

Amendments to Staff Rules and Staff Regulations¹

Report by the Secretariat

1. Amendments to the Staff Rules made by the Director-General are submitted for confirmation by the Executive Board in accordance with Staff Regulations 12.2.²
2. Proposed amendments to the Staff Regulations in accordance with Staff Regulation 12.1² are submitted to the Executive Board, which is requested to recommend their adoption to the Sixty-second World Health Assembly.
3. The amendments to the Staff Rules described in section I of this document stem from decisions expected to be taken by the United Nations General Assembly at its Sixty-third session, on the basis of recommendations made by the International Civil Service Commission in its annual report for 2008.³ Should the United Nations General Assembly not approve the Commission's recommendations, an addendum to this document will be issued.
4. The amendments to the Staff Rules and the proposed amendments to the Staff Regulations described in section II of this document are considered necessary in the light of experience and in the interests of good human resources management.
5. The financial implications of the amendments in the biennium 2008–2009 include negligible additional costs under the regular budget, which will be met from the appropriate allocations established for each of the regions and for global and interregional activities, and from extrabudgetary sources of funds.
6. The amendments to the Staff Rules are set out in Annex 1 and the proposed amendments to the Staff Regulations are set out in Annex 2.

¹ Copies of the Staff Rules and Staff regulations are available in the meeting room for Board members.

² *Basic documents*, 46th ed., Geneva, World Health Organization, 2007.

³ *Official records of the General Assembly, Sixty-third session, Supplement No.30 (A/63/30)* (copies available in the Board room).

I. AMENDMENTS CONSIDERED NECESSARY IN THE LIGHT OF DECISIONS EXPECTED TO BE TAKEN BY THE UNITED NATIONS GENERAL ASSEMBLY AT ITS SIXTY-THIRD SESSION ON THE BASIS OF RECOMMENDATIONS OF THE INTERNATIONAL CIVIL SERVICE COMMISSION

Remuneration of staff in the professional and higher categories

7. The Commission recommended to the United Nations General Assembly that the current base/floor salary scale for the professional and higher categories should be increased by 2.33% through the standard consolidation method of increasing base salary and commensurately reducing post adjustment multiplier points (i.e. on a no loss/no gain basis) with effect from 1 January 2009.

8. Subject to the decision of the United Nations General Assembly in respect of the recommendation in paragraph 7 above, amendments to Appendix 1 of the Staff Rules have been prepared accordingly and are attached at Annex 3.

Salaries of staff in ungraded posts, and of the Director-General

9. Subject to the decision of the United Nations General Assembly in respect of the recommendation in paragraph 7 above, the Director-General proposes, in accordance with Staff Regulation 3.1, that the Executive Board may wish to recommend to the Sixty-second World Health Assembly modifications in the salaries of Assistant Directors-General and Regional Directors. Thus, as from 1 January 2009, the gross salary for Assistant Directors-General and Regional Directors would be US\$ 177 032 per annum, and the net salary US\$ 128 071 (dependency rate) or US\$ 115 973 (single rate).

10. Based on the adjustments to salaries described above, the gross salary to be authorized by the Health Assembly for the Deputy Director-General would be, as from 1 January 2009, US\$ 194 820 per annum with a corresponding net salary of US\$ 139 633 (dependency rate) or US\$ 125 663 (single rate).

11. The salary adjustments described above would imply similar modifications to the salary of the Director-General. The salary to be authorized by the Health Assembly, as of 1 January 2009, would therefore be US\$ 239 632 per annum gross, US\$ 168 761 net (dependency rate) or US\$ 150 079 net (single rate).

Review of the level of the education grant

12. The Commission recommended to the United Nations General Assembly that:

(a) for Austria, Belgium, Italy, the Netherlands, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the United States dollar area outside the United States, the maximum admissible expenses and the maximum education grant should be adjusted as shown in annex II table 1 of its report for 2008;

(b) for Denmark, France (subject to subparagraph (f) below), Germany, Ireland and Japan, the maximum admissible expenses and the maximum education grant should remain at the current levels shown in annex II, table 2 of its report for 2008;

- (c) the separate zone of Finland should be discontinued and the education grant claims for that country should be included in the United States dollar area outside the United States;
- (d) the special measures for China, Indonesia and the Russian Federation should be maintained;
- (e) special measures should be introduced for Bulgaria and Hungary, which would allow organizations to reimburse 75% of actual expenses up to and not exceeding the maximum expenditure level in force for the United States dollar inside the United States;
- (f) in addition to the list of six institutions in France currently eligible for special measures, a separate maximum admissible expense level equal to that applicable to the United States dollar inside the United States of America should be established for two more schools in France: Ecole Active Bilingue Victor Hugo and Ecole Active Bilingue Jeannine Manuel;
- (g) the flat rates for boarding, taken into account within the maximum admissible educational expenses, and the additional amounts for reimbursement of boarding costs over and above the maximum grant payable to staff members at designated duty stations, should be revised as shown in annex II, table 3, to the Commission's report for 2008;
- (h) the amount of the special education grant for each disabled child should be equal to 100% of the revised amounts of the maximum allowable expenses for the regular grant;
- (i) all the above measures should be applicable as from the school year in progress on 1 January 2009.

13. Subject to the decision of the United Nations General Assembly in respect of the recommendations in paragraph 12 above, amendments to Appendix 2 to the Staff Rules have been prepared accordingly and are attached at Annex 4.

II. AMENDMENTS CONSIDERED NECESSARY IN THE LIGHT OF EXPERIENCE AND IN THE INTERESTS OF GOOD HUMAN RESOURCES MANAGEMENT

Amendments to the Staff Rules

14. **Definitions – dependent child.** Staff Rule 310.5.2 has been amended in order to clarify that, if both parents are members of international organizations applying the common system of salaries and allowances, the children, if determined dependent, will be recognized as dependants of the parent whose annual gross occupational earnings yield the higher amount.
15. This amendment ensures that Staff Rule 310.5.2 reflects the appropriate compensation principles applied within United Nations common system.
16. **Within-grade increases – language incentive.** Staff Rule 550.3 has been amended to clarify that staff in the national professional officer category are eligible to receive the language incentive.

17. **Special education grant travel.** Staff Rule 825 has been amended in the interest of consistency and equality between staff members entitled to education grant travel and staff members entitled to special education grant travel.

Amendments to the Staff Regulations

18. It is proposed that the Sixty-second World Health Assembly be asked to amend Staff Regulation 4.2 to provide that the principles of efficiency, competency and integrity also extend to reassignment of staff as defined in Staff Rule 565.3.

19. Recent jurisprudence of the Administrative Tribunal of ILO has called into question the authority to transfer or reassign staff members without promotion, when it is in the interest of the Organization to do so. Specifically, Staff Regulation 4.3 may now be understood to restrict such actions. In order to ensure the continued ability of the Organization to transfer or reassign staff members without promotion when it is in the interests of the Organization to do so, it is proposed that Staff Regulation 4.3 be amended.

ACTION BY THE EXECUTIVE BOARD

20. In the light of the proposed revisions, the Executive Board may wish to consider the following draft resolutions.¹

Resolution 1

The Executive Board,

CONFIRMS, in accordance with Staff Regulation 12.2, the amendments to the Staff Rules that have been made by the Director-General, with effect from 1 January 2009 concerning the remuneration of staff in the professional and higher categories, education grant, dependent children, language incentive and special education grant travel.

Resolution 2

The Executive Board,

Having considered the report on amendments to Staff Rules and Staff Regulations,²

RECOMMENDS, in accordance with Staff Regulation 12.1, to the Sixty-second World Health Assembly the adoption of the following resolution:

¹ See document EB124/34 Add.1 for the financial and administrative implications for the Secretariat of these resolutions.

² Document EB124/34.

The Sixty-second World Health Assembly,

Noting the recommendations of the Executive Board with regard to the reassignment of staff, including those not involving promotion:

ADOPTS the proposed amendment to Staff Regulation 4.2;

ADOPTS the proposed amendment to Staff Regulation 4.3;

DECIDES that both amendments shall take effect on 1 June 2009.

Resolution 3

The Executive Board,

Having considered the report on amendments to Staff Rules and Staff Regulations,¹

RECOMMENDS to the Sixty-second World Health Assembly the adoption of the following resolution:

The Sixty-second World Health Assembly,

Noting the recommendations of the Executive Board with regard to remuneration of staff in ungraded posts and of the Director-General,

1. ESTABLISHES the salaries of Assistant Directors-General and Regional Directors at US\$ 177 032 per annum before staff assessment, resulting in a modified net salary of US\$ 128 071 (dependency rate) or US\$ 115 973 (single rate);
2. ESTABLISHES the salary of the Deputy Director-General at US\$ 194 820 per annum before staff assessment, resulting in a modified net salary of US\$ 139 633 (dependency rate) or US\$ 125 663 (single rate);
3. ESTABLISHES the salary of the Director-General at US\$ 239 632 gross per annum before staff assessment, resulting in a modified net salary of US\$ 168 761 (dependency rate) or US\$ 150 079 (single rate);
4. DECIDES that those adjustments in remuneration shall take effect on 1 January 2009.

¹ Document EB124/34.

ANNEX 1

AMENDMENTS TO THE STAFF RULES

Former Text	New Text
<p>310. DEFINITIONS</p> <p>...</p> <p>310.5.2 a child as defined by the Director-General and for whom the staff member certifies that he 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 common system of salaries and allowances, the children, if determined dependent, shall be recognized as dependants of the parent holding the higher level post;</p> <p>...</p>	<p>310. DEFINITIONS</p> <p>...</p> <p>310.5.2 a child as defined by the Director-General and for whom the staff member certifies that he 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 common system of salaries and allowances, the children, if determined dependent, shall be recognized as dependants of the parent holding the higher level post whose annual gross occupational earnings yield the higher amount;</p> <p>[No further changes]</p>

Former Text	New Text
<p>550. WITHIN-GRADE INCREASE</p> <p>...</p> <p>550.3 The unit of service time shall be reduced to ten months under Rule 550.2.1 and to twenty months under Rule 550.2.2 in the case of staff members who have demonstrated, by passing a prescribed test, proficiency of a second official language of the Organization. Staff members whose mother tongue is one of the official languages of the Organization must demonstrate proficiency in a second official language. This Rule applies to staff members in the professional and higher categories except for conference and other short-term service staff appointed under Rule 1320, e.g., translators, editors, revisers and interpreters.</p>	<p>550. WITHIN-GRADE INCREASE</p> <p>...</p> <p>550.3 The unit of service time shall be reduced to ten months under Rule 550.2.1 and to twenty months under Rule 550.2.2 in the case of staff members who have demonstrated, by passing a prescribed test, proficiency of a second official language of the Organization. Staff members whose mother tongue is one of the official languages of the Organization must demonstrate proficiency in a second official language. This Rule applies to staff members in the national professional category and in the professional and higher categories except for conference and other short-term service staff appointed under Rule 1320, e.g., translators, editors, revisers and interpreters.</p> <p>[No further changes]</p>
<p>825. SPECIAL EDUCATION GRANT TRAVEL</p> <p>The Organization shall, in accordance with terms and conditions determined by the Director-General, pay travel expenses of dependent children in respect of whom staff members are entitled to the special education grant under Rule 355. In this case, the provisions for education grant travel under Rule 820.2.5 shall not apply, except for the round trips under Rules 820.2.5.2 and 820.2.5.3. The provisions of this Rule shall apply to professional and higher category staff not serving in the country of their recognized place of residence, and to staff referred to in Rule 1310.4 recruited outside the local area as well as the country of the official station. They shall not apply to other staff referred to in Rules 1310 and 1330.</p> <p>...</p>	<p>825. SPECIAL EDUCATION GRANT TRAVEL</p> <p>The Organization shall, in accordance with terms and conditions determined by the Director-General, pay travel expenses of dependent children in respect of whom staff members are entitled to the special education grant under Rule 355. In this case, the provisions for education grant travel under Rule 820.2.5 shall not apply, except for the round trips under Rules 820.2.5.2 and 820.2.5.3. The provisions of this Rule shall apply to professional and higher category staff not serving in the country of their recognized place of residence, and to staff referred to in Rule 1310.4 recruited outside the local area as well as the country of the official station. They shall not apply to other staff referred to in Rules 1310 and 1330.</p> <p>[No further changes]</p>

ANNEX 2

AMENDMENTS TO THE STAFF REGULATIONS

Existing Text	Proposed Text
<p>4.</p> <p>...</p> <p>4.2 The paramount consideration in the appointment, transfer or promotion of the staff shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting and maintaining the staff on as wide a geographical basis as possible.</p>	<p>4.</p> <p>...</p> <p>4.2 The paramount consideration in the appointment, transfer, reassignment or promotion of the staff shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting and maintaining the staff on as wide a geographical basis as possible.</p> <p>[No further changes]</p>
<p>4.3 Selection of staff members shall be without regard to race, creed or sex. So far as is practicable, selection shall be made on a competitive basis.</p>	<p>4.3 Selection of staff members shall be without regard to race, creed or sex. So far as is practicable, selection shall be made on a competitive basis; however, the foregoing shall not apply to the filling of a position by transfer or reassignment of a staff member without promotion in the interest of the Organization.</p> <p>[No further changes]</p>

ANNEX 3

Appendix 1 to the Staff Rules

Salary scale for staff in the professional and higher categories: annual gross base salaries and net equivalents after application of staff assessment (in US dollars)¹
(effective 1 January 2009)

Level	STEP														
	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
D-2 Gross		*	*	*	*	*									
Net D	145,112	148,187	151,322	154,540	157,757	160,974									
Net S	107,176	109,267	111,359	113,451	115,542	117,633									
P6/D-1 Gross	98,461	100,226	101,985	103,707	105,486	107,225									
Net D	132,609	135,310	138,006	140,707	143,409	146,107	148,809	151,578	154,402						
Net S	98,674	100,511	102,344	104,181	106,018	107,853	109,690	111,526	113,361						
P-5 Gross	91,206	92,802	94,394	95,982	97,568	99,150	100,725	102,300	103,870						
Net D	109,690	111,987	114,285	116,581	118,879	121,175	123,474	125,771	128,068	130,365	132,662	134,959	137,257		
Net S	83,089	84,651	86,214	87,775	89,338	90,899	92,462	94,024	95,586	97,148	98,710	100,272	101,835		
P-4 Gross	77,190	78,578	79,962	81,345	82,726	84,102	85,478	86,851	88,222	89,590	90,956	92,318	93,680		
Net D	89,982	92,075	94,168	96,261	98,356	100,475	102,694	104,909	107,126	109,340	111,559	113,774	115,991	118,209	120,426
Net S	69,287	70,794	72,301	73,808	75,316	76,823	78,332	79,838	81,346	82,851	84,360	85,866	87,374	88,882	90,390
P-3 Gross	64,521	65,894	67,266	68,634	70,002	71,369	72,735	74,098	75,460	76,822	78,181	79,540	80,898	82,254	83,609
Net D	73,546	75,483	77,424	79,358	81,299	83,235	85,172	87,113	89,050	90,988	92,928	94,863	96,803	98,739	100,716
Net S	57,453	58,848	60,245	61,638	63,035	64,429	65,824	67,221	68,616	70,011	71,408	72,801	74,198	75,592	76,987
P-2 Gross	53,629	54,912	56,198	57,480	58,765	60,046	61,328	62,614	63,895	65,178	66,457	67,737	69,014	70,294	71,573
Net D	59,908	61,643	63,375	65,110	66,843	68,575	70,310	72,039	73,775	75,510	77,242	78,978			
Net S	47,634	48,883	50,130	51,379	52,627	53,874	55,123	56,368	57,618	58,867	60,114	61,364			
P-1 Gross	44,679	45,812	46,941	48,073	49,202	50,334	51,484	52,630	53,782	54,930	56,076	57,227			
Net D	46,553	48,036	49,514	51,122	52,785	54,450	56,118	57,785	59,447	61,114					
Net S	37,708	38,909	40,106	41,308	42,505	43,704	44,905	46,105	47,302	48,502					
	35,570	36,675	37,781	38,886	39,991	41,095	42,201	43,293	44,379	45,466					

¹ D = Rate applicable to staff members with a dependent spouse or child; S = Rate applicable to staff members with no dependent spouse or child.

* = The normal qualifying period for a within-grade increase between consecutive steps is one year, except at those steps marked with an asterisk, for which a two-year period at the preceding step is required (Staff Rule 550.2).

ANNEX 4

Appendix 2

**EDUCATION GRANT ENTITLEMENTS APPLICABLE IN CASES
WHERE EDUCATIONAL EXPENSES ARE INCURRED IN SPECIFIED
CURRENCIES AND COUNTRIES**

(effective school year in progress 1 January 2009)

<i>Country/ currency area</i>	(1) Maximum admissible educational expenses and maximum grant for disabled children	(2) Maximum education grant	(3) Flat rate when boarding not provided	(4) Additional flat rate for boarding (for staff serving at designated duty stations)	(5) Maximum grant for staff members serving at designated duty stations	(6) Maximum admissible educational expenses for attendance (only when flat rate for boarding is paid)
<u>Part A</u>						
Euro						
Austria	16 719	12 539	3 709	5 564	18 103	11 773
Belgium	15 458	11 593	3 452	5 178	16 771	10 855
Finland (deleted see United States)						
States dollar outside the United States)						
France*	10 263	7 697	2 995	4 493	12 190	6 269
Germany	18 993	14 245	4 179	6 269	20 514	13 421
Ireland	17 045	12 784	2 945	4 417	17 452	12 896
Italy	18 936	14 202	3 128	4 692	18 894	14 765
Luxembourg	15 458	11 593	3 452	5 178	16 771	10 855
Monaco	10 263	7 697	2 995	4 493	12 190	6 269
Netherlands	16 521	12 391	3 844	5 766	18 157	11 396
Spain	15 139	11 354	3 153	4 730	16 094	10 935
Denmark (krone)	108 147	81 110	26 219	39 329	120 439	73 188
Japan (yen)	2 324 131	1 743 098	607 703	911 555	2 654 653	1 513 860
Norway (deleted see United States)						
States dollar outside the United States)						
Sweden (krona)	157 950	118 462	24 653	36 980	155 442	125 079
Switzerland (Swiss franc)	28 749	21 562	5 458	8 187	29 749	21 472
United Kingdom of Great Britain and Northern Ireland (pound sterling)	22 674	17 005	3 488	5 232	22 237	18 076
<u>Part B</u>						
United States dollar (outside the United States of America)**	19 311	14 484	3 655	5 483	19 967	14 439
<u>Part C</u>						
United States dollar (in the United States) ¹	39 096	29 322	5 777	8 666	37 988	31 393

* Except for the following schools where the US\$ in the US levels will be applied:

1. American School of Paris
2. American University of Paris
3. British School of Paris
4. Ecole Active Bilingue Victor Hugo
5. European Management Lyon Business School
6. International School of Paris
7. Marymount International School, Paris
8. Ecole Active Bilingue Jeannine Manuel

** includes Norway, which will no longer be tracked as a separate zone

¹ United States dollar in the United States applies, as a special measure, for China, Indonesia, and the Russian Federation. Effective school year in progress on 1 January 2009 special measure also applies for Bulgaria and Hungary.

Where educational expenses are incurred in any of the currencies set out in the table above, the maximum applicable amounts are set out in columns (1) to (6) against those currencies. Where educational expenses are incurred in the United States of America, the maximum applicable amounts are set out in columns (1) to (6) against part C above. Where educational expenses are not incurred in any of the currencies set out in part A above or in the United States, the maximum applicable amounts are set out in columns (1) to (6) against part B above.

Attendance at an educational institution outside the duty station

(i) Where the educational institution provides board, the amount shall be 75% of the admissible costs of attendance and the costs of board up to the maximum indicated in column (1), with a maximum grant indicated in column (2) per year.

(ii) Where the educational institution does not provide board, the amount shall be a flat sum as indicated in column (3), plus 75% of the admissible costs of attendance up to a maximum grant as indicated in column (2) per year.

Attendance at an educational institution at the duty station

(iii) The amount shall be 75% of the admissible costs of attendance up to the maximum indicated in column (1), with a maximum grant as indicated in column (2) per year.

(iv) Where the grant is payable for the cost of boarding for attendance at an educational institution in the country of the official station but beyond commuting distance from the official station, and when no suitable education facility exists in that area, the amount of the grant shall be calculated at the same rates as specified in (i) or (ii) above.

Staff serving at designated duty stations with inadequate or no education facilities with attendance at an educational institution at the primary or secondary level outside the duty station

(v) Where the educational institution provides board, the amount shall be:

- a. 100% of the costs of board up to the maximum indicated in column (4); and
- b. 75% of the admissible costs of attendance and of any part of the costs of board in excess of the amount indicated in column (4), with a maximum reimbursable amount as indicated in column (5).

(vi) Where the educational institution does not provide board, the amount shall be:

- a. A flat sum for board as indicated in column (4); and
- b. 75% of the admissible costs of attendance, with a maximum reimbursable amount as indicated in column (5).

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