

*directing council*



PAN AMERICAN  
HEALTH  
ORGANIZATION

XXIII Meeting

Washington, D.C.  
October 1973

*regional committee*

WORLD  
HEALTH  
ORGANIZATION

XXV Meeting



Provisional Agenda Item 13

CD22/23 (Eng.)  
26 September 1973  
ORIGINAL: ENGLISH

AMENDMENTS TO THE STAFF RULES OF THE PAN AMERICAN SANITARY BUREAU

The Director has the honor to report to the Directing Council that, pursuant to Staff Regulation 12.2, he submitted to the 70th Meeting of the Executive Committee for confirmation the amendments to the Staff Rules set forth in the Annex to Document CE70/13, which is attached.

After considering the amendments, the 70th Meeting of the Executive Committee adopted the following Resolution XXIII:

THE EXECUTIVE COMMITTEE,

Having considered the amendments to the Staff Rules of the Pan American Sanitary Bureau contained in the Annex to Document CE70/13 submitted by the Director of the Pan American Sanitary Bureau;

Bearing in mind the provisions of Staff Rule 030; and

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

RESOLVES:

1. To confirm the amendments to Rule 255 of the Staff Rules of the Pan American Sanitary Bureau on Education Grant submitted by the Director in the Annex to Document CE70/13, to be effective as of 1 January 1973.
2. To request the Director to restudy Staff Rule changes contained in Document CE70/13 with a view to retaining the Zone Boards of Appeal, and to report thereon to the XXII Meeting of the Directing Council.

Pursuant to Resolution XXIII, item 2, of the 70th Meeting of the Executive Committee, the Director wishes to report to the Directing Council that, in view of the fact that the Executive Committee ended on the third of August 1973, the intervening time between the Meeting and the XXII Meeting of the Directing Council has not been sufficient to allow a restudy of the matter in depth. Consequently, a comprehensive analysis of the Zone Boards of Inquiry and Appeal will be submitted to the XIX Pan American Sanitary Conference.

In view of the foregoing, the Directing Council may wish to adopt a resolution along the following lines:

Proposed Resolution

THE DIRECTING COUNCIL,

Bearing in mind the provisions of Staff Regulation 12.2; and

Having considered the contents of Resolution XXIII approved by the 70th Meeting of the Executive Committee,

RESOLVES:

1. To take note of the following amendments to the Staff Rules of the Pan American Sanitary Bureau on Education Grant, presented by the Director in the Annex to Document CE70/13, and approved by the Executive Committee at its 70th Meeting, to be effective as of 1 January 1973: 255.1 and 255.2.
2. To endorse the Director's plan to continue a restudy of Staff Rule changes regarding the Zone Boards of Inquiry and Appeal and to report thereon to the XIX Pan American Sanitary Conference.

Annex

*executive committee of  
the directing council*

PAN AMERICAN  
HEALTH  
ORGANIZATION

*working party of  
the regional committee*

WORLD  
HEALTH  
ORGANIZATION

CD22/23 (Eng.)  
ANNEX



70th Meeting  
Washington, D.C.  
July-August 1973

Provisional Agenda Item 16

CE70/13 (Eng.)  
4 June 1973  
ORIGINAL: ENGLISH

AMENDMENTS TO THE STAFF RULES OF THE PAN AMERICAN SANITARY BUREAU

In accordance with the provisions of Staff Rule 030, the Director submits as an Annex to this document, for confirmation by the Executive Committee, amendments to the Staff Rules which he has made since the 66th Meeting.

Amendment to Staff Rule 255 - Education Grant

Pursuant to Resolution a/res/2990 (xxvii) of the United Nations General Assembly, based on a recommendation of the Special Committee for the Review of the United Nations Salary System, the World Health Organization resolved at the 51st Session of the Executive Board in January 1973 (Res. EB51.R35) to increase the amount of the education grant.

Amendments to the Staff Rules 1000-1099 - External Administrative Tribunal

At the XVIII Pan American Sanitary Conference, Resolution XVII was approved to endorse the Director's plan to provide an appropriate administrative tribunal for those staff members who did not have access to an external tribunal. Thereupon, the Director entered into negotiations, through the Director-General of the World Health Organization, with the International Labour Organization to implement this resolution.

The Director-General of the International Labour Organization advised that, in accordance with Article II, paragraph 5 of the Statute of the Administrative Tribunal, a declaration extending its competence to cover the staff of the Pan American Sanitary Bureau so that, subject to reconsideration at a future date, the Tribunal shall be competent to hear complaints alleging non-observance, in substance or in form, of the terms of appointment of officials of the Pan American Sanitary Bureau and of the provisions of its Staff Regulations, raised no new or separate issues.

This extension of the scope of recognition to officials of the Pan American Sanitary Bureau has been effected and staff now have access to an external tribunal.

The amendments are in line with those adopted by the Executive Board of the World Health Organization and are in compliance with paragraph 2 of Resolution XIX adopted by the Executive Committee of the Pan American Health Organization at its 59th Meeting, which reads as follows:

To request the Director to continue to introduce changes as he deems necessary to maintain close similarity in the provision of the Staff Rules of the Pan American Sanitary Bureau to those of the World Health Organization.

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

Proposed Resolution

THE EXECUTIVE COMMITTEE,

Having considered the amendments to the Staff Rules of the Pan American Sanitary Bureau contained in the Annex to Document CE70/13 submitted by the Director of the Pan American Sanitary Bureau; and

Bearing in mind the provisions of Staff Rule 030,

RESOLVES:

To confirm the amendments to the Staff Rules of the Pan American Sanitary Bureau submitted by the Director in the Annex to Document CE70/13, to be effective as of 1 January 1973.

AMENDMENTS TO THE STAFF RULES OF PASB

<u>No.</u>	<u>Present Text</u>	<u>New Text</u>	<u>Comments</u>
255	EDUCATION GRANT		
255.1	<p>For full-time attendance at an educational institution outside the country or area of the duty station, the amount of the grant shall be:</p> <p>(a) where the institution provides board for the student, 75 per cent of the cost of attendance and board up to a maximum grant of US \$1,000 a year;</p> <p>(b) where the institution does not provide board, US \$500 plus 75 per cent of the cost of attendance up to a maximum grant of US \$1,000 a year.</p>	<p>For full-time attendance at an educational institution outside the country or area of the duty station, the amount of the grant shall be:</p> <p>(a) where the institution provides board for the student, 75 per cent of the cost of attendance and board up to a maximum grant of <u>US \$1,500</u> a year;</p> <p>(b) where the institution does not provide board, <u>US \$650</u> plus 75 per cent of the cost of attendance up to a maximum grant of <u>US \$1,500</u> a year.</p>	<p>These changes, effective 1 January 1973, are pursuant to Resolution a/res/2990 (xxvii) of the UN General Assembly and were adopted by WHO at the 51st Session of the Executive Board in Resolution EB51.R35.</p>
255.2	<p>For full-time attendance at an educational institution in the country or area of the duty station, the amount of the grant shall be equal to 75 per cent of the cost of attendance, up to a maximum of US \$1,000 a year.</p>	<p>For full-time attendance at an educational institution in the country or area of the duty station, the amount of the grant shall be equal to 75 per cent of the cost of attendance, up to a maximum of <u>US \$1,500</u> a year.</p>	

No.	<u>Present Text</u>	<u>New Text</u>	<u>Comments</u>
1010.1	A decision based on Rule 960 not to confirm a staff member's appointment because of unsatisfactory performance or conduct, or because of unsuitability, may be appealed by him if he considers that such decision has been made for reasons not connected with his performance, conduct or suitability for international service. Such appeal must be made in writing to the Director within eight days of receipt of notice of non-confirmation. The Director's decision shall be final and none of the other appeal procedures described in this section shall apply.	A decision based on Rule 960 not to confirm a staff member's appointment because of unsatisfactory performance or conduct, or because of unsuitability, may be appealed by him if he considers that such decision has been made for reasons not connected with his performance, conduct or suitability for international service. Such appeal must be made in writing to the Director within eight days of receipt of notice of non-confirmation. The Director's decision shall be final and none of the other appeal procedures described in this section shall apply, <u>except as provided in Rule 1040.</u>	This is essentially an editorial revision to indicate access to the ILO Tribunal. The new text is synonymous with WHO Staff Rule 1010.1.
1020.2	Upon receipt of such an appeal the Director shall refer the appeal to a medical board of review consisting of three medical practitioners, one chosen to represent the Director, one selected by the staff member and a third selected by the first two. This board shall have available to it the Bureau's medical records concerning the staff member and shall conduct such examinations of the individual as it may deem necessary. The decision of this board shall be final and none of the other appeal procedures described in this section shall apply.	Upon receipt of such an appeal the Director shall refer the appeal to a medical board of review consisting of three medical practitioners, one chosen to represent the Director, one selected by the staff member and a third selected by the first two. This board shall have available to it the Bureau's medical records concerning the staff member and shall conduct such examinations of the individual as it may deem necessary. The decision of this board shall be final and none of the other appeal procedures described in this section shall apply, <u>except as provided in Rule 1040.</u>	This is essentially an editorial revision to indicate access to the ILO Tribunal. The new text is synonymous with WHO Staff Rule 1020.2.

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| 1030.2 | <p>To hear appeals on these grounds there shall be established at Headquarters a Board of Inquiry and Appeal and at each zone office, a Zone Board of Appeal. Only the Headquarters' Board of Inquiry and Appeal shall have competence to hear appeals under Rule 1030.1(d) regarding posts subject to international recruitment. At the request of the Headquarters' Board of Inquiry and Appeal, a Zone Board may conduct a hearing on any matter reserved to the competence of the Headquarters' Board, the findings of such hearing to be reported to the Headquarters' Board for review.</p> | <p>To hear appeals on these grounds there shall be established at Headquarters a Board of Inquiry and Appeal. <u>The Headquarters' Board of Inquiry and Appeal shall have competence to hear appeals under Rule 1030.1 above.</u></p>                                                                          | <p>To provide that all appeals arising within the Bureau regardless of duty station would be heard by the Headquarters' Board.</p> |
| 1030.3 | <p>The Headquarters' Board of Inquiry and Appeal shall report its findings and recommendations to the Director with whom the final decision shall rest. Zone Boards of Appeal shall report to the Zone Representative. The Director shall inform the appellant of his decision, and shall at the same time inform the appellant of the recommendations made by the Board. The Zone Representative shall follow a similar procedure in the case of appeals heard by Zone Boards of Appeal.</p>                                                                                                     | <p>The Headquarters' Board of Inquiry and 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, and shall at the same time inform the appellant of the recommendations made by the Board.</p> | <p>To provide that all appeals arising within the Bureau regardless of duty station would be heard by the Headquarters' Board.</p> |
| 1030.5 | <p>The Zone Board of Appeal shall be composed of three members having equal vote, selected as follows: one person and one alternate designated by the Zone Representative, one person and one alternate elected by the staff, and a third member who will serve as Chairman designated by the Zone Representative on the nomination of the two other members.</p>                                                                                                                                                                                                                                 | <p>To be deleted</p>                                                                                                                                                                                                                                                                                           | <p>To provide that all appeals arising within the Bureau regardless of duty station would be heard by the Headquarters' Board.</p> |

<u>No.</u>	<u>Present Text</u>	<u>New Text</u>	<u>Comments</u>
1030.7	<p>The Board of Inquiry and Appeal shall establish rules of procedure governing its own activity, which, so far as practicable, shall be followed by Zone Boards, provided that the appellant shall, if he so wishes, be heard by the appropriate 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 and the Board ultimately finds in favor of the appellant.</p>	<p>The Board of Inquiry and Appeal shall establish rules of procedure governing its own activity, 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 and the Board ultimately finds in favor of the appellant.</p>	<p>This is essentially an editorial change to provide that all appeals arising within the Bureau regardless of duty station would be heard by the Headquarters' Board. The new text is synonymous with WHO Staff Rule 1030.7.</p>
1030.8(c)	<p>A staff member shall have the right to appeal to the Board of Inquiry and Appeal at Headquarters against the decision of the Zone Representative based upon the recommendation of a Zone Board of Appeal. Notification of such appeal must be dispatched to the Board in writing within thirty calendar days after receipt by the appellant of the Zone Representative's decision on the original appeal.</p>	<p>To be deleted</p>	<p>To provide that all appeals arising within the Bureau regardless of duty station would be heard by the Headquarters Board.</p>
1030.9	<p>In any case involving interpretation of the Staff Regulations or Staff Rules, the Zone Representative shall consult the Director before taking a final decision on a recommendation from a Zone Board of Appeal. In case of appeal against the decision of the Zone Representative referred to in Rule 1030.8 above, the complete record of the Zone hearing shall be forwarded to the Board of Inquiry and Appeal at Headquarters, which shall decide what further evidence, if any, needs be obtained before making a recommendation to the Director for a final decision.</p>	<p>To be deleted</p>	<p>To provide that all appeals arising within the Bureau regardless of duty station would be heard by the Headquarters' Board.</p>



No.	<u>Present Text</u>	<u>New Text</u>	<u>Comments</u>
1040	<p>Note: The Pan American Sanitary Bureau has no Administrative Tribunal, the Board of Inquiry and Appeal being the final recourse in appeals. The IV Meeting of the Directing Council, held at Ciudad Trujillo during September 1950, authorized the Director to negotiate for participation in the Administrative Tribunal of the United Nations at the same time as, and through, the World Health Organization. (CD 4/R/XVII Res. 2).</p>	<p>1040.1 Pending definitive arrangements for the use of either the Administrative Tribunal of the United Nations or the Administrative Tribunal of the Organization of American States, disputes between the Bureau and a Staff member which cannot be resolved internally may be referred to the Administrative Tribunal of the International Labour Organization, provided that such disputes relate to observance of the terms of a staff member's contract or arise out of a disciplinary action. No other appeals are receivable by the Administrative Tribunal.</p> <p>1040.2 An appeal shall be made in accordance with the Statute of the Tribunal and shall not be receivable by the Tribunal unless the decision contested is a final decision and the person concerned has exhausted such other means of resisting it as are open to him under these Staff Rules and in particular Rules 1010 to 1030.</p>	<p>Recognition that staff members of the Bureau have access to the Administrative Tribunal of the International Labour Organization. The new text is synonymous with that of WHO Staff Rules 1040.1 and 2 and the inclusion of possible arrangements at a future date for the PASB to use the Administrative Tribunal of the Organization of American States.</p>
1050	<p>Copies of the rules of procedure of the Board of Inquiry and Appeal shall be maintained in the personnel offices of the Bureau and made available to any staff member on request.</p>	<p>Copies of the rules of procedure of the Headquarters' Board of Inquiry and Appeal and the <u>Statute of the Tribunal</u> shall be maintained in the <u>personnel office</u> of the Bureau and made available to any staff member on request.</p>	<p>Editorial change in view of Rule 1040 above. This is synonymous with WHO Staff Rule 1050.</p>