

*executive committee of
the directing council*



PAN AMERICAN
HEALTH
ORGANIZATION

*working party of
the regional committee*

WORLD
HEALTH
ORGANIZATION



92nd Meeting
Washington, D.C.
June 1984

Provisional Agenda Item 6

CE92/3 (Eng.)
28 February 1984
ORIGINAL: ENGLISH

AMENDMENTS TO THE STAFF RULES OF THE PAN AMERICAN SANITARY BUREAU

In accordance with the provisions of Staff Rule 020, the Director submits to the Executive Committee, as Annex to this document, for confirmation, the amendments to the Staff Rules he has made since the 90th Meeting.

The amendments set forth in sections 1, 2 and 3 of the document are in line with those adopted by the Executive Board of the World Health Organization at its Seventy-third Session (Resolution EB73.R9) and are in compliance with operative paragraph 2 of Resolution XIX adopted by the Executive Committee at its 59th Meeting (1968), which requested the Director to continue to introduce changes as he deems necessary to maintain close similarity between the provisions of the Staff Rules of PASB and those of WHO. The effective dates are 1 January 1983 or 1 January 1984 as appropriate.

In the light of the decision taken by the Executive Committee at its 90th Meeting (Resolution CE90.R5), the Director has made, with effect from 1 January 1984, the necessary changes in the Staff Rules concerning appeal procedures. These revisions are explained in section 4 of the document.

It is anticipated that the budgetary implications of these amendments are limited and will be absorbed within the average established for staff costs.

The Executive Committee is invited to consider a proposed resolution confirming the amendments reproduced in the Annex to this document.

1. Amendments considered necessary in the light of decisions taken by the United Nations General Assembly at its thirty-eighth session on the basis of recommendations of the International Civil Service Commission

1.1 Education and special education grants

An upward adjustment of the reimbursable costs for education and special education grants has been made to maintain at about 73% the system-wide reimbursement of total educational costs, which have increased considerably since the present rates were established in 1981. Thus the maximum amount reimbursable under the education grant has been increased from US\$3,000 to \$4,500, and that under the special education grant for disabled children from \$3,750 to \$6,000; the lump-sum reimbursement for boarding costs has also been increased from \$1,100 to \$1,500. The currency-floor provision has been changed to use exchange rates in effect as of 1 March 1983.

Staff Rules 350.1, 350.2.2 and 355 have been amended accordingly, with effect from 1 January 1984.

2. Amendments considered necessary in the light of decisions taken by the United Nations General Assembly at its thirty-seventh session on the basis of the recommendations of the United Nations Joint Staff Pension Board

2.1 Conditions governing restoration of prior contributory service

As a result of changes in the Regulations of the United Nations Joint Staff Pension Fund (UNJSPF) approved by the General Assembly with effect from 1 January 1983, the restoration of prior contributory service has become possible only under certain conditions, the most important of which is that such service has to be of less than five years' duration (Article 24(a) of the UNJSPF Regulations). Accordingly, Staff Rule 470.1 has been amended and new Rule 470.3 has been introduced with effect from 1 January 1983.

This revision provides the opportunity to make an editorial amendment in Staff Rule 470.1, the word "terminal" being replaced by "separation" in order to ensure uniformity of terminology.

2.2 Timing of contributions to the Pension Fund during leave without pay

As a result of further changes introduced in the UNJSPF Regulations with effect from 1 January 1983, contributions in respect of leave without pay are no longer to be paid at the end of, but concurrently with, such leave (Article 25(b)(i)). Accordingly, Staff Rule 655.2.2 has been amended by deletion of the reference to the timing of payment, with effect from 1 January 1983.

3. Minor corrections with effect from 1 January 1984

3.1 Staff Rule 330.2 is corrected so that the gross salary figure shown in column P-3, step XIII, of the schedule is US\$43,375 instead of \$43,475.

3.2 Staff Rule 1110.1 is corrected. Since the Staff Regulations are arranged in articles, the reference to "Section I" of the Regulations in this Staff Rule is replaced by the more appropriate "Article I."

4. Amendments considered necessary in the light of the decision taken by the Executive Committee at its 90th Meeting on the provisions of Staff Rule 1230

4.1 In operative paragraph 4 of Resolution V of the Executive Committee at its 90th Meeting, the Executive Committee authorized the Director "to make the necessary changes in Staff Rule 1230.2, with effect from 1 January 1984, in the event that the Area Offices are eliminated, without prejudice to the subsequent presentation of these amendments to the 92nd Meeting of the Executive Committee." Following the decision taken by the XXIX Meeting of the Directing Council to abolish the Area Offices effective 1 January 1984 (Resolution CD29.R2), the provisions of Staff Rule 1230 have been amended to reflect the elimination of Area Boards of Appeal. Under the new arrangement, all cases of appeal by PASB staff members will be heard by the Board of Appeal at Headquarters.

Staff Rules 1230, 1230.1, 1230.2, 1230.3, 1230.3.3, 1230.6, 1230.7, 1230.8, 1230.8.1, 1230.8.2, 1230.8.3 and 1250 have been amended accordingly. Staff Rules 1230.3.2, 1230.5, 1230.8.4, 1230.8.5 and 1230.9 have been deleted.

5. Budgetary implications

It is anticipated that the budgetary implications of these amendments are limited and will be absorbed within the average established for staff costs.

After considering the amendments, the Executive Committee may wish to approve a resolution along the following lines:

Proposed Resolution

AMENDMENTS TO THE STAFF RULES OF THE PAN AMERICAN SANITARY BUREAU

THE 92nd MEETING OF THE EXECUTIVE COMMITTEE,

Having considered the amendments to the Staff Rules of the Pan American Sanitary Bureau submitted by the Director in the Annex to Document CE92/3;

Recognizing the need for uniformity of conditions of employment of PASB and WHO staff;

Recalling Resolution V of the Executive Committee at its 90th Meeting; and

Bearing in mind the provisions of Staff Rule 020,

RESOLVES:

To confirm the amendments to the Staff Rules of the Pan American Sanitary Bureau submitted by the Director in the Annex to Document CE92/3, with effect from 1 January 1983, concerning the conditions governing restoration of prior contributory service in the United Nations Joint Staff Pension Fund and the timing of contributions to the Pension Fund during leave without pay, and, with effect from 1 January 1984, concerning the Board of Appeal, the education and special education grants, and minor corrections to two other Staff Rules.

Annex

AMENDMENTS TO THE STAFF RULES OF THE PAN AMERICAN SANITARY BUREAU

Texts of the Amended Staff Rules

330. SALARIES

In the schedule in Rule 330.2, the gross salary figure for level P-3, step XIII, reads "43,375".

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350. EDUCATION GRANT

350.1 An internationally recruited staff member shall be entitled to an education grant, except as indicated in Rule 350.3. The amount of the grant payable under this Rule shall be 75% of the education expenses actually incurred and admissible under Rule 350.2, not to exceed a total payment of US\$4,500 per child per year. The rate of exchange to be applied for computing the amount to be reimbursed for expenses incurred in a currency other than the US dollar shall be the rate in force at 1 March 1983 or that in force at the date when reimbursement is made, whichever is the higher.

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350.2 This grant is payable for:

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350.2.2 the cost of full-time attendance at an educational institution outside the country or area of the official station, including the cost of board if provided by the institution. Where board is not provided by the institution, a flat amount of US\$1,500 per year is paid in lieu;

.....

355 SPECIAL EDUCATION GRANT FOR DISABLED CHILDREN

A staff member, except for short-term staff members appointed under Rule 1320 or consultants appointed under Rule 1330, is entitled to a special education grant in respect of any physically or mentally

incapacitated child, recognized as dependent under Rule 310.5.2, up to the end of the year in which such child reaches the age of 25. The amount of the grant shall be 100% of the special education expenses actually incurred up to US\$6,000, the maximum grant thus being US\$6,000 per child per year subject to the exchange rate provisions of Rule 350.1. In cases where an education grant is payable under Rule 350, the total of the amounts payable under Rules 350 and 355 shall not exceed US\$6,000.

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470. RE-EMPLOYMENT

470.1 A staff member, other than one referred to in Rules 1320 and 1330, who is re-employed within one year of the termination of his appointment, may, at the option of the Bureau, be reinstated. In such a case he shall have restored to him the status which he held upon termination, and the intervening absence shall be charged to annual leave and leave without pay as necessary; he shall refund to the Bureau all separation payments made to him.

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470.3 Restoration of prior contributory service in the United Nations Joint Staff Pension Fund is governed by the Regulations of the Pension Fund.

655 LEAVE WITHOUT PAY

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655.2 During any leave without pay under Rule 655.1 the following conditions shall apply:

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655.2.2 no credit shall accrue for purposes of pensionable service time unless the staff member pays both his own and the Bureau's contributions to the Pension Fund;

.....

1110. DISCIPLINARY MEASURES

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1110.1 A staff member who fails to observe the standards of conduct as defined under Article 1 of the Staff Regulations and Staff Rule 110 shall be subject to disciplinary measures. According to the gravity of the offence, this may take the form of any one or a combination of the following:

1110.1.1 oral reprimand;

1110.1.2 written reprimand;

1110.1.3 reassignment with or without reduction in grade;

1110.1.4 dismissal for misconduct;

1110.1.5 summary dismissal for serious misconduct.

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1230. BOARD OF APPEAL

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1230.1 Subject to the provisions of Rule 1230.7, a staff member may appeal against any administrative action or decision affecting his appointment status on the grounds that the action or decision complained of resulted from one or more of the following factors:

1230.1.1 personal prejudice on the part of a supervisor or of any other responsible official;

1230.1.2 incomplete consideration of the facts;

1230.1.3 failure to observe or apply correctly the provisions of the Staff Regulations or Staff Rules, or the terms of his contract;

1230.1.4 improper application of the post classification standards.

.....

1230.2 To hear appeals on these grounds there is at Headquarters a Board of Appeal.

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1230.3 The reporting procedure of the Board shall be as follows:

1230.3.1 The Headquarters Board of Appeal shall report its findings and recommendations to the Director, with whom the final decision shall rest. The Director shall inform the appellant of his decision within sixty calendar days of the date of the receipt by him of the findings and recommendations of the Board, and at the same time send him a copy of the report. If no decision is taken by the Director within this period, the recommendations of the Board shall be deemed to have been rejected and such rejection shall be subject to appeal, as provided in Rule 1240, as if a final action had been taken on it;

1230.3.2 The Board shall report its findings and recommendations to the Director, within ninety calendar days of the date that the appellant's full statement of his case is received by the Board. This period may be extended by the Board if the appellant and the administration concerned agree.

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1230.5 Secretarial services to the Board shall be provided by the Bureau.

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1230.6 The Headquarters Board of Appeal shall establish its own rules of procedure, provided that the appellant shall, if he so wishes, be heard by the Board in person and/or through a representative of his choice. Any travel occasioned by such appearance shall be at the appellant's expense unless the Board hearing the appeal determines that the appearance of the staff member himself is essential to the proper consideration of the appeal. The Board may, in the light of its findings and if it finds it reasonable, recommend full or partial payment of those expenses claimed by the appellant which are directly connected with the appeal.

.....

1230.7 The following provisions shall govern the conditions of appeal:

1230.7.1 No staff member shall bring an appeal before the Board until all the existing administrative channels have been tried and the action complained of has become final. An action is to be considered as final when it has been taken by a duly authorized official and the staff member has received written notification of the action.

.....

1230.7.2 If the staff member has submitted a written request relating to his appointment status, the request shall be deemed to have been rejected and such rejection shall be subject to appeal as if final action had been taken on it as in Rule 1230.7.1 above if no definite reply to that request has been made within:

- (1) two months for staff at Headquarters;
- (2) three months for staff assigned to other duty stations.

.....

1230.7.3 A staff member wishing to appeal against a final action must dispatch to the Board, within sixty calendar days after receipt of such notification, a written statement of his intention to appeal, specifying the action against which appeal is made and the subsection or sections of Rule 1230.1 under which the appeal is filed. The Board shall open its proceedings at the earliest possible moment after receipt of the appellant's full statement of his case.

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1250. AVAILABILITY OF RULES OF PROCEDURE

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Copies of the rules of procedure of the Headquarters Board of Appeal and the Statute of the Tribunal shall be maintained in all personnel offices of the Bureau and made available to any staff member on request.

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92nd Meeting
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AMENDMENTS TO THE STAFF RULES OF THE PAN AMERICAN SANITARY BUREAU

Presentation of the PAHO/WHO Staff Association to the 92nd Meeting
of the PAHO Executive Committee

On behalf of the PAHO/WHO Staff Association, I wish to thank the Executive Committee for once again giving us the opportunity to report on our activities and present the concerns and the aspirations of the staff.

The Association's activities during 1983-1984 included: the Annual Council Meeting, held in Washington D.C. and attended by delegations from 14 duty stations in the Hemisphere. Three additional Local Organizations in the Caribbean were approved by the Council, bringing the regional total to 14. It similarly approved participation in, and sent a delegation to the FICSA^{1/} Council, held in Rome from 30 January to 3 February 1984; just prior to the FICSA Council, the AMRO delegation attended the meeting of WHO Regional Staff Associations from Africa, Western Pacific, Eastern Mediterranean, South East Asia, Europe, and the Americas, held in Geneva from 23 to 27 January 1984; and met subsequently with the WHO Global Program Committee on matters pertaining to conditions of employment.

Most recently, members of the Association's Executive Committee from Brazil, Colombia, and the Dominican Republic, met in Washington D.C., and, together with the HQS Executive Committee, members went to New York to meet with officials of the ICSC^{2/} and representatives of the United Nations Staff Union and UNDP^{3/} Staff Council.

The PAHO staff was also represented at the meeting of the U.N. Pension Board held in Paris from 21 to 28 March 1984, as well as at the meeting of ACPAQ^{4/} held in Geneva from 8-23 May 1984.

^{1/}Federation of International Civil Servants Associations (FICSA)

^{2/}International Civil Service Commission (ICSC)

^{3/}United Nations Development Programme (UNDP)

^{4/}Advisory Committee on Post Adjustment Questions (ACPAQ) - Subcommittee of ICSC

These meetings have permitted a closer participation of the Field staff in the formulation of the Association's policies and have cemented its unity. They also afford the Association's officials an opportunity to keep abreast of all activities of the international civil service and of decisions taken at that level, which affect the working life of the PAHO/WHO staff. For some years now, the Association has been recognized as one of the leaders of the International Staff Associations.

At the local level, Staff Representatives participated with the Administration in joint working groups on issues pertaining to recruitment and selection, classification procedures, staff development and training, rotation of staff, qualification equivalence and appraisal report.

The Administration fully supported the Association's proposal for the Symposium on Career Development for General Services and Junior Professional Staff which was held in December 1983, so that the Field delegations in town for the Association's Council Meeting could participate. We are pleased to report that the recommendations which came out of the Symposium were positively accepted by the Director.

In the other areas, the financial assistance provided by the Administration in the form of a grant has been utilized for contractual services of one individual whose duties are almost exclusively designed to render assistance to Field staff.

While bound by the Program and Budget approved by the Association's Council, the Local Organizations retain their autonomy to develop local activities in their own duty stations compatible with the goals of the Association and according to the needs and desires of the staff. In that context, the PANAFTOSA Local Organization has completed plans for a "Coperativa" which provides the staff with low-cost supplies. It has similarly bought eight plots to assist lower paid staff with burial expenses. Other Local Organizations are developing fund-raising activities for projects that benefit the staff and frequently enhance the Organization's image.

Once again, we regret to report that there is still no news as to what happened to our colleague Viviana Micucci. We are aware that the Argentine Government is in the process of making concerted efforts to account for "disappeared ones"; we applaud that and hope that PAHO will take whatever action it can in this matter.

Because of the new hemispheric structure of our Association, the Secretariat in Washington D.C. has the added burden of attending to the preoccupations and problems of a larger number of Field staff in addition to HQS. Aware of these concerns, we wish in particular to bring to your attention three issues raised with the Association's Executive Committee for perusal with the PAHO Executive Committee:

1. Proposed Payment of 30% of Field Staff Salary in the Currency of the Official Duty Station

We respectfully request that the Executive Committee consider its own concern, as expressed in the last meeting of 4 October 1983^{5/} with respect to the questions of fair treatment of all staff so affected and the exceptions related thereto. The Association would like to ensure that no duty station is at a salary disadvantage vis-à-vis another and trusts that the Executive Committee and the administrative authorities of PAHO will respond positively to this concern.

2. Proposed Elimination of the Boards of Appeal

Another issue which relates mostly to our Field staff and which is now before the Executive Committee for consideration and action is the elimination of Area Boards of Appeal.

While we appreciate that such a proposal is based on the elimination of Area Offices, the Association submits that the Boards of Appeal can be maintained through a new geographical structure which need not follow the previous structure of Area Offices. We, therefore, propose that the acquired rights to a due process mechanism for Field staff be maintained by establishing Boards of Appeal in the following areas:

1. Caribbean (Jamaica)
2. Central America (Mexico)
3. Brazil
4. Cono Sur (Argentina)

Our experience is that in areas where Staff Rule 1230 was ignored in the past by not establishing a required Board of Appeal, the Association had to bear the cost of appeals which were, instead, submitted to HQS. The absence of such a Board obliged appellants to transmit documents and briefs to HQS and engage in long distance telephone communications with our Legal Advisor at HQS. Most importantly, it deprived staff members of a hearing by their peers and the right to present witnesses. This costly procedure can be avoided and due process rights upheld by maintaining such Boards and ensuring they function effectively.

As will be noted in the Annex, the PAHO Governing Body took a similar position in 1977 when this question was previously raised.

We, therefore, respectfully request that the 92nd Meeting of the Executive Committee give serious consideration to maintaining this contractual right of staff in the Organization by establishing Boards of Appeal in the four regions indicated.

3. Security of Tenure and Job Satisfaction

Job security and job satisfaction is another area of concern to the Association. There is little question that an institution is as successful as the effectiveness of its staff.

Long-term contracts of five years, while taking into consideration the needs of the Organization, must also include an important dimension of reward for effective service and security in the job.

Statutory provisions provide for recognition of good service and inherent in them is the concept that a valuable employee can and should be employable in any area of the Organization's activities compatible with his/her background and training. In that sense, the Manual Provisions stipulate as a criterion for such long-term contracts the proven effectiveness of the staff member regardless of any projected reorganization of his/her immediate unit.

We submit that staff members whose efficiency and effectiveness is proven and confirmed by consistently satisfactory appraisal reports during a sustained period of six consecutive years (M.P.II.5.560), be automatically considered for five-year contracts in light of the long-term needs of the Organization and in order "to give them a sense of security" (M.P.II. 5.560) as provided for in the Manual Provisions.

It is also a matter of great concern to the Association that PAHO has one of the lowest percentages of career staff among all the agencies of the common system. Prospects of a career with an organization have long been considered an incentive (specially among technical staff) and one that serves to attract talented and committed individuals. A 30-35 per cent quota does not appear to be an unreasonable request when one considers that workers in any organization must plan in advance for themselves and their families. Job uncertainty, by its nature, has a negative impact on job performance and job satisfaction. The Association, in concert with all Associations in the common system, has traditionally held that there is no incompatibility in the staff's full dedication to the goals of the institution and their legitimate desire for recognition of services performed and of security in their jobs.

In conclusion, we wish to report that the PAHO/WHO Staff Association is increasingly being accorded (as per Staff Rules and Regulations) its proper role for active participation in discussions of issues which affect the working life of the staff. During the past year the Association has sustained a fruitful dialogue with the Director and with administrative authorities, thus successfully resolving a number of important concerns. Conscious of its obligation to the goals of the Organization and of its commitment to safeguard the conditions of employment of the staff, the Association will continue to collaborate with the Administration, to consult with and respond to the staff, and to work for the stated goals.

Thank you for your attention. I shall be pleased to answer any questions you may have.

Exec. C'ttee Upholds Staff Objections

Zone Boards Not Abolished

"Sobre este particular, Sr. President, Sres. Representantes, deseo indicar que representantes del personal manifestado que no estan de acuerdo...."

The speaker was Mr Luis Arrea, addressing the 70th Executive Committee for the first time as Chief, Department of Management and Personnel, a post to which he was promoted on (April 16). The matter under discussion on August 2 by delegates however, was agenda item 16, proposals for amendment to staff rules.

The matter to which he specifically referred was an Administration proposal to abolish boards of enquiry and appeal at the organization's six zone offices in the field. Earlier the 23rd Staff Committee had

When discussions ended, Staff Association history was made. A "EJash," printed internally, informed staff members that:

The 23rd Staff Committee is pleased to announce that the 70th Executive Committee unanimously upheld the views of staff representatives, and did not confirm a staff rule change eliminating the zone boards of inquiry and appeal.

The zone boards therefore remain -- perhaps, as pointed out by administration, never used, but nonetheless there, if need be, to be used.

By its decision not to confirm, the Executive Committee essentially gave endorsement to the principle of staff views being taken into account on issues that directly affect staff.



Dr. Acuna: 'Seldom recognized.'



Dr. Bica: 'New element.'



Dr. de Caires: 'Concern at loss.'

THE 70TH EXECUTIVE COMMITTEE

Recognizing the need for staff to have access to appeal procedures,

RESOLVES

To request the Director to re-study Staff Rule changes contained in document CE70/13, with a view to retaining the zone boards of appeal, and to report thereon to the 22nd meeting of the Directing Council (in October).

The Delegates' View

'A brief reference...' does it

Here are unofficial excerpts on the staff viewpoint, expressed by delegates during the discussion, as reconstructed from staff notes.

DR. ROBERT DE CAIRES, U.S. Asking to make a "brief reference" to the point, so "candidly stated," in the administration presentation, noted with "concern" that staff representatives "object to the loss of access to zone boards." This touched off discussions.

DR. HECTOR R. ACUNA, MEXICO: Concerned that staff views should be taken into consideration, while stating also from an impression gained -- not only from the statement of Dr. de Caires, but also from other events here in Washington in the "public domain" -- that the zone boards should be retained.

"nada más por lo expresado por el Dr. de Caires, sino otros acontecimientos que son del dominio público aquí en la ciudad de Washington.."

He cited as reason for retention that staff representatives do not look upon the boards' abolishment with favor. *"no vería con muy buen agrado esto"*

Said also, significantly, that retention of the boards should give indication of concern for field staff and boost morale.

Later, asked the record to show the interest of governments in acknowledging the work of staff.

"seldom recognized" -- at the middle and lower levels, and in the GS grades. Said also that the organization, which serves governments so well, owes its success to all staff.

DR. ALFREDO N. BICA, BRAZIL: Stated the staff's opposition introduced a "new element" to discussions, while stressing the importance of knowing staff reasons before taking a decision. This led to Chief, MP, giving a resume of the staff position as the official understood it.

DR. RIGOBERTO ALVARADO, HONDURAS: Dismissed the argument advanced that the zone boards should be abolished because they have not been used, then said the boards stand as guarantee of recourse in the event of mistreatment of a staff member.

Should the boards be abolished, it would be an act of "social injustice," which is precisely what governments are trying to eliminate in today's world.

DR. ROSS A. CHAPMAN, CANADA: Endorsing the statements by other delegations, said Canada would like to see the zone boards retained.

DR. S. PAUL EHRLICH, U.S.: Suggested a preambular sentence to a resolution saying "recognizing, or bearing in mind, the need for staff to have easy

objected to the proposal for a number of reasons, among them the lack of prior consultation with staff representatives in Washington and with field staff.

Just about one sentence in the formal presentation to the Executive Committee referred to staff opposition.

A U.S. delegate caught it, and discussions opened. A Mexican delegate questioned. A Brazilian delegate, who was a former staff member himself, wanted to know more about the staff's objections. During discussion, that followed, by unofficial count, Canada spoke once, Barbados and the United States twice, Brazil and Honduras three times, and Mexico five

The Director also spoke, doing so three times, and newly-appointed Chief, MP twice -- the second time, in reply to the Brazilian query, in the role of expounder of the Staff Committee position.

Original article published in VOZ, September 1973.