



UNRWA

AREA STAFF

RULES

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STAFF RULE 100.1

AUTHORITY OF THE STAFF RULES

These staff rules (hereinafter called "rules") are issued by the Commissioner-General under the authority of Resolution 302(IV), adopted by the General Assembly of the United Nations on 8 December 1949, and of the staff regulations applicable to Area staff members issued thereunder on 1 July 1957 (hereinafter called the "staff regulations").

STAFF RULE 100.2

APPLICABILITY

These rules shall apply only to Area staff members of the Agency, as defined in the staff regulations.

CHAPTER I

DUTIES, OBLIGATIONS AND PRIVILEGES

(Staff Regulations 1.1 - 1.11 refer)

STAFF RULE 101.1

HOURS OF WORK

1. The normal working week at Headquarters and the principal Field Offices of the Agency shall be of 37.5 hours taken as an average throughout the year, provided however that the normal working week applicable to particular posts, duties or assignment may be varied at the Commissioner-General's discretion, taking into account the nature of the duties performed and the surrounding circumstances.
2. The daily hours of work at each duty station shall be prescribed in administrative circulars or office instructions.
3. A staff member shall be required to work beyond the normal tour of duty whenever requested to do so.

STAFF RULE 101.2

OFFICIAL HOLIDAYS

1. The Agency shall observe ten official holidays per year. The days on which official holidays shall be observed in each of the countries or territories in which the Agency operates shall be prescribed by the Commissioner-General in administrative circulars or office instructions.
2. If an official holiday occurs on a weekly rest day, either the immediately preceding or immediately following work day shall be designated as the official holiday.
3. Authorised performance of duties on an official holiday for one full hour or more shall, subject to the provisions of rule 101.3, be considered as overtime.
4. Absence from duty on official holidays shall not be considered as leave, and salary and emoluments shall continue to be payable during such official holidays as if the staff member had remained on duty.

STAFF RULE 101.3

OVERTIME, COMPENSATORY TIME-OFF AND NIGHT DUTY PREMIUM COMPENSATION

1. Staff members who are required to work for one-half hour or more in excess of a maximum number of hours established by the Commissioner-General in respect of specific posts, duties or duty stations, will be deemed to have worked overtime. Overtime will be authorized in advance and duly recorded in accordance with established procedures.
2. Types of overtime shall be as follows:
 - (A) Regularly Scheduled Overtime
 - (B) Unscheduled Occasional Overtime
 - (C) Call-In Overtime
 - (D) Special Overtime
3. When overtime is required, the form of compensation will depend on the level of the position required to perform the overtime duties and will be either in the form of cash payments or compensatory time off (CTO) at the discretion of the Commissioner-General.
4. Compensatory time off is time during which a staff member is authorised to be absent from duty to compensate in part or in whole for a corresponding period of authorised overtime previously worked up to an administrative maximum. It shall not be considered as leave, and salary and emoluments shall continue to be payable during periods of compensatory time off as if the staff member had remained on duty.
5. When staff members are required as a function of their job to have a majority of other regularly scheduled hours of work outside the normal work week schedule, a Night Duty Shift Premium will be paid. The amount of the premium to be paid will depend on when the majority of weekly scheduled hours are actually worked.

STAFF RULE 101.4

OUTSIDE ACTIVITIES AND INTERESTS

1. Staff members shall not engage in any continuous or recurring outside occupation or employment (including self-employment) without the prior approval of the Commissioner-General.
2. No staff member may be actively associated with the management of, or hold a financial interest in, any business concern, if it were possible for him/her to benefit from such association or financial interest by reason of his/her official position with the Agency.

3. A staff member who has occasion to deal in his or her official capacity with any matter involving a profit-making, business or other concern in which he or she holds a financial interest, directly or indirectly, shall disclose the measure of that interest to the Commissioner-General and, except as otherwise authorized by the Commissioner-General, either dispose of that financial interest or formally excuse himself or herself from participating with regard to any involvement in that matter which gives rise to the conflict of interest situation.
4. The Commissioner-General shall establish procedures for the filing and utilization of declaration of interest forms.
5. Staff members shall not, except in the normal course of official duties, or with the prior approval of the Commissioner-General, perform any one of the following acts, if such act relates to the purpose, activities or interests of the Agency:
 - (A) issue statements to the press, radio or other agencies of public information;
 - (B) accept speaking engagements;
 - (C) take part in film, theatre, radio or television productions;
 - (D) submit articles, books or other material for publication.

STAFF RULE 101.5

MEMBERSHIP IN POLITICAL PARTIES AND POLITICAL ACTIVITIES

1. Membership in a political party is permitted provided that such membership does not entail action, or obligation to action, contrary to staff regulation 1.7. The payment of normal financial contributions shall not be construed as an activity contrary to staff regulation 1.7.
2. In any case of doubt as to the interpretation or application of staff regulation 1.7 and the present rule, the staff member concerned shall request a ruling from the Commissioner- General.

CHAPTER II

CLASSIFICATION OF POSTS AND STAFF

(Staff Regulations 2.1 and 2.2 refer)

No rules issued under this Chapter

CHAPTER III

SALARIES AND RELATED ALLOWANCES

(Staff Regulations 3.1 and 3.2 refer)

STAFF RULE 103.1

SALARY SCALES

1. The salaries payable to staff members in accordance with their respective grades, qualifications and duty stations shall be those set out in Appendix 1 to these rules:

- Appendix 1-A : Salary Scale - Lebanon
- Appendix 1-A-1 : Occupational Health Salary Scale – Lebanon
- Appendix 1-B : Salary Scale - The Syrian Arab Republic
- Appendix 1-B-1 : Occupational Health Salary Scale – The Syrian Arab Republic
- Appendix 1-C : Salary Scale - Jordan
- Appendix 1-C-1 : Occupational Health Salary Scale – Jordan
- Appendix 1-D : Salary Scale - West Bank
- Appendix 1-D-1 : Occupational Health Salary Scale – West Bank
- Appendix 1-E : Salary Scale – Gaza
- Appendix 1-E-1 : Occupational Health Salary Scale – Gaza
- Appendix 1-F : Salary Scale - The Arab Republic of Egypt

2. The Commissioner-General may set conditions of service including specific salary and allowances payable to staff members under particular occupational groups in accordance with their respective levels, qualifications and duty stations.

STAFF RULE 103.2

SALARY INCREMENTS

1. Except as provided in paragraph 2 below, salary increments from one step to the next higher step within the same grade shall be granted annually in accordance with the provisions of this rule to staff members whose services have been satisfactory, with the exception that grants of salary increments from Steps 20 to 24 shall require the following satisfactory service at the lower step:

Steps	Required years of service at lower step
20 to 21	2
21 to 22	2
22 to 23	4
23 to 24	4

2. Salary increments from one step to the next higher step within the same level to staff members paid as per the Occupational Health Salary Scales listed in Staff Rule 103.1, paragraph 1, shall be granted annually in accordance with the provisions of this rule to staff members whose services have been satisfactory, with the exception that grants of salary increments from Steps 24 to 26 shall require the following satisfactory service at the lower step:

Steps	Required years of service at lower step
24 to 25	2
25 to 26	2

3. Satisfactory service for the purpose of awarding a salary increment shall be defined, unless otherwise decided by the Commissioner-General in any particular case, as satisfactory performance and conduct of staff members in their assignments as evaluated by their supervisors.
4. Salary increments shall be effective on the first day of the calendar month following the completion of 12 months' service in the same step of the same grade, subject to the provisions of rule 105.2, paragraph 3, and provided that:
 - (A) This period of service may be adjusted to meet the requirements of rule 103.3;
 - (B) such increments shall not be effective earlier than the first day of the month in which a staff member returns to pay status from a period of leave without pay;
 - (C) no increment shall be paid in the case of staff members whose services will cease during the month in which the increment would otherwise have been effective.
5. If a staff member with satisfactory service is changed to a lower salary level, his/her service since the last increment shall be credited towards the next increment within the lower level. If a staff member whose service has not been satisfactory is changed to a lower salary level, his/her eligibility for salary increment in the lower level will be based on satisfactory service in that level.

STAFF RULE 103.3
SALARY POLICY ON PROMOTION OR PROGRESSION

1. Promotion and progression within the meaning of these rules shall be the advancement of a staff member to a higher grade within the salary scale set out in Area Staff Rule 103.1.
2. Promotion is defined as the advancement of a staff member to a higher grade due to a competitive recruitment process for a fixed-term post. Accordingly, a staff member in continuous service shall receive an increase in base salary nearest to but not less than the value of two (2) salary steps in the higher grade, and the new increment date shall be subject to the provisions of Area Staff Rule 103.2 and no less than twelve months from the date of promotion.
3. Progression is defined as the advancement of a staff member to a higher grade for any other reason. For example, progression is used when the change in grade is due to reclassification of a post to align accurately with the classification standards of the Agency. Accordingly, a staff member in continuous service shall be placed on the step of the higher grade that reflects the same base salary or higher where the nearest higher step in the higher grade is required, and the increment date shall be maintained.

Notwithstanding paragraph 2 above, a staff member who is not promoted directly to the full grade of the appointed post shall receive an increase in base salary nearest to but not less than the value of two (2) salary steps in the appointed grade. Upon subsequent advancement to the full grade of the post, the staff member shall, on progression, only be paid at such step in the full grade of the post which is next highest to the base salary received in the intermediate grade appointment. The new increment date shall be subject to the provisions of Area Staff Rule 103.2 and no less than twelve months from the date of promotion to the intermediate grade.

STAFF RULE 103.4

SALARY ADVANCES

1. Salary advances may be made to staff members at the Commissioner-General's discretion under the following circumstances and conditions:

- (A) Upon departure for extended official travel or for approved leave involving absence from duty of one or more pay days, in the amount that would fall due for payment during the anticipated period of authorised absence.
- (B) In cases where staff members do not receive their regular salary through no fault of their own, in the amount due.
- (C) Upon separation, where final settlement of pay accounts cannot be made at the time of the departure of the staff member from the area, subject to the advance not exceeding 80% of the estimated final net payments due.
- (D) In cases where new staff members appointed to serve in a country other than the country in which they were resident at the time of their appointment arrive without sufficient funds, in such amount as the Commissioner-General may deem appropriate.
- (E) Upon change of official duty station or temporary assignment at a new duty station, in such amounts as the Commissioner-General may deem appropriate.
- (F) In cases where staff members require funds for one of the purposes established for Provident Fund loans, but require less than the minimum loan amount of US \$2000.

2. The Commissioner-General may, in exceptional and compelling circumstances, and if the request of the staff member is supported by a detailed justification in writing, authorise an advance for a reason other than those enumerated above.

3. Salary advances other than those referred to in paragraph 1(C) and (F) of this rule shall normally be recovered by payroll deduction not later than the month following that in which the advance is made and if possible in the same month, except that in cases of exceptional hardship the Commissioner-General may authorise recovery by equal installments in not more than three consecutive months following that in which the advance is made.

STAFF RULE 103.5

RETROACTIVITY OF PAYMENTS

A staff member who has not received an allowance, grant or other payment to which he/she is entitled shall not receive retroactively such allowance, grant or payment unless he/she has made a written claim therefor:

- (A) In the case of the cancellation or modification of the rule governing eligibility, within three months following the date of such cancellation or modification; or
- (B) in every other case, within one year following the date on which he/she would have been entitled to the initial payment.

STAFF RULE 103.6

DEDUCTIONS AND CONTRIBUTIONS

Deductions may be made from the salaries or other emoluments of staff members for the following purposes:

- (A) For contributions authorised by staff members or payable under the provisions of these rules;
- (B) for indebtedness to the Agency;
- (C) for indebtedness to third parties when a deduction for this purpose is authorised by the Commissioner- General.

STAFF RULE 103.7

DEPENDENCY ALLOWANCE

Staff members shall be entitled, within the limits and under terms and conditions established by the Commissioner-General, to a dependency allowance in respect of one spouse and up to a total of seven dependent unmarried children below the age of 18 years.

STAFF RULE 103.8

**COMPUTATION OF PAYROLL ENTITLEMENTS AND/OR
DEDUCTIONS FOR FRACTIONAL PERIODS**

1. Salaries and related allowances shall normally be paid monthly in arrears as follows:
 - (A) For each full calendar month of qualifying service, the monthly salary and related allowances shall be paid. For the purpose of this rule, the monthly salary refers to the salary at the given grade and step set out in the salary scales in Appendix 1 to the Area Staff Rules;
 - (B) For less than a full calendar month of qualifying service (such as on a staff member's appointment, separation, or transition to or from special leave without pay status), the staff member shall be paid one-thirtieth (1/30) of the monthly salary and related allowances for each day of qualifying service during that month.
2. For payments and deductions based on the number of days or hours (such as leave encashment, overtime), the applicable rates in respect of staff members, shall normally be calculated as follows:
 - (A) For the purpose of this rule, the weekly salary rate is calculated by dividing the monthly salary by 4.3333 (i.e., the ratio of 52 weeks per year to 12 months per year);
 - (B) The daily working rate is the weekly salary rate divided by the normal number of working days per week (i.e., 5 days for posts with 5-day working weeks, and 6 days for posts with 6-day working weeks);
 - (C) The hourly working rate is the weekly salary rate divided by the normal number of hours of work per week (i.e., 37.5 hours or 42 hours).
3. Staff members who are appointed under Part-time "P" category, and those under Temporary Indefinite "A", Fixed-term "X" and Limited Duration Contract "LDC" categories who are authorized to have part-time service shall be paid proportionately according to the percentage of time worked per month (e.g., one-third, one-half, two-thirds or three-quarters of the applicable monthly salary and related allowances established for full-time employment in the given grade).

CHAPTER IV

APPOINTMENT

(Staff Regulations 4.1 to 4.5 inclusive refer)

STAFF RULE 104.1

LETTERS OF APPOINTMENT

All letters of appointment issued to staff members are subject to the Agency's staff regulations and staff rules applicable to area staff members and any amendments which may from time to time be made thereto, except only insofar as is otherwise expressly provided in the letter of appointment.

STAFF RULE 104.2

NOTIFICATION BY STAFF MEMBERS

AND OBLIGATION TO SUPPLY INFORMATION

1. Staff members shall be responsible on appointment for supplying the Commissioner-General with whatever information may be required for the purpose of determining their status under the staff regulations and staff rules, or of completing administrative arrangements in connection with their appointments.
2. Staff members shall also be responsible for promptly notifying the Commissioner-General, in writing, of any subsequent changes affecting their status under the staff regulations or staff rules.
3. A staff member who intends to acquire permanent resident status in any country other than that in which he/she was resident at the time of his/her appointment, or who intends to change his/her nationality or to acquire a new nationality, shall notify the Commissioner-General of such intention before the change in his/her resident status or in his/her nationality becomes final.
4. A staff member who is arrested, charged with an offence other than a minor traffic violation, or summoned before a Court as a defendant in a criminal proceeding, or convicted, fined or imprisoned for any offence other than a minor traffic violation, shall immediately report the fact to the Commissioner-General.

5. A staff member may at any time be required by the Commissioner-General to supply information concerning facts anterior to his/her appointment and relevant to his/her suitability, or concerning facts relevant to his/her integrity, conduct and service as a staff member.

STAFF RULE 104.3

EMPLOYMENT OF CLOSE RELATIVES

1. Except where another person equally well qualified cannot be recruited, appointment shall not be granted to a person who bears any of the following relationships to a staff member: father, mother, son, daughter, brother or sister.

2. The husband or wife of a staff member may be appointed provided that he/she is fully qualified for the post for which he/she is being considered and that the spouse is not given any preference by virtue of the relationship to the staff member.

3. A staff member who bears to another staff member any of the relationships specified in paragraphs 1 and 2 above:

- (A) Shall not be assigned to serve in a post which is superior or subordinate in the direct line of authority to the staff member to whom he/she is related;
- (B) shall be disqualified from participating in any process involving the reaching or reviewing of an administrative decision involving the staff member to whom he/she is related;
- (C) the marriage of one staff member to another shall not affect the contractual status of either spouse but their entitlements and other benefits shall be modified as provided in the relevant staff regulations and staff rules.

STAFF RULE 104.4

MEDICAL EXAMINATIONS

Staff members may be required to undergo medical examinations at such time or times as the Commissioner-General may consider necessary.

CHAPTER V

LEAVE

(Staff Regulations 5.1 and 5.2 refer)

STAFF RULE 105.1
ANNUAL LEAVE

ACCRUAL OF ANNUAL LEAVE

1. Staff members shall accrue annual leave while in full pay status at the rate of 2.5 working days for posts with 5-day working weeks, and 3 working days for posts with 6- day working weeks, for each calendar month of service subject to the provisions of rule 105.2, paragraph 3.
2. Where a staff member has served in full pay status for less than one calendar month he/she shall accrue annual leave of 2.5 working days if he/she joins the Agency between the 1st and 15th day of the month and 1.25 days if he/she joins the Agency between the 16th day and the end of any month for posts with 5-day working weeks, and annual leave of 3 and 1.5 working days respectively for posts with 6-day working weeks. No monthly accrual of annual leave shall amount to less than 1.25 or 1.5 working day(s) respectively.
3. Upon separation from service where a staff member has served in full pay status for less than one calendar month he/she will accrue 1.25 annual leave days if he/she separates from the Agency between the 1st to the 15th day of the month and 2.5 days if he/she separates from the Agency between 16th day to the end of any month for posts with 5-day working weeks, and 1.5 and 3 annual leave days respectively for posts with 6-day working weeks.
4. Up to 13 working days for posts with 5-day working weeks, and 15 working days for posts with 6-day working weeks, of untaken accrued annual leave may be accumulated and carried forward from one calendar year to the next calendar year, on or after the first day of April of the following year, provided always that not more than 37.5 working days for 5-day working weeks, and 45 working days for 6-day working weeks in total, representing the maximum accumulation from preceding years, shall be carried forward on or after the first day of April of any calendar year.
5. Subject to the provisions of paragraph 4 of this rule, a staff member who, by the first day of April of any calendar year, has accrued an amount of untaken annual leave in excess of the working days which he/she is permitted by this rule to carry forward, shall thereupon forfeit such excess and his/her annual leave entitlements shall be adjusted accordingly.

6. When a staff member is transferred to a post with a working week which is different than his/her previous post, his/her accrued annual leave days will be adjusted in accordance with the rules applicable to the new post.

PAYMENT IN LIEU OF ACCRUED LEAVE

7. Payment in lieu of accrued untaken annual leave shall only be made on separation, and in accordance with the provisions of rule 109.12.

AUTHORISATION OF ANNUAL LEAVE

8. Annual leave may be taken only when authorised by the Commissioner-General. A staff member may be granted annual leave for a period up to, but not exceeding, two calendar months at one time.

9. All arrangements as to leave shall be subject to the exigencies of the service which may require that leave be taken by a staff member during a period designated by the Commissioner-General. Insofar as possible, however, the personal circumstances and preferences of the staff member shall be taken into account. It shall be the responsibility of staff members to apply for annual leave in accordance with established procedures.

CHARGING OF ANNUAL LEAVE

10. Annual leave taken by or debited to a staff member shall be deducted from the total accrued annual leave to which he/she is entitled under this rule. These deductions shall be made on the following bases of calculation:

- (A) Annual leave may only be taken in units of working days or half days;
- (B) for 7 consecutive days of absence on leave, 5 working days of leave for posts with 5 working days and 6 working days, of leave for posts with 6 working days, shall be deducted subject, to provisions of paragraph 10 (D) of this rule;
- (C) for an absence on annual leave of less than 7 consecutive days, each day of absence which is a normal working day shall count as one day's leave;
- (D) a day which is not a working day (including official holidays under rule 101.2) shall not count as annual leave.

11. Any absence from duty not specifically covered by other provisions of these rules shall be charged to the staff member's accrued annual leave; if he/she has no accrued annual leave, it shall be considered as unauthorised, and pay and allowances shall cease for the period of such absence.

ADVANCE ANNUAL LEAVE

12. (A) GENERAL

The following provisions shall apply to advance annual leave granted or required under the provisions of paragraphs (B) and (C) hereunder:

- (i) Advance annual leave shall be granted or required only if the service of the staff member is expected to continue for a period beyond that necessary to accrue the leave so advanced.
- (ii) Advance annual leave shall not be combined with advance sick leave (under rule 106.2).
- (iii) Any advance leave outstanding on separation shall be treated as indebtedness to the Agency.

(B) UPON REQUEST OF THE STAFF MEMBER

A staff member may, in exceptional circumstances, be granted advance annual leave up to a maximum of 10 working days for posts with 5-day working weeks and 12 working days for posts with 6-day working weeks.

(C) AS MAY BE REQUIRED BY THE AGENCY

For purposes of arranging a balanced schedule of annual leave absences, a staff member may, in the interests of the Agency, be granted up to ten days' advance annual leave for posts with 5-day working weeks, and up to 12 working days for posts with 6-day working weeks.

STAFF RULE 105.2 SPECIAL LEAVE

1. Special leave with full or partial pay or without pay may be granted in the interests of the Agency in cases of extended illness, or for other exceptional reasons, for such period as the Commissioner-General may prescribe.
2. All special leave must be authorized by the Commissioner-General
3. Staff members shall not accrue service credits towards annual, sick or maternity leave or salary increments during full months of special leave with partial pay or without pay, Periods of less than one full month of such leave shall not affect the ordinary rates of accrual; nor shall continuity of service be considered broken by periods of special leave.

AREA STAFF RULE 105.3
EXCEPTIONAL LEAVE

1. The Commissioner-General may, at his or her initiative, place a staff member on exceptional leave if he or she considers it to be in the interest of the Agency to do so.
2. Exceptional leave will be subject to conditions specified by the Commissioner-General and for such period as the Commissioner-General may prescribe.
3. Unless the Commissioner-General decides otherwise, exceptional leave shall be without pay. If a staff member is placed on exceptional leave without pay, no salary, allowances, or other benefits will be paid to the staff member except as specifically provided for in this Rule and Area Staff Rule 106.1.
4. All exceptional leave must be authorized by the Commissioner-General.
5. Staff members shall accrue annual and sick leave only during periods of exceptional leave up to and including the first 120 days of the initial period of exceptional leave. Staff members shall accrue maternity and paternity leave during the full period of exceptional leave.
6. Continuity of service shall not be broken by periods of exceptional leave. However, staff members shall accrue service credits for salary increments, retirement, early voluntary retirement and termination indemnity benefits only during periods of exceptional leave up to and including the first 120 days of the initial period of exceptional leave.
7. Exceptional leave shall not be converted into any other leave with the exception of parental leave.
8. Where a staff member is participating in an Agency health protection plan, pursuant to Area Staff Rule 106.5, the Agency shall pay the Agency and staff member's contributions for any period of exceptional leave without pay. Staff members will not be required to pay back the Agency for the contributions paid by the Agency for the staff member and their recognised dependents under the plan made for their benefit during the period of exceptional leave without pay.

CHAPTER VI

SOCIAL SECURITY

(Staff Regulations 6.1 to 6.4 inclusive refer)

STAFF RULE 106.1

THE PROVIDENT FUND

NATURE OF THE PROVIDENT FUND

1. The Provident Fund is a scheme established by the Commissioner-General within the framework of these rules for the purpose of providing to eligible staff members upon their separation those benefits (hereinafter called "Provident Fund benefits") to which they may become entitled under the provisions of rule 109.10.
2. In order to accomplish this purpose, the Agency shall establish for each eligible staff member an account (hereinafter referred to as "participant's account") in which credits shall be entered in accordance with the provisions of this rule. Simultaneously, the Agency shall set aside funds (hereinafter called "Provident Fund assets") sufficient to meet its obligations under rule 109.10. However, the Provident Fund benefits payable to the staff member upon separation are, subject to the provisions of this rule and rule 109.10, governed by the credits in his/her account and are not dependent on or in any way governed by the amount of Provident Fund assets set aside by the Agency.

ELIGIBILITY FOR PARTICIPATION IN THE PROVIDENT FUND

3. All staff members holding temporary indefinite or Fixed-term appointments in grade 1 or above, including employees in the "X" or "P" category staff and who are paid with reference to the Area Staff salary scales, are required to participate in the Provident Fund in accordance with the relevant provisions of the Area Staff Rules, where such participation is expressly provided for in their letters of appointment. Staff members who participate in the Provident Fund under the provisions of this rule are hereinafter called "participants".
4. Participation in the Provident Fund commences on the date of appointment of a participant:
 - (A) This date shall not be earlier than 1 March 1955, and
 - (B) Participation in the Provident Fund shall not take effect retroactively.

5. (A) Except as provided for in paragraph (B) below, a staff member shall cease to be a participant in the Provident Fund at midnight on the date of his/her separation from Agency service.
- (B) Upon separation a participant may opt to defer receipt of all or part of his/her Provident Fund credits, such option to be communicated in writing to the Agency on or before the date of separation, also specifying the period of deferment. Such deferred credits shall be subject to these rules provided that:
- (i) No further voluntary deposits may be made except that the participant may also request the Agency, at the same time, to deposit and retain in his/her Provident Fund account all or part of his/her retirement/termination benefits;
 - (ii) One partial withdrawal may be made at the end of the twelve-month period following election to defer receipt of credits; subsequently, one partial withdrawal may be made following any twelve-month period during the period after separation;
 - (iii) The total credits may be withdrawn at the end of any month during the period after separation.
 - (iv) Accrual of interest on credits will continue till the end of the deferral period and all remaining credits shall be withdrawn from the Provident Fund at that time.

Withdrawals during or at the end of that period will be effective on the last official working day of the month when payment becomes due.

- (C) The option to defer receipt of credits under Staff Rule 106.1.5(B) is not available to any staff member who:
- (i) Has fewer than six full months staff credits in his/her account, or
 - (ii) Is summarily dismissed under Area Staff Regulation 10.3, or
 - (iii) Is separated through abandonment of post under rule 109.4, or
 - (iv) Holds a letter of appointment which entitles him or her to receive a cash payment on separation in accordance with the laws of the country in which he/she is employed.
- (D) If a staff member dies in service participation shall cease immediately and all credits shall be paid out within three months following his/her death. If a retiree dies during any period of optional deferral of withdrawals, such option shall also cease immediately and all credits shall be paid out within three months following his/her death.

BASIS OF PARTICIPATION IN THE PROVIDENT FUND

6. For the purposes of this rule, participation in the Provident Fund shall mean a credit to the participant's account by the Agency in accordance with paragraphs 10 and 12 of this rule.
7. Credits to participants' accounts shall be made monthly in respect of each participant, and throughout the entire period during which such participant remains eligible to participate in the Provident Fund and is in receipt of his/her base salary as defined in paragraph 9 of this rule.
8. (A) Credits to participants' accounts shall be recorded in the following currencies depending on the participants' duty station:

<u>Duty Station</u>	<u>Currency</u>
Lebanon	U.S. Dollar (Effective November 1983)
Syrian Arab Republic	U.S. Dollar (Effective January 1982)
Jordan Field (General Service) employees and) Manual Workers))	U.S. Dollar (Effective July 1990)
Teaching Staff HQ (Amman)	U.S. Dollar (Effective April 1991)
(All participants)	U.S. Dollar (Effective April 1991)
West Bank	U.S. Dollar (Effective May 1989)
Gaza U.S. Dollar	
Arab Republic of Egypt	U.S. Dollar

Where the participant's account is kept in the same currency as that in which his/her base salary is payable, the credits to his/her account shall be calculated as a percentage rate of his/her base salary. When at any duty station the currency in which the participants' accounts are kept is changed from the currency in which base salary is payable, then:

- (i) All credits accumulated in a participant's account up to the date on which the aforesaid change takes place shall be converted at the UNRWA book exchange rate for accounting and budgeting purposes in effect on that date;
- (ii) Thereafter, credits to a participant's account shall first be calculated as a percentage of base salary and then converted to the currency of his/her account using the applicable UNRWA book exchange rate for accounting and budgeting purposes in effect on the date of the conversion.
- (B) All references in these rules to amounts being credited to or paid out of a participant's account shall be deemed to refer to the appropriate amounts in the currency of his/her account as provided for in sub-paragraph (A) above.

9. For the purposes of this rule, "base salary" shall mean the net monthly contractual salary and increments currently payable to a participant.

STAFF PARTICIPATION

10. (A) The Agency shall make a monthly deduction of 7.5 per cent from the base salary payable to each participant, and the amounts so deducted shall immediately be credited by the Agency to the participant's account.
- (B) A participant may increase his/her credits in the Provident Fund by requesting the Agency in writing to make an additional monthly deduction from his/her base salary over and above the 7.5 per cent deduction under sub-paragraph (A) above, at a specified rate (not exceeding 50% of monthly base salary), which shall not be varied more frequently than once in six months. Such additional deductions, i.e., voluntary contributions, shall be credited by the Agency to the participant's account in the same way and at the same time as the monthly deductions made under sub-paragraph (A) above.
- (C) With effect from 1 September 2002, a participant may only be allowed to withdraw his/her credits of voluntary contribution to the Provident Fund on separation from the Agency's services.

11. The amounts deducted under paragraph 10 of this rule from the base salary payable to a participant are hereinafter called "staff credits".

AGENCY PARTICIPATION

12. In addition to each monthly staff credit provided for in paragraph 10 of this rule, the Agency shall each month credit each participant's account with an amount equal to 15 per cent of the participant's base salary for that month, which credits are hereinafter referred to as "Agency credits".

SUSPENSION OF PARTICIPATION

13. Where the base salary normally payable to a participant is withheld or temporarily suspended, otherwise than by reason of special leave without pay under rule 105.2, **both the staff and Agency** credits to a participant's account provided for in paragraphs 10 and 12 of this rule shall likewise be withheld or suspended.

14. Where, however, a participant is granted special leave without pay under rule 105.2 **or is placed on exceptional leave under rule 105.3**, he/she may elect in writing to pay to the Agency in cash an amount equal to the credits which would otherwise have been made to his/her account by way of both staff participation (**including voluntary contributions, if any**) and Agency participation throughout such period of special leave **or exceptional leave** and in such case the Agency shall credit his/her account in equal amount. **The Agency shall not reimburse any cash paid by a participant to credit his/her account during a period of special leave or exceptional leave. Failing election to pay the Agency during a period of special leave or exceptional leave**, all credits to a participant's account, both staff and Agency, shall cease throughout such period of special leave **or exceptional leave**.

15. Where, in accordance with paragraph 14 of this rule, a participant elects to continue his/her participation in the Provident Fund during a period of special leave without pay **or exceptional leave**, all credits to his/her account resulting there from shall be deemed to be staff credits and shall be recorded by the Agency as staff credits for the purposes of this rule.

ALLOCATION OF INVESTMENT INCOME TO PARTICIPANTS' ACCOUNTS

16. The income earned each year by the Provident Fund assets under paragraph 18 below shall be applied to the participants' accounts in the following manner:-

- (A) The Commissioner-General shall each year declare and publish the interest rate at which the income earned in the previous year by the Provident Fund assets shall be reflected in arrears annually in the participants' accounts, provided that the total income so allocated shall not exceed the total net income under paragraph 18 of this rule, after deducting expenses under paragraph 19. Any net income of a year not allocated to participants' accounts as interest of that year may be included in a succeeding year's interest credit, at the discretion of the Commissioner-General.
- (B) For those participants whose accounts relate to the Main Fund, interest shall be computed on the balance of the participant's account as of the close of the relevant year, provided that where during any year an amount has been allocated to a participant's account otherwise than under paragraph 10, 12 or 14 of this rule, the part of the participant's balance represented by that amount shall, for the purpose of computing interest for that year, be reduced by one-twelfth for each month of the year that elapsed before the allocation of the amount to the account. Effective 1 January 1992, interest for such participants shall be computed on the basis of an average balance of the participant's account during the relevant year.
- (C) Interest allocations shall be deemed to have been made to participants' accounts as of the first day of the year following the year for which made.

- (D) The Commissioner-General shall also declare and cause to be published each month a special interest rate to be applied to the accounts of separating participants in the manner described below:-
- (i) In declaring this special interest rate each month, the Commissioner-General shall take account of the investment performance of the Provident Fund assets as reflected in the reports by the Global Custodian and the estimated results of the Provident Fund Humanitarian Repayable Withdrawals scheme, for the period between the first day of the year immediately following the year covered by the last declared interest rate under (A) above, up to but not including the month in which the special interest rate is declared; he/she shall also take account of the requirements of paragraph 19 of this rule.
 - (ii) The last published special interest rate shall be applied to a separating participant's account for the period between the first day of the year immediately following the year covered by the last declared interest rate under (A) above, up to and including the month immediately preceding payment.
 - (iii) The foregoing provisions shall also apply mutatis mutandis:
 - (1) To withdrawal by a participant of any additional credits which he/she may have in his/her account from voluntary contributions under paragraph 10(C) above, and
 - (2) To balances remaining in individual Provident Fund accounts in accordance with paragraph 5(B) of this rule, equating the year of cessation of participation with that of final withdrawal of the total balance in an individual account.
- (E) The interest rates referred to above may be positive, nil or negative, depending on the assessment of investment performance.

ADMINISTRATION OF THE PROVIDENT FUND

ADMINISTRATION AND CONTROL

17. Subject to the provisions of this rule, the Provident Fund shall be administered and controlled by and at the discretion of the Commissioner-General, and in accordance with such instructions and procedures as he/she may prescribe. The Commissioner-General may establish a scheme, with appropriate safeguards, for granting Provident Fund Humanitarian Repayable Withdrawals to Provident Fund participants against their Provident Fund credits for purposes approved by him/her.

INVESTMENT OF PROVIDENT FUND ASSETS

18. Provident Fund assets set aside by the Agency under paragraph 2 of this rule shall be invested in reputable financial institutions with a view to earning a satisfactory return; provided that the Commissioner-General may at his/her discretion invest in Government or other high grade securities, good quality equities or any other asset class or strategy as he/she deems appropriate.

ADMINISTRATIVE EXPENSES

19. From the income which accrues from the deposit or investment of Provident Fund assets shall be paid those expenses which are directly attributable to the administration of the Provident Fund.

FISCAL YEAR AND ANNUAL AUDIT

20. Unless otherwise established by the Commissioner-General, the fiscal year for Provident Fund accounting and reporting purposes shall be the same as that of the Agency. The Provident Fund accounts shall be audited and statements thereof published once annually.

PAYMENT OF BENEFITS AND CLOSURE OF PARTICIPANTS' ACCOUNTS

21. Payment of Provident Fund benefits shall be made only as provided for under rule 109.10, or under any provision made by the Commissioner-General as mentioned in paragraph 24 of this rule.

22. (A) All payments of Provident Fund benefits shall be charged to the appropriate participant's account. Any balance remaining in his/her account after payment has been made shall not thereafter be deemed a Provident Fund liability of the Agency but shall be transferred to such other account as the Commissioner-General may direct. The participant's account shall then be considered closed.

(B) The right to any payment of Provident Fund benefit shall be forfeited if, for five years after payment has been due, the beneficiary thereof has failed to submit payment instructions or has failed or refused to accept payment.

(i) Notwithstanding the foregoing, the right to a benefit shall not be forfeited if its exercise has been prevented by circumstances beyond the control of the beneficiary, and the Comptroller may, in any event, restore the forfeit benefits if the beneficiary thereof, within 10 years after payment has been due, submits payment instructions or otherwise accepts payment thereof.

- (ii) For purposes of the implementation of this rule, the Comptroller shall account for all forfeit benefits, and all benefits that shall have been restored, in accordance with the Agency's Financial Regulations and all applicable Finance Technical Instructions, as well as Area Staff Rule 106.1, para 22.

- (C) In the event any participant dies without having designated his or her beneficiaries (by proper completion of a designation of beneficiary form or other means sufficient to determine the participant's express intent with respect to, specifically, his or her Provident Fund account), the deceased participant's Provident Fund account shall be considered as if it were an asset of the participant's estate and any distribution would be to, and by, the estate in accordance with the local laws governing the estate.

DISPOSITION OF PROVIDENT FUND ASSETS

23. Provident Fund participants shall have no claim against Provident Fund assets as such, and any assets remaining after the Agency has paid all benefits due under the provisions of rule 109.10 or under any provision made by the Commissioner-General as mentioned in paragraph 24 of this rule, shall remain assets of the Agency.

24. Nothing in this rule, or in rule 109.10, shall be taken to prevent the Commissioner-General from making appropriate provision for the participation in the Provident Fund of employees of the Agency other than those mentioned in paragraph 3 of this rule, on terms equivalent, as nearly as may be, to those set out in this rule, and in rule 109.10.

STAFF RULE 106.2

SICK LEAVE

1. Staff members who are incapacitated from the performance of their duties by illness or injury, or whose attendance is prevented by public health requirements, may be granted sick leave with full pay in accordance with the following provisions.

ACCRUAL OF SICK LEAVE

2. Subject to the provisions of staff rule 105.2 paragraph 3, each staff member shall be credited with 2 working days for posts with 5-day working weeks and 2.4 working days for posts with 6-day working weeks, for each calendar month of service, against which authorised absences of sick leave shall be debited.

3. Unused sick leave entitlements accrued under paragraph 2 of this rule shall be carried forward at the end of each year of service, provided that the total sick leave credit available to a staff member shall not at any time exceed 156 working days for posts with 5-day working weeks, and 187 working days for duty stations with 6-day working weeks. Unused accrued sick leave shall lapse upon the separation of a staff member, and no payment shall be made in lieu thereof.

4. When a staff member is transferred to a post with a working week which is different than his/her previous post, his/her accrued sick leave days will be adjusted in accordance with the rules applicable to the new post.

AUTHORISATION OF SICK LEAVE

5. All sick leave must be authorised by the Commissioner-General in accordance with established procedures.

NOTIFICATION OF ILLNESS OR INJURY

6. Staff members shall be responsible for informing their supervisors as soon as possible of absences due to illness or injury, and wherever practicable should report to their supervisors before absenting themselves.

MEDICAL CERTIFICATES AND EXAMINATIONS

7. Except with the special approval of the Commissioner-General, no staff member may be granted sick leave for a period of more than 3 consecutive working days without producing a certificate from a duly qualified medical practitioner, to the effect that he/she is unable to perform his/her duties and stating the nature of the illness, and the probable duration of the incapacity. Such certificate shall, except in circumstances beyond the control of the staff member, be produced not later than the end of the 4th working day following the initial absence from duty of the staff member. On receipt of such certificate, the Commissioner-General shall decide whether sick leave should be granted. However in cases of family-related emergencies or obligations, the 3-day limit will not apply and the staff member may, if the circumstances require, be absent for up to 7 consecutive days.

8. After a staff member has taken periods of uncertified sick leave totalling 7 working days within a service year, any further absence on sick leave beyond 7 days in any calendar year must be supported by a medical certificate, or will otherwise be charged to annual leave for non-teaching staff, and special leave without pay for teaching staff.

9. A staff member may be required at any time to submit a medical certificate as to his/her condition or to undergo an examination by a medical practitioner nominated by the Director of Health.

DEPARTURE FROM AREA OF DUTY STATION

10. A staff member shall not, whilst on sick leave, leave the area of his/her duty station without the prior approval of the Commissioner-General.

CHARGING OF SICK LEAVE

11. Sick leave taken by or debited to a staff member shall be deducted from the amount of sick leave accrued on the same bases of calculation as are applicable to annual leave under rule 105.1, paragraph 9.

SICKNESS DURING ANNUAL LEAVE

12. When sickness of more than 3 consecutive working days occurs within a period of annual leave, sick leave may be authorised on production of a satisfactory medical certificate or other acceptable evidence. In such circumstances, a staff member should submit his/her request for sick leave together with supporting certificate or other evidence as soon as practicable, and in any event immediately on his/her return to duty. A staff member on annual leave shall not extend the period of his/her leave by reason of sickness without prior authorisation.

STAFF RULE 106.3

MATERNITY AND PATERNITY LEAVE

MATERNITY LEAVE

1. A staff member shall be entitled to maternity leave in accordance with the following provisions:

- (A) The leave shall commence 20 working days prior to the anticipated date of delivery for duty stations with 5 day working weeks, and 24 working days for duty stations with 6 day working weeks, upon production of a certificate from an authorized Agency medical officer, indicating the anticipated date of delivery. However, at the staff member's request and upon production of a certificate from an authorized Agency medical officer indicating that she is fit to continue to work, the absence may be permitted to commence less than 20 working days but not less than 10 working days for duty stations with 5 day working weeks, and 24 working days but not less than 12 working days for duty stations with 6 day working weeks, before the anticipated date of delivery.
- (B) The leave shall extend for a total period of 60 working days for duty stations with 5 day working weeks and a total period of 72 working days for duty stations with 6 day working weeks, from the time it is granted. The post-natal leave shall therefore extend for a period equivalent to 60 or 72 working days respectively less the period between the commencement of the maternity leave to the actual date of delivery being not less than 10 or 12 working days respectively.
- (C) The staff member shall receive maternity leave with full pay for the entire duration of her absence in accordance with (A) and (B) above. However, if due to a miscalculation on the part of the medical officer as to the date of delivery, the pre-natal leave is more than 20 or 24 working days respectively, the staff member shall receive full pay to the actual date of delivery, provided that the total maternity leave on full pay does not exceed 60 or 72 working days and that any absence in excess of 60 or 72 working days shall be treated as annual, special or sick leave as circumstances warrant.
- (D) In the event that a staff member resigns or is summarily dismissed from Agency service or abandons her post within six months of returning to duty after maternity leave, she shall be required to refund to the Agency the amounts paid by way of salary and allowances during her maternity leave.
- (E) Additional requirements exist for staff members holding LDC contracts, as set out in Personnel Directive A/4, Part II.

2. Staff members on fixed-term appointment may be granted maternity leave along the same lines provided that their appointment is expected to continue for at least 6 months after return to duty from maternity leave.
3. Sick leave shall not normally be granted for maternity cases except where serious complications arise.
4. Return to duty after maternity leave shall be permitted only on production of a medical certificate of fitness from an authorized Agency medical officer.

PATERNITY LEAVE

5. A staff member shall be entitled to 2 weeks paternity leave to bond with the new born child at any time after the date of birth but before the child reaches the age of 1 year.
6. Paternity leave for teaching staff should be requested for and granted in 2 separate 1 week periods. 1 week may be taken during the school term and the second week must be taken during non-teaching periods.
7. In the event that a staff member resigns or is summarily dismissed from Agency service or abandons his post within 6 months of returning to duty after paternity leave, he shall be required to refund to the Agency the amounts paid by way of salary and allowances during his or her paternity leave.

STAFF RULE 106.4

COMPENSATION FOR DEATH, INJURY OR ILLNESS ATTRIBUTABLE TO SERVICE

PRINCIPLES OF AWARD AND ELIGIBILITY

1. Compensation shall be awarded, in the event of death, injury or illness of a staff member which the Agency determines to be attributable to the performance of official duties on behalf of the Agency, except that no compensation shall be awarded when such death, injury or illness has been occasioned by:

- (A) The willful misconduct of any such staff member, including drunkenness;
- (B) any such staff member's willful intent to bring about the death, injury or illness of himself/herself or another.

2. Without restricting the generality of paragraph 1 of this rule, the death, injury or illness of a staff member shall be deemed to be attributable to the performance of official duties on behalf of the Agency in the absence of any willful misconduct or willful intent when:

- (A) The death, injury or illness occurred as a direct result of travel by means of transportation furnished by, or at the expense of the Agency, in connection with the performance of official duties; provided that the provisions of this sub-paragraph shall not extend to private motor vehicle transportation sanctioned or authorised by the Agency solely on the request and for the convenience of the staff member;
- (B) the death, injury or illness directly resulted from strikes, riots, or civil disturbances; provided that at the time of such death or injury the staff member was acting in his/her official capacity at his/her usual post of duty, or at another post consequent to an order given by a superior Agency official;
- (C) the death, injury or illness directly resulted from war, declared or undeclared; provided that at the time of such death or injury the staff member was serving at the Agency's request in a country other than that in which he/she was resident at the time of his/her initial appointment by the Agency, and would not have suffered such death or injury had it not been for his/her employment with the Agency.

AMOUNT OF COMPENSATION PAYABLE

3. The amount of compensation payable under this rule shall be the amount which would normally be payable in the circumstances of the case, but not necessarily in the form of a pension, under the workmen's compensation or labour law applicable in the Syrian Arab Republic provided that:

- (A) Where such compensation includes the cost of medical or hospital treatment, such treatment or hospitalisation shall be provided in Agency-operated or subsidised hospitals unless in exceptional circumstances the Agency authorises other arrangements;
- (B) the Agency will continue an incapacitated staff member in full pay status for a period not exceeding six months from the date of the injury or illness or until he/she is declared able to return to work or is offered a settlement for permanent disability whichever is earlier. Such payment of salary and allowances shall be in lieu of the payments of salary or partial salary which are provided by law for the period. Should temporary incapacity extend beyond six months, compensation payments for such further period will be determined in accordance with the workmen's compensation or labour law applicable in accordance with this rule.

4. All payments of salary or related emoluments whether they are based on workmen's compensation or labour laws or are pursuant to sub-paragraph (B) of paragraph 3 of this rule are considered compensation.

SUBMISSION OF CLAIMS

5. Claims for compensation for injuries or death under this rule shall be submitted by the staff member or his/her representatives within seven days of the injury or death, provided that in exceptional circumstances the Commissioner-General may accept for consideration a claim made at a later date.

6. Claims for compensation for illness under this rule shall be submitted by the staff member within two months of the onset of the illness, provided that in exceptional circumstances the Commissioner-General may accept for consideration a claim made at a later date.

DOCUMENTARY EVIDENCE

7. Every person claiming under this rule or in receipt of compensation thereunder shall furnish such documentary or other evidence as may be required by the Commissioner-General for the purpose of determination of entitlements.

MEDICAL EXAMINATION

8. Every person claiming under this rule or in receipt of compensation thereunder shall undergo such medical examination or examinations as the Commissioner-General may require, at such time or times as he may consider necessary.

SOLE COMPENSATION

9. The compensation payable under this rule shall be the sole compensation to which any staff member or his/her dependants shall be entitled from the Agency in respect of any claim falling within the provisions of this rule.

RELEASE

10. A person entitled to compensation under this rule shall furnish the Agency with a receipt and release prior to final payment.

NON-ASSIGNMENT

11. A person who may be entitled to compensation under this rule may not assign his/her rights under this rule to another person.

CLAIMS AGAINST THIRD PARTIES

12. If a death, injury or illness for which compensation may be awarded under this rule is caused in circumstances which, in the opinion of the Commissioner-General, create a legal liability in a third person to pay damages therefor, either to the staff member or to another person who is entitled to compensation under this rule in respect of the death, injury or illness, the Commissioner-General may, as a condition to granting such compensation, require the staff member or such other person to assign to the Agency or its insurance carrier any right of action to enforce such liability, or to participate with the Agency or its insurance carrier in prosecuting such action.

13. The staff member or such other person entitled shall furnish the Agency or its insurance carrier with such data and evidence as may be available to him/her for prosecuting such action, and shall render the Agency or its insurance carrier all other assistance which may be required for prosecuting such action. The staff member or such person shall not settle any claim or action against such third person without the consent of the Agency, but the Agency shall be entitled to settle or require the staff member or such person to settle any claim or action against such third person upon such terms as seem reasonable to the Agency.

14. If the staff member or such person, or the staff member or such person and the Agency or its insurance carrier prosecute to judgment or settle any claim against such third person or make any settlement of such claim, the proceeds derived therefrom shall be used:

- (A) To defray the cost of the suit or settlement, including reasonable attorney fees, and
- (B) to reimburse the Agency for any compensation including expenses of medical services provided under this rule with respect to the death, injury or illness. The balance, if any, shall be paid over to the staff member or such person and the Agency's liability under this rule shall to that extent be reduced, or extinguished.

LOSS OF ENTITLEMENT TO COMPENSATION

15. In the event that any person claiming or in receipt of compensation under this rule refuses or fails to comply with any of the provisions thereof, the claimant or beneficiary shall be debarred from receiving compensation thereunder in full or in part except that the Commissioner-General may decide otherwise where, in his opinion, there are special circumstances which justify his decision.

STAFF RULE 106.5

HEALTH PROTECTION PLAN

The participation of staff members, or any category thereof, in any health protection plan established under staff regulation 6.4 may be obligatory or permissive as the Commissioner-General shall prescribe; and deductions in respect of their contributions under the Plan may be made from the salaries and other emoluments of staff members who are participants.

STAFF RULE 106.6

COMPENSATION FOR LOSS OF OR DAMAGE TO PERSONAL EFFECTS

Staff members shall be entitled, within the limits and under terms and conditions established by the Commissioner-General, to reasonable compensation in the event of loss of or damage to their personal effects, determined to be directly attributable to the performance of official duties on behalf of the Agency.

CHAPTER VII

TRAVEL AND TRANSFER EXPENSES

(Staff Regulation 7.1 refers)

STAFF RULE 107.1

OFFICIAL TRAVEL OF STAFF MEMBERS

1. Subject to the conditions laid down in these rules, the Agency shall pay travel expenses of a staff member under the following circumstances:
 - (A) When he/she is required to travel on official Agency business;
 - (B) on change of official duty station as defined in rule 107.9;
 - (C) on temporary assignment as defined in rule 107.10;
 - (D) on local transfer when the payment of such expenses is authorised by the Commissioner-General under the provisions of rule 107.11.

STAFF RULE 107.2

AUTHORITY FOR TRAVEL

1. Before official travel is undertaken, it shall be authorised in writing in accordance with established procedures. A staff member shall be personally responsible for ascertaining that he/she has the proper authorisation before commencing travel.
2. The term "official travel status" as used in these rules shall mean the status of a staff member who is travelling at a time and by a mode, route and standard of transportation authorised in advance in accordance with these rules.

STAFF RULE 107.3

TRAVEL EXPENSES

1. Travel expenses which shall be paid or reimbursed by the Agency under the relevant provisions of these rules shall include:

(para.1 ctd.)

- (A) Transportation expenses (i.e. the carrier fare) in accordance with the provisions of rule 107.4.
- (B) Travel Subsistence Allowance in accordance with the provisions of rule 107.5.
- (C) Necessary additional expenses incurred during official travel of a staff member and authorised in accordance with the provisions of rule 107.6.

2. A staff member shall be personally responsible for submitting claims for travel expenses in accordance with established procedures within 30 calendar days after the date of completion of travel. Where such claims are not submitted within this period, the staff member shall lose his/her entitlement to such travel expenses, provided that in exceptional circumstances the Commissioner-General may waive this provision.

3. For the purpose of determining a staff member's entitlement to travel expenses under these rules, the Agency's area of operations shall be defined as comprising the following countries or territories: the Arab Republic of Egypt, Jordan, Gaza, Lebanon and the Syrian Arab Republic.

STAFF RULE 107.4

TRANSPORTATION EXPENSES

1. The Agency shall pay only for transportation facilities actually authorised and used.

ROUTE, MODE AND STANDARD OF TRANSPORTATION

2. Official travel shall in all cases be by a route, mode and standard of transportation approved in advance by the Commissioner-General.

3. Travel entitlements including travel time shall be limited to the amount allowable for a journey by the approved route, mode and standard. Staff members who wish to make other arrangements for personal convenience must obtain permission to do so in advance and pay all additional costs.

4. Travel shall be by the most direct and economical route and mode of transportation except where it is established to the satisfaction of the Commissioner-General that the use of an alternative route or mode of transportation is in the best interest of the Agency.

TRANSPORTATION PROVIDED BY THE AGENCY

5. The Agency shall provide its own means of transportation for official journey within the Agency's area of operations whenever in the opinion of the Commissioner-General it is in the Agency's interests so to do. When such Agency transportation is provided, whether by air, road or other means, no transportation expenses shall be payable or reimbursable to the staff member.

TICKETS PURCHASED BY THE AGENCY

6. Where Agency transportation for an official journey is not provided and travel by commercial means is authorised, the necessary tickets shall, whenever possible, be purchased by the Agency. When tickets are so purchased, no transportation expenses shall be payable or reimbursable to the staff member.

7. Where a staff member does not complete the whole of the journey for which tickets have been purchased by the Agency, or travels at a lower standard than has been paid for, he/she shall return to the Agency any unused portion of his/her ticket and/or an endorsement by the transportation company to the effect that over- payment has been made, in order that the Agency may obtain an appropriate refund.

TICKETS PURCHASED BY THE STAFF MEMBER

8. Where in exceptional cases a staff member is given prior authorisation to purchase the necessary tickets for an official journey, he/she may claim reimbursement of the amount paid therefor in accordance with the provisions of this rule.

TRAVEL BY PRIVATE AUTOMOBILE

9. A staff member who uses his/her private automobile for official travel shall not be entitled to any transportation expenses unless, in exceptional cases, special prior authorisation has been given by the Commissioner-General both as to the journey and mode of travel, and as to the rate of reimbursement and other conditions applicable. In no such case will transportation expenses be reimbursed in an amount exceeding that which would otherwise be payable if the journey had been made by the most direct and economical route and mode of transportation.

STAFF RULE 107.5

TRAVEL SUBSISTENCE ALLOWANCE

1. When a staff member is authorised to travel at the Agency's expense, except during travel by sea, he/she shall receive a travel subsistence allowance in accordance with the terms and conditions of these rules, and at the rates and in the conditions which the Commissioner-General shall prescribe separately for staff members by grade level and by country.

TRAVEL SUBSISTENCE ALLOWANCE RATES

2. The rates at which Travel Subsistence Allowances are to be paid shall be determined by the Commissioner-General and shall be published in staff circulars or by other appropriate means. These rates shall comprise the following schedules:

- (A) Schedule "A" rates which are applicable when a staff member is authorised to travel within the country of his/her duty station, such country being in the Agency's Near East area of operations. Travel Subsistence Allowance at Schedule "A" rates shall be payable in local currency.
- (B) Schedule "B" rates which are applicable when a staff member is authorised to travel within the Agency's Near East area of operations, but outside the country of his/her duty station. Travel Subsistence Allowance at Schedule "B" rates will normally be published in United States Dollars, but they shall be payable in the currency of the country in which travel takes place, or alternatively in the currency of the country of the duty station of the staff member.
- (C) Schedule "C" rates which are applicable when a staff member is authorised to travel in a country other than the countries of the Agency's Near East area of operations.

GENERAL CONDITIONS OF PAYMENT

3. Travel Subsistence Allowance shall be deemed to comprise the total contribution of the Agency towards such charges as meals, lodging, gratuities and other payments made for personal services rendered; and except as expressly provided elsewhere in these rules any expense incurred in excess of the Allowance shall be borne by the staff member.

4. Where accommodation is provided by or on behalf of the Agency and without cost to the staff member while he/she is in official travel status, such staff member shall not be entitled to a Travel Subsistence Allowance under this rule but may be paid such proportion thereof as the Commissioner-General may consider appropriate in the circumstances.
5. If more than one rate of Travel Subsistence Allowance should apply during the course of any one day, the rate applicable to the major portion of the day shall be paid for the entire day. If the traveler completes his/her travel on the same day as he/she commenced it, the rate applicable to the country of destination shall be paid for that day.
6. The Travel Subsistence Allowance shall continue to be paid during periods of sick leave while in travel status, except that if the traveler is hospitalised, only one-third of the appropriate daily rate shall be paid.
7. Travel Subsistence Allowance shall not be paid during travel by sea. However, a staff member authorised to travel by sea shall be entitled to a fixed amount determined in advance by the Commissioner-General to cover such reasonable and necessary expenditure as he/she will normally be obliged to incur on board ship.
8. The Commissioner-General may establish special rates and conditions of Travel Subsistence Allowance for staff members who attend authorised training courses.
9. Except for leave taken at a rate not exceeding one and a half days for each completed month on which a staff member is in travel status on official business, Travel Subsistence Allowance shall not be paid in respect of any period of annual or special leave. It shall not, in any event, be paid in respect of leave taken at the conclusion of active duty on an assignment but prior to the staff member's return to the official duty station.

STAFF RULE 107.6

MISCELLANEOUS TRAVEL EXPENSES

1. Necessary additional expenses incurred by a staff member during official travel in connexion with the transaction of official business or in the performance of authorised travel, may be reimbursed by the Agency after completion of travel, provided that the necessity and nature of the expenses are satisfactorily explained, and that they are supported by proper receipts, which shall normally be required for any expenditure in excess of \$2.

2. Such expenses, for which advance authorisation shall be obtained to the maximum extent practicable, shall normally be limited to:

- (A) Hire of local transportation;
- (B) telephone, telegraph, radio, and cable messages on official business;
- (C) transportation or storage of baggage or property used on official business.

STAFF RULE 107.7

TRANSPORTATION OF BAGGAGE

1. Expenses in connexion with the transportation of a staff member's personal baggage shall not be payable by the Agency except only under the provisions of rule 107.12 or as provided hereunder.

2. Where a staff member is authorised to travel at the Agency's expense and

- (A) Takes with him/her any personal baggage in excess of the weight or size carried without extra charge by the transportation company, or
- (B) where Agency transport is used, ships separately any personal baggage in excess of the weight or size permitted by the Agency to be carried in such transport,

then subject to only paragraphs 3 to 6 inclusive of this rule, the staff member shall himself/herself pay any additional costs involved.

EXCESS BAGGAGE

3. Baggage transported commercially in excess of the weight or size carried without extra charge by transportation companies shall be considered as excess baggage within the meaning of these rules.

4. When baggage is carried without charge by one transportation company, but considered as excess by a company furnishing subsequent transportation other than by air, the traveller may be reimbursed for the charges involved provided he/she obtains a statement from the company making the charge that the baggage was considered as excess.

5. Charges for excess baggage by air shall not be reimbursable unless, in the opinion of the Commissioner-General, the circumstances under which the staff member is travelling are of a sufficiently exceptional and compelling nature to warrant such reimbursement.
6. Charges for excess baggage shall normally only be reimbursable under this rule when authorised prior to the commencement of travel.

STAFF RULE 107.8

TRAVEL ADVANCES

1. Staff members authorised to travel shall provide themselves with sufficient funds for all current expenses, and if necessary shall secure an advance of funds for this purpose.
2. A reasonable advance of funds against the estimated reimbursable travel expenses may be made to a staff member prior to his/her departure, for expenses authorised under these rules. Such an advance shall not exceed 80% of the estimated reimbursable expenditures.
3. During the course of official travel, a staff member may be paid in advance such part of the Travel Subsistence Allowances authorised in respect of his/her official travel as has not previously been paid or advanced.

STAFF RULE 107.9

CHANGE OF OFFICIAL DUTY STATION

1. For the purposes of these rules, a change of official duty station shall take place when a staff member who has been appointed to serve in a particular country for an indefinite period or for a fixed period exceeding six months is transferred to a post in another country for an indefinite period or for a fixed period exceeding six months.
2. Where a staff member is required to change his/her official duty station, then subject to the provisions contained in paragraph 4 of this rule, he/she shall be paid Travel Subsistence Allowance at the rate set out in Schedule "A" under rule 107.5 (and applicable to the country of his/her new duty station), for himself/herself and at one half that rate in respect of his/her authorized dependants for whom travel expenses have been paid by the Agency, as defined in rule 107.13, for a period of 30 days immediately following the date on which he/she is required to report at his/her new duty station.

3. Such payment shall represent the total contribution payable by the Agency for the initial extraordinary living costs incurred by the staff member and his/her dependants during the period immediately following his/her change of official duty station.
4. Where a change of official duty station is authorised at the request of or solely for the personal convenience of a staff member, the Travel Subsistence Allowance provided for in paragraph 2 of this rule shall not be payable, unless in exceptional circumstances such payment is specially authorised by the Commissioner-General.

STAFF RULE 107.10

TEMPORARY ASSIGNMENT

1. For the purposes of these rules, a temporary assignment shall take place when a staff member is assigned to duties in a country other than the country of his/her duty station for a temporary period not exceeding three months, and during this period, is attached or loaned to the Agency's office in the country of temporary assignment.
2. Where a staff member is sent on a temporary assignment, he/she shall be paid Travel Subsistence Allowance at the rate set out in Schedule "B" under rule 107.5 for a period not exceeding 30 days, immediately following the date on which he/she is required to report in the country of his/her temporary assignment.
3. Where a temporary assignment continues beyond 30 days, the staff member shall be paid Travel Subsistence Allowance at the rate set out in Schedule "A" under rule 107.5 (and applicable to the country to which he/she is temporarily assigned), for a further period not exceeding 60 days.
4. The Travel Subsistence Allowance provided for under paragraphs 2 and 3 of this rule shall only be payable during the official continuance of the temporary assignment, and shall cease on the date on which the temporary assignment ends or on which the staff member finally leaves the country of temporary assignment to return to his/her normal duty station, whichever is the earlier.
5. A staff member who during the same period of time is eligible for a Travel Subsistence Allowance either under the provisions of this rule or of rule 107.5, shall be paid at the rate most favourable to him. He/She shall not, however, receive a double payment for any such period nor shall he/she receive any Travel Subsistence Allowance during a temporary return to his/her duty station.

STAFF RULE 107.11

LOCAL TRANSFER AND LOCAL TEMPORARY DUTY

1. The transfer or reassignment of a staff member within one country or duty station, whether on a temporary or indefinite basis, shall not constitute a change of duty station or a temporary assignment for the purposes of these rules, and in particular, the provisions of rules 107.9 and 107.10 shall not apply to such cases.

2. Where however a staff member is assigned to temporary duties within the country of his/her duty station in circumstances which involve a separation from his/her normal residence and place of duty and a substantial dislocation in his/her living arrangements, (e.g. where he/she is obliged to leave his/her family in his/her former accommodation and to acquire additional accommodation elsewhere for himself/herself), then the Commissioner-General, at his discretion and on the basis of sufficient justification, may authorise the payment to such staff member of Travel Subsistence Allowance at the rate set out in Schedule "A" under rule 107.5 for a period of such temporary duty not exceeding 30 days.

3. Where a staff member is officially transferred on an indefinite basis from one post of duty to another within the same country of duty station, the Agency shall not normally make any payment to such staff member in respect of any initial installation costs which may be incurred following his/her arrival at his/her new post of duty. In exceptional cases however (e.g. where the Agency requires such staff member to transfer at very short notice and with resulting hardship), the Commissioner-General, at his discretion and on the basis of sufficient justification, may authorise the payment to such staff member of Travel Subsistence Allowance at the rate set out in Schedule "A" under rule 107.5 and for an initial period not exceeding 30 days following the date on which he/she is required to report at his/her new post of duty.

STAFF RULE 107.12

REMOVAL EXPENSES

1. Expenses in connexion with the removal of the personal or household effects of a staff member or of his/her dependants shall not be payable by the Agency except only in the following circumstances:

- (A) When the payment of such expenses is expressly provided for in the staff member's letter of appointment; or

(para.1 ctd.)

- (B) upon a change of duty station as defined in rule 107.9; or
 - (C) where a staff member is transferred for an indefinite period to another post within the same country of duty station, but located in another part of that country, and the Commissioner-General considers that the circumstances of the case warrant the payment of such expenses.
2. Removal expenses under this rule shall only be paid or reimbursed in respect of removal costs which have been specifically authorised in advance in accordance with established procedures.
3. Where the Agency itself provides part or all of the necessary removal facilities, no removal expenses shall be paid or reimbursed to the staff member or to any outside contractor in respect of such facilities as are provided by the Agency.
4. A staff member who is entitled to the payment or reimbursement of removal expenses under this rule shall be entitled to an amount, determined in advance by the Commissioner-General, and which in the opinion of the Commissioner-General would cover the cost of removing a reasonable and normal quantity of personal and household effects to the place of destination.

STAFF RULE 107.13

TRAVEL AND TRANSFER EXPENSES OF DEPENDANTS

1. For the purposes of these rules the term "dependants" shall be defined to mean one spouse and up to a total of seven unmarried dependent children for whom the staff member is in receipt of dependency allowance, but no other members of his/her family.
2. No travel or transfer expenses under these rules shall be paid by the Agency in respect of the dependants or family members of a staff member except only as provided hereunder:
- (A) Where a staff member's letter of appointment expressly provides for the payment of travel or transfer expenses in respect of his/her dependants, such expenses shall be paid to the extent so provided for.
 - (B) Upon a change of duty station, (as defined in rule 107.9) of a staff member, the following expenses shall be payable in respect of his/her dependants:

(para.2(B) ctd.)

- (i) Transportation expenses subject to the provisions of rule 107.4;
 - (ii) Travel Subsistence Allowance (for installation purposes), subject to the provisions of rule 107.9;
 - (iii) Removal expenses subject to the provisions of rule 107.12.
- (C) Where a staff member is transferred for an indefinite period to another post in the same country of duty station, the Commissioner-General may at his discretion authorise the payment of either or both of the following expenses in respect of such staff member's dependants:
- (i) Transportation expenses subject to the provisions of rule 107.4;
 - (ii) Removal expenses subject to the provisions of rule 107.12.

3. Before any travel or transfer expenses shall be payable in respect of a dependant of a staff member, such staff member may be required to establish, in a manner acceptable to the Agency, that such dependant comes within the definition contained in paragraph 1 of this rule and is accompanying him/her to his/her place of duty.

STAFF RULE 107.14

TERMINAL EXPENSES

1. For all official travel, except for travel by road within the Agency's area of operation, a staff member may claim reimbursement of terminal expenses for each required trip between the airport or other point of arrival or departure and the hotel or other place of dwelling, as follows:

- (A) For each journey by means of public conveyance, the reimbursement shall be \$ 38 in respect of the staff member and \$13 for each family member authorised to travel at the Agency expense.
- (B) For each journey by Agency transport, the reimbursement shall be \$ 11 in respect of the staff member and \$ 6 for each family member authorised to travel at the Agency expense.

2. In the case of official travel by road within the Agency's area of operations, a staff member may claim reimbursement of terminal expenses for each required trip between the terminal or other point of arrival or departure and the hotel or place of dwelling as follows:

- (A) For each journey by means of public conveyance, the reimbursement shall be \$ 15 in respect of the staff member and \$ 5 for each family member authorised to travel at the Agency expense.
- (B) For each journey by Agency transport, the reimbursement shall be \$ 7.50 in respect of the staff member and \$ 2.50 for each family member authorised to travel at the Agency expense.

No terminal expenses shall be reimbursable in respect of official travel undertaken by private vehicle or Agency user/driver vehicle.

3. No expense shall be reimbursable in respect of an intermediate stop:

- (A) Which is not authorised; or
- (B) Which does not involve leaving the terminal; or
- (C) Which is exclusively for the purpose of an onward connection.

4. Terminal expenses shall include all expenditure for means of public conveyance between the airport or other point of arrival or departure and the hotel or other place of dwelling, including transfer of accompanied baggage or other related incidental charges except the cost sending to a residence any authorised heavy baggage by railway express or any other similar agencies.

CHAPTER VIII

STAFF RELATIONS

(Staff Regulation 8.1 refers)

STAFF RULE 108.1

STAFF UNIONS

1. Staff may establish associations, to be called unions, for the purpose of staff regulation 8.1 provided the Commissioner- General is satisfied that the statute of any such union is consistent with the pertinent obligations of staff under Chapter I of the staff regulations. Further, that the statute provides for the election of representatives at least once every three years in a manner which ensures the proper and equitable representation of staff. The Commissioner-General's agreement shall also be obtained prior to any re-arrangement of electoral units.
2. Unions shall have as their purposes the promotion and the safeguarding of the rights and welfare of staff, having regard always to the functions and objectives of the Agency.
3. The Commissioner-General may, after consultation with the unions, prescribe their channels of communication with the Administration.
4. (A) A union shall be established by means of a statute promulgated by the Commissioner-General.

(B) Until such time as all the terms of a statute can be determined in consultation with staff members, the Commissioner-General may promulgate, and amend as necessary, a statute to provide for the establishment of a union, the constitution, election and functions of organs of the union, and any ancillary matters, including finance.

(C) The purposes of a union established under a provisional statute shall be those stated in the former staff rule 108.1, paragraph 5, that is to say:

(para.4(C) ctd.)

- (i) To contribute to the promotion of the objectives of the Agency, in particular by the efficient and loyal discharge of the functions assigned to the Agency;
- (ii) to promote and safeguard the rights, interests and welfare of the staff.

5. A union may receive voluntary donations or subscriptions from the members (if provision therefor is contained in the statute) but membership of the union, and the right to vote for or serve on any organ, shall not depend on the payment of any subscription or fee.

6. Liaison shall be maintained between each union and the Field Director, or in the case of Headquarters, with the Director of Personnel. Any matter or proposal which a union wishes to bring to the attention of or discuss with the Commissioner-General shall be referred in the first instance to the appropriate organs in accordance with the statute, and thence to the Field Director or Director of Personnel, as the case may be. If the matter is not satisfactorily resolved, it may thereafter be referred by the Executive Council of the union to the Commissioner-General.

CHAPTER IX

SEPARATION FROM SERVICE

(Staff Regulations 9.1 to 9.4 inclusive refer)

STAFF RULE 109.1

TERMINATION

1. Termination is a separation initiated by the Agency under staff regulation 9.1, by giving to a staff member a written notice of termination as required under staff regulation 9.3; but provided that a staff member's probationary appointment may be terminated without advance notice at any time prior to its written confirmation.

2. Staff members shall continue to perform their duties during the period of notice of termination, unless they are on authorized leave of absence, or have been released by the Commissioner-General from such duties.

Cod./A/59/Rev.25/Amend.144
01 January 2015

STAFF RULE 109.2

RETIREMENT ON GROUNDS OF AGE

1. A staff member is retired on grounds of age when the Agency requires him/her to leave Agency employment on account of his/her age, as provided hereunder.

2. A staff member may be retained in active service after having reached the official age of retirement of 60 years when an extension of his/her age limit is authorised under the provisions of paragraph 4 below.

NOTICE OF RETIREMENT

3. A staff member who is due to retire shall be given not less than 60 (sixty) calendar days' written notice of his/her retirement. This notice shall specify the date on which the staff member is to be separated from Agency's service, which shall not be earlier than his/her 60th birthday.

EXTENSION OF SERVICE

4. For extensions past the official age of retirement:

(A) For staff members reaching the official age of retirement of 60 years on or before 31 December 2013, the Director of Human Resources (upon the recommendation of the relevant Department Director) for headquarters staff, and Field Office Directors for field staff, are authorised to approve extensions beyond the official age of retirement in the interest of the Agency, in increments of no more than twelve (12) months and not beyond his/her 62nd birthday.

01 January 2015

- (B) Staff members reaching the official age of retirement on or after 1 January 2014, may request no later than sixty (60) calendar days after receiving the written notice of retirement referred to in paragraph 3 above, that he or she be retained in service to the Agency beyond attaining the official age of retirement for a cumulative period not to exceed two (2) years.
- (C) In the event that a staff member does not seek an extension, or in other appropriate cases, the Director of Human Resources (upon the recommendation of the relevant Department Director) for headquarters staff, and Field Office Directors for field staff, are authorised to request the staff member to agree to an extension beyond the official age of retirement for a cumulative period not to exceed two (2) years, and to approve such a request, in the interest of the Agency. The Director of Human Resources and Field Office Directors shall approve the requests made under sub-paragraph (B) or (C), subject to the conditions set out in the relevant Personnel Directive A/9.
- (D) Where the services of a staff member are retained beyond the official age of retirement, then such staff member shall be notified of the extended period of service, the date of its expiry, and any special conditions as authorised by the Director of Human Resources following the recommendation of the relevant Department Director for headquarters staff, and Field Office Directors for field staff.
- (E) Further extensions of service beyond a staff member's 62nd birthday shall not exceed one year, and may be authorized at the sole discretion of the Commissioner-General. The Commissioner-General retains the authority, in exceptional cases, to deny a request by a staff member to be retained in service beyond the official age of retirement.

RETIREMENT BENEFIT

5. A staff member who has completed not less than ten years of qualifying service shall, upon retirement on grounds of age under this rule, become eligible to receive a standard retirement benefit computed as 11 percent of ending annual base salary for each year of qualifying service through 2014, and as 12 percent of ending annual base salary for each year of qualifying service from 2015 on. Benefits under this rule shall be calculated by prorating to the last full month of qualifying service. In cases where a staff member has periods of qualifying service of less than one full month both before and after 2015, and the total number of days of such service are greater than or equal to 30 days, then the staff member will be credited with one additional month of qualifying service at 12 percent of the ending monthly base salary. No benefit is payable in respect of a total of less than ten years of qualifying service.

6. For the purposes of this rule, "qualifying service" shall be defined as the total period of continuous employment by the Agency as an area staff member, provided that it may also include other periods of continuous service as an area staff member, or as an employee in the "A", "X", or "P" category, which immediately preceded such qualifying service, and provided further that qualifying service shall not include any period of special leave with partial pay or without pay of one month's duration or more.

7. For the purposes of this rule ending annual base salary shall mean the monthly base salary as defined in staff rule 112.3(D), as at the date of retirement, multiplied by 12.

EARLY VOLUNTARY RETIREMENT

8. A staff member may leave the Agency's service by early voluntary retirement (EVR):
- (A) (i) On or after his/her 50th birthday, if he/she has at least 10 years of qualifying service, as defined under paragraph 6 above; or
 - (A) (ii) After his/her sixtieth (60th) birthday, if he/she has at least 10 years of qualifying service, as defined under paragraph 6 above, for staff members whose service has been extended beyond the official age of retirement upon a staff member's request under sub-paragraphs 4 (B) or (C) of this Rule.
 - (B) On or after he/she has completed 25 years of qualifying service, as defined under paragraph 6 above; or
 - (C) On or after his/her 45th birthday and before his/her 50th birthday if he/she has at least 10 years of qualifying service, as defined under paragraph 6 above;
 - (D) After he/she has completed between 20 and 24 years of qualifying service, as defined under paragraph 6 above.
9. A staff member who is eligible for early voluntary retirement under paragraph 8 of this rule, and who, during the period of such eligibility, receives a notice of termination of his/her appointment under staff regulation 9.1 (other than on grounds of health; i.e., incapacitation for further service with the Agency), may at his/her written request leave the Agency's service by early voluntary retirement under the provisions of paragraph 8 on the date established for the termination of his/her appointment, and the notice of termination of his/her appointment shall accordingly be withdrawn.

Early voluntary retirement may not be substituted for any other mode of separation. The early voluntary retirement benefit of a staff member who requests early voluntary retirement under the provisions of paragraph 8 shall be calculated in accordance with paragraph 5 of this rule.

STAFF RULE 109.3

SEPARATION THROUGH DEATH

A staff member who dies while in Agency employment shall be separated from Agency service by reason of his/her death on the date thereof.

STAFF RULE 109.4

ABANDONMENT OF POST

1. Where a staff member voluntarily absents himself/herself from duty and such absence neither has been authorised nor is subsequently authorised in accordance with these rules, then such staff member may be separated from Agency service by reason of abandonment of post as provided hereunder.
2. Where a staff member has absented himself/herself in the manner described in paragraph 1 above for three or more consecutive working days, the Commissioner-General may send to such staff member a letter informing him/her that unless, by a specified date (determined at the Commissioner-General's discretion), he/she reports for duty or submits a written explanation of his/her absence which is acceptable to the Commissioner-General, he/she shall be deemed to have been separated from Agency service by reason of abandonment of post under the provisions of this rule.
3. In accordance with the provisions of paragraph 2 above, a staff member who fails to report for duty or to submit an acceptable written explanation by the date specified in the letter, shall, unless for exceptional reasons the Commissioner-General decides otherwise, be separated from Agency service under this rule, with effect from 2400 hours (local time) on the day immediately preceding the first day of his/her unauthorised absence.

STAFF RULE 109.5

EXPIRY OF FIXED-TERM APPOINTMENT

1. A fixed-term appointment shall expire without prior notice on the expiration date specified in the letter of appointment.
2. A staff member holding a fixed-term appointment shall automatically be separated from Agency service on the expiration date of that appointment, unless he/she has been reappointed or otherwise separated prior to that date.

STAFF RULE 109.6

RESIGNATION

1. A staff member resigns who gives to the Agency a written notice of resignation as required under paragraphs 2 and 3 below. A resignation as here defined is always initiated by a staff member.

NOTICE OF RESIGNATION

2. A staff member who resigns shall give to the Agency:
 - (A) Such period of notice as is provided for in his/her letter of appointment; or
 - (B) If no such period of notice is specified therein, not less than 14 calendar days' notice; or
 - (C) Such other period of notice as the Commissioner-General may at his discretion accept.
3. Every notice of resignation shall contain a written statement of the staff member's decision to resign, shall be signed by the staff member and shall specify the date on which he/she proposes that his/her resignation should take effect.

PERFORMANCE OF DUTIES DURING NOTICE PERIOD

4. Except where resignation takes effect upon completion of maternity leave, or following sick or special leave, staff members shall continue to perform their duties during the period of notice of resignation. The Commissioner-General may, however, at his discretion, release a staff member from his/her duties before the expiration of the notice period.

STAFF RULE 109.7

DISABILITY BENEFIT

1. A staff member whose appointment has been terminated on the stated ground that he/she is for reasons of health incapacitated for further service with the Agency shall be eligible to receive a disability benefit as defined in paragraph 2 of this rule provided that he/she is less than 60 years of age and does not receive a termination indemnity under rule 109.9.

2. A staff member eligible under paragraph 1 of this rule shall receive upon separation on or after 1 September 1987, and subject to paragraphs 3, 4, 5 and 6 of this rule, a disability benefit computed either:
 - (A) As 11 percent of ending annual base salary for each year of qualifying service through 2014, and as 12 percent of ending annual base salary for each year of qualifying service from 2015 on. In cases where a staff member has periods of qualifying service of less than one full month both before and after 2015, and the total number of days of such service are greater than or equal to 30 days, then the staff member will be credited with one additional month of qualifying service at 12 percent of the ending monthly base salary; or
 - (B) As 200 percent of ending annual base salary, whichever is greater. Benefits under this rule shall be calculated by prorating to the last full month of qualifying service.

3. For the purposes of this rule, "qualifying service" shall be defined as the total period of continuous employment by the Agency as an area staff member, provided that it may also include other periods of continuous service as an area staff member, or as an employee in the "A", "X", or "P" category, which immediately preceded such qualifying service, and provided further that qualifying service shall not include any period of special leave with partial pay or without pay of one month's duration or more.

4. For the purposes of this rule "ending annual base salary" shall mean the monthly base salary as defined in staff rule 112.3(D) as at the date of separation, multiplied by 12.

5. Where the incapacity of the staff member which gives rise to the termination of his/her appointment is partially or wholly attributable to the performance of his/her Agency duties and entitles him/her at any time to compensation under rule 106.4, then the following adjustments shall be made between entitlements under rule 106.4 and entitlements under this rule:

(A) Compensation payments made under rule 106.4 representing medical, hospital or directly related costs, or salary payments during sick leave or otherwise authorised absence prior to the date of termination, shall not affect, or be affected by, the payment of a benefit under this rule;

(B) Where the total amount of compensation payable under rule 106.4, other than the payments referred to in sub-paragraph (A) above, exceeds the amount of the disability benefit which would be payable under this rule, then the staff member's entitlement under this rule shall thereby be extinguished and nothing shall be payable thereunder

(C) Where the total amount of compensation payable under rule 106.4, other than the payments referred to in sub-paragraph (A) above, is less than the amount of the disability benefit which would be payable under this rule, then the amount of the disability benefit shall be reduced by the amount of the said compensation payments, and the staff member's entitlement hereunder shall consist only of such part of the disability benefit as remains after this reduction.

6. The payment of a disability benefit under this rule shall automatically disqualify and debar the staff member from receiving any other benefit under rules 109.2, 109.8 or 109.9, irrespective of any claim he/she might otherwise have for any such other benefit.

7. Where the injury or illness of a staff member has resulted in total and permanent disability of such a nature that the staff member is obliged to depend, for his/her essential personal needs, on the attendance of another person, either constantly or occasionally, and such attendance entails expense, the staff member shall receive a supplemental benefit representing the difference between the death benefit which would have been payable in the case of death under rule 109.8 and the standard disability benefit under this rule.

STAFF RULE 109.8

DEATH BENEFIT

1. In the event of separation through death of a staff member the Agency shall pay a death benefit to the staff member's nominated beneficiary or beneficiaries. The death benefit shall be computed either:

(A) As 11 percent of the deceased staff member's ending annual base salary for each year of qualifying service through 2014 and as 12 percent of ending annual base salary for each year of qualifying service from 2015 on, plus a supplemental benefit representing 50 percent of ending annual base salary. In cases where a staff member has periods of qualifying service of less than one full month both before and after 2015, and the total number of days of such service are greater than or equal to 30 days, then the staff member will be credited with one additional month of qualifying service at 12 percent of the ending monthly base salary; or

(B) As 200 percent of ending annual base salary, whichever is greater.

2. For the purposes of this rule, "qualifying service" shall be defined as the total period of continuous employment by the Agency as an area staff member, provided that it may also include other periods of continuous service as an area staff member, or as an employee in the "A", "X", or "P" category, which immediately preceded such qualifying service, and provided further that qualifying service shall not include any period of special leave with partial pay or without pay of one month's duration or more.

3. For the purposes of this rule "ending annual base salary" shall mean the monthly base salary as defined in staff rule 112.3.1(D), all as at the date of death, multiplied by 12.

4. That part of any payment under this rule which is based on qualifying service shall be calculated by prorating to the last full month of qualifying service.

5. The payment of a benefit under this rule shall automatically extinguish any and all entitlements which might otherwise have existed to separation benefits under these rules, except under staff rules 109.10 and 109.12.

STAFF RULE 109.9

TERMINATION INDEMNITY

1. A staff member with an “X” or “A” category of appointment shall become eligible to receive a termination indemnity under the provisions of this rule provided that the following conditions are met:
 - (A) His/her appointment has been terminated under staff regulation 9.1 in the interests of the Agency;
 - (B) He/she has completed not less than one year of qualifying service as defined hereunder;
 - (C) He/she is less than 60 years of age;
 - (D) He/she is not precluded from receiving a termination indemnity by paragraph 2 of this rule;
 - (E) His/her appointment has been separated from service under staff rule 110.1 subparagraph 5(h).
2. No termination indemnity shall be payable under this rule where:
 - (A) In circumstances where a staff member's appointment is being terminated on grounds of abolition of post or reduction of staff, and the Agency provides an alternative offer of employment which in the opinion of the Commissioner-General, having regard to all the circumstances including the views of the staff member, is not to the disadvantage of the staff member; or
 - (B) The staff member's service with the Agency ceases for any reason other than that stated in paragraph 1(A) of this rule, or when his/her appointment is terminated on the stated ground that he/she is for reasons of health incapacitated for further service with the Agency as specified in staff rule 109.7.
 - (C) The provisions of paragraph 1(A) notwithstanding, in circumstances where a staff member's appointment is being terminated on the ground of misconduct under staff rule 110.1 subparagraph 5(i), or he/she is summarily dismissed pursuant to staff rule 110.1 subparagraph 5(j).
3. (A) A staff member with less than 10 years' service or who is less than 46 years of age shall be eligible for a termination indemnity under this rule computed in accordance with the following schedule, and after one year of qualifying service prorated to the last full month of qualifying service up to the date of termination:

<u>Years of Qualifying Service</u>	<u>Months of Base Salary</u>
0	Nil
1	1
2	1
3	2
4	3
5	4
6	5
7	6
8	7
9 or more	8

No payment shall be made in respect of a total period of less than one year of qualifying service, nor shall any payment hereunder exceed eight months of base salary.

(B) A staff member with 10 or more years of service, and who is not less than 46 years of age shall be eligible for a termination indemnity under this rule computed and prorated, up to age 55, to the last completed month of the staff member's qualifying age in accordance with the following schedule:

<u>Age</u>	<u>Months of Base Salary</u>
46	8 ¼
47	8 ½
48	8 ¾
49	9
50	9 ¼
51	9 ½
52	9 ¾
53	10
54	10 ¼
55	10 ½
56	10 ½
57	10 ½
58	10 ½
59	10 ½

4. For the purposes of this rule, "qualifying service" shall be defined as the total period of continuous employment by the Agency as an area staff member, provided that it may also include other periods of continuous service as an area staff member, or as an employee in the "A", "X", or "P" category, which immediately preceded such qualifying service, and provided further that qualifying service shall not include any period of special leave with partial pay or without pay of one month's duration or more.
5. For the purposes of this rule, "base salary" as defined in rule 112.3 paragraph (D) shall be the monthly base salary payable to the staff member at the date of termination.
6. The payment of a termination indemnity under this rule shall automatically disqualify and debar the staff member from receiving any other benefit under rules 109.2, 109.7 or 109.8, irrespective of any claim he/she might otherwise have for any such other benefit.

STAFF RULE 109.10

PROVIDENT FUND BENEFITS

1. This rule shall be read and applied in conjunction with rule 106.1, and the definitions of words and expressions which are set out in rule 106.1 shall be deemed to form part of this rule, and shall determine the respective meanings of the same words and expressions used hereunder.
2. A staff member who is a participant in the Provident Fund shall, upon separation from the Agency's service and subject to the provisions of paragraphs 3 and 5 of this rule, be paid Provident Fund benefits as follows:
 - (A) A staff Provident Fund benefit equal to the balance of staff credits in his/her account current to the date of separation; and
 - (B) An Agency Provident Fund benefit equal to the balance of Agency credits in his/her account current to the date of separation.
 - (C) Interest at rates as provided for in rule 106.1 paragraph 16.
3. A participant shall, however, receive only the staff Provident Fund benefit under paragraph 2(A) of this rule, and shall not be eligible to receive the Agency Provident Fund benefit under paragraph 2(B) of this rule, if he/she:
 - (A) Has fewer than six full months' staff credits in his/her account; or
 - (B) Is summarily dismissed under area staff regulation 10.3; or
 - (C) Is separated through abandonment of post under rule 109.4; or
 - (D) Holds a letter of appointment which entitles him/her to receive a cash payment on separation in accordance with the laws of the country in which he/she is employed.
4. Under no circumstances shall a participant lose his/her right to the staff Provident Fund benefit under paragraph 2(A) of this rule, except as provided in paragraph 5 of this rule.
5. The Agency shall have the right to reduce a participant's Provident Fund benefits by the amount of any indebtedness of the participant to the Agency.
6. All payments of Provident Fund benefits shall be made in the currency in which the participant's Provident Fund credits have been recorded under the provisions of rule 106.1 unless the Commissioner-General shall, for compelling reasons, authorise payment in another currency.
7. A staff member may not assign his/her rights under this rule.

STAFF RULE 109.11
(suppressed)

STAFF RULE 109.12

PAYMENT IN LIEU OF ACCRUED LEAVE

1. A staff member who, on the date of his/her separation has not taken all the accrued annual leave to which he/she is then entitled under these rules, will receive a cash payment in lieu of such accrued leave. The cash payment shall be calculated on base salary for up to but not exceeding 37.5 days for duty stations with 5 day working weeks, and 45 working days for duty stations with 6 day working weeks, of such accrued annual leave.
2. For the purpose of calculating payments in lieu of accrued annual leave, the formula set out in rule 103.8 shall apply.
3. No payment shall be made in lieu of accrued leave except upon separation.

STAFF RULE 109.13

CERTIFICATE OF SERVICE

Any staff member who so requests shall, upon his/her separation, be given a statement by the Agency relating to the nature of his/her duties and the length of his/her service. On his/her written request, the statement shall also refer to the quality of his/her work and official conduct.

STAFF RULE 109.14

LAST DAY FOR PAY PURPOSES

(DATE OF SEPARATION)

Where a staff member is separated from Agency service, his/her entitlement to salary, allowances and other benefits shall cease at 2400 hours (local time) on the "date of separation", which latter shall be determined as follows:

- (A) Upon termination (under rule 109.1), the date shall be the date of expiry (or last day) of the notice of termination;
- (B) Upon retirement or early voluntary retirement (under rule 109.2) the date shall be the date of expiry (or last day) of the notice of retirement or early voluntary retirement, as the case may be;

- (C) Upon separation through death (under rule 109.3), the date shall be the date of the death;
- (D) Upon separation through abandonment of post (under rule 109.4), the date shall be the day immediately preceding the first day of the staff member's unauthorised absence;
- (E) Upon expiry of fixed-term appointment (under rule 109.5), the date shall be the date specified in the letter of appointment;
- (F) Upon resignation (under rule 109.6), the date shall be either the date of expiry (or last day) of the notice period provided for under rule 109.6, or such other date as the Commissioner-General may accept;
- (G) Upon separation on medical grounds (under rule 109.7), the date shall be the date on which the staff member exhausts all his/her accrued sick leave. However, a staff member may separate earlier than this date if he/she opts to forfeit all or part of his/her sick leave accruals.
- (H) Upon summary dismissal (under regulation 10.3), the date shall be the date on which the staff member is notified that he/she is summarily dismissed or the date of his/her suspension under staff regulation 10.4.

STAFF RULE 109.15
EXCEPTIONAL VOLUNTARY SEPARATION

1. The Commissioner-General may authorize a staff member's Exceptional Voluntary Separation (EVS), where the Commissioner-General deems it is in the financial interests of the Agency to do so.
2. EVS is not an entitlement but may be approved in exceptional circumstances. The Commissioner-General will authorize periods during which staff members may apply for EVS. The Commissioner-General will also establish the criteria, priorities and timing to be applied in reviewing and making determinations on applications for EVS and these will be communicated to staff in writing by the Director of Human Resources.
3. The Director of Human Resources has the authority to approve or reject applications for EVS. Decisions on applications for EVS shall be made in coordination with Headquarters and/or Field Office Directors, as applicable. The authority to further define the conditions and procedures concerning EVS is also delegated to the Director of Human Resources.
4. A staff member may apply for EVS provided he/she has ninety (90) or more calendar days remaining on his/her contract as of the date of his/her application for EVS.
5. Where a staff member's application for EVS is approved, the Agency shall pay an EVS benefit equivalent to the amount that would be payable to a staff member if he/she were granted Early Voluntary Retirement pursuant to Area Staff Rule 109.2(5) and other issuances related to the computation of Early Voluntary Retirement benefits.
6. The payment of the EVS benefit under this Rule shall automatically extinguish any and all entitlements which might otherwise have existed as separation benefits under the Agency's Area Rules and other issuances except for those benefits provided by Staff Rules 109.10, 109.12 and 109.13.

CHAPTER X

DISCIPLINARY MEASURES

(Staff Regulation 10.2 refers)

STAFF RULE 110.1

DISCIPLINARY MEASURES AND PROCEDURES

Misconduct

1. Failure by a staff member to comply with his or her obligations under the Charter of the United Nations, the UNRWA Area Staff Regulations and UNRWA Area Staff Rules or other relevant administrative issuances or to observe the standards of conduct expected of an international civil servant may amount to misconduct and may lead to the institution of a disciplinary process and the imposition of disciplinary measures for misconduct.
2. Where the staff member's failure to comply with his or her obligations or to observe the standards of conduct expected of an international civil servant is determined by the Commissioner-General to constitute misconduct, such staff member may be required to reimburse UNRWA either partially or in full for any financial loss suffered by UNRWA as a result of his or her actions, if such actions are determined to be willful, reckless, or grossly negligent.
3. The decision to launch an investigation into allegations of misconduct shall be within the discretionary authority of the Commissioner-General. Such authority is delegated to Field Office Directors and HQ Department Directors.
4. The decision to impose a disciplinary measure shall be within the discretionary authority of the Commissioner-General. For the imposition of disciplinary measures other than summary dismissal, such authority is delegated to the Director of Human Resources for Headquarters staff and Field Office Directors for Field staff. The authority to further define the conditions and procedures concerning the imposition of disciplinary measures is delegated to the Director of Human Resources.

Disciplinary measures

5. Disciplinary measures under Area Staff Regulation 10.2 may take one or more of the following forms only:
 - A) written censure;
 - B) loss of one or more steps in grade;
 - C) deferment, for a specified period, of eligibility for salary increment;
 - D) suspension without pay for a specified period;
 - E) fine;
 - F) deferment, for a specified period, of eligibility for consideration for promotion;
 - G) demotion with deferment, for a specified period, of eligibility for consideration for promotion;
 - H) separation from service, with notice or compensation in lieu of notice, notwithstanding Area Staff Regulation 9.3, with termination indemnity;
 - I) separation from service, also known as termination for misconduct, with notice or compensation in lieu of notice, notwithstanding Area Staff Regulation 9.3, and without termination indemnity pursuant to Area Staff Rule 109.9;
 - J) summary dismissal.

STAFF RULE 110.2

ADMINISTRATIVE LEAVE PENDING INVESTIGATION

1. A staff member may be suspended pending investigation by being placed on administrative leave, subject to conditions specified by the Commissioner-General, at any time pending an investigation until the completion of the disciplinary process.
2. In determining whether to place a staff member on administrative leave pending an investigation, the Commissioner-General shall consider whether there is prima facie evidence in support of the allegation of misconduct and whether the staff member's continuance in the post and/or the duty station would be contrary to the interests of the Agency.
3. Such administrative leave shall be with pay unless, in exceptional circumstances, the Commissioner-General decides that suspension without pay is appropriate.
4. The decision to place a staff member on administrative leave pending an investigation shall be communicated to the staff member in writing.
5. Such administrative leave shall be without prejudice to the rights of the staff member and shall not constitute a disciplinary measure.
6. If such administrative leave is without pay and either the allegation of misconduct is subsequently not sustained or it is subsequently found that the conduct at issue does not warrant dismissal, any salary and entitlements withheld shall be restored without delay.
7. The decision to place a staff member on administrative leave pending investigation shall be within the discretionary authority of the Commissioner-General. Such authority is delegated to the Director of Human Resources for Headquarters staff, and Field Office Directors for Field staff.

CHAPTER XI

APPEALS

STAFF RULE 111.1

INFORMAL RESOLUTION

1. A staff member who considers that his or her contract of employment or terms of appointment have been violated is encouraged to attempt to have the matter resolved informally.
2. Both the staff member and the Commissioner-General may initiate informal resolution, including mediation, of the issues involved at any time before or after the staff member chooses to pursue the matter formally.
3. The conduct of informal resolution, including mediation, may result in the extension of the deadlines applicable to decision review and to the filing of an application with the UNRWA Dispute Tribunal, as specified in Staff Rules 111.2 (3) and (5) and article 8, paragraph 1(d)(iv) of the Statute of the UNRWA Dispute Tribunal, set out in Staff Regulation 11.3.

STAFF RULE 111.2

DECISION REVIEW

1. A staff member wishing to formally contest an administrative decision alleging non-compliance with his or her terms of appointment or the contract of employment, including all pertinent regulations and rules and all relevant administrative issuances pursuant to Staff Regulation 11.1 (A), shall, as a first step, submit a written request for a decision review:
 - (A) in the case of staff members of Field Offices, to the UNRWA Field Office Director in charge of the Field Office; and
 - (B) in the case of staff members of Headquarters, to the Director of Human Resources.
2. A staff member wishing to formally contest an administrative decision to impose a disciplinary measure pursuant to Staff Regulation 11.1(A) shall, as a first step, submit a written request for a decision review:
 - (A) in the case of staff members of Field Offices, to the UNRWA Field Office Director in charge of the Field Office; and
 - (B) in the case of staff members of Headquarters, to the Director of Human Resources.
3. A staff member shall submit a request for a decision review within 60 calendar days from the date on which the staff member received notification of the administrative decision to be contested.
4. The decision review shall be carried out by:

- (A) in the case of staff members of Headquarters, or staff members of Field Offices where the contested administrative decision has been made by the Field Office Director, the Deputy Commissioner-General;
 - (B) in the case of staff members of Field Offices where the contested administrative decision has not been made by the Field Office Director, the relevant Field Office Director, after consultation as appropriate with the Department of Human Resources.
5. The outcome of the decision review shall be communicated in writing to the staff member within 30 calendar days of receipt of the request for decision review. Unless the outcome is a reversal of the contested administrative decision, the staff member should be informed of the provisions under the Staff Regulations and Rules for appealing a contested administrative decision to the UNRWA Dispute Tribunal.
6. The deadlines in Staff Rule 111.2, paragraphs 3 and 5, may be extended by the Commissioner-General pending efforts for informal resolution.

STAFF RULE 111.3

SUSPENSION OF ACTION

1. Neither the submission of a request for a decision review nor the filing of an application with the UNRWA Dispute Tribunal shall have the effect of suspending the implementation of the contested administrative decision.
2. However, where a staff member has requested decision review of an administrative decision involving separation from service, he or she may request the Commissioner-General to suspend the implementation of the decision until the decision review has been completed and the staff member has received notification of the outcome.

STAFF RULE 111.4

UNITED NATIONS APPEALS TRIBUNAL

1. In accordance with article 2, paragraph 10, of its statute, the United Nations Appeals Tribunal shall have jurisdiction over an appeal against a judgement of the UNRWA Dispute Tribunal alleging that the Dispute Tribunal has:
 - (A) Exceeded its jurisdiction or competence;
 - (B) Failed to exercise jurisdiction vested in it;
 - (C) Erred on a question of law;
 - (D) Committed an error in procedure, such as to affect the decision of the case; or
 - (E) Erred on a question of fact, resulting in a manifestly unreasonable decision.
2. An appeal may be filed by either party against the judgement of the UNRWA Dispute Tribunal within 45 calendar days following receipt of the Dispute Tribunal's judgement. An appeal shall not be receivable by the United Nations Appeals Tribunal unless the deadline has been met or has been waived or suspended by the Appeals Tribunal.

3. The filing of an appeal with the United Nations Appeals Tribunal shall have the effect of suspending the execution of a judgement of the UNRWA Dispute Tribunal that is contested.
4. A staff member may obtain outside counsel at his or her expense in the presentation of his or her case before the United Nations Appeals Tribunal.

STAFF RULE 111.5

UNRWA INTERNAL JUSTICE COMMITTEE

1. An UNRWA Internal Justice Committee is established to exercise the functions referred to in the Statute of the UNRWA Dispute Tribunal. The Committee shall comprise the following:
 - (A) One area staff member selected biennially by the Inter-Staff Union Conference;
 - (B) One international staff member elected biennially by ballot of the international staff;
 - (C) Director of Human Resources;
 - (D) The Legal Adviser;
 - (E) Three distinguished external jurists: one nominated by the persons referred to in subparagraphs 1(A) and (B), one nominated by the persons referred to in subparagraphs 1(C) and (D), and the third chosen by consensus of the six other members of the Committee.
2. The Committee shall be chaired by one of the three external jurists referred to in subparagraph 1 (E) above, chosen by consensus of the members of the Committee.
3. The Committee may only make a decision under article 4, paragraphs 2, 7 and 8, of the Statute of the UNRWA Dispute with the agreement of at least five of its members including a majority of the three distinguished external jurist members.
4. The Committee shall determine its own rules of procedure.
5. A person referred to in subparagraph 1(A) or (B) above shall be eligible for re-selection or re-election and may be removed by consensus of the other members of the Committee.
6. Where a person referred to in subparagraph 1(A) or (B) above is unavailable to consider a matter under article 4, paragraphs 2, 7 or 8, of the Statute of the UNRWA Dispute Tribunal, an alternate shall serve. Alternates shall be selected in the same manner and at the same time as the members and alternates who are available shall serve in the order in which they were selected or received votes in the relevant election.

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CHAPTER XII

GENERAL PROVISIONS

(Staff Regulations 12.1 to 12.4 inclusive refer)

STAFF RULE 112.1

NON-ASSIGNMENT

A staff member shall not assign any right or entitlement due to him/her from the Agency under the provisions of the staff regulations or these rules to any other staff member or person.

STAFF RULE 112. 2

STAFF MEMBERS' BENEFICIARIES

1. At the time of appointment or at any time during the course of his/her employment, a staff member may nominate a beneficiary or beneficiaries in writing in a form prescribed by the Commissioner-General. It shall be the responsibility of the staff member to notify the Commissioner-General of any revocation or change of beneficiaries.
2. In the event of the death of a staff member, all amounts standing to his/her credit with the Agency, including his/her Provident Fund benefits, may be paid to his/her nominated beneficiary or beneficiaries. Such payment shall afford the Agency a complete release from all further liability in respect of any sum paid.
3. If a nominated beneficiary does not survive, or if a designation of beneficiary has not been made or has been revoked, the amount standing to the credit of a staff member shall upon his/her death be paid to his/her estate.

STAFF RULE 112.3

DEFINITIONS OF TERMS

1. Throughout these rules the terms listed hereunder shall be defined as follows:
 - (A) "**The Agency**" shall mean the United Nations Relief and Works Agency for Palestine Refugees in the Near East.
 - (B) "**The Commissioner-General**" shall mean the Commissioner-General or Acting Commissioner-General of the Agency.
 - (C) "**Staff members**" shall be defined as provided in rule 100.2.
 - (D) "**Base Salary**" shall mean net contractual salary and increments only.
 - (E) "**Official Travel Status**" shall be defined as provided in rule 107.2, paragraph 2.
 - (F) The "**Agency's area of operations**" shall be defined as provided in rule 107.3, paragraph 3.
 - (G) "**Dependants**" shall be defined as provided in rule 107.13, paragraph 1, except where otherwise expressly stated in these rules.
 - (H) "**Separation**" shall mean the cessation of the employment of a staff member by the Agency.
 - (I) "**Separation benefits**" shall mean those cash payments or other entitlements having a stipulated monetary value, which only become due to a staff member following upon, and by reason of, his/her separation from Agency service.
2. Throughout these rules references to staff members in the masculine gender shall apply also to women and expressions in the singular shall include also the plural unless clearly inappropriate from the text.

STAFF RULE 112.4

AMENDMENT OF, AND EXCEPTIONS TO, THE STAFF RULES

1. These rules may be amended by the Commissioner-General in a manner consistent with the staff regulations.
2. Exceptions to these rules may be made by the Commissioner-General provided that such exception is not inconsistent with any staff regulation or pertinent resolution of the General Assembly of the United Nations concerning the Agency, and provided further that it is agreed to by the staff member directly affected and is, in the opinion of the Commissioner-General, not prejudicial to the interests of any other staff member.

STAFF RULE 112.5

EFFECTIVE DATE OF STAFF RULES

These rules become effective from the date of their promulgation and supersede all previous staff rules on the same subjects.

CHAPTER XIII

SPECIAL CONDITIONS

STAFF RULE 113.1

**SPECIAL CONDITIONS FOR STAFF MEMBERS UNDER THE
OCCUPATIONAL HEALTH SALARY SCALES**

1. The conditions of service of a staff member who is in receipt of a salary based on the Occupational Health Salary Scale, set out in respective appendices to rule 103.1, shall be governed by the provisions of the Area Staff Regulations and Rules. Special conditions apply as set out in the current rule or under conditions otherwise determined by the Commissioner-General.

RETIREMENT BENEFIT

2. (A) A staff member who is in receipt of a salary based on the Occupational Health Salary Scale, set out in respective appendices to rule 103.1, and has completed not less than ten years of qualifying service shall, upon retirement on grounds of age, become eligible to receive a standard retirement benefit computed as follows:

- i. 11 percent of the annual base salary as at 31 December 2016 for each year of qualifying service through 31 December 2014, plus
- ii. 12 percent of the annual base salary as at 31 December 2016 for each year of qualifying service from 1 January 2015 to 31 December 2016, plus
- iii. 12 percent of the ending annual base salary for each year of qualifying service after 1 January 2017.

(B) Benefits under this rule shall be calculated by prorating to the last full month of qualifying service. In cases where a staff member has periods of qualifying service of less than one full month both before and after 1 January 2017, and the total number of days of such service is greater than or equal to 30 days, then the staff member will be credited with one additional month of qualifying service at 12 percent of the ending monthly base salary. No benefit is payable in respect of a total of less than ten years of qualifying service.

For the purposes of this rule, "qualifying service" and "ending annual base salary" shall be as defined in paragraphs 6 and 7 of Area staff rule 109.2.

EARLY VOLUNTARY RETIREMENT BENEFIT

3. A staff member who is in receipt of a salary based on the Occupational Health Salary Scale, set out in respective appendices to rule 103.1, may leave the Agency's service by early voluntary retirement (EVR) in line with paragraphs 8 and 9 of rule 109.2 except that the early voluntary retirement benefit for such a staff member shall be calculated in accordance with paragraph 2 of the current rule 113.1.

DISABILITY BENEFIT

4. A staff member who is in receipt of a salary based on the Occupational Health Salary Scale, set out in respective appendices to rule 103.1, and eligible under paragraph 1 of rule 109.7 shall receive upon separation on or after 1 January 2017, and subject to paragraphs 3, 4, 5, 6 and 7 of rule 109.7, a disability benefit computed either:

(A) As 11 percent of the annual base salary as at 31 December 2016 for each year of qualifying service through 31 December 2014, plus 12 percent of the annual base salary as at 31 December 2016 for each year of qualifying service from 1 January 2015 to 31 December 2016, plus 12 percent of the ending annual base salary for each year of qualifying service after 1 January 2017. In cases where a staff member has periods of qualifying service of less than one full month both before and after 1 January 2017, and the total number of days of such service is greater than or equal to 30 days, then the staff member will be credited with one additional month of qualifying service at 12 percent of the ending monthly base salary; or

(B) As 200 percent of ending annual base salary, whichever is greater. Benefits under this rule shall be calculated by prorating to the last full month of qualifying service.

DEATH BENEFIT

In the event of separation through death of a staff member, the Agency shall pay a death benefit to the staff member's nominated beneficiary or beneficiaries. For a staff member who is in receipt of a salary based on the Occupational Health Salary Scale, set out in respective appendices to rule 103.1, and subject to paragraphs 2, 3, 4 and 5 of rule 109.8, the death benefit shall be computed either:

(A) As 11 percent of the deceased staff member's annual base salary as at 31 December 2016 for each year of qualifying service through 31 December 2014, plus 12 percent of the annual base salary as at 31 December 2016 for each year of qualifying service from 1 January 2015 to 31 December 2016, plus 12 percent of the ending annual base salary for each year of qualifying service after 1 January 2017, plus a supplemental benefit representing 50 percent of the ending annual base salary. In cases where a staff member has periods of qualifying service of less than one full month both before and after 1 January 2017, and the total number of days of such service is greater than or equal to 30 days, then the staff member will be credited with one additional month of qualifying service at 12 percent of the ending monthly base salary; or

(B) As 200 percent of the ending annual base salary, whichever is greater.

EXCEPTIONAL VOLUNTARY SEPARATION BENEFIT

5. Subject to conditions set forth in paragraphs 1,2,3,4 and 6 of Area staff rule 109.15, a staff member who is in receipt of a salary based on the Occupational Health Salary Scale, set out in respective appendices to rule 103.1 may apply for an Exceptional Voluntary Separation (EVS).

Where such a staff member's application for EVS is approved, the Agency shall pay an EVS benefit equivalent to the amount that would be payable to a staff member if she or he were granted Early Voluntary Retirement pursuant to paragraph 4 of the current rule 113.1 and other issuances related to the computation of Early Voluntary Retirement benefits.