



Union pour la Méditerranée
Union for the Mediterranean
الإتحاد من أجل المتوسط

SECRETARIAT OF THE UNION FOR THE MEDITERRANEAN (UfMS)



STAFF REGULATIONS

PROJECTS FOR PROGRESS



ARTICLE 1

PURPOSE

The purpose of the Staff Regulations is to establish the conditions of work of the staff at the Secretariat of the Union for the Mediterranean (hereinafter "Secretariat"), in accordance with the Statutes of the Secretariat of the Union for the Mediterranean (hereinafter "Statutes") based in Barcelona, Spain.

ARTICLE 2

SCOPE and DEFINITIONS

(a) These Staff Regulations, except as may otherwise be provided, shall apply to all staff members of the Secretariat. Articles 10, 11, 14, 15, 27, 28, 29, 30, 31, 32, 33 shall not apply to the Secretary General and Deputy Secretaries General.

(b) For the purposes of these Staff Regulations, "Staff Member" means any person who has been appointed to an established post of the Secretariat.

(c) For the purposes of these Staff Regulations, "Senior Officials" means the Senior Officials of the participants of the Union for the Mediterranean.

(d) In the text of these Regulations, terms used in the masculine form in respect of staff members apply to officials of both sexes, unless the context clearly indicates otherwise.

CHAPTER I

RIGHTS AND OBLIGATIONS

ARTICLE 3

CATEGORIES OF STAFF

(a) In accordance with point III of Statutes, the Secretariat shall have two categories of staff: Seconded officials and Contracted staff.

(b) Seconded officials will remain in the service of their employer throughout the period of secondment and shall continue to be paid by that employer. The employer of the seconded official shall also continue to be responsible for all his social rights, particularly Social Security and Pension.

(c) Contracted staff will be recruited by contract subject to these Staff Regulations and/or their Implementing Rules. For all matters not regulated otherwise, the provisions of the Spanish law shall apply.

(d) Staff Members shall not seek or accept instructions in the performance of their duties from any government or other authority external to the Secretariat. They shall carry out their obligations assigned to them objectively, impartially and in keeping with their duties of loyalty to the Secretariat.



ARTICLE 4

CONDUCT

Staff Members shall conduct themselves at all times in a manner befitting their status. They shall avoid any action and in particular any kind of public pronouncement that may adversely reflect on their status. They shall at all time bear in mind the reserve and tact incumbent upon them by reason of their status. They shall not engage in any political or other activity or occupation or hold any office that are incompatible with the proper discharge of their duties, and shall obtain the prior approval of the Secretary-General before they engage in any outside occupations.

ARTICLE 5

USE OF INFORMATION

(a) Staff Members shall exercise the utmost discretion in all matters of official business. They shall not, except in the performance of their duties or by authorization of the Secretary-General, communicate to any person unpublished information known to them by reason of their official position, nor shall they at any time use such information to personal advantage. These obligations shall continue to bind Staff Members after they leave the service.

(b) Staff Members shall not publish, cause to be published, or assist in the publication of, any material relating to the Secretariat or deliver a public address relating to the Secretariat, except in the course of their duties or by authorization of the Secretary-General.

(c) All rights in any writings or other work done by Staff Members in the performance of his duties shall be the property of the Secretariat.

ARTICLE 6

DISCRIMINATION

(a) In the application of these Regulations, any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, or age shall be prohibited.

(b) The Secretary-General shall determine measures and actions to promote equal opportunities for men and women in the areas covered by these Staff Regulations, and shall adopt the appropriate provisions notably to redress such de facto inequalities as hamper opportunities for the underrepresented sex in these areas.

ARTICLE 7

HONOURS AND GIFTS

Staff Members shall not accept any honour, decoration, favour, gift or fee from any government or from any other source external to the Secretariat, unless it is of insignificant value.



ARTICLE 8

PRIVILEGES AND IMMUNITIES

The privileges and immunities conferred upon the Secretariat by virtue of the arrangements made with governments or by virtue of the Headquarters Agreement of 4 May 2010 signed between the Secretariat and the Kingdom of Spain are conferred in the interests of the Secretariat only to eligible staff. These privileges and immunities furnish no excuse to the staff who enjoy them for non-performance of their private obligations or for failure to observe laws and police regulations. In any case where these privileges and immunities come into question, the staff member concerned shall immediately report to the Secretary-General, who will decide whether they shall be waived.

ARTICLE 9

ASSIGNMENT OF DUTIES AND HOURS OF WORK

(a) Staff Members are subject to the authority of the Secretary-General and to assignment by him to any task or any post in the Secretariat. They are responsible to him in the exercise of their functions.

(b) The working week schedule will be established by the Secretary-General, and approved by Senior Officials.

CHAPTER II

REMUNERATION: SALARIES AND ALLOWANCES

ARTICLE 10

SALARIES

(a) The Secretary-General shall establish the scale of salaries of contracted staff, to be adopted by Senior Officials.

(b) The salaries and allowances shall be expressed in euro.

ARTICLE 11

TOP-UP ALLOWANCE FOR THE SECONDED OFFICIALS

Officials seconded from the countries on the OECD DAC list shall, on application, be eligible for a “top-up” allowance paid by the Secretariat. This allowance shall supplement the salary paid to the seconded official by his employer and the total amount shall not exceed the OECD salary baseline. In any case, the “top-up” allowance shall not exceed the monthly amount set out in the agreed budget of the Secretariat.



CHAPTER III

RECRUITMENT AND CAREER

ARTICLE 12

APPOINTMENTS

(a) When seconding their officials, the sending administration shall conclude with the Secretariat a “secondment convention” which will establish the terms and conditions of their appointment to the Secretariat, notably the commitment of the sending administration to remunerate its seconded official and provide to him the social security benefits, as well as the procedure to be followed in case of a dispute between the Secretariat and seconded official.

(b) On appointment, each Staff Member shall receive a letter of appointment signed by the Secretary-General or on his behalf detailing, *inter alia*, employment conditions, nature of appointment, job description, rights and duties, allowances if appropriate, and date of appointment.

(c) Contracted staff will be required to enter into a contract of employment, which will include the specific conditions of employment.

ARTICLE 13

FILLING OF VACANCIES

(a) Senior Officials shall be informed of the vacancies at the Secretariat in order to be able to submit candidacies and of the filling of these vacancies. A detailed organigramme with jobs profiles will be submitted to the Senior Officials and regularly updated for this purpose.

(b) The paramount consideration in the filling of any vacancy shall be the necessity of securing staff of the highest standards of competence, efficiency, integrity and a thorough knowledge of one and a satisfactory knowledge of another working languages of the partnership. Staff Members shall be selected without distinction as to race, creed, religion, sex or any of the other grounds mentioned in Article 6. Due regard shall be paid to the importance of maintaining a staff selected on a wide and equitable geographical basis from among nationals of Members States of the Union for the Mediterranean.

(c) So far as practical, selection shall be made on the basis of competitions, except as may otherwise be provided.

(d) The appointment to the post of Deputy Secretary-General is made by the Senior Officials. Posts of the seconded officials shall be filled by the Secretary-General on the basis of qualifications, by transfer, promotion or appointment after consultation with the Deputy Secretary-General in charge of the division where the vacancy is available. Posts in the contracted staff shall be filled by the Secretary-General or a representative of the Secretary-General authorized in writing for the purpose.

(e) Subject to the provisions of paragraph (b) above and without prejudice to the recruitment of fresh talent at all levels, the fullest regard shall be made, in filling vacancies, to the requisite qualifications and expertise of persons already in the service of the Secretariat.

(f) The appointment of contracted staff shall be subject to a probationary period.



(g) Appointments of seconded officials shall be for a term of three years which can be renewed for another term the maximum of which is three years. Notwithstanding the preceding provision, the Secretary-General or the seconding national authority may, acting in accordance with the secondment convention, end the secondment of the official at any time before the end of his term.

ARTICLE 14

ANNUAL REPORTS

(a) An annual report on the competence, efficiency and official conduct of each Staff Member shall be made by his direct manager. The report shall be communicated to the Staff Member concerned. He shall be entitled to make any comments thereon which he considers relevant. The report shall be made on a form prescribed by the Secretary-General and in the light of the guidelines and principles laid down by him.

(b) In line with the preceding paragraph, a short report shall be made by the direct manager for each Staff Member before the end of the probation period to assess the situation of the Staff Member and his continuation at the Secretariat. A direct manager upon leaving his duties at the Secretariat shall prepare a competence and efficiency reports about his subordinate staff and hand them over to the Secretariat for the benefit of the incoming new direct manager.

(c) The Secretariat may, under request, share the annual reports of the seconded officials, as well as other reports, with their respective national authorities.

ARTICLE 15

PROMOTION, TRANSFER and INCREMENTAL ADVANCEMENT

(a) Promotion, advancement and the career of seconded officials will remain the competence of the sending administration.

(b) The advancement of contracted staff shall be the competence of the Secretariat and shall depend on the competence, efficiency and official conduct of the person. Such advancement shall be determined by the incremental scale attached to his grade. The Secretary-General shall establish a system of increment and advancement, to be approved by Senior Officials.

ARTICLE 16

PERSONAL and MEDICAL FILES

A personal file shall be established and maintained for each Staff Member. Besides documents relating to the official's appointment, this file shall contain:

- (i) documents relating to his transfers or promotions;
- (ii) reports relating to his competence, efficiency and conduct in the service, provided that such documents shall be included in the file only after they have been initialled by the Staff Member.

Personal files shall be confidential. A Staff Member may consult his personal file in the office where it is kept within the premises of the headquarters of the Secretariat.

Staff Members shall have the right to acquaint themselves with their medical files, in accordance with arrangements to be laid by the Secretary-General.



CHAPTER IV

LEAVE

ARTICLE 17

ANNUAL LEAVE

Staff Members are entitled to twenty-five working days' annual leave. Not more than twenty days of annual leave due in any calendar year may be carried forward to the next calendar year, up to a total of sixty days of accumulated leave. Within their allocation of annual leave, Staff Members are entitled to take leave for those religious holidays not on the list referred to in Article 18.

ARTICLE 18

RELIGIOUS AND OTHER HOLIDAYS

In addition to annual leave, Staff Members shall be entitled during a year to 14 days of leave on the religious and other holidays. The list of these holidays should be established on an annual basis by the Secretary-General taking into account of the diverse needs of Staff Members

ARTICLE 19

SPECIAL LEAVE

In addition to annual leave, a Staff Member may, on application, be granted special leave. In particular, in the case of marriage, the death of the father, mother, spouse or a child, or, upon the birth of a child. The Secretary-General shall establish the rules for the implementation of this Article, to be adopted by the Senior Officials.

ARTICLE 20

PARENTAL AND MATERNITY LEAVE

(a) Seconded officials shall be entitled to parental and maternity leave according to the law and regulations of the sending administration.

(b) Contracted staff shall be entitled to parental and maternity leave. The Secretary-General shall establish the rules for the implementation of this Article, to be adopted by the Senior Officials.

ARTICLE 21

SICK LEAVE

A Staff Member who provides evidence of being unable to carry out his duties by reason of illness or accident shall be entitled to sick leave. He shall notify the Secretariat of his incapacity as soon as possible and at the same time state his current address. He shall produce a medical certificate if he is absent for more than three days. This certificate must be sent on the fifth calendar day of absence at the latest, as evidenced by the date as postmarked. Failing this, and unless failure to send the certificate is due to reasons beyond his control, the absence shall be considered as unauthorised. Staff Members may at any time be required to undergo a medical



examination arranged by the Secretariat. Procedures for the execution of this Regulation shall be laid down by the Secretary-General.

CHAPTER V

SOCIAL SECURITY

ARTICLE 22

PENSIONS AND SOCIAL SECURITY

(a) Pension and social security for seconded officials will be covered by the sending administration following its rules and regulations.

(b) Spanish pension and social security regime shall apply to contracted staff in relation to their pension and social security rights in accordance with the Secretariat Headquarters Agreement.

CHAPTER VI

TRAVEL AND REMOVAL EXPENSES

ARTICLE 23

TRAVEL EXPENSES

Staff Members will be subject to guidelines on travel for missions. These guidelines will be adopted by Senior Officials, as an Annex to these Staff Regulations. Until their adoption, the Secretariat will follow the mission guidelines of the European Commission.

ARTICLE 24

REMOVAL EXPENSES

The Secretariat will not assume any cost associated with the arrival or departure of the Staff Member including the cost for the removal of their personal effects and household goods at the start or end of their secondment or employment.



CHAPTER VII

STAFF RELATIONS

ARTICLE 25

STAFF RELATIONS

(a) The Secretary-General shall establish and maintain regular contact and communication with the Staff Members, through such means as he deems appropriate, in order to ensure the effective participation of the staff in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other personnel policies.

(b) A Staff representative body shall be established and shall be entitled to initiate proposals to the Secretary-General for the purpose to set forth in the paragraph above.

CHAPTER VIII

SEPARATION FROM SERVICE

ARTICLE 26

SEPARATION FROM SERVICE

(a) Causes and conditions of separation from service of seconded officials will be subject to the legislation of the sending administration and such terms to be established in the secondment convention between the sending administration and the Secretariat.

(b) The causes of separation from service for the contracted staff are subject to Articles 27 to 31 hereinafter.

ARTICLE 27

RESIGNATION

(a) A resignation, within the meaning of these Staff Regulations, is a separation initiated by a contracted staff member.

(b) Unless otherwise specified in their letters of appointment or employment contracts, two months' written notice of resignation shall be given by a contracted staff member. The Secretary-General may however accept resignations on shorter notice.

(c) The Secretary-General may require the resignation to be submitted in person in order to be acceptable.

(d) If the Secretary-General has reason to believe that a notice of resignation was not freely given, he may consider that the notice has not taken effect. In such a case, the contracted staff



member may be deemed to be on special leave pending a further examination of the circumstances of the case and a final determination of the issue.

(e) A contracted staff member who wishes to resign shall state unequivocally in writing his intention to leave the service of the institution definitively. The Secretary-General shall take his decision confirming the resignation within one month of receiving the letter of resignation. He may, however, refuse to accept the resignation if disciplinary proceedings against the official are in progress at the date of receipt of the letter of resignation or if such proceedings are started within the following 30 days.

ARTICLE 28

RETIREMENT AGE

Contracted staff shall retire in accordance with Spanish legislation as per the Secretariat Headquarters Agreement.

ARTICLE 29

TERMINATION

(a) A termination is a separation initiated by the Secretary-General, other than retirement, summary dismissal or non-renewal of appointment.

(b) The Secretary-General may terminate the services of a contracted staff who has completed his probationary period in accordance with the conditions set out in his letter of appointment, employment contract or if the necessities of the service require abolition of the post or reduction of the staff, if the services of the individual concerned prove unsatisfactory or if he is, for reasons of health, incapacitated for further service.

(c) The Secretary-General may also terminate the services of a contracted staff:

- (i) if the conduct of the official indicates that he does not meet the highest standards of integrity or professionalism required for the proper functioning of the Secretariat;
- (ii) if facts anterior to the appointment of the official and relevant to his suitability come to light which, if they had been known at the time of his appointment, should, under the standards established by the Secretary-General, have precluded his appointment.

(d) Decisions to terminate services shall be substantiated.

(e) The Secretary-General may, at any time, terminate the services of a contracted staff serving a probationary period if, in his opinion, such action would be in the interest of the Secretariat.

ARTICLE 30

TERMINATION INDEMNITY PAYMENTS

If the Secretary-General unilaterally terminates an appointment of a contracted staff member, he shall be given such notice and such indemnity payment as applicable. The Secretary-General shall establish the rules for the implementation of this Article, to be adopted by the Senior Officials.



ARTICLE 31

EXPENSES AND GRANT ON DEATH

In the event of death of a contracted staff member, the surviving spouse or dependent children shall receive the deceased's full remuneration and allowances, in accordance with Spanish legislation.

ARTICLE 32

CERTIFICATE OF SERVICE

A certificate relating to the nature of his duties and the length of service shall be given, at his request, to the Staff Member leaving the service. At his request the certificate shall also refer to his competence, efficiency and conduct in the service in line with the Secretariat guidelines.

CHAPTER IX

DISCIPLINARY MEASURES

ARTICLE 33

DISCIPLINARY MEASURES

(a) The Secretary-General may impose disciplinary measures on Staff Members whose conduct is unsatisfactory. Subject to the terms of the Secondment Convention between the Sending authority and the Secretariat, a seconded official who fails to observe the standards of conduct required of an international civil servant may be subjected to any one of the following sanctions, as appropriate to the gravity of the case by the Secretary General: (1) verbal warning, (2) written warning, (3) reprimand, (4) discharge, and (5) summary dismissal.

(b) Failure to observe these standards of conduct required shall mean:

- (i) failure to observe relevant provisions of these Staff Regulations;
- (ii) misconduct by a seconded official in his official capacity;
- (iii) dereliction of duty.

(c) The Secretary-General shall establish the required definitions, provisions and procedures for the application of this Regulation, to be adopted by the Senior Officials.

(d) For seconded officials, the secondment convention may contain procedures for the implementation of disciplinary measures like disciplinary sanctions, appeals and rights.

(e) Paragraphs (a) and (b) shall apply to contracted staff.



CHAPTER X

GENERAL PROVISIONS

ARTICLE 34

SUBMISSION OF CLAIMS

(a) A Staff Member may submit a claim to the Secretary-General regarding the implementation of these Staff Regulations. Except where these Staff Regulations provide otherwise, no claim shall be entertained if it is submitted after the expiry of three months from the date on which the right to make it arose.

(b) The Secretary-General shall establish the rules for the implementation of this Article, to be adopted by the Senior Officials.

ARTICLE 35

SETTLEMENT OF DISPUTES

(a) For seconded officials, the secondment convention shall establish the procedures for the settlement of disputes.

(b) For contracted staff, unless, any dispute, controversy or claim arising out of or relating to the contract or the breach, termination or invalidity thereof is settled amicably, within one (1) month after receipt of the request for such amicable settlement, such dispute, controversy or claim may be referred by either party to an arbitration body. The arbitration body shall consist of two arbitrators, each party selecting one arbitrator. Should they fail to agree, the arbitrators shall select a third arbitrator, who shall give a joint award with them. Members of the Staff or other individuals may be appointed as arbitrators.

(c) The Secretary-General shall establish the rules for the implementation of this Article, to be adopted by the Senior Officials.

ARTICLE 36

ENFORCEMENT OF THE STAFF REGULATIONS

The Secretary-General, as the chief administrative and financial executive officer, is required to enforce these Staff Regulations in accordance with the provisions they embody. He shall establish rules, directives or circulars as he deems necessary for the implementation, enforcement and execution of these Regulations, provided that they are consistent with the principles embodied herein.

ARTICLE 37

ENTRY INTO FORCE, APPLICABILITY AND AMENDMENTS

(a) These Staff Regulations shall enter into force upon their adoption by the Senior Officials acting in accordance with point VI (b) of the Statutes.



(b) In accordance with point XI of the Statutes, the Senior Officials shall be responsible for discussing any dispute between members of the Union for the Mediterranean in relation to the functioning of the Secretariat.

(c) These Staff Regulations may be supplemented or amended by the Senior Officials.

(d) The Secretary-General shall report to the Senior Officials on any matter arising out of enforcement of these Staff Regulations.