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AMENDMENTS TO STAFF REGULATIONS AND RULES

Note by the Director

Summary: An amendment to the Staff Regulations concerning paternity leave is proposed. Amendments to the Staff Rules issued by the Director in accordance with Staff Regulation 31 are reported.

Action to be taken: Consider the proposed revised text of Staff Regulation 26 on paternity leave.

1 Introduction

- 1.1 Under Staff Regulation 17, the 1992 Fund's staff members' salaries, allowances and grants, and the conditions of entitlement thereto, shall, except as may otherwise be provided in the Staff Regulations, conform whenever appropriate with the United Nations common system, as applied by the International Maritime Organization (IMO). Changes to the IMO Staff Regulations and Staff Rules therefore have to be reflected, *mutatis mutandis*, in the 1992 Fund's Staff Regulations and Rules.
- 1.2 The Director shall issue amendments to the 1992 Fund's Staff Rules necessary to implement the Staff Regulations. Such amendments shall be reported to the Assembly (Staff Regulation 31).
- 1.3 Changes made to the IMO Staff Regulations and Staff Rules since the 10th session of the 1992 Fund Assembly, held in October 2005, of relevance to the 1992 Fund were reported by the Secretary-General of IMO in IMO documents C 96/3(a), C 96/3(a)/1 and C 96/3(a)/3. The amendments relate to pensionable remuneration and staff assessment for staff in the Professional and higher categories, to dependency allowances for staff in the general service category, and to salary scales, paternity leave, sick leave and co-operation in the investigation of misconduct for staff in all categories.

2 General Service salary scale

- 2.1 The General Service salary scale is subject to interim adjustments in accordance with recommendations of the International Civil Service Commission (ICSC). These adjustments are based on an average of the movement of the United Kingdom Retail Price Index (RPI) and the United Kingdom Average Earnings Index (AEI). Increases are implemented as of the first day of the month following that in which the average of the increases of the RPI and AEI has reached or overtaken a level of 5% above its level at the previous adjustment. If this increase has not reached 5% or more within one year, the interim adjustment is made on an annual basis. The increase in net salaries corresponds to 90% of the movement of the average index.
- 2.2 In accordance with the above mechanism, an increase in the General Service salary scale became due on 1 October 2005. The increase in salaries amounted to 3.1%. This increase was implemented within IMO from 1 October 2005.

- 2.3 The Director introduced the corresponding new salary scale for 1992 Fund staff in the General Service category from 1 October 2005. This scale, which is reproduced in Annex I to this document, forms a new Annex C to the 1992 Fund's Staff Rules.

3 Allowances for staff in the General Service category

- 3.1 In connection with the new salary scale for staff in the General Service category referred to in paragraph 2.3 above, the linked dependency allowances have been increased with effect from 1 October 2005.
- 3.2 The Secretary-General of IMO implemented the revised allowances with effect from 1 October 2005.
- 3.3 The Director introduced the corresponding new dependency allowances with effect from 1 October 2005. The revised allowances are set out on page 2 of Annex C to the 1992 Fund's Staff Rules, which is reproduced in Annex II to this document.

4 Scale of pensionable remuneration for staff in the Professional and higher categories

- 4.1 The scale of pensionable remuneration for staff in the Professional and higher categories is used to calculate contributions to the 1992 Fund's Provident Fund. This scale is subject to an adjustment mechanism approved by the United Nations General Assembly and implemented by the ICSC. As part of the approved adjustment process a new scale of pensionable remuneration for staff in the Professional and higher categories was issued by the ICSC with effect from 1 September 2005. The new scale represents an increase of approximately 3.81% on the current scale.
- 4.2 The Secretary-General of IMO implemented this new scale with effect from 1 September 2005.
- 4.3 The Director implemented the corresponding new scale of pensionable remuneration with effect from 1 September 2005. The September 2005 scale, which is reproduced in Annex III to this document, forms a new Annex E to the 1992 Fund's Staff Rules.

5 Staff assessment for staff in the Professional and higher categories

- 5.1 The staff assessment rates are based on a weighted average of the national income taxes at the seven headquarters locations of the United Nations system. These rates are utilised - by reverse application on the net salaries - to obtain the gross salaries of staff in the Professional and higher categories. As a consequence of the change in the net base salary scale, the United Nations General Assembly introduced a new scale of staff assessment with effect from 1 January 2006.
- 5.2 The Secretary-General of IMO implemented this new scale with effect from 1 January 2006.
- 5.3 The Director implemented the corresponding new scale of staff assessment with effect from 1 January 2006. This scale, which is reproduced in Annex IV to this document, forms a new Annex B to the 1992 Fund's Staff Rules.
- 5.4 The salary scale for staff in the Professional and higher categories effective 1 January 2006, reflecting the revised gross amounts derived on the basis of the approved staff assessment rates, is reproduced at Annex V to this document and forms a new Annex A to the 1992 Fund's Staff Rules.

6 Post adjustment for staff in the Professional and higher categories

- 6.1 In December 2005, the ICSC considered the findings of the Advisory Committee on Post Adjustment Questions (ACPAQ) concerning the outcome of the ICSC's cost of living surveys for the Headquarters duty stations of the United Nations. The aim of these surveys is to update cost of living indices for the Headquarters duty stations vis-à-vis New York, taking into account relative price movements

since the last ICSC survey and other methodological changes. The Commission approved ACPAQ's recommendation. Consequently, the London post adjustment was revised effective 1 April 2006, resulting in a salary increase of approximately 9%.

6.2 The Secretary-General of IMO implemented the revised London post adjustment with effect from 1 April 2006.

6.3 The Director implemented the revised London post adjustment with effect from 1 April 2006.

7 Paternity Leave

7.1 The Secretary-General of IMO amended the IMO Staff Rules which deal with maternity leave, introducing provisions on paternity leave with effect from 1 April 2006.

7.2 The Director made the corresponding amendments to Staff Rules VIII.2 and VI.7 of the 1992 Fund Staff Rules. The revised text of these Staff Rules is reproduced at Annex VI.

7.3 Staff Regulation 26 needs to be amended to reflect the above changes to the Staff Rules. The proposed revised text of Staff Regulation 26 is reproduced at Annex VII and submitted to the Assembly for consideration.

8 Sick Leave

8.1 The Secretary-General of IMO amended the IMO Staff Rules governing sick leave with effect from 1 April 2006.

8.2 The Director made the corresponding amendments to Staff Rule VIII.1 of the 1992 Fund Staff Rules. The revised text of the Rule is reproduced at Annex VIII.

9 Co-operation in the investigation of misconduct

9.1 At its 96th session held in 2006 the IMO Council introduced new provisions in the IMO Staff Rules relating to the co-operation in the investigation of misconduct.

9.2 The Director introduced the corresponding provisions in a new Staff Rule VIII.6 of the 1992 Fund Staff Rules. The text of the new Staff Rule VIII.6 is reproduced at Annex IX.

10 Action to be taken by the Assembly

The Assembly is invited:

- (a) to take note of the information contained in this document; and
- (b) to consider the proposed revised text of Staff Regulation 26 (paragraph 7.3) as set out in Annex VII to this document.

New Annex C to the 1992 Fund Staff Rules
GENERAL SERVICE CATEGORY – SALARIES
Showing annual gross and net after application of staff assessment
(in pounds sterling)
Effective 1 October 2005
Steps

| Grade | | I | II | III | IV | V | VI | VII | VIII | IX | X | XI |
|------------|---------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| G.1 | Gross | 17 327 | 18 048 | 18 765 | 19 485 | 20 206 | 20 922 | 21 643 | 22 363 | 23 085 | 23 835 | 24 585 |
| | Gross Pensionable | 17 037 | 17 723 | 18 407 | 19 090 | 19 776 | 20 456 | 21 141 | 21 824 | 22 540 | 23 261 | 23 978 |
| | Total Net/Net Pensionable | 13 801 | 14 356 | 14 908 | 15 463 | 16 018 | 16 569 | 17 124 | 17 679 | 18 231 | 18 786 | 19 341 |
| G.2 | Gross | 19 480 | 20 284 | 21 089 | 21 895 | 22 697 | 23 527 | 24 365 | 25 200 | 26 038 | 26 877 | 27 714 |
| | Gross Pensionable | 19 084 | 19 849 | 20 615 | 21 379 | 22 155 | 22 962 | 23 767 | 24 572 | 25 378 | 26 182 | 26 987 |
| | Total Net/Net Pensionable | 15 459 | 16 078 | 16 698 | 17 318 | 17 936 | 18 558 | 19 178 | 19 796 | 20 416 | 21 037 | 21 656 |
| G.3 | Gross | 21 888 | 22 787 | 23 714 | 24 650 | 25 586 | 26 522 | 27 457 | 28 393 | 29 328 | 30 265 | 31 200 |
| | Gross Pensionable | 21 373 | 22 244 | 23 145 | 24 042 | 24 941 | 25 842 | 26 742 | 27 638 | 28 538 | 29 438 | 30 337 |
| | Total Net/Net Pensionable | 17 313 | 18 005 | 18 696 | 19 389 | 20 082 | 20 774 | 21 466 | 22 159 | 22 851 | 23 544 | 24 236 |
| G.4 | Gross | 24 651 | 25 696 | 26 743 | 27 789 | 28 835 | 29 881 | 30 927 | 31 973 | 33 018 | 34 064 | 35 158 |
| | Gross Pensionable | 24 045 | 25 048 | 26 054 | 27 059 | 28 063 | 29 069 | 30 075 | 31 081 | 32 086 | 33 090 | 34 094 |
| | Total Net/Net Pensionable | 19 390 | 20 163 | 20 938 | 21 712 | 22 486 | 23 260 | 24 034 | 24 808 | 25 581 | 26 355 | 27 129 |
| G.5 | Gross | 27 795 | 28 968 | 30 142 | 31 315 | 32 489 | 33 665 | 34 867 | 36 128 | 37 386 | 38 645 | 39 903 |
| | Gross Pensionable | 27 064 | 28 193 | 29 321 | 30 450 | 31 576 | 32 704 | 33 834 | 34 961 | 36 090 | 37 218 | 38 347 |
| | Total Net/Net Pensionable | 21 716 | 22 584 | 23 453 | 24 321 | 25 190 | 26 060 | 26 928 | 27 798 | 28 666 | 29 535 | 30 403 |
| G.6 | Gross | 31 320 | 32 635 | 33 950 | 35 323 | 36 733 | 38 143 | 39 552 | 40 961 | 42 372 | 43 783 | 45 191 |
| | Gross Pensionable | 30 453 | 31 719 | 32 981 | 34 244 | 35 507 | 36 770 | 38 033 | 39 297 | 40 559 | 41 821 | 43 087 |
| | Total Net/Net Pensionable | 24 325 | 25 298 | 26 271 | 27 243 | 28 216 | 29 189 | 30 161 | 31 133 | 32 107 | 33 080 | 34 052 |
| G.7 | Gross | 35 325 | 36 903 | 38 483 | 40 059 | 41 638 | 43 216 | 44 794 | 46 372 | 47 948 | 49 528 | 51 106 |
| | Gross Pensionable | 34 244 | 35 656 | 37 071 | 38 485 | 39 900 | 41 315 | 42 729 | 44 157 | 45 627 | 47 100 | 48 571 |
| | Total Net/Net Pensionable | 27 244 | 28 333 | 29 423 | 30 511 | 31 600 | 32 689 | 33 778 | 34 867 | 35 954 | 37 044 | 38 133 |

The difference between steps I-X within grades indicate annual increments awarded on the basis of satisfactory service. Step XI at all grades is only awarded to staff with over 20 years of service within the United Nations system, who have been at step X for five years and demonstrated an entirely satisfactory service record.

New Annex C (page 2) to 1992 Fund Staff Rules
Allowances payable to General Service Staff
Effective 1 October 2005

| Allowances | <i>Staff joining before 1 July 1996</i> | <i>Staff joining on or after 1 July 1996 and prior to 1 Oct 1999</i> | <i>Staff joining on or after 1 Oct 1999 and prior to 1 Oct 2000</i> | <i>Staff joining on or after 1 October 2000</i> |
|--|---|--|---|---|
| | <i>Net per annum</i> | <i>Net per annum</i> | <i>Net per annum</i> | <i>Net per annum</i> |
| Dependent spouse | £430 | £285 | £258 | £258 |
| First dependent child of a married staff member | £1 038 | £1 038 | £1 038 | £1 038 |
| First dependent child of a single, widowed or divorced staff member | £1 174 | £1 174 | £1 087 | £1 038 |
| Each additional dependent child | £739 | £739 | £739 | £739 |
| Secondary dependant (where there is no dependent spouse, for either a dependent parent, dependent brother or dependent sister) | Nil | Nil | Nil | Nil |
| Language allowance (to be included in pensionable remuneration)..... | £970 | £970 | £970 | £970 |
| Non-resident's allowance (to be included in pensionable remuneration): for staff recruited before 1 September 1983 | £225 | N/A | N/A | N/A |
| for staff recruited on or after 1 September 1983..... | Nil | Nil | Nil | Nil |

New Annex E to the 1992 Fund Staff Rules
Pensionable remuneration for Professional and higher categories
(in United States dollars)
Effective 1 September 2005
Steps

| Grade | I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV |
|--------------|----------|-----------|------------|-----------|----------|-----------|------------|-------------|-----------|----------|-----------|------------|-------------|------------|-----------|
| P.1 | 63 862 | 66 061 | 68 252 | 70 444 | 72 638 | 74 829 | 77 026 | 79 216 | 81 410 | 83 603 | | | | | |
| P.2 | 82 012 | 84 299 | 86 577 | 88 860 | 91 142 | 93 424 | 95 706 | 97 984 | 100 270 | 102 552 | 104 832 | 107 116 | | | |
| P.3 | 99 966 | 102 520 | 105 071 | 107 618 | 110 173 | 112 724 | 115 274 | 117 830 | 120 501 | 123 292 | 126 080 | 128 868 | 131 659 | 134 447 | 137 238 |
| P.4 | 121 630 | 124 641 | 127 644 | 130 650 | 133 662 | 136 665 | 139 672 | 142 682 | 145 687 | 148 691 | 151 696 | 154 713 | 157 715 | 160 722 | 163 731 |
| P.5 | 149 007 | 152 130 | 155 252 | 158 378 | 161 500 | 164 622 | 167 744 | 170 871 | 173 991 | 177 114 | 180 238 | 183 368 | 186 716 | | |
| D.1 | 179 070 | 182 743 | 186 414 | 190 079 | 193 751 | 197 606 | 201 541 | 205 475 | 209 403 | | | | | | |
| D.2 | 197 012 | 201 491 | 205 967 | 210 440 | 214 917 | 219 392 | | | | | | | | | |
| ASG | 236 928 | | | | | | | | | | | | | | |
| USG | 256 339 | | | | | | | | | | | | | | |

ANNEX IV

New Annex B to the 1992 Fund Staff Rules
STAFF ASSESSMENT RATES FOR THE PROFESSIONAL
AND HIGHER CATEGORIES
Effective 1 January 2006

- a) Staff assessment rates for purposes of pensionable remuneration and pensions (effective 1 January 1997)

| Total assessable payments (in US dollars) | Percentage |
|--|------------|
| Up to 20 000 per year | 11 |
| 20 001 to 40 000 per year | 18 |
| 40 001 to 60 000 per year | 25 |
| 60 001 and above per year | 30 |

- b) **Staff assessment rates used in conjunction with gross base salaries (effective 1 January 2006)**

- (i) *Staff assessment rates for those with dependants*

| Total assessable payments (in US dollars) | Staff member with a dependent spouse or a dependent child % |
|--|--|
| First 50 000 per year | 19 |
| Next 50 000 per year | 28 |
| Next 50 000 per year | 32 |
| Remaining assessable payments | 35 |

- (ii) *Staff assessment for those without dependants*

Staff assessment amounts for those with neither a dependent spouse nor a dependent child would be equal to the differences between the gross salaries at different grades and steps and the corresponding net salaries at the single rate.

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New Annex A to the 1992 Fund Staff Rules
SALARY SCALE FOR THE PROFESSIONAL AND HIGHER CATEGORIES SHOWING ANNUAL GROSS SALARIES
AND NET EQUIVALENTS AFTER APPLICATION OF STAFF ASSESSMENT
(in United States dollars)
Effective 1 January 2006

| | Steps | | | | | | | | | | | | | | |
|----------------|--------------|-----------|------------|-----------|----------|-----------|------------|-------------|-----------|----------|-----------|------------|-------------|------------|-----------|
| Grade | I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII | XIV | XV |
| P.1 | 42 664 | 44 022 | 45 378 | 46 737 | 48 093 | 49 449 | 50 908 | 52 436 | 53 960 | 55 488 | | | | | |
| Net (D) | 34 558 | 35 658 | 36 756 | 37 857 | 38 955 | 40 054 | 41 154 | 42 254 | 43 351 | 44 451 | | | | | |
| Net (S) | 32 599 | 33 612 | 34 625 | 35 638 | 36 650 | 37 662 | 38 676 | 39 676 | 40 672 | 41 668 | | | | | |
| P.2 | 54 382 | 55 972 | 57 560 | 59 149 | 60 738 | 62 325 | 63 914 | 65 500 | 67 090 | 68 681 | 70 267 | 71 858 | | | |
| Net (D) | 43 655 | 44 800 | 45 943 | 47 087 | 48 231 | 49 374 | 50 518 | 51 660 | 52 805 | 53 950 | 55 092 | 56 238 | | | |
| Net (S) | 40 947 | 41 985 | 43 020 | 44 057 | 45 092 | 46 130 | 47 184 | 48 234 | 49 289 | 50 341 | 51 392 | 52 447 | | | |
| P.3 | 66 881 | 68 656 | 70 435 | 72 207 | 73 986 | 75 761 | 77 535 | 79 314 | 81 090 | 82 865 | 84 643 | 86 417 | 88 194 | 89 969 | 91 746 |
| Net (D) | 52 654 | 53 932 | 55 213 | 56 489 | 57 770 | 59 048 | 60 325 | 61 606 | 62 885 | 64 163 | 65 443 | 66 720 | 68 000 | 69 278 | 70 557 |
| Net (S) | 49 149 | 50 325 | 51 503 | 52 678 | 53 856 | 55 030 | 56 206 | 57 383 | 58 558 | 59 734 | 60 906 | 62 079 | 63 250 | 64 422 | 65 594 |
| P.4 | 81 943 | 83 861 | 85 781 | 87 699 | 89 618 | 91 536 | 93 456 | 95 374 | 97 293 | 99 210 | 101 196 | 103 226 | 105 259 | 107 290 | 109 322 |
| Net (D) | 63 499 | 64 880 | 66 262 | 67 643 | 69 025 | 70 406 | 71 788 | 73 169 | 74 551 | 75 931 | 77 313 | 78 694 | 80 076 | 81 457 | 82 839 |
| Net (S) | 59 132 | 60 390 | 61 647 | 62 901 | 64 155 | 65 407 | 66 659 | 67 909 | 69 157 | 70 405 | 71 651 | 72 896 | 74 140 | 75 383 | 76 625 |
| P.5 | 99 511 | 101 590 | 103 694 | 105 799 | 107 904 | 110 009 | 112 115 | 114 221 | 116 326 | 118 431 | 120 535 | 122 641 | 124 747 | | |
| Net (D) | 76 148 | 77 581 | 79 012 | 80 443 | 81 875 | 83 306 | 84 738 | 86 170 | 87 602 | 89 033 | 90 464 | 91 896 | 93 328 | | |
| Net (S) | 70 742 | 72 014 | 73 282 | 74 550 | 75 815 | 77 077 | 78 338 | 79 596 | 80 852 | 82 106 | 83 358 | 84 607 | 85 855 | | |
| D.1 | 120 487 | 122 962 | 125 435 | 127 910 | 130 385 | 132 859 | 135 334 | 137 809 | 140 282 | | | | | | |
| Net (D) | 90 431 | 92 114 | 93 796 | 95 479 | 97 162 | 98 844 | 100 527 | 102 210 | 103 892 | | | | | | |
| Net (S) | 83 587 | 85 050 | 86 509 | 87 965 | 89 418 | 90 867 | 92 312 | 93 755 | 95 194 | | | | | | |
| D.2 | 131 947 | 134 765 | 137 584 | 140 403 | 143 222 | 146 040 | | | | | | | | | |
| Net (D) | 98 224 | 100 140 | 102 057 | 103 974 | 105 891 | 107 807 | | | | | | | | | |
| Net (S) | 90 236 | 91 854 | 93 466 | 95 072 | 96 674 | 98 269 | | | | | | | | | |
| ASG | 160 574 | | | | | | | | | | | | | | |
| Net (D) | 117 373 | | | | | | | | | | | | | | |
| Net (S) | 106 285 | | | | | | | | | | | | | | |
| USG | 176 877 | | | | | | | | | | | | | | |
| Net (D) | 127 970 | | | | | | | | | | | | | | |
| Net (S) | 115 166 | | | | | | | | | | | | | | |

D = Rates applicable to staff members with a dependent spouse or child, S = Rates applicable to staff members with no dependent spouse or child

ANNEX VI

AMENDMENTS TO STAFF RULE VIII.2

Effective 1 April 2006

Maternity and Paternity Leave

- (a) (i) – (a) (iv) No change.
- (b) Subject to conditions established by the Director, a staff member shall be entitled to paternity leave in accordance with the following provisions:
- (i) The leave shall be granted for a total period of up to four weeks or, in the case of internationally recruited staff members serving at a non-family duty station, up to eight weeks. In exceptional circumstances, leave shall be granted for a total period of up to eight weeks (this applies to all staff members);
- (ii) the leave may be taken either continuously or in separate periods in the twelve months following the birth of the child, provided it is completed within that period;
- (iii) the staff member shall receive paternity leave with full pay for the entire duration of his absence.
- (c) No change.
- (d) Annual leave shall accrue during the period of maternity or paternity leave.

AMENDMENT TO STAFF RULE VI.7

Effective 1 April 2006

Last day for pay purposes

- (a) No change.
- (i) upon resignation, the date shall be either the date of expiration of the notice period under Staff Regulation 24 or such other date as the Director accepts. Staff members will be expected to perform their duties during the period of notice or resignation, except when the resignation takes effect upon the completion of maternity or paternity leave or following sick or special leave. Annual leave will be granted during the notice of resignation only for brief periods and for purposes not inconsistent with the provisions of Rule VI.4;
- (a) (ii) – (b) No change.

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ANNEX VII

PROPOSED AMENDMENT TO STAFF REGULATIONS

Social Security

Regulation 26

- (a) The Director shall establish a scheme of social security for staff members, including provisions for health protection, sick leave and maternity or paternity leave, and compensation in the event of illness, accident or death attributable to the performance of official duties on behalf of the Funds.

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ANNEX VIII

**AMENDMENT TO STAFF RULE VIII.1
Effective 1 April 2006**

Sick Leave

(a) (i) to (a) (vi) No change.

(vii) after a staff member has taken periods of non-certified sick leave totalling seven working days within a leave year (1 January through to 31 December), any additional sick leave within that year shall either be supported by a medical certificate or be deducted from annual leave or charged as special leave without pay. Part or all of this seven-day entitlement may be used to attend to family-related emergencies, in which case the limitation of three consecutive working days shall not apply.

(a) (viii)-(ix) No change.

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ANNEX IX

NEW STAFF RULE VIII.6

Co-operation in the investigation of misconduct

Staff members must respond promptly and fully to requests for information from other staff members of the Organisations and/or other officials duly authorised to investigate cases of alleged misconduct, such as:

- Fraud;
 - Misuse of funds;
 - Abuse of trust;
 - Breaches of the Organisations' regulations, rules and pertinent administrative instructions; and
 - Mismanagement.
-