional allowance, in lieu of a dependent child allowance.
- 5.3.3. The rates of the child allowance for staff members in the Professional and higher categories are set out in Appendix 7 to the Staff Regulations and Staff Rules.

Child allowance for staff members in the General Service category

- 5.3.4. Eligible General Service staff members shall receive a child allowance in respect of each dependent child, as an amount and under the terms based on local conditions and/or the practices of comparator employers, taking into account the floor formula established by the United Nations General Assembly. The amount and conditions of the allowance, which may limit payment to a maximum number of six children, shall be provided in the local salary scale applicable at the duty station.

Dependency status of a child with a disability

- 5.3.5. A child who is certified by a duly qualified medical practitioner as physically or mentally incapacitated for substantial gainful employment, either permanently or for a period expected to be of long duration, shall be recognized as a dependent child, regardless of conditions of school attendance otherwise required under Staff Rule 5.02.2 (d), and may continue to be recognized as a dependant after reaching age 18 or 21, provided it is established that the staff member provides main and continuing support for the child.
- 5.3.6. The Human Resources/Administrative Office may request the advice of a duly qualified medical practitioner selected by the OSCE, in order to

⁵ Staff Rule 5.02.2 (d) – “A child under the age of eighteen years or, if the child is in full attendance at an educational institution, under the age of twenty-one, for whom the OSCE official provides main and continuing support. This age limit shall not be applicable to children incapacitated for substantial gainful employment owing to physical or mental disability of a permanent or long-term nature.”

determine the certification of disability, in accordance with the standards applied by the United Nations Medical Services.

5.3.7. Staff members in the Professional and higher categories shall receive for a dependent child with a disability:

- a) Double the amount of the dependent child allowance, if they are entitled to receive a dependent child allowance with respect to that child; or
- b) An additional payment in the amount of the dependent child allowance, if they are paid a single parent allowance or a transitional allowance on account of that child.

5.3.8. Staff members in the General Service category shall receive for a dependent child with a disability a dependency allowance at double the rate of the regular dependent child allowance payable at the duty station where the staff member is serving.

5.3.9. However, at duty stations where a higher rate of dependency allowance is payable to a staff member in respect of the first dependent child, and the first dependent child has a disability, the staff member shall receive for that child:

- a) The higher amount of the dependent child allowance payable for the first child; and
- b) An amount equivalent to the dependent child allowance payable in respect of children other than the first dependent child.

5.4. Spousal allowance

5.4.1. A spousal allowance shall be paid to a staff member in respect of their dependent spouse, as determined in Staff Rule 5.02.2 (b)⁶.

5.4.2. The spouse of a staff member who is legally separated may be recognized as a dependent spouse only upon submission of satisfactory evidence of the provision of main and continuous financial support by the staff member that is equal to or greater than the spousal allowance. The spouse's annual gross earnings, if any, shall not exceed the amounts determined in Staff Rule 5.02.2 (b).

5.4.3. All earnings received, including but not limited to pension income, such as retirement and disability benefits, and earnings resulting from investments, shall be included in the computation of the annual gross earnings under Staff Rule 5.02.2 (b).

⁶ Staff Rule 5.02.2 (b) – “A spouse whose gross occupational earnings, if any, do not exceed the lowest entry level of the United Nations General Service gross salary scales in force on 1 January of the year concerned for the duty station in the country where the OSCE official works”.

Spousal allowance for staff members in the Professional and higher categories

- 5.4.4. Staff members in the Professional and higher categories shall be paid a spousal allowance equivalent to six per cent of net remuneration (net base salary and post adjustment) with respect to a dependent spouse.

Spousal allowance for staff members in the General Service category

- 5.4.5. Staff members in the General Service category, shall receive a spousal allowance with respect to a dependent spouse when local conditions and/or the practices of comparator employers call for the establishment of such an allowance. The amount of that allowance, if any, shall be provided in the local salary scale applicable at the duty station.

5.5. Single parent allowance

- 5.5.1. A staff member is considered a single parent, if he or she is:

- a) single;
- b) legally separated from a spouse;
- c) divorced; or
- d) widowed

And who is not cohabiting with the other custodial parent.

- 5.5.2. Pursuant to Staff Rule 5.14.3⁷ staff members who are single parents, and who have a dependent child in accordance with Staff Rule 5.02.2 (d), shall receive a single parent allowance.

- 5.5.3. Further to the requirements of paragraph 5.1 above, a staff member who claims a single parent allowance and who receives financial support in respect of the dependent child must notify the Secretary General or Head of Institution of the receipt of the financial support and certify that this financial support does not exceed the lowest entry level of the United Nations General Service gross salary scale in force on 1 January of the year concerned at the staff member's duty station.

Single parent allowance for staff members in the Professional and higher categories

- 5.5.4. When it is determined that a staff member in the Professional and higher categories meets the eligibility criteria of a single parent pursuant to paragraph 5.5.1 above, a single parent allowance, equivalent to 6 per cent of net remuneration (net base salary and post adjustment), shall be paid in respect of the first dependent child, in lieu of the dependent child allowance.

⁷ Staff Rule 5.14.3 – “Fixed-term contracted staff members who are single parents and who provide main and continuous support for their dependent children shall receive a single parent allowance. The rates of the single parent allowance, which are established in accordance with the United Nations Common System, are shown in Appendix 7, and in the case of local staff members, in the respective salary scale.”

Single parent allowance for staff members in the General Service category

- 5.5.5. When it is determined that a staff member in the General Service category, is a single parent pursuant to paragraph 5.5.1 above, he or she shall receive an allowance for a dependent child when local conditions and/or the practices of comparator employers call for the establishment of such an allowance. The amount of that allowance, if any, shall be provided in the local salary scale applicable at the duty station.

5.6. Transitional allowance

- 5.6.1. A staff member who is not in receipt of a dependent spousal allowance or a single parent allowance and who, as at 31 December 2016, was in receipt of a salary at the dependency rate in respect of a dependent child shall receive a transitional allowance equivalent to 6 per cent of net remuneration (net base salary and post adjustment) from 1 January 2017 onward in respect of that child, subject to the following conditions:
- a) As of 1 January 2017, the child continues to be recognized as a dependent child in accordance with Staff Rule 5.02.2 (d); and
 - b) The staff member is not in receipt of a dependent child allowance in respect of that dependent child, except for an additional payment on account of a dependent child with a disability pursuant to paragraphs 5.3.5 – 5.3.9 above.
- 5.6.2. The transitional allowance shall be reduced by 1 percentage point of net remuneration every 12 months thereafter. The reduction shall fall due on 1 January of every year and shall not be suspended for any reason.
- 5.6.3. Payment of the transitional allowance shall be discontinued when:
- a) The staff member becomes eligible for, and is paid, a dependent spousal allowance or a single parent allowance;
 - b) The child in respect of whom the transitional allowance is paid is no longer recognized as an eligible dependent child; or
 - c) The amount of the transitional allowance becomes equal to or lower than the amount of the dependent child allowance, provided that, in such case and at such time, the staff member shall be paid the dependent child allowance for that child.
- 5.6.4. Once the transitional allowance is discontinued, it shall not be reinstated, regardless of subsequent changes to a staff member's personal status or that of their dependants.

6. Documentation required for claiming a dependency allowance

- 6.1.** The conditions of eligibility are based on the OSCE recognised family status covering the dependent spouse and dependent children of fixed-term contracted staff members, in accordance with Staff Rule 5.02.2.
- 6.2.** The OSCE recognises the marital status of a staff member on the basis of a valid marriage certificate.
- 6.3.** The OSCE also recognises a status regarded as equivalent to marriage, if such status is recognised in the staff member's or his/her partner's country of nationality and if the staff member submits the relevant documentation showing that all the criteria set by the relevant country of nationality are met. A status regarded as equivalent to marriage will only be recognised when the country providing the relevant documentation is an OSCE participating State. If the staff member has joint children with his/her partner and they continue to reside together, the OSCE shall recognise the partner as a spouse.
- 6.4.** The OSCE recognises a child as a staff member's dependant on the basis of a birth certificate of the child, or valid adoption documents in the case of an adopted child. In the case of a stepchild, the staff member must in addition provide documentary evidence that the stepchild resides with him/her. Documentary evidence that the staff member provides an amount equal to or greater than the amount of the child allowance is always required where a child does not reside with the staff member or if the child is married.

7. Procedure

- 7.1.** All fixed-term contracted staff members, including the Secretary General and the Heads of Institutions, shall complete upon appointment and thereafter once per year the Status Report and Request for Payment of Dependency Benefits form (Annex 1). The completed Report should be submitted to the relevant Human Resources/Administrative Office.
- 7.2.** The annual resubmission of Reports shall be made no later than 15 January. Notification of changes that occur after the Status Report has been completed and submitted must be reported to the relevant Human Resources Section/Administrative Office in writing as soon as they occur.
- 7.3.** Failure to submit a Status Report or to notify the relevant Human Resources/Administrative Office promptly of any changes⁸ which may affect their dependency status during the year will result in the discontinuance and/or recovery of any unduly paid dependency benefits, and may lead to further administrative and/or disciplinary measures in accordance with Article IX of the Staff Regulations and Staff Rules.
- 7.4.** The primary responsibility for self-certification rests with the staff member and not with the Organization. Through the self-certification process, the staff member shall

⁸ i.e. Marital status, including conditions related to recognition as a single parent; annual gross income of dependents, schools attendance, marital status of a dependent.

attest to understanding and meeting the requisite eligibility criteria. The staff member shall also attest to the correctness of the information provided in his or her application for dependency benefits. Staff members are expected to understand the consequences of submitting unsubstantiated, incomplete or false information.

Forms

Annex 1: Status Report and Request for Payment of Dependency Benefits



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