

# **CNL(14)63**

## ***Staff Rules***

### **RULE 1**

#### **GENERAL PROVISION**

- 1.1 The Staff Rules establish the fundamental principles of employment, regulate the working relationships and establish the rights and responsibilities of formally appointed employees who render their services to, and receive remuneration from, the North Atlantic Salmon Conservation Organization (hereinafter referred to as either the “Organization” or “NASCO”).

### **RULE 2**

#### **DUTIES, OBLIGATIONS AND PRIVILEGES**

- 2.1 The Secretary and the staff members (together hereinafter referred to as “Secretariat members”) are international civil servants. Upon accepting their appointments they pledge themselves to discharge their duties faithfully and to conduct themselves with the interests of the Organization in mind.
- 2.2 For the purpose of the Rules the term “dependant” shall be deemed to include only children aged under 18 years or as further defined in the rules on allowances for dependent children used as guidance by the Secretary.
- 2.3 Secretariat members shall at all times conduct themselves in a manner in keeping with the international nature of the Organization. They shall always bear in mind the loyalty, discretion and tact imposed on them by their international responsibilities in the performance of their duties. They shall avoid all actions, statements or public activities which might be detrimental to the Organization and its aims.
- 2.4 Secretariat members are not expected to renounce either their national feelings or their political or religious convictions.
- 2.5 In the performance of their duties, Secretariat members may neither seek nor accept instructions from any government or authority other than the Organization.
- 2.6 Secretariat members shall observe maximum discretion regarding official matters and shall abstain from making private use of information they possess by reason of their position. Authorisation for the release of information for official purposes shall lie with the Council in respect of the Secretary, and with the Secretary in respect of the staff members.
- 2.7 Secretariat members shall, in general, have no employment other than with the Organization. In special cases, staff members may accept other employment, provided that it does not interfere with their duties in the Organization, and that prior

authorisation by the Secretary has been obtained. The Council's prior authorisation shall be obtained in respect of the Secretary.

- 2.8 No Secretariat member may be associated in the management of, or have a financial interest in, a business, industry or other enterprise if, as a result of the official position held in the Organization, he may benefit from such association or interest.
- 2.9 Secretariat members shall enjoy privileges and immunities to which they are entitled under the Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Organization, pursuant to Article 3, paragraph 5, of the Convention.

### **RULE 3**

#### **HOURS OF WORK**

- 3.1 The normal working day shall be up to eight hours, Monday through Friday, for a total of 38 hours per week.
- 3.2 The Secretary shall establish the working hours, and may alter them for the benefit of the Organization, as circumstances may require.

### **RULE 4**

#### **CLASSIFICATION OF STAFF**

- 4.1 Secretariat members shall be classified in either of the two following categories:

##### Professional Category

Positions of high responsibility of a managerial, professional or scientific nature. These posts will be filled by appropriately qualified professionals. Secretariat members in this category will be recruited internationally but only among citizens of members of the Organization.

##### General Services Category

Auxiliary, administrative and technical positions. Clerical, secretarial and other office personnel. Such Secretariat members shall be recruited in the United Kingdom from among citizens of members of the Organization.

- 4.2 Persons employed under Rule 11 or employed as domestic service personnel shall not be classified as Secretariat members.
- 4.3 The Staff Rules apply to staff in both the Professional Category and the General Services Category.

## **RULE 5**

### **SALARIES AND REMUNERATION**

- 5.1 The basic salary and the allowances of a Secretariat Member in the Professional Category shall be in accordance with the scales of remuneration of the Coordinated Organisations for staff serving in the United Kingdom (London scales) and shall be paid in pounds sterling. The gross salary shall be this sum adjusted for the prevailing level of NASCO taxation.
- 5.2 Secretariat members in the General Services Category shall, in principle, be paid at rates based on those paid in Edinburgh for staff of equivalent qualifications and experience which shall be subject to the NASCO taxation regime. Secretariat members in the General Services Category shall also be entitled to the insurances as required under Rule 8.1 and contribution arrangements as defined under the Staff Fund Rules. Where appropriate these entitlements are subject to the NASCO taxation regime.
- 5.3 A Secretariat member in the Professional Category shall be entitled to net or basic salary in accordance with Rule 5.1, and, where appropriate, expatriation allowance, household allowance, children's allowance, handicapped children's allowance, installation allowance and education allowance. A Secretariat member in the Professional Category shall also be entitled to the insurances as required under Rule 8.1 and contribution arrangements as defined under the Staff Fund Rules. Adjustments in the salary scale and allowances are made only after approval of Council through the annual budget. Where appropriate these entitlements are subject to the NASCO taxation regime.
- 5.4 The promotion of Secretariat members from one category or grade to another requires the prior approval of Council.
- 5.5 Only in very special cases, on the proposal of the Secretary and with the approval of the Council, may staff members be appointed at a salary higher than the lowest step of the relevant grade. Staff members shall remain at that grade for at least the first year of employment.
- 5.6 Staff members shall receive annual increments, subject to the approval of the Secretary.
- 5.7 Secretariat members in the Professional Category are not entitled to overtime pay or compensatory leave.
- 5.8 Staff members in the General Services Category required to work outside the normal daily working hours will be compensated:
  - (a) with compensatory leave equivalent to the hours of overtime performed; or
  - (b) by remuneration per overtime hour, to be estimated at the rate of time and a half, or if the additional time is worked on a Sunday, or on the holidays listed in Rule 7.9, at the rate of double time.

The choice of compensation shall be at the discretion of the Secretary.

- 5.9 The Organization shall pay duly justified representation expenses incurred by the Secretary in the performance of his duties up to an amount prescribed annually in the budget.

## **RULE 6**

### **RECRUITMENT AND APPOINTMENT**

- 6.1 The Council shall appoint the Secretary and shall determine the conditions of employment.
- 6.2 The Secretary shall appoint staff in accordance with staffing requirements approved by the Council. The paramount consideration in the appointment, transfer or promotion of staff shall be the necessity for securing the highest standards of efficiency, competence and integrity.
- 6.3 Staff members shall be appointed subject to a probationary period of one year. In exceptional circumstances the Secretary may extend the probationary period for an additional period of not more than six months.
- 6.4 Offers of appointment to Secretariat members are subject to the persons selected undergoing a medical examination at the expense of the Organization and presenting a certificate stating that they have no medical condition which might prevent them from performing their duties or which might endanger the health of others.
- 6.5 Upon selection, each Secretariat member shall receive an offer of appointment stating:
- (a) that the appointment is subject to the Staff Rules applicable to the category and grade of appointment in question, and to changes which may be duly made in such Rules from time to time;
  - (b) the nature of the appointment;
  - (c) the date on which the Secretariat member is required to commence duty;
  - (d) the period of appointment, the notice required to terminate it and the period of probation;
  - (e) the category, grade, commencing rate of salary and the scale of increments and the maximum salary attainable;
  - (f) the allowances attached to the appointment; and
  - (g) any special terms and conditions which may be applicable.

- 6.6 Together with the offer of appointment, Secretariat members shall be provided with a copy of these Rules. Upon acceptance of the offer Secretariat members shall state in writing that they are familiar with and accept the conditions set out in these Rules.
- 6.7 Secretariat members in the Professional Category may be required to undergo further medical examination from time to time as determined by the Council in respect of the Secretary and by the Secretary in respect of staff members. The medical examinations shall be at the expense of the Organization.

## **RULE 7**

### **LEAVE**

- 7.1 (a) Secretariat members shall be entitled to annual leave at the rate of:
- (i) two workdays for each full month of service for the first four years of service, and
  - (ii) two and a half workdays for each full month of service for the years of service thereafter.
- (b) Annual leave is cumulative, but for the first four years not more than 24 workdays and for the years thereafter not more than 30 workdays at the end of each calendar year may be carried over to the following year.
- 7.2 The taking of leave shall not cause undue disruption to normal staff operations. In accordance with this principle, leave dates shall be subject to the needs of the Organization. Leave dates of staff members shall be approved by the Secretary who shall, as far as possible, bear in mind the personal circumstances, needs and preference of staff members.
- 7.3 Annual leave may be taken in one or more periods.
- 7.4 Any absence not approved within the terms of these Rules shall be deducted from annual leave or, at the discretion of the Secretary, treated as leave without pay.
- 7.5 In exceptional cases, the Secretary may take special leave or authorise staff members to take special leave. Such special leave shall not exceed ten days.
- 7.6 Secretariat members who, upon termination of their appointment, have accumulated annual leave which has not been taken shall receive the cash equivalent estimated on the basis of the last salary received.
- 7.7 After a Secretariat member in the Professional Category has served for 18 months, the Organization shall, in accordance with Rule 9.3, pay travel expenses to the Secretariat member's home country on annual leave for internationally recruited Secretariat members and their dependants. Following this, home leave of 4 days shall be granted at two-year intervals provided that:

- (a) in the case of dependants, they have resided in Edinburgh for at least six months prior to travel;
  - (b) Secretariat members will return to the Secretariat to continue rendering their services for six months or reimburse the travel expenses.
- 7.8 The possibility of combining travel to home country on leave with official travel in service may also be considered, provided the interests of the Organization are duly borne in mind.
- 7.9 Secretariat members shall not be granted sick leave for a period of more than three consecutive days or for more than a total of seven working days in any calendar year without producing a medical certificate.
- 7.10 Secretariat members shall be granted certified sick leave not exceeding twelve months in any four consecutive years. The first six months shall be on full salary and the second six months on half salary, except that no more than four months on full salary shall normally be granted in any period of twelve consecutive months.
- 7.11 On the basis of medical advice a Secretariat member shall be entitled to maternity leave of 14 weeks. During this period the Secretariat member shall receive full pay and corresponding allowances.
- 7.12 Secretariat members shall be entitled to the holidays celebrated traditionally in Edinburgh, i.e.
- |              |                     |
|--------------|---------------------|
| 1 January    | Spring Bank Holiday |
| 2 January    | Autumn Bank Holiday |
| 1 May        | 25 December         |
| Victoria Day | 26 December         |
| Easter Day   |                     |

## **RULE 8**

### **INSURANCES AND STAFF FUND**

- 8.1 It shall be a condition of employment that Secretariat members shall make appropriate arrangements for themselves and their dependants to cover medical (including dental, life, and permanent health insurances and UK National Insurance (Class 3 contributions)) which shall be duly ascertained by the Council in respect of the Secretary and by the Secretary in respect of Secretariat members prior to granting appointment. The costs incurred by a Secretariat member in respect of paying the amounts of such National Insurance and the premiums for such insurances shall be reimbursed by the Organization to the Secretariat member concerned. These insurances, together with the allowances referred to in Rule 5 (other than any overtime allowance payable) represent a component of the Organization's social security scheme and are not, therefore, subject to NASCO taxation.
- 8.2 (a) The Council has established a NASCO Staff Fund in relation to its Deferred Salary Scheme for Secretariat members. A Constitution for, and Rules applying

to, this Staff Fund have been developed. Any Secretariat member may become a Member of the Scheme for so long as such Secretariat member continues to be employed by the Organization on a full-time basis. The Organization will defer 15.8% after tax of the gross salary of each Member of the Scheme to the Fund or such amount as is determined by the Council from time to time. Each Member of the Scheme shall defer a minimum of 7.9% after tax of the gross salary or such other minimum amount as is determined by the Council from time to time. Members of the Scheme may request that additional contributions be deferred from gross salary and paid into the Fund. Contributions to the Fund by the Organization and Members of the Scheme shall be enhanced by 5% after tax by the Organization as a contribution to investment charges. The tax regime imposed for the benefit of the Organization on the gross salary and other entitlements of Secretariat members and other members of staff under Rules 5.2 and 5.3 including all contributions to the Staff Fund shall comprise a flat rate of 15%. The application of the NASCO taxation regime is illustrated in Appendix 1.

- (b) Prior to a Secretariat Member retiring from full-time employment with NASCO, a lump sum payment will be made into that Secretariat member's Staff Fund of not less than one-twelfth after tax of the final year's gross salary and allowances for each year of service with the Organization, fractions of a year to count pro-rata. A Secretariat member aged 55 years or over may request the Secretary to transfer to the Staff Fund up to 20% per annum of the estimated current value of his or her lump sum entitlement. Thereafter, the balance of the lump sum entitlement will be transferred on an annual basis.

- 8.3 (a) In the event of the death of a Secretariat member following illness or surgery not resulting from an accident covered by the appropriate insurance, the right to salary, allowances and other corresponding benefits shall cease on the day on which death occurs, unless the deceased leaves dependants, in which case they shall be entitled to a mortality allowance. The mortality allowance shall be calculated in accordance with the following table:

<u>Years of Service</u>	<u>Months of gross remuneration following death</u>
Less than 3 years	3 months
3 years and more, but less than 7 years	4 months
7 years and more, but less than 9 years	5 months
9 years or more	6 months

- (b) In the event of death in service of a long-serving Secretariat member (ten or more years' continuous service) the lump-sum payment referred to in Staff Rule 8.2(b) and not the mortality allowance shall be paid to the Secretariat member's dependants through the Staff Fund.

- 8.4 In the case of Secretariat members who are not United Kingdom residents, the Organization shall pay for shipment of the Secretariat member's body from the place of death to the place designated by the next of kin.
- 8.5 All accidents to staff members incurred at work must be reported immediately to the Secretary.

## **RULE 9**

### **TRAVEL**

- 9.1 All official travel shall be authorised by the Secretary in advance within the limits of the budget, and the itinerary and travel conditions shall be those best suited for maximum effectiveness in the fulfilment of duties assigned.
- 9.2 With regard to official travel, a travel allowance shall be paid in advance for fares, accommodation and daily living expenses. These allowances will be those used by the Coordinated Organisations. Where the cost of overnight accommodation and breakfast exceeds 60% of the 24-hour allowance, accommodation and breakfast costs plus 50% of the 24-hour allowance will be payable.
- 9.3 First class may not be utilised for travel by air or sea but may be utilised for land travel.
- 9.4 Following completion of a duty journey, Secretariat members shall repay any travel allowances to which, in the event, they were not entitled. Where Secretariat members have incurred expenses above and beyond those for which travel allowances have been paid, they shall be reimbursed, against receipts and vouchers, if such expenses were necessarily incurred in pursuit of their official duties.
- 9.5 Secretariat members in the Professional Category on taking up or on termination of employment shall be paid for reasonable removal costs. The Secretary shall draw up more detailed provisions for consideration by the Council.

## **RULE 10**

### **SEPARATION FROM SERVICE**

- 10.1 A Secretariat member may resign at any time upon giving three months' notice or such lesser period as may be approved by the Council in the case of the Secretary or by the Secretary in the case of staff members.
- 10.2 In the event of a Secretariat member resigning without giving the required notice, the Council reserves the right to decide whether repatriation expenses or any other allowance shall be paid.
- 10.3 Appointment of staff members may be terminated upon prior written notice, at least three months in advance, by the Secretary when he deems this to be in the interests of the Organization.



- 10.4 In the event of the termination by the Organization of a Secretariat member's service, compensation at the rate of one month's salary for each year's service shall be paid unless the cause of termination has been gross dereliction of the duties imposed in Rule 2.

## **RULE 11**

### TEMPORARY PERSONNEL UNDER CONTRACT

- 11.1 The Secretary may contract temporary personnel necessary to discharge special duties in the service of the Organization.
- 11.2 Persons in this category may include translators, interpreters, typists and other persons contracted for meetings, as well as those whom the Secretary contracts for a specific task.

## **RULE 12**

### SPECIAL DUTIES OF THE SECRETARY

- 12.1 The Secretary shall, after consultation with the President of the Council, waive immunities accorded to staff members under the Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Organization when he considers that such immunities are preventing the carrying out of justice and when it is possible to dispense with them without prejudicing the interests of the Organization.
- 12.2 The Secretary shall, after approval by the Council, conclude an Exchange of Letters with a representative of the Government of the United Kingdom of Great Britain and Northern Ireland, giving effect to any modification or extension of the Headquarters Agreement or understanding related thereto.

## **RULE 13**

### APPLICATION OF RULES

- 13.1 Any questions arising from application of these Rules shall be resolved by the Secretary following consultation with the President of the Council.
- 13.2 All matters not foreseen in these Rules shall be brought to the attention of the Council by the Secretary.

