



Secretariat

112

ST/AI/234/Rev.1
22 March 1989

Personnel Manual Index No. 112

ADMINISTRATIVE INSTRUCTION

To: Members of the staff

From: The Under-Secretary-General for Administration and Management

Subject: ADMINISTRATION OF THE STAFF REGULATIONS
AND STAFF RULES

1. This revised instruction sets out the authority required for decisions in the administration of the staff regulations and staff rules 101.1 to 102.7. Its purpose is to clarify, amplify and bring up to date the delegation of authority on the subject in accordance with the principles set forth in Secretary-General's bulletin ST/SGB/151. This instruction is effective immediately and supersedes administrative instruction ST/AI/234 and Amend.1 and 2, and those amendments indicated in paragraphs 6 and 7 of personnel directive PD/1/77.

Definitions

2. Where it is mandatory under the terms of a staff rule that a specific action will be taken when particular conditions are fulfilled, the decision to take the action will be termed a "direct application" of the rule. Where a staff rule allows the discretion to take or not to take an action within the terms and conditions laid down in the rule and with respect to the particular circumstances of the case, the decision to take the action will be termed a "discretionary decision".

3. An "exception" to a staff rule is required when a decision to take a specific action under the rule can only be authorized if a particular condition laid down in the rule is waived. Under staff rule 112.2, an exception to the staff rules may be made by the Secretary-General, provided that such exception is not inconsistent with any staff regulation or other decision of the General Assembly and provided further that it is agreed to by the staff member directly affected and is, in the opinion of the Secretary-General, not prejudicial to the interests of any other

staff member or group of staff members. Where a rule in itself allows an action to be taken under exceptional circumstances, the decision to take the action, when the exceptional circumstances arise, is a discretionary one and does not constitute an exception under staff rule 112.2.

Matters reserved to the Secretary-General

4. Matters reserved to the Secretary-General are listed in annex I. All matters for the decision of the Secretary-General will be submitted to him through the Under-Secretary-General for Administration and Management, to whom the Secretary-General may delegate from time to time such authority in these matters as he deems advisable.

Matters within the authority of the Assistant Secretary-General for Human Resources Management

5. Matters within the authority of the Assistant Secretary-General for Human Resources Management are listed in annex II. The Assistant Secretary-General may delegate the exercise of this authority within the Office of Human Resources Management. Authority with respect to the matters indicated by an asterisk in annex II will be exercised by the Assistant Secretary-General for Human Resources Management in respect of staff at Headquarters and at United Nations missions and information centres and by the head of the office concerned in respect of staff at other offices away from Headquarters. Authority with respect to matters indicated by two asterisks in annex II will be exercised by the Assistant Secretary-General for Human Resources Management in consultation with the Controller. With respect to the establishment of rates of allowances and of salary scales for staff in the General Service and related categories, the authority will be exercised with due regard to any decisions that may be made by the International Civil Service Commission (ICSC) under its statute.

Matters within the authority of the Controller

6. Matters within the authority of the Controller are listed in annex III. The Controller may delegate the exercise of this authority within the Office of Programme Planning, Budget and Finance.

Matters within the authority of heads of departments or offices:

7. In addition to matters that involve the direct application of staff rules, matters within the discretionary authority of heads of departments or offices are listed in annex IV. Such authority will normally be exercised on behalf of the head of department or office by the appropriate executive or administrative officer at Headquarters or by the chief of administration at offices away from Headquarters.

Matters within the authority of offices away from Headquarters

8. The heads of offices away from Headquarters will exercise authority with respect to their staff on matters listed in annexes IV and V in addition to those indicated by an asterisk in annex II. They may delegate the exercise of their

authority under annexes II, IV and V to the chief of administration or other officials responsible for the administration of their staff.

Procedure

9. The direct application of staff rules is normally the responsibility of the executive or administrative officer of the department or office concerned. In cases involving discretionary decisions, the responsible officer has the duty to refer to his or her superior all matters of importance within the delegated authority or to seek advice of the Office of Human Resources Management in cases of doubt. All exceptions under staff rule 112.2 require the authorization of the Assistant Secretary-General, Office of Human Resources Management, who may delegate the exercise of this authority to other officials within that Office.

Records

10. Actions taken in direct application of staff rules or discretionary decisions that affect the status of individual staff members will be recorded by the responsible officer in the official status file of the staff member concerned. The recording will be done on the personnel action (P.5) form or other appropriate action documents, such as travel authorization (PT.8) and personnel payroll clearance (P.35) forms. Discretionary decisions taken within the delegated authority, whether favourable or unfavourable to the individual staff member, will, in addition, be recorded and filed in the official status file, giving adequate details of the staff member's request, if any, and the reasoning which formed the basis for the decision. Copies of all documents recording the actions and decisions will be forwarded to the appropriate Personnel Officer, Staff Administration and Monitoring Service, Office of Human Resources Management.

11. All exceptions under staff rule 112.2 will be logged in a record maintained by the Staff Administration and Monitoring Service, Office of Human Resources Management, and kept available for audit purposes.

Monitoring

12. The Office of Human Resources Management has the responsibility for monitoring the direct application of staff regulations and rules and the exercise of discretion within the delegated authority. For that purpose, it will examine copies of P.5 actions and other documents recording discretionary decisions. It will bring to the attention of the head of the department or office concerned any actions or decisions that are not in accordance with the staff regulations and rules or not in conformity with established policies of the Organization and may require the department or office to correct or revoke them.

13. Interpretation of the staff rules lies within the responsibility of the Office of Human Resources Management. Staff members with inquiries with regard to the application of staff regulations or rules in their own cases should address them, in the first instance, to their executive or administrative officer. Departments or offices should address their inquiries with regard to the interpretation of staff rules and their application to individual cases to the Staff Administration and Training Division, Office of Human Resources Management.

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Annex I

MATTERS RESERVED TO THE SECRETARY-GENERAL

<u>Regulation 1.8</u>	Decision to waive privilege or immunity
Rule 101.2 (a)	Establishment of normal working hours at Headquarters
101.3 (a)	Establishment of official holidays at Headquarters
<u>Regulation 3.1, annex I (2)</u>	Authority to make additional payments to Under-Secretaries-General and Assistant Secretaries-General
<u>annex I (5)</u>	Authority to make additional payments to Directors and to heads of offices away from Headquarters
Rule 103.1	Establishment of salary scales for Field Service personnel
103.18 (b) (iii)	Authorization of deductions for indebtedness to third parties to which the staff member does not agree
<u>Regulation 4.5</u>	Appointment of Under-Secretaries-General and Assistant Secretaries-General
	Appointment for one year or more of staff members in the Director (D-2) level and extension of such appointments. Appointment for one year or more of staff members at the Principal Officer (D-1) level and at the Senior Officer (P-5) level in the Professional category
Rule 104.6	Establishment of conditions under which staff members shall be regarded as local recruits
104.7	Establishment of conditions governing loss of entitlement to international benefits
104.14 (b) (i) and (c) (i)	Appointment of members of the Appointment and Promotion Board and Committees
(f) (iii)	Promotion of staff to the Director (D-2) and Principal Officer (D-1) levels and to the Senior Officer (P-5) level in the Professional category
106.4	Grant of compensation over \$25,000 for death, injury or illness

Rule 107.8	Establishment of standards of travel accommodation
107.10	Approval of exceptions to the standards of travel accommodation
<u>Regulation 8.1 (b)</u>	Agreement to electoral regulations drawn up by the staff representative bodies
Rule 108.2 (a) and (b)	Selection of president, and of members representing the Secretary-General, of the Joint Advisory Committee at Headquarters and of the Secretariat-wide joint staff-management body
(e)	Designation of secretary of Joint Advisory Committee at Headquarters and of Secretariat-wide joint staff-management body
<u>Regulation 9.1</u>	Termination of appointments (except as provided in annexes II and V)
<u>9.3 (a) and annex III (d)</u>	Decision to pay indemnity to staff member dismissed for misconduct
<u>9.3 (b)</u>	Decision to pay higher termination indemnity
<u>9.5</u>	Decision to retain in service beyond the age of 60 staff members at the Senior Officer (P-5) level and above
Rule 109.1 (a)	Appointment of chairman and members of the Special Advisory Board
109.2 (b)	Decision to waive notice of resignation of staff at the Assistant Secretary-General level and above
(c)	Decision to require that resignation be submitted in person
<u>Regulation 10.2</u>	Decision to impose disciplinary measures or to summarily dismiss a staff member
Rule 110.2 (a) (i) and (ii)	Appointment of chairpersons and members of Joint Disciplinary Committees
(d)	Removal of chairperson or member appointed by Secretary-General
111.2 (a) (i) and (ii)	Appointment of chairpersons and members of Joint Appeals Boards

- Rule 111.2 (c) (iii) Decision to refer appeal to a board other than Headquarters Board or to establish an appropriate ad hoc body
- (d) Removal of chairperson or member appointed by Secretary-General
- 111.3 (1) Decision on reports of the Joint Appeals Boards
- 112.2 (a) Provisional amendments of the staff rules

Annex II

MATTERS WITHIN THE AUTHORITY OF THE ASSISTANT SECRETARY-GENERAL
FOR HUMAN RESOURCES MANAGEMENT

<u>Regulation 1.2</u>	Decision to assign a staff member to another department, office or duty station
<u>Regulation 1.6</u>	Approval of acceptance of honour, decoration, favour, gift or remuneration from any source external to the Organization
Rule 101.2 (a)	Approval of exceptions to normal working hours at Headquarters
101.5	Approval of interagency loan, secondment or transfer of staff in the Professional category
101.5*	Approval of interagency loan, secondment or transfer of staff in the General Service and related categories
101.6 (a)*	Approval of continuous or recurring outside occupation or employment
101.8 (b)	Interpretation of staff regulation 1.7
<u>Regulation 3.3 (a)**</u>	Authorization to exempt from staff assessment the salaries and emoluments of staff engaged at local rates
Rule 103.0**	Establishment of salary scales for language teachers
103.2**	Establishment of salary scales for General Service staff and related categories
103.3**	Establishment of salary scales for Trades and Crafts category
103.4**	Establishment of salary scales for locally recruited mission staff
103.5 (a)**	Establishment of rate and conditions of payment of non-resident's allowance

* Authority exercised by the head of the office concerned in respect of staff at offices away from Headquarters.

** Authority exercised by the Assistant Secretary-General for Human Resources Management, in consultation with the Controller.

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- Rule 103.6 (b) Organization of language proficiency tests
- (c)* Decision to retest language knowledge
- (d)** Establishment of rates of language allowances
- 103.7 (b)* Application of dependency rate of post adjustment
- (d) (i) Decision to apply post adjustment of former duty station for more than six months
- (d) (ii)* Decision to pay subsistence allowance on appointment or assignment to a new duty station for less than one year
- (e) Establishment of conditions for housing supplement to post adjustment
- 103.8* Decision to withhold salary increment
- 103.11 (b) Granting of special post allowance (except as provided in annex V) including special post allowance to the D-2 level
- (c) Granting of special post allowance with immediate effect
- 103.12 (a) and (c)** Establishment of rates and conditions for overtime compensation
- 103.13 (a) and (d)** Establishment of rates and conditions for night differential
- 103.14 (a) (iv) and (v)* Granting of more than two months' salary advance on initial appointment or change of duty station
- 103.14 (b) Granting of salary advance in exceptional and compelling circumstances, irrespective of the amount, with regard to staff members at Headquarters and in the amount of more than two months' salary with regard to staff members at offices away from Headquarters
- 103.18 (b) (ii) Authorization of deduction for indebtedness to the United Nations which relates to actions taken under the authority of the Assistant Secretary-General for Human Resources Management
- (b) (iii)* Authorization of deduction for indebtedness to third parties with the agreement of the staff member

- Rule 103.20* Approval of education grant, special education grant for disabled children and related travel
- 103.21 (a) Designation of special mission assignments
- (b) Establishment of rates, conditions and currency of mission subsistence allowance
- (c) Establishment of rates and conditions for payment of clothing allowance
- 103.22 (a) (ii) Decision to pay assignment allowance on appointment or assignment to a new duty station
- (c) Decision to pay subsistence allowance on assignment to a duty station for less than one year
- (f) Decision to pay assignment allowance at duty station in staff member's home country after two years' service at duty station outside home country
- 103.23 (a)** Establishment of rates for dependency allowance for language teachers and General Service and related categories
- 103.24* Approval of dependency allowances
- Regulation 4.2 Decision to transfer a staff member to another department, office or duty station
- Regulation 4.5 Appointment for a total period of less than one year of: (a) staff members at the Director (D-2) level; and (b) staff members at the Principal Officer (D-1) level and in the Professional category at Headquarters
- Appointment of staff members in the Professional category up to the First Officer (P-4) level for one year or more on recommendation of the Appointment and Promotion Board
- Appointment of staff members in the Field Service category
- Appointment of staff members in other categories at Headquarters

Regulation 4.6

	Establishment of medical standards
Rule 104.3	Decision whether to give new appointment or reinstate within 12 months of separation from service or on disability benefit in respect of staff in the Professional category and above
104.3*	Decision in respect of other staff
104.4 (c)	Decision to authorize change of residence status in respect of staff in the Professional category and above
(c)*	Decision in respect of other staff
(e)*	Decision to require information from staff member
104.7 (c)*	Decision whether entitlement to international benefits is lost
104.8 (b)	Decision as to which nationality a staff member is most closely associated in respect of staff in the Professional category and above
(b)*	Decision in respect of other staff
104.10	Decision to appoint candidate having any of the family relationship indicated in paragraph (a) of the rule to a staff member
104.12 (a)*	Decision to reduce probationary period or to extend probationary period on recommendation of the appointment and promotion body
104.13 (b)	Decision to grant regular appointments
104.14	Promotion of staff members in the Professional category up to the First Officer (P-4) level on recommendation of the Appointment and Promotion Board
104.14	Promotion of staff members within the purview of the Appointment and Promotion Panel at Headquarters
(d)	Appointment of members of subsidiary panels at Headquarters
105.1 (f)	Establishment of terms and conditions of annual leave for local mission staff

- Rule 105.2 (a) Grant of special leave with full or partial pay, other than for jury service, and grant of special leave without pay for more than three months (except as provided in annex V)
- (b) Grant of special leave for military service
- 105.3 (d) (iii)* Authorization to designate a country other than the country of nationality as the home country
- (j) Approval of separate travel of dependants not in the same home leave year
- (m) Establishment of terms and conditions for grant of accelerated home leave
- 106.1 Exclusion from participation in the United Nations Joint Staff Pension Fund
- 107.1 (a) (vii) Authorization of travel of staff members for reasons other than medical or security
- 107.2 (a) (vii) Authorization of travel of eligible family members for reasons other than medical or security
- 107.3 (a) (iv)* Decision that special circumstances or conditions make family members' travel undesirable
- 107.4 (a)* Decision that there are compelling reasons for authorizing payment of return travel expenses
- 107.11 (a) Establishment of rates and conditions for reimbursement of travel costs by automobile
- 107.14 Establishment of transit allowance
- 107.15 (b) Authorization to pay higher travel subsistence allowance
- 107.16 Establishment of special rates of travel subsistence allowance
- 107.20 (c) (i) Establishment of special rates for installation grant
- (c) (ii) Establishment of conditions for extension of time-limits for installation grant
- (c) (iii) Establishment of conditions for payment of lump-sum installation grants

- Rule 107.20 (g) Authorization of installation grant when no travel is paid
- 107.21 (m) Establishment of terms and conditions for additional shipment entitlements
- 107.27 (a) Decision whether to pay removal costs or assignment allowance
- 107.27 (d) (i)* Setting of a higher maximum
- (d) (ii) Authorization of storage costs not directly incidental to normal transportation
- (d) (v) Establishment of conditions for transportation of automobiles
- 107.28 (a)* Authorization of removal on resignation before completing two years of service
- Regulation 9.1 Termination of appointment for reasons of health
- Termination of appointments of staff members at Headquarters within the purview of subsidiary panel on its recommendation (in consultation with Office of Legal Affairs) other than termination of permanent appointments for unsatisfactory services
- Regulation 9.5 Decision to retain staff in the Professional category up to and including the First Officer (P-4) level in service beyond the age of 60
- 9.5* Decision to retain staff in the General Service and related categories in service beyond the age of 60
- Rule 109.3 (c)* Decision to pay compensation in lieu of notice
- 109.5* Approval of repatriation grant
- 109.9* Decision to waive requirement of restitution of advance annual or sick leave
- 109.10 (a) (vi)* Approval of death benefit
- 109.11* Certification of service
- 110.3 (a) Agreement to waive reference to the Joint Disciplinary Committee

- Rule 110.3 (c)* Reprimand of a staff member
- 110.4 Decision to suspend from duty pending investigation
(except as provided in annex V)
- Regulation 11.2 Agreement to direct submission of an application to
the Administrative Tribunal (in consultation with
Office of Legal Affairs)
- Rule 111.2 (a) Decision to seek assistance of chairperson or
designated member of Joint Appeals Board in
conciliation proceedings
- Decision on request for review
- 112.2 (b) Decision to make an exception to the rules
- 112.3 Decision to require staff member to reimburse United
Nations for financial loss

Annex III

MATTERS WITHIN THE AUTHORITY OF THE CONTROLLER

<u>Regulation 3.3 (f) (ii)</u>	Authorization to make payments in excess of amounts deducted as staff assessment
Rule 103.18 (b) (ii)	Authorization of deduction for indebtedness to the United Nations which relates to actions taken under the authority of the Controller
106.4	Grant of compensation for death, injury or illness up to \$25,000 (on recommendation of Advisory Board on Compensation Claims)
106.5	Grant of compensation for loss or damage (on recommendation of Claims Board)

Annex IVMATTERS WITHIN THE AUTHORITY OF THE HEADS OF DEPARTMENTS
OR OFFICES

<u>Regulation 1.2</u>	Decision to assign staff members to any activity within the department or office
Rule 101.2 (c)	Decision to require staff member to work overtime
<u>Regulation 1.5</u>	Authorization to disclose information
Rule 101.6 (e)	Approval of outside activity in accordance with administrative instruction ST/AI/190/Rev.1
103.5 (a)	Approval of non-resident's allowance
103.6 (a)	Approval of language allowance
103.7 (d) (i)	Decision to apply post adjustment of former duty station for maximum of six months
103.12 (b)	Grant of time off to staff in Professional category
103.14 (a) (iv) and (v)	Grant of up to two months' salary advance on initial appointment or change of duty station
103.18 (b) (ii)	Authorization of deduction for indebtedness to the United Nations which relates to actions taken under the authority of heads of departments/offices
103.22 (b)	Decision to pay assignment allowance beyond five years for a further period not exceeding two years
(d)	Decision to continue to pay assignment allowance at duty station in the field on extension of appointment or assignment for less than five years
(h)	Decision to adjust payment of assignment allowance where both husband and wife are staff members
104.12 (b)	Decision to extend the fixed-term appointment of staff members in the Professional category and above for no more than one month beyond the date of expiration of the appointment approved by the Office of Human Resources Management. Decision to extend the fixed-term appointment of other staff members for no more than three months beyond the date of expiration of the appointment approved by the Office of Human Resources Management.

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- Rule 104.15 (a) Decision to require staff members to satisfy the Medical Officer by medical examinations that they are free from ailment likely to impair the health of others (on advice of Medical Officer)
- (b) Decision to require staff member to undergo medical examination and inoculation before or after mission
- 105.1 (b) Decision to require staff to take leave within a designated period
- (e) Approval of advance annual leave
- 105.2 (a) Grant of special leave for jury service
- (a) Grant of special leave without pay for up to three months
- 105.3 (e) Decision on timing of first home leave
- (f) Approval of advanced home leave
- (g) Approval of delayed home leave
- (h) Decision to require home leave to be taken in conjunction with travel on official business or on change of official duty station
- (j) Approval of separate travel of eligible family members within the same home leave year
- (l) Decision to require evidence of length of time spent in home country
- 106.2 (a) (i) Approval of sick leave (on advice of Medical Officer)
- (a) (iii) Refusal of further sick leave or withdrawal of unused portion (on advice of Medical Officer)
- (a) (viii) Decision to require a medical certificate to be submitted or to undergo a medical examination (on advice of Medical Officer)
- (a) (ix) Approval for staff member on sick leave to leave the area of the duty station (on advice of Medical Officer)
- (b) Approval of sick leave within period of annual leave (on advice of Medical Officer)

- Rule 106.2 (c) Direction to staff member not to attend the office because of contagious disease or quarantine order (on advice of Medical Officer)
- 106.3 (a) Approval of maternity leave (on advice of Medical Officer, as appropriate)
- Approval of return to duty (on advice of Medical Officer, as appropriate)
- (c) Approval of sick leave for maternity cases (on advice of Medical Officer)
- 107.1 (a) (vii) Authorization of travel of staff member for medical reasons (on advice of Medical Officer)
- (a) (vii) Authorization of travel of staff member for security reasons (on advice of Security Co-ordinator)
- 107.2 (a) (vii) Authorization of travel of eligible family members for medical reasons (on advice of Medical Officer)
- (a) (vii) Authorization of travel of eligible family members for security reasons (on advice of Security Co-ordinator)
- 107.5 (b) Authorization of one-way travel for child on ceasing to be a dependant or on completion of continuous full-time attendance at university
- (c) Authorization of repatriation travel of former spouse
- 107.9 (a) Approval of alternative route in Best interests of the United Nations a/
- (b) Approval of alternative mode of transportation a/
- 107.12 (a) Authorization for staff member to make own arrangements for travel a/
- Rule 107.19 Authorization of miscellaneous travel expenses
- 107.21 (c) Approval of baggage charges considered excess by one company a/
- (d) Authorization of additional excess baggage charges
- (e) Authorization of unaccompanied shipments relating to home leave etc.

- Rule 107.21 (i) Authorization of shipments of personal effects on travel for less than one year
- (j) Authorization of conversion of shipment to air freight
- 107.23 Approval of travel advances
- 107.26 Approval of payment of reasonable costs of transportation of decedents
- 107.27 (b) Authorization of removal costs from a place other than the place of recruitment or the place of home leave without an increase in cost to the Organization
- (c) Authorization of removal costs to a place other than the place to which the staff member is entitled to be returned on separation from service without an increase in cost to the Organization
- (d) (v) Authorization of transportation of automobile
- (g) Decision to pay storage charges beyond five years for up to two further years when staff member's assignment is extended at initiative of Organization.
- 109.2 (b) Acceptance of resignation on short notice up to and including the Director (D-2) level
- 109.10 (a) (i) Authority to grant annual leave during period of notice of resignation

Notes

a/ In consultation with the Office of General Services or corresponding administrative unit away from Headquarters.

Annex V

MATTERS WITHIN THE AUTHORITY OF HEADS OF OFFICES AWAY FROM HEADQUARTERS WITH RESPECT TO THEIR STAFF (IN ADDITION TO THOSE LISTED WITH AN ASTERISK IN ANNEX II AND THOSE LISTED IN ANNEX IV)

All offices

- Rule 101.2 Establishment of normal working hours of office and approval of exceptions thereto a/
- 101.3 (a) Establishment of official holidays at office a/
- 103.11 (b) Grant of special post allowance within the General Service and related categories
- 103.14 (b) Grant of up to two months' salary advance in exceptional and compelling circumstances
- 104.12 Grant of probationary appointments to staff members within the purview of subsidiary panel on its recommendation. Grant of fixed-term appointments to staff in General Service and related categories. Grant of fixed-term appointments for total period of less than one year to staff in the Professional category and the Principal Officer (D-1) level
- 104.13 (a) Grant of permanent appointments to staff members within the purview of subsidiary panel on its recommendation
- 104.14 (d) Appointment of members of subsidiary panels; a/
- (f) (iii) Promotion of staff members within the purview of subsidiary panel on its recommendation
- 108.2 (a) Selection of president, and of members representing the head of office, of the Joint Advisory Committee or corresponding staff-management body at office a/
- (c) Designation of secretary of Joint Advisory Committee or corresponding staff-management body at office

United Nations Office at Geneva, the United Nations Office at Vienna b/ and the United Nations Environment Programme and the United Nations Centre for Human Settlements

Rule 105.2 Grant of special leave without pay for up to one year

Regulation 9.1 Termination of appointments of staff members within the purview of subsidiary panel on its recommendation (on advice of the Legal Liaison Officer other than termination of permanent appointments for unsatisfactory services

Rule 110.4 Decision to suspend staff members pending investigation

Notes

a/ Decisions will be reported to the Office of Human Resources Management through copies of relevant information circulars.

b/ Except for internationally recruited staff of the International Trade Law Branch.
