

COUNCIL

110th Session

AMENDMENTS TO THE STAFF REGULATIONS

AMENDMENTS TO THE STAFF REGULATIONS

Introduction

1. The amendments to the Staff Regulations proposed in the present document are submitted to the Standing Committee on Programmes and Finance, which is requested to recommend their adoption by the Council at its 110th Session in accordance with Staff Regulation 12.1.
2. The text of the proposed amendments to the Staff Regulations is set out in Annex I hereto. The draft Council resolution concerning these amendments is set out in Annex II hereto.
3. The amendments described in Annex I of this document are made in the light of experience and in the interest of good human resources management.

Reasons for the proposed amendments

Scope and purpose and power of appointment: reference to the National Officer category

4. Pursuant to Staff Regulations 3.1 and 3.2, salaries, allowances and grants shall be paid to staff members in accordance with the United Nations common system of salaries and allowances pertaining to the relevant categories, as approved by the United Nations General Assembly. The three relevant categories are: Professional and higher – for staff members who are internationally recruited – and General Service and National Officer, for those who are locally recruited. IOM has staff members serving in each category; however, for many years, the National Officer category has been combined with the General Service category and not recognized as a category in its own right. This has caused confusion and difficulties in preparing staff-related statistics. The proposed amendments will rectify this issue.

General working conditions: normal working week

5. The IOM Staff Regulations provide that the salaries of staff members shall be determined by the Director General based on the duties and responsibilities of their position, in accordance with the salary scales of the United Nations pertaining to the relevant categories. The United Nations salary scales applicable to staff members in the General Service category are established on the basis of a different number of weekly working hours depending on the duty station. While IOM General Service staff members are paid in accordance with the United Nations salary scales, they are required to work forty hours per week even when the applicable salary scales were established on the basis of less than forty hours work per week. This results in a disparity of treatment among staff members. As a result of the proposed amendment, the disparity will be rectified.

Financial implications

6. The proposed amendments to the Staff Regulations will not have any financial implications for the Organization.

Consideration and action by the Standing Committee on Programmes and Finance

7. The Standing Committee is requested to recommend to the Council that it adopt the proposed amendments to the Staff Regulations contained in Annex I by adopting the draft resolution set out in Annex II.

Annex I

PROPOSED AMENDMENTS TO THE STAFF REGULATIONS

<p align="center">Current text</p>	<p align="center">Proposed text (bold text represents insertions, struck text represents deletions)</p>
<p>SCOPE AND PURPOSE</p> <p>The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of staff members of the International Organization for Migration. The term “staff members” shall refer to all staff members of the Professional and General Service categories. The Director General shall provide and enforce such Staff Rules consistent with these Regulations as considered necessary.</p>	<p>SCOPE AND PURPOSE</p> <p>The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of staff members of the International Organization for Migration. The term “staff members” shall refer to all staff members of the Professional and higher categories, as well as the General Service and National Officer categories. The Director General shall provide and enforce such Staff Rules consistent with these Regulations as considered necessary.</p>
<p>REGULATION 4.1</p> <p>Power of Appointment</p> <p>(a) The power of appointment of staff members rests with the Director General. Upon appointment, each staff member shall receive a letter of appointment signed by the Director General or his or her authorized representative.</p> <p>(b) Staff members in the Professional categories are subject to assignment by the Director General to any of the activities or offices of the Organization.</p> <p>(c) Staff members in the General Service categories are subject to assignment by the Director General to any of the activities within the office in which they are serving.</p>	<p>REGULATION 4.1</p> <p>Power of Appointment</p> <p>(a) The power of appointment of staff members rests with the Director General. Upon appointment, each staff member shall receive a letter of appointment signed by the Director General or his or her authorized representative.</p> <p>(b) Staff members in the Professional and higher categories are subject to assignment by the Director General to any of the activities or offices of the Organization.</p> <p>(c) Staff members in the General Service and National Officer categories are subject to assignment by the Director General to any of the activities within the office country in which they are serving.</p>
<p>REGULATION 5.1</p> <p>General Working Conditions</p> <p>(a) The normal working week shall be 40 hours.</p> <p>(b) The Director General may require the work and travel of a staff member at any time.</p>	<p>REGULATION 5.1</p> <p>General Working Conditions</p> <p>(a) The Director General shall establish The the normal working week shall be 40 hours. and the normal working hours for duty stations in accordance with local United Nations practices and conditions. In duty stations where there are no local United Nations practices, the Director General shall establish the working week and the normal working hours in accordance with local customs and laws.</p> <p>(b) The Director General may require the work and travel of a staff member at any time.</p>

Annex II

DRAFT RESOLUTION ON

AMENDMENTS TO THE STAFF REGULATIONS

(Submitted by the Secretariat to the Council for consideration
under item X of the provisional agenda (C/110/1/Rev.1))

The Council,

Recalling its Resolution No. 1205 of 1 December 2010, by which it adopted revised Staff Regulations applicable to all IOM staff members with effect from 1 March 2011,

Recalling also its Resolution No. 1264 of 26 November 2013, by which it adopted revisions to two Staff Regulations (Age of Appointment and Mandatory Age of Separation) with effect from 1 January 2014,

Recalling further its Resolution No. 1340 of 5 December 2016, by which it adopted amendments to two Staff Regulations (Education Grant and Home Leave) with effect from 1 January 2017 and one Staff Regulation (Mandatory Age of Separation) with effect from 1 January 2018,

Recalling its Resolution No. 1356 of 28 November 2017, by which it adopted amendments to three Staff Regulations (Maternity Leave, Payment to the Estate and Disciplinary Measures) with effect from 1 January 2018,

Reaffirming the principle that the conditions of service for IOM staff members should correspond as closely as possible to those prevailing for the staff members of the United Nations and its specialized agencies,

Having received and examined document C/110/7 of 18 September 2019, submitted by the Director General, entitled Amendments to the Staff Regulations,

Having taken into account the comments and recommendations of the Standing Committee on Programmes and Finance (S/25/XX),

Acting pursuant to Article 14 of the Constitution,

1. *Adopts* the proposed amendments to the Scope and Purpose and to Staff Regulations 4.1 and 5.1, as contained in Annex I to document C/110/7;

2. *Decides* that the amendments to the Scope and Purpose and to Staff Regulations 4.1 and 5.1 shall take effect on 1 January 2020.
