Topic 16: AMENDMENTS TO THE STAFF RULES OF THE PAN AMERICAN SANITARY BUREAU

The attached Document CE35/2 on amendments to the Staff Rules of the Pan American Sanitary Bureau has been submitted to the 35th Meeting of the Executive Committee for consideration.

The decision taken by the Committee will appear in the Final Report of the 35th Meeting.

Annex: Document CE35/2
Topic 4: AMENDMENTS TO THE STAFF RULES OF THE PAN AMERICAN SANITARY BUREAU

In accordance with Staff Rule 030, the Director submits for confirmation by the Executive Committee amendments to the PASB Staff Rules which are based on similar changes adopted by WHO and put into effect 1 July 1958.

The changes contained in column 3* of Annex I to this document are mainly editorial and are introduced to facilitate the interpretation of the rules which implemented recommendations of the Salary Review Committee of the United Nations as approved by the United Nations General Assembly at its Eleventh and Twelfth Sessions and agreed to by the specialized agencies. Other changes serve to bring the PASB Staff Rules in line with those of WHO, and in general they arise from agreement reached following discussions of the specialized agencies at meetings of the Consultative Committee on Administrative Questions of the United Nations.

The Executive Committee may wish to consider a resolution along the following lines:

Proposed Resolution

Having examined the amendments to the Staff Rules of the Pan American Sanitary Bureau, as presented by the Director in Document CE35/2; and:

Bearing in mind that similar amendments to the Staff Rules of the World Health Organization entered into effect on 1 July 1958,

RESOLVES

To confirm, in accordance with Staff Rule 030, the amendments to the Staff Rules of the Pan American Sanitary Bureau as presented by the Director in Document CE35/2.

Annex I: Amendments to the Staff Rules of the Pan American Sanitary Bureau

* Changes in column 2 were approved by the Executive Committee at its 34th Meeting.
210.3 DEFINITIONS

"Dependents," unless otherwise specified in any particular rule, means the wife of a staff member and any of the following dependents upon the staff member for full and continuing support: husband, son, daughter, father, mother, brother, sister. The Director shall decide in each case whether an adopted child or stepchild is to be recognized as a dependent for the purposes of these rules and whether a dependent brother or sister under the age of 21 years is to be accorded the same status as a dependent child, when more than one member of an immediate family is employed by one of the United Nations organizations, only that member who is the head of the family may claim dependents, except as provided in Rule 250.

For the purpose of determining entitlements under Rules 230.3 (c), 250, 260 and 1110.3, "dependents" are defined as:

(a) A spouse whose occupational earnings do not exceed the lowest entrance salary level of the Bureau's local salary scale for the area in which the spouse is employed, or in the case of a staff member at Grade P-1 or above, if the earnings do not exceed US $1,700 per annum if this be less than the lowest entrance salary of the local scale; provided that if both husband and wife are staff members of United Nations organizations neither may be recognized as a dependent for purposes of Rules 230.3 (c) and 260.

(b) A child, if unmarried, up to the age of 18; if in full-time attendance at a school or university, up to the age 21; or if physically or mentally incapacitated, without age limit. If both parents are staff members of United Nations organizations, the children, if determined dependents, shall be recognized as the dependents of the parent holding the higher level post.

A spouse whose occupational earnings do not exceed the lowest entrance salary level of the Bureau's local salary scale for the area in which the spouse is employed, or in the case of a staff member at Grade P-1 or above, if the earnings do not exceed US $1,850 per annum if this be more than the lowest entrance salary of the local scale; provided that if both husband and wife are staff members of United Nations organizations neither may be recognized as a dependent for purposes of Rules 230.3 (c) and 260.

(b) A child up to the age of 18; if in full time attendance at a school or university, up to age 21; or if physically or mentally incapacitated, without age limit. If both parents are staff members of United Nations organizations, the children, if determined dependent, shall be recognized as the dependents of that parent holding the higher level post. For the purposes of this rule "child" shall include a child recognized by the Director to be de facto fully dependent upon a staff member for its support.

This is a change in the definition of "dependents" which introduces for the first time the concept of a means test in order to determine eligibility to post adjustment, dependents allowance and assignment allowance.

210.3 (a), Second column paragraph establishes the means test for spouses of staff members in order to qualify as dependents. In addition it stipulates that if both husband and wife are employed by a U.N. organisation neither can claim post adjustment nor assignment allowance at the dependency rate. Third column paragraph results from implementation this spring of inter-agency agreement recognizing the increase in the local salaries for Geneva and pursuant to the policy established in 1957 of relating the figure to the dollar equivalent to Grade 01/1 in Geneva.

210.3 (b), Second column paragraph broadens the definition for eligibility for children's allowance by removing the age limits for entitlements for the mentally or physically incapacitated child. In addition, it increases the amount of allowance over age 21 to $300.
(c) A parent, brother or sister (not more than one such dependent may be claimed), if the staff member's contribution to such a relative constitutes at least half the total support and, in any case, not less than twice the amount of the allowance claimed, provided that brothers and sisters shall be subject to the same age limits as stated in 210.3(b) above for a child.

220.2 SALARY DETERMINATIONS

On promotion to a higher grade, the salary of a staff member shall be fixed at the lowest step in the new grade which will provide an increase in total remuneration no less than would have resulted from the next within-grade increase in the old grade, provided that, on restoration to a higher grade formerly held, the staff member's salary shall not exceed that which he would have attained had he remained continuously in the higher grade.
230. SALARIES FOR POSTS SUBJECT TO INTERNATIONAL RECRUITMENT

230.3 (c) These adjustments shall be in the form of flat, non-pensionable, amounts varying by grade level and, in the case of plus areas, differentiated between those with, and those without, recognised dependents at the official station. Differences in cost of living or changes in cost of living of 5% shall be considered significant.

230. SALARIES FOR POSTS SUBJECT TO INTERNATIONAL RECRUITMENT

230.3 (c) These adjustments shall be in the form of flat, non-pensionable, amounts varying by grade level and, in the case of plus areas, differentiated between those with, and those without, dependents as defined in Staff Rules 210.3 (a) and (b). Differences in cost of living or changes in cost of living of 5% shall be considered significant.

WHO advises that the post adjustment at the dependency rate only applies to staff members with primary dependents, that is, wife and/or children. The revision of the wording of this is to make it clear that the post adjustment does not apply in respect to secondary dependents, that is, parent or brother or sister.

250 DEPENDENT'S ALLOWANCE

Except as provided in Rule 1110, a full-time staff member appointed for a period of one year or more and having dependents as defined in Rule 210.3 shall be entitled to dependents' allowances as follows:

250 DEPENDENT'S ALLOWANCE

A full-time staff member of professional grade or above, except those appointed under Rules 1120 and 1130, having dependents as defined in Rule 210.3 shall be entitled to dependents' allowances as follows:

250 DEPENDENT'S ALLOWANCE

A full-time staff member of professional grade or above, except those appointed under Rules 1120 and 1130, having dependents as defined in Rule 210.3 shall be entitled to dependents' allowances as follows:

Second column paragraph adds a new provision that the amount of allowance for dependent child shall be reduced by the amount of any benefit which the staff member or his or her spouse may receive by reason of such child from public sources by way of social security payment or tax exemptions.
(a) US$200 per annum for a wife unless she is employed by a United Nations organization, or dependent husband and US$300 per annum for each dependent child; or if there are no such dependents, then

(b) US$200 per annum for either a dependent parent, or a dependent brother or sister, or an incapacitated child over 21 years of age.

Payment shall not be made under both (a) and (b) to any one staff member. If both husband and wife are staff members, the husband may claim under (a) for children but the wife may claim only under (b) if she has such dependents. A dependent child, for the purpose of this rule, is defined as a child under the age of 18 years or, if the child is in full-time attendance at a school or university (or similar educational institution) or is incapacitated for work, up to the age of 21 years.

(a) US$200 per annum for a spouse;

(b) US$300 per annum for a child;

(c) US$200 per annum for a parent or a brother or sister; provided that a staff member having an entitlement under (a) or (b) may not claim under (c) and provided further that an allowance payable under (b) shall be reduced by the amount of any benefit which the staff member or his (her) spouse may receive, by reason of such child, from public sources by way of social security payments or tax exemption.

Provided that a staff member having an entitlement under (a) or (b) may not claim under (c) and provided further that an allowance payable under (b) shall be reduced by the amount of any benefit which the staff member or his (her) spouse may receive, by reason of such child, from public sources by way of social security payments or tax exemption.

Third column paragraph deletes final phrase "or tax exemption" owing to joint decision of all specialized agencies in the spring that application of the phrase proved impracticable.
255 EDUCATION GRANT

255.2 (e) If at the official station there are no schools which would qualify under (b) or (c) above, any other school at, or near, the official station which, on the application of the staff member, the Director is prepared to recognize.

255 EDUCATION GRANT

255.2 (e) If at the official station there are no schools which would qualify under (b) or (c) above and if the international school at the official station gives instruction neither in the language nor in the curriculum of the staff member's home country, any other school at, or near, the official station which, on the application of the staff member, the Director is prepared to recognize.

This results from unanimous agreement among the organizations on the intent of the Education Grant, in view of the inherent limitations of any international school.
ASSIGNMENT ALLOWANCE

A staff member, other than those appointed under Rules 1120 and 1130, who is assigned to an official station other than in the country of his place of residence, under circumstances which the Bureau classifies as a schedule "S" assignment in accordance with Rule 410.2, shall receive for the duration of such assignment an allowance designed to compensate for the dislocation factors resulting from the nature and duration of the assignment. The amount of the allowance shall vary by grade level and differentiate between those with and without dependents as defined in Rule 250 (a).

SERVICE BENEFIT

A staff member who leaves the Bureau on completion of, or while holding a fixed-term appointment of at least one year but less than five years and on completion of at least a year of service, shall be paid a service benefit equal to 1/3% of salary for any period of service in his home country and 3% of salary for any period of expatriated service. For this purpose all continuous service time on fixed-term appointments as defined above, subsequent to 1 January 1958, shall be credited, except that those staff

This rule establishes a new benefit which provides an additional emolument for local and international staff members holding appointments of at least one year but less than five years' duration. The benefit is payable to the staff member when he leaves the Bureau upon completion of his contract. With the exception of the limitations imposed in the rule, the amount is payable as follows: 3% of the salary if the staff member serves outside the country of his normal place of residence and 1/3% if he serves in his home country.
members on fixed-term appointments on 1 January 1958 who had previously been earning credit toward repatriation grant continue to earn this credit and are not entitled to the service benefit. Conversion of the appointment to a permanent appointment, terminates any entitlement, accrued or prospective, under this rule (see rule 270.3). A fixed-term appointment of less than 5 years following a permanent appointment does not establish an entitlement under this rule.

270 Repatriation Grant

A staff member who has completed two or more years of continuous service with the Bureau at an official station outside his home country shall be entitled, upon leaving the Bureau other than by dismissal for serious misconduct, to repatriation grant subject to the following conditions:

270.1 The grant shall be computed in accordance with the following schedule but shall not exceed US$2,500 (US) for a staff member without dependents and US$5,000 (US) for a staff member with dependents.

This is a change in the previous text to limit eligibility to repatriation grant to those staff members holding a permanent appointment. This change is necessary since previously project staff were excluded under Staff rule 111(a), which was deleted upon implementation of the new staff rules on 1 January 1958.

This is an editorial change made necessary through the introduction of Staff Rule 280.2(e).
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270.3

Any period of leave without pay, or special leave, in excess of 30 days, any period of duty at an official station within 100 kilometers of the staff member's place of residence (see Rule 360) and any period of service prior to 16 April 1951, shall be excluded from the computation of service time.

270.3

Any period of leave without pay, or special leave, in excess of 30 days, any period of duty at an official station within 100 kilometers of the staff member's place of residence (see Rule 360) and any period of service prior to 16 April 1951, shall be excluded from the computation of service time. Continuous service, on fixed-term appointments of less than five years immediately preceding a permanent appointment shall be credited retroactively in calculating the repatriation grant.

Staff members who on 1 January 1958 were on fixed-term appointments of less than five years and had previously had an entitlement under this rule retain such entitlements.

Credit will be given to the nearest completed month of service, or previously it had been granted for completed years only.

A new provision under this rule extends credit for repatriation grant retroactive to 1 January 1958 to those international staff members who upon conversion to a permanent appointment lose all accrued and prospective credit for service benefit (see Rule 265).
## Staff Pension Fund

**Staff Pension Fund**

Full-time staff members, except those referred to in Rules 1120, 1130 and 1140, who are appointed for a one year or more or who complete a year of service if originally appointed for a shorter period, shall participate in the Staff Pension Fund, except:

**a)** Any staff member who is sixty years of age or more at the date he would otherwise begin participation;

**b)** any staff member seconded from a Member Government for a period not exceeding two years, who elects not to participate because he is maintaining his membership in his national pension scheme;

**c)** any staff member who participates in the Pan American Union Pension Plan excepted by the 11th Meeting of the Executive Committee.

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**Payments and Deductions**

280 **PAYMENTS AND DEDUCTIONS**

This coordinates policy with the other international organizations.

280.2(e) **Payment of the repatriation grant, the grant in case of death and of any termination indemnity under Staff Rule 950.4 shall be made pro rata to the nearest completed month of service.**

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**A new provision in this rule extends participation in the Pension Fund to full-time local and international staff members who have completed five years of continuous service on fixed term appointments and have a further appointment of at least one year.**

In addition, the provisions pertaining to the Pan American Sanitary Bureau Provident Fund have been deleted since it is now completely liquidated. The provision for participation in the PAU Pension Plan remains since the Bureau still has a few staff members who participate in that plan. However, the wording of
730.1 STAFF PENSION FUND (cont'd.)

Participation in the Staff Pension Fund shall be governed by the regulations of the Fund and the Agreement between PASB and WHO.

Staff members who, on 30 June 1954, are participating in the PASB Provident Fund shall, by 1 July 1954, transfer to the Staff Pension Fund, unless they exercise the option under a), b), or c), above. The Director may waive this requirement in cases where such transfer would create extreme hardship for the individual involved.

In the event this requirement is waived, the staff member may continue in the Provident Fund of the PASB until he leaves the service of the Bureau. In this manner the Provident Fund will gradually be liquidated.

1) Such staff member shall continue to contribute to the PASB Provident Fund 6% of his base salary and the Bureau shall contribute an equal amount. Such contributions shall be assessed only on the base salary. However, no contributions shall be assessed on payments made for terminal annual leave or compensatory leave in case of termination of appointment.

2) Amounts standing to the credit of such members of the staff shall be deposited in such manner as may be determined by the Director and shall carry no interest.

the rule pertaining to the amount contributed by the Bureau to the FAPU plan has been amended to bring it in line with current practice and in accordance with resolution XXV of the V Meeting of the Directing Council.
730.1 STAFF PENSION FUND (cont'd.)

3) In the event of a staff member leaving the Bureau, he shall be entitled to the amount which he has contributed to the Provident Fund, and the Bureau's contribution on his account to the Provident Fund.

On the death of a staff member, the sums due to him shall be paid to those entitled.

730.2 STAFF PENSION FUND OR PROVIDENT FUND

Should compensation under Rule 720 be payable to any staff member who is not participating in the Pension Fund as a result of exercising the option in Rule 730.1, there shall be deducted from such compensation any amounts which would normally have been provided by the Pension Fund.

730.2 STAFF PENSION FUND

Full-time staff members on fixed term appointments of one year or more but less than five years, other than those defined in Rule 730.1, shall be associate participants in the Staff Pension Fund, subject to the provisions of the Regulations and rules of the Fund applicable to associate participants.

The previous text has been replaced by the new text to reflect participation in the Pension Fund in an associate category, of staff members who are not eligible for full participation in the Pension Fund. The associate participation extends death and disability benefits to staff on a fixed term appointment of one year or more, but less than five years and who have not completed five years of continuous service with the Bureau.
In the event of the death of a staff member who is not a participant in the Staff Pension Fund and whose death does not result in any indemnity payment from the Bureau's accident and sickness insurance policy, a grant equal to one month's salary shall be paid to his widow or such other member of his family as the Director may determine.

On the death of a staff member holding a permanent appointment, whose death does not result in any indemnity payment from the Bureau's accident and sickness insurance policy, a payment shall be made to the dependent spouse if any, and if none, then to any dependent children in accordance with the following schedule:

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Second column paragraph represents an editorial change to exclude associate participants in the Pension Fund from a grant in case of death, since their participation in the Pension Fund provides for death and disability benefits.

Third column paragraph implements unanimous agreement among agencies that further standardization of the current widely differing practices is necessary. It is felt that provision for such a grant should be made in view of the inadequate death benefits now provided by the Joint Staff Pension Fund, due to the Fund's short existence.
810 TRAVEL OF STAFF MEMBERS

(e) On a schedule 5 assignment of at least two years’ duration (see Rule II0.2), once in each interval between home leave entitlements (or once during a two-year appointment) from the official station to the place where the staff member's recognized dependents are residing and return to the official station, provided:

820 TRAVEL OF DEPENDENTS

820.1 Except for staff referred to in Rules 1120 and 1130, the Bureau shall pay the travel expenses of a staff member’s recognized dependents under the following circumstances:

820.4 TRAVEL OF DEPENDENTS

Dependents recognized for purposes of travel at the Bureau's expense shall be limited to:

(a) wife;
(b) incapacitated, dependent husband or child;
(c) any other child meeting the definition of dependency in Rule 250;

820.4 TRAVEL OF DEPENDENTS

Dependents recognized for purposes of travel at the Bureau's expense shall be limited to:

(a) a spouse recognized as a dependent under Rule 210.3(a);
(b) a child meeting the definition of dependency in Rule 210.3(b);
(c) a child for whom travel expenses have previously been paid by the Bureau, to the extent of the final one-way passage to join the staff member at the official station or to return to the home country within one year after ceasing to qualify as a dependent.

An editorial change to make the rule clearer by relating it to Staff Rule 820.4

An editorial change to make the rule clearer. See Rule 820.4

Under the wording of 2nd column paragraph travel of wives would be restricted to those who are "dependent" under the definition of Rule 210.3(a). As it was not the intention of the Salary Review Committee to restrict a wife accompanying her husband on appointment, home leave, transfer or repatriation travel at the agency's expense, no matter what her status might be, 3rd column paragraph provides editorial change to make the rule clear.
820.1 TRAVEL OF DEPENDENTS (cont'd.)

(d) a child for whom travel expenses have previously been paid by the Bureau, to the extent of the final one-way passage to join the staff member at the official station or to return to the home country within one year after ceasing to qualify as a dependent.

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920 RETIREMENT FOR AGE

Staff members shall retire at the age of 60. In exceptional circumstances the Director may, in the interest of the Bureau, extend the retirement age, provided that not more than a one-year extension shall be granted at any time and that in no case shall any extension be granted beyond the staff member's sixty-fifth birthday.

The previous text of the rule stated that retirement would be at age 60. No date was specified. As revised now, it stipulates that retirement is to take place at the end of the month in which staff member reaches the age of 60. WHO had revised this rule in 1957 and the proposed correction is to conform with the WHO rule.
(1) PREVIOUS TEXT

950 ABOLITION OF POST AND REDUCTION IN FORCE

950.4 A staff member whose appointment is terminated under this rule shall be paid an indemnity in accordance with the following schedule:

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(2) TEXT CONFIRMED AT THE 34th MEETING OF THE EXECUTIVE COMMITTEE

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(3) TEXT SUBMITTED FOR CONFIRMATION AT THE 35th MEETING OF THE EXECUTIVE COMMITTEE

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950.4 A staff member whose appointment is terminated under this rule shall be paid an indemnity in accordance with the following schedule:

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(4) COMMENTS

This is an editorial change made necessary through the introduction of Staff Rule 280.2(e).

Credit will be given for the nearest completed month of service prorated.

Five working days' pay for each month remaining in the unexpired portion of the contract, but not less than thirty working days' pay, up to a maximum of three months' pay.