

WIPO Coordination Committee

**Seventy-Fourth (48th Ordinary) Session
Geneva, October 2 to 11, 2017**

AMENDMENTS TO STAFF REGULATIONS AND RULES

Document prepared by the Director General

TABLE OF CONTENTS

Sections of document WO/CC/74/4

- I. Introduction
- II. Amendments to Staff Regulations to be effective as from January 1, 2018 (for approval)
- III. Amendments to Staff Rules and related annexes to be effective as from January 1, 2018 (for notification)
- IV. Amendments to Staff Rules and related annexes implemented between July 1, 2016 and June 30, 2017 (for notification)
- V. Staff Regulation 3.25 – Special Salary Increment

Annexes

- Annex I Proposed amendments to Staff Regulations to be effective as from January 1, 2018
- Annex II Amendments to Staff Rules and related annexes to be effective as from January 1, 2018
- Annex III Amendments to Staff Rules and related annexes implemented between July 1, 2016 and June 30, 2017
- Annex IV WIPO Policy on Mobility to Offices Away from Headquarters

I. INTRODUCTION

1. Amendments to the Staff Regulations and to the Staff Rules and related annexes are presented to the WIPO Coordination Committee for approval and for notification, respectively.
2. These amendments are presented as part of the ongoing review of the Staff Regulations and Rules, which allows WIPO to maintain a sound regulatory framework that adapts to and supports the changing needs and priorities of the Organization, while ensuring alignment with best practices in the United Nations common system. Only two of the proposed amendments to the Staff Regulations (i.e., the implementation of the recruitment incentive and the transitional measure on education grant for post-secondary studies) and one of the amendments to the Staff Rules (i.e., the granting of a 16 weeks' maternity leave entitlement to all temporary staff members) may result in an increase in staff costs, albeit minimal for the latter. All the other amendments are cost-neutral, as the Organization actively focuses on ensuring that staff costs are contained.

II. AMENDMENTS TO STAFF REGULATIONS TO BE EFFECTIVE AS FROM JANUARY 1, 2018 (FOR APPROVAL)

3. The proposed amendments to the Staff Regulations to be effective as from January 1, 2018, are provided in Annex I. The main amendments are explained below.

Regulation 3.5 – Initial Salary

4. In light of difficulties faced by WIPO in the recruitment of candidates from highly specialized fields, and in order to make the Organization more attractive and competitive in the employment market, it is proposed to amend Staff Regulation 3.5 to introduce a recruitment incentive, as recommended by the International Civil Service Commission (ICSC) in its 2015 annual report¹ and approved by the General Assembly of the United Nations (UN GA) in its resolution 70/244 adopted on December 23, 2015.²
5. In accordance with the ICSC recommendation and the UN GA resolution, the recruitment incentive would only be payable to experts in highly specialized fields in instances in which WIPO was unable to attract suitably qualified personnel, and it would not exceed 25 per cent of

¹ See A/70/30 ("Report of the International Civil Service Commission for the year 2015"), Part Two ("Review of the common system compensation package"), paragraphs 271 and 279 (c):

"271. The Commission decided to approve the introduction of an incentive payment for the recruitment of experts in highly specialized fields in instances in which the organization had failed to attract suitably qualified personnel. Such recruitment incentives should not exceed 25 per cent of annual base salary for each year of the agreed contract. Organizations would be required to report to the Commission periodically on the payment of the additional incentives. The Commission would assess the scheme after a period of three years from the date of its implementation."

"279. The Commission decided to recommend to the General Assembly: [...] (c) To introduce an incentive payment for the recruitment of experts in highly specialized fields in instances in which the organization was unable to attract suitably qualified personnel. Such recruitment incentives should not exceed 25 per cent of annual base salary for each year of the agreed contract. Organizations should report to the Commission periodically on the payment of the additional incentives. The Commission would assess the scheme after a period of three years from the date of its implementation;"

² See A/RES/70/244 ("United Nations common system: report of the International Civil Service Commission"), Section III ("Review of the common system compensation package"), paragraph 53:

"[The General Assembly of the United Nations] Approves an incentive payment for the recruitment of experts in highly specialized fields in instances in which the Organization is unable to attract suitably qualified personnel, as described and recommended in paragraphs 271 and 279 (c) of the report of the Commission, and decides that the Commission should assess the scheme after a period of three years from the date of its implementation."

the annual net base salary (i.e., net salary without post adjustment) for each year of the initial appointment (initial appointments do not exceed two years at WIPO).

Regulation 12.5 – Transitional Measures

6. At its Seventy-Third (47th Ordinary) Session, held from October 3 to 11, 2016, the WIPO Coordination Committee approved amendments to the Staff Regulations that were required to implement changes to the common system compensation package for staff in the Professional and higher categories. Some of these amendments concerned the education grant scheme (see documents WO/CC/73/3 and WO/CC/73/7).
7. In particular, Staff Regulation 3.14(b) was amended to establish an additional limit on eligibility for the education grant in relation to children enrolled in post-secondary studies. While previously the grant was payable until the child had completed four years of post-secondary studies, the amended regulation provides that with effect from the 2017/2018 school year, the grant will be payable until the end of the school year in which the child completes four years of post-secondary studies or is awarded the first post-secondary degree, whichever is earlier.
8. As a result, staff members whose children started post-secondary studies in 2014/2015 or after may lose entirely the entitlement to education grant for one or two years of post-secondary studies, as from the 2017/2018 school year. Staff members who enrolled their children in post-secondary degrees of two or three years' duration before they were informed, in October 2016, of the amendment to Staff Regulation 3.14(b) may have made a different choice had they known at the time that, as a result of the subsequent amendment, they would lose the financial support provided by the Organization for a third and/or fourth year of post-secondary studies.
9. For those staff members whose children will pursue further post-secondary studies after obtaining a first post-secondary degree in less than four years, the financial loss could be significant considering the cost of education, and the impact of the loss could be quite critical, in particular for families with a single income, a number of children, and/or other financial commitments.
10. Accordingly, in line with the principles of good faith and fair dealing, it is proposed to add a new transitional measure under Staff Regulation 12.5, which is aimed at mitigating the significant impact of the loss of the entitlement to education grant.
11. The proposed transitional measure is limited in scope and in time. Firstly, it only concerns staff members who made a choice to enroll their children in a first post-secondary degree of less than four years' duration before they were notified of the amendment to Staff Regulation 3.14(b) as approved by the WIPO Coordination Committee in October 2016. In other words, it does not concern staff members whose children started or will start post-secondary studies in 2017/2018 or after, nor does it concern staff members whose children started or will start a new post-secondary degree in 2017/2018 or after, without having obtained the degree of less than four years' duration in which they were previously enrolled. Secondly, payment will be limited to one more year of education grant beyond the school year in which the child is awarded the first post-secondary degree.
12. It has been assessed that only 18 staff members and 19 children could fall under the proposed transitional measure, and the cost of the measure is estimated at approximately 190,000 United States dollars. This figure was obtained by adding the amounts of education grant to which each eligible staff member would be entitled under the new scheme for the 2016/2017 school year. The estimation is based on the assumption that these amounts will be the same for the school year covered by the transitional measure. Obviously, the cost of the measure could be higher or lower for each eligible staff member, depending on the actual fees, if any, paid by the staff member for the school year in question. There could also be no

cost if the child opts not to pursue further post-secondary studies following the award of the first post-secondary degree, or enrolls in a new study program before completing the first post-secondary degree, or if the staff member ceases to be employed at WIPO.

Other Amendments

13. Other amendments, which are less substantive in nature (e.g., to correct an error and/or clarify a provision), are also proposed for the following Regulations, as detailed in Annex I:

- Regulation 3.2 – Dependency
- Regulation 3.3 – Dependency Allowances for Staff Members in the Professional and Higher Categories
- Regulation 3.4 – Dependency Allowances for Staff Members in the General Service and National Professional Officer Categories
- Regulation 3.14 – Education Grant
- Regulation 3.24 – Field Allowances and Benefits
- Regulation 5.2 – Special Leave
- Regulation 9.15 – Separation Remuneration
- Regulation 9.16 – Restitution of Advance Annual Leave
- Regulation 12.5 – Transitional Measures

14. *The WIPO Coordination Committee is invited to approve the amendments to the Staff Regulations as provided in Annex I, document WO/CC/74/4, to be effective as from January 1, 2018.*

III. AMENDMENTS TO STAFF RULES AND RELATED ANNEXES TO BE EFFECTIVE AS FROM JANUARY 1, 2018 (FOR NOTIFICATION)

15. The amendments to the Staff Rules and related annexes to be effective as from January 1, 2018, are provided in Annex II. The main amendments are summarized below.

Rules 1.3.2 to 1.3.7 – Working Time, Flexible Working Time, Fixed Working Time, Authorized Absences, Unauthorized Absences, and Special Working Hours

16. Rules 1.3.3 (“Flexible Working Time”) and 1.3.4 (“Fixed Working time”) will be deleted, and Rules 1.3.2 (“Working Time”), 1.3.5 (“Authorized Absences”), 1.3.6 (“Unauthorized Absences”) and 1.3.7 (“Special Working Hours”) will be amended in order to implement the reform of the working time arrangements, further to the report and recommendations of the WIPO Working Group on Time Management.

Rule 6.2.7 – Health Protection and Insurance for Temporary Staff Members

17. Currently, temporary staff members with less than six months of service are not entitled to maternity leave, and the entitlement is prorated in relation to the length of service for temporary staff members with at least six months but less than 12 months of service. Rule 6.2.7 will be amended so that all temporary staff members are entitled to 16 weeks of maternity leave, regardless of length of service.

Other Amendments

18. Other amendments, which are less substantive in nature (e.g., editorial, to delete an unnecessary provision, and/or clarify a provision), will also be made to the following Rules and annex, as detailed in Annex II:

Rule 3.14.2	–	Limits of Eligibility
Rule 3.14.3	–	Amount of the Education Grant
Rule 5.3.1	–	Home Leave
Rule 7.2.5	–	Travel Conditions
Rule 7.3.4	–	Dependants Eligible for Travel or Removal at the Expense of International Bureau and for the Settling-in Grant
Rule 9.16.1	–	Restitution of Advance Annual Leave by Temporary Staff Members
Rule 10.1.1	–	Disciplinary Measures
Rule 11.4.2	–	Administrative Resolution of Rebuttal of Performance Appraisals
Annex II	–	Salary and Allowances

19. The WIPO Coordination Committee is invited to note the amendments to the Staff Rules and related annexes as provided in Annex II, document WO/CC/74/4, to be effective as from January 1, 2018.

IV. AMENDMENTS TO STAFF RULES AND RELATED ANNEXES IMPLEMENTED BETWEEN JULY 1, 2016 AND JUNE 30, 2017 (FOR NOTIFICATION)

20. The following amendments to the Staff Rules and related annexes were implemented between July 1, 2016, and June 30, 2017, as detailed in Annex III.

Annex II – Salaries and Allowances (Information Circular No. 36/2016)

21. Article 2(d) (“Allowances”) of Annex II to the Staff Regulations and Rules was amended to update the amounts of dependency allowances payable to General Service staff in Geneva, with effect from September 1, 2016, as approved by the ICSC at its eighty-third session.

Staff Rule 11.5.1 – Appeal Board (Information Circular No. 37/2016)

22. Staff Rule 11.5.1 was amended so that the WIPO Appeal Board will henceforth have eight full members, instead of four full members and four alternates. This amendment will assist to avoid or address conflicts of interest, reduce the caseload of members, and ensure more representativeness and diversity among members

Staff Rules 5.1.1 and 5.1.2 – Annual Leave and Annual Leave for Temporary Staff Members (Information Circular No. 42/2016)

23. Staff Rules 5.1.1 and 5.1.2 were amended with effect from January 1, 2017. A technical correction was made to the former, while a provision was removed from the latter so that the limit for the accrual of annual leave for temporary staff would be the end of the calendar year.

24. *The WIPO Coordination Committee is invited to note the amendments to the Staff Rules and related annexes implemented between July 1, 2016, and June 30, 2017, as provided in Annex III, document WO/CC/74/4.*

V. STAFF REGULATION 3.25 – SPECIAL SALARY INCREMENT

25. At its Seventy-Third (47th Ordinary) Session, held from October 3 to 11, 2016, the WIPO Coordination Committee approved new Staff Regulation 3.25 (“Special Salary Increment”) to be effective as from January 1, 2017.

26. In this respect, the Coordination Committee also:

“requested the Secretariat to develop a comprehensive staff mobility policy by the 2017 ordinary session of the Coordination Committee, for the Committee to review the use of the Special Salary Increment and to decide on whether to maintain or delete new Regulation 3.25.”³

27. Staff Regulation 3.25, which aims to provide a financial incentive for staff mobility to external offices, reads as follows:

“(a) The Director General may grant a non-pensionable special salary increment to a staff member in the Professional and higher categories who is reassigned, for a period of at least one year, away from Headquarters to a post at the same grade. The special salary increment shall be an amount equivalent to up to a maximum of three steps in the staff member’s grade, plus post adjustment.

“(b) Payment of the special increment shall be discontinued after five years of continuous service at the same duty station, or if the staff member is reassigned to Headquarters, or if the staff member is promoted, whichever is earlier.

“(c) If the staff member does not complete one year of service away from Headquarters, and unless the Director General determines that this is justified by exceptional circumstances, the amount of the special increment shall be recovered from the staff member.

“(d) Nationals of the country of the duty station and staff members whose initial appointment is in a duty station away from Headquarters shall not be eligible for the special increment.

“(e) This Regulation shall not apply to temporary staff members.”

³ See paragraph 71(ii) of the Report adopted by the WIPO Coordination Committee (document WO/CC/73/7), dated December 16, 2016.

28. The Office Instruction which implements Staff Regulation 3.25 further limits the allowance to an amount equivalent to one step for a staff member reassigned to an H duty station (with the exception of New York, where it is not payable), two steps for a staff member reassigned to an A duty station, and three steps for a reassignment to a B to E duty station.

29. The “WIPO Policy on Mobility to Offices Away from Headquarters”, which was issued in June 2017, is attached to the present document as Annex IV.

30. Since Staff Regulation 3.25 entered into force on January 1, 2017, the special salary increment has not been granted to any staff member.

31. The WIPO Coordination Committee is invited to take note of the “WIPO Policy on mobility to offices away from Headquarters” attached as Annex IV.

32. The WIPO Coordination Committee is invited to maintain Staff Regulation 3.25 in the WIPO Staff Regulations.

[Annexes follow]

PROPOSED AMENDMENTS TO STAFF REGULATIONS TO BE EFFECTIVE AS FROM JANUARY 1, 2018

Provision	Current Text	Proposed New Text	Purpose/Description of amendment
<p>Regulation 3.2 Dependency</p>	<p>(b) A “dependent child” shall mean a child for whom a staff member provides the main and continuing support, and who is less than 18 years of age, or less than 21 years of age if in regular attendance at a school, university or similar educational institution. However, the conditions relating to age and school attendance shall be waived in the case of a child physically or mentally incapacitated for substantial gainful employment. Providing the above-mentioned conditions of support, age and attendance at an institution, or incapacity are fulfilled, a dependent child may be:</p> <p>[...]</p> <p>(d) “Dependent parent, dependent brother or dependent sister” shall mean the father, mother, brother or sister of a staff member for whom the staff member provides more than half of that person’s financial resources, and in any case a sum double that of the allowance under Regulation 3.3(f) or Regulation 3.4(f). A brother or sister must in addition be less than 18 years of age, or less than 21 years of age if in regular attendance at a school, university or similar educational institution; however, the conditions relating to age and school attendance shall be waived for a brother or sister physically or mentally incapacitated for substantial gainful employment.</p> <p>[...]</p>	<p>(b) A “dependent child” shall mean a child for whom a staff member provides the main and continuing support, and who is less than 18 years of age, or less than 21 years of age if in regular attendance at a school, university or similar educational institution. However, the conditions relating to age and school attendance shall be waived in the case of a child who has a disability that prevents physically or mentally incapacitated for substantial gainful employment. Providing the above-mentioned conditions of support, age and attendance at an institution, or disability incapacity are fulfilled, a dependent child may be:</p> <p>[...]</p> <p>(d) “Dependent parent, dependent brother or dependent sister” shall mean the father, mother, brother or sister of a staff member for whom the staff member provides more than half of that person’s financial resources, and in any case a sum double that of the allowance under Regulation 3.3(f) or Regulation 3.4(f). A brother or sister must in addition be less than 18 years of age, or less than 21 years of age if in regular attendance at a school, university or similar educational institution; however, the conditions relating to age and school attendance shall be waived for a brother or sister who has a disability that prevents physically or mentally incapacitated for substantial gainful employment.</p> <p>[...]</p>	<p>Provisions amended to ensure consistency with the wording of (the English version of) the Convention on the Rights of Persons with Disabilities and/or avoid the use of language that could be perceived as stigmatizing.</p>
<p>Regulation 3.3 Dependency Allowances for Staff Members in the Professional and</p>	<p>[...]</p> <p>(d) in addition to any amount payable pursuant to paragraph (b) or (c) above, the staff member shall be entitled to the amount as provided in Annex II, for a child who is determined to be physically or mentally</p>	<p>[...]</p> <p>(d) in addition to any amount payable pursuant to paragraph (b) or (c) above, the staff member shall be entitled to the amount as provided in Annex II, for a child who is determined to have a disability that is</p>	<p>Same as above.</p>

Provision	Current Text	Proposed New Text	Purpose/Description of amendment
Higher Categories	<p>disabled either permanently or for a period expected to be of long duration;</p> <p>(e) the child allowances provided for under paragraphs (b) and (c) above, increased, where applicable, by the amount of the disabled child allowance provided for under paragraph (d) above, [...];</p> <p>[...]</p>	<p>be physically or mentally disabled either permanently or for a period expected to be of long duration;</p> <p>(e) the child allowances provided for under paragraphs (b) and (c) above, increased, where applicable, by the amount of the disabled child allowance for a child with a disability provided for under paragraph (d) above, [...];</p> <p>[...]</p>	
<p>Regulation 3.4</p> <p>Dependency Allowances for Staff Members in the General Service and National Professional Officer Categories</p>	<p>[...]</p> <p>(d) in addition to any amount payable pursuant to paragraph (b) or (c) above, the amount as provided in Annex II, per annum for a child determined to be physically or mentally disabled either permanently or for a period expected to be of long duration;</p> <p>[...]</p>	<p>[...]</p> <p>(d) in addition to any amount payable pursuant to paragraph (b) or (c) above, the amount as provided in Annex II, per annum for a child who is determined to have a disability be physically or mentally disabled that is either permanently or for a period expected to be of long duration;</p> <p>[...]</p>	Same as above.
<p>Regulation 3.5</p> <p>Initial Salary</p>	<p>(a) Staff members appointed under a fixed-term contract shall be appointed at the starting salary of their grade unless the Director General decides that their experience and other qualifications for the duties and responsibilities attaching to the post justify a higher step in that grade.</p> <p>(b) Paragraph (a) above shall not apply to appointments in the framework of inter-agency agreements.</p> <p>(c) The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 3.5.1 entitled "Initial Salary for Temporary Staff Members."</p>	<p>(a) Staff members appointed under a fixed-term contract shall be appointed at the starting salary of their grade unless the Director General decides that their experience and other qualifications for the duties and responsibilities attaching to the post justify a higher step in that grade.</p> <p>(b) Paragraph (a) above shall not apply to appointments in the framework of inter-agency agreements.</p> <p>(c) <u>In instances in which the Organization was unable to attract suitably qualified candidates in highly specialized fields, the Director General may authorize the payment of an incentive for the recruitment of experts in such fields, under conditions and procedures prescribed in an Office Instruction. The amount of the recruitment incentive shall not exceed 25 per cent of the annual net base salary for each year of the initial appointment.</u></p>	<p>New provision added to implement the ICSC recommendation as approved by the UN GA in its resolution 70/244 adopted on December 23, 2015 ("United Nations common system: report of the International Civil Service Commission").</p> <p>See Section III of the resolution, para. 53: "Approves an incentive payment for the recruitment of experts in highly specialized fields in instances in which the Organization is unable to attract suitably qualified personnel, as described and recommended in paragraphs 271 and 279 (c) of the report of the Commission [...]."</p>

Provision	Current Text	Proposed New Text	Purpose/Description of amendment
		<p>(d) The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 3.5.1 entitled “Initial Salary for Temporary Staff Members.”</p>	
<p>Regulation 3.14 Education Grant</p>	<p>[...]</p> <p>(c) A special education grant may be paid to a staff member in any category, whether residing or serving in his or her home country or not, whose child is unable, by reason of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training or, while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability. The amount of the special education grant shall not be cumulative with the grant payable under paragraph (a) above.</p> <p>[...]</p>	<p>[...]</p> <p>(c) A special education grant may be paid to a staff member in any category, whether residing or serving in his or her home country or not, whose child is unable, by reason of physical or mental disability, to attend a regular normal educational institution and therefore requires specific special teaching or training or, while attending a regular normal educational institution, requires specific special teaching or training to assist him or her in overcoming the disability. The amount of the special education grant shall not be cumulative with the grant payable under paragraph (a) above.</p> <p>[...]</p>	<p>Provision amended to ensure consistency with the wording of (the English version of) the Convention on the Rights of Persons with Disabilities and/or avoid the use of language that could be perceived as stigmatizing.</p>
<p>Regulation 3.24 Field Allowances and Benefits</p>	<p>(a) Field allowances and benefits shall be paid as prescribed by the Director General in an Office Instruction on the basis of conditions and procedures promulgated by the ICSC.</p> <p>(b) The level of the allowances shall be established by the ICSC.</p> <p>(c) This Regulation shall not apply to temporary staff members.</p>	<p>(a) Field allowances and benefits shall be paid as prescribed by the Director General in an Office Instruction on the basis of conditions and procedures promulgated by the ICSC.</p> <p>(b) The level of the allowances shall be established by the ICSC.</p> <p>(c) This Regulation shall not apply to temporary staff members.</p>	<p>Field allowances and benefits include the mobility incentive, the hardship allowance and the non-family service allowance.</p> <p>Consistent with the purpose of these allowances, the hardship allowance and non-family allowance should be paid to all staff members, including temporary staff members, who are assigned to B to E duty stations and/or duty stations designated as non-family.</p>
<p>Regulation 5.2 Special Leave</p>	<p>[...]</p> <p>(d) The Director General may authorize special leave without pay for pension purposes to protect the pension benefits of staff who are within two years of reaching the applicable qualifying age for an early retirement benefit under article 29 of the Regulations of the United Nations Joint Staff Pension Fund and 25 years of contributory service, or who are over that age and within two years of 25 years of contributory</p>	<p>[...]</p> <p>(d) The Director General may authorize special leave without pay for pension purposes to protect the pension benefits of staff who are within two years of reaching the applicable qualifying age for an early retirement benefit under article 29 of the Regulations of the United Nations Joint Staff Pension Fund and within normally no more than two years of reaching 25 years of contributory service, or who are</p>	<p>Provision amended to allow staff members who are within two years of reaching early retirement age, or over that age, but who are not within two years of reaching 25 years of contributory service, to be granted special leave without pay for pension purposes.</p>

Provision	Current Text	Proposed New Text	Purpose/Description of amendment
	<p>service.</p> <p>[...]</p>	<p>over that age and within normally no more than two years of reaching 25 years of contributory service. <u>Special leave for pension purposes shall not be granted for more than two years.</u></p> <p>[...]</p>	
<p>Regulation 9.15</p> <p>Separation Remuneration</p>	<p>(a) “Separation remuneration” – the basis for the calculation of any payments due upon separation from service pursuant to Regulations 9.8, 9.9 and 9.12 – shall be the amount determined in accordance with the following provisions:</p> <p>[...]</p> <p>(3) for staff members in the Professional and higher categories, the separation remuneration shall be the salary as defined in Regulation 3.1(a), without post adjustment. Only for the purposes of calculating the termination indemnity payable under Staff Regulations 9.2(a)(5), 9.4 and 9.8(a)(6), the Director General may, at his or her discretion, decide to take into account the post adjustment.</p> <p>[...]</p>	<p>(a) “Separation remuneration” – the basis for the calculation of any payments due upon separation from service pursuant to Regulations 9.8, 9.9 and 9.12 – shall be the amount determined in accordance with the following provisions:</p> <p>[...]</p> <p>(3) for staff members in the Professional and higher categories, the separation remuneration shall be the salary as defined in Regulation 3.1(a), without post adjustment. Only for the purposes of calculating the termination indemnity payable under Staff Regulations 9.2(a)(5), and 9.4 and 9.8(a)(6), the Director General may, at his or her discretion, decide to take into account the post adjustment.</p> <p>[...]</p>	<p>Technical correction to clarify the provision and avoid any possible misinterpretation.</p>
<p>Regulation 9.16</p> <p>Restitution of Advance Annual Leave</p>	<p>Staff members who on separation from service have taken in advance more days of annual leave than those to which their length of service entitles them shall compensate the International Bureau therefor. Such compensation shall take the form of either a cash payment by the staff member or a deduction from monies owed to him or her by the International Bureau, and shall be equivalent to the remuneration received for the leave in question, including allowances and other payments. The Director General may waive this requirement if he or she is satisfied that there are exceptional or compelling reasons for so doing. The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 9.16.1 entitled “Restitution of Advance Annual Leave by Temporary Staff Members.”</p>	<p>Staff members who on separation from service have taken in advance more days of annual leave than those to which their length of service entitles them shall compensate the International Bureau therefor. Such compensation shall take the form of either a cash payment by the staff member or a deduction from monies owed to him or her by the International Bureau, and shall be equivalent to the remuneration received for the leave in question, including allowances and other payments. The Director General may waive this requirement if he or she is satisfied that there are exceptional or compelling reasons for so doing. The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 9.16.1 entitled “Restitution of Advance Annual Leave by Temporary Staff Members.”</p>	<p>Last sentence of the Regulation deleted because the Regulation does apply to temporary staff members, as indicated in Staff Rule 9.16.1.</p>

Provision	Current Text	Proposed New Text	Purpose/Description of amendment
<p>Regulation 12.5</p> <p>Transitional Measures</p>	<p>[...]</p> <p>(l) [...]. In addition to the transitional allowance, the staff member shall be entitled to the amount provided in Annex II for a child who is determined to be physically or mentally disabled either permanently or for a period expected to be of long duration.</p> <p>[...]</p>	<p>[...]</p> <p>(l) [...]. In addition to the transitional allowance, the staff member shall be entitled to the amount provided in Annex II for a child who is determined to have a disability that is be physically or mentally disabled either permanently or for a period expected to be of long duration.</p> <p>[...]</p> <p><u>(o) Notwithstanding Regulation 3.14(b), staff members whose children are pursuing post-secondary studies during the 2016/2017 or 2017 school year and are awarded a first post-secondary degree in relation to these studies in less than four years shall be entitled to one last year of education grant beyond the school year in which the child is awarded the first post-secondary degree, but not beyond the end of the school year in which the child reaches the age of 25, provided all other eligibility requirements are met. This measure shall not apply to staff members whose children start a new post-secondary degree in 2017/2018 or after, without having obtained the degree of less than four years' duration in which they were previously enrolled.</u></p>	<p>Paragraph (l) amended to ensure consistency with the wording of (the English version of) the Convention on the Rights of Persons with Disabilities and/or avoid the use of language that could be perceived as stigmatizing.</p> <p>New paragraph (o) added to mitigate the impact of the loss of the entitlement to education grant for staff members who made a choice to enroll their children in a first post-secondary degree of less than four years' duration before they were notified of the amendment to Staff Regulation 3.14(b) as approved by the Coordination Committee in October 2016.</p>

[Annex II follows]

AMENDMENTS TO STAFF RULES AND RELATED ANNEXES TO BE EFFECTIVE AS FROM JANUARY 1, 2018

Provision	Current Text	New Text	Purpose/Description of amendment
<p>Rule 1.3.2 Working Time</p>	<p>(a) A staff member may opt to follow the fixed or flexible working time system, subject to the authorization procedure, which shall be prescribed in an Office Instruction.</p> <p>(b) Working time for any staff member following the flexible working time system shall, subject to the application of Rule 1.3.3 and the related procedures, be between 30 and 56 hours per week. In that system, the daily working time shall be a minimum of four and a half hours as provided for in Rule 1.3.3.</p> <p>(c) Working time for any staff member following the fixed working time system (Rule 1.3.4) shall be 40 hours per week, not including the lunch break. In that system, the daily working time shall be eight hours as provided for in Rule 1.3.4.</p> <p>(d) Independent of what is provided in paragraphs (a), (b) and (c), any staff member shall be present at work whenever requested on account of the exigencies of the service.</p> <p>(e) Any abuse of the procedures governing working time, as detailed in the Staff Regulations and Rules, or prescribed by the relevant Office Instructions, shall give rise to the application of the disciplinary measures provided for in Chapter X.</p>	<p><u>(a) Except when derogations are duly authorized:</u></p> <p><u>(1) A staff member in full-time employment shall work five days and 40 hours per week;</u></p> <p><u>(2) Core hours shall be from 10:00 to 16:00, with a lunch break, not counted as working time, of 30 minutes minimum and two hours maximum per day;</u></p> <p><u>(3) The daily time frame of possible working hours shall be between 7:00 and 20:00.</u></p> <p><u>(b) A staff member may follow flexible working arrangements, subject to organizational needs and the established authorization procedure. The types of flexible working arrangements and their authorization procedure shall be prescribed in an Office Instruction.</u></p> <p><u>(c) A staff member who does not follow a flexible working arrangement shall observe uniform daily working hours.</u></p> <p>(a) A staff member may opt to follow the fixed or flexible working time system, subject to the authorization procedure, which shall be prescribed in an Office Instruction.</p> <p>(b) Working time for any staff member following the flexible working time system shall, subject to the application of Rule 1.3.3 and the related procedures, be between 30 and 56 hours per week. In that system, the daily working time shall be a minimum of four and a half hours as provided for in Rule 1.3.3.</p> <p>(c) Working time for any staff member following the fixed working time system (Rule 1.3.4) shall be 40</p>	<p>Rule amended to implement the reform of the working time arrangements, further to the report and recommendations of the Working Group on Time Management.</p>

Provision	Current Text	New Text	Purpose/Description of amendment
		<p>hours per week, not including the lunch break. In that system, the daily working time shall be eight hours as provided for in Rule 1.3.4.</p> <p>(d) Notwithstanding paragraphs (a) to (c) above Independent of what is provided in paragraphs (a), (b) and (c), any staff member shall be present at work whenever requested on account of the exigencies of the service.</p> <p>(e) Any abuse of the rules and procedures governing working time, as detailed in the Staff Regulations and Rules, or prescribed by the relevant Office Instructions, shall may give rise to the initiation of a disciplinary procedure and to the application of the disciplinary measures as provided for in Chapter X.</p>	
<p>Rule 1.3.3</p> <p>Flexible Working Time</p>	<p>Rule 1.3.3 – Flexible Working Time</p> <p>(a) Any staff member following the flexible working time system shall be present at work on each working day:</p> <p>(1) during the four and a half hours of the two “core periods,” that is, from 9.15 to 11.45 and from 14.15 to 16.15, and</p> <p>(2) a minimum of four and a half hours (with the exception of any authorized absence under Rule 1.3.5), but not before 7.00 and not after 20.00, and not during the lunch break. The lunch break shall be at least 30 minutes long.</p> <p>(b) The procedures for the use of the flexible working time system shall be prescribed in an Office Instruction.</p>	<p>Rule 1.3.3 – Flexible Working Time</p> <p>(a) Any staff member following the flexible working time system shall be present at work on each working day:</p> <p>(1) during the four and a half hours of the two “core periods,” that is, from 9.15 to 11.45 and from 14.15 to 16.15, and</p> <p>(2) a minimum of four and a half hours (with the exception of any authorized absence under Rule 1.3.5), but not before 7.00 and not after 20.00, and not during the lunch break. The lunch break shall be at least 30 minutes long.</p> <p>(b) The procedures for the use of the flexible working time system shall be prescribed in an Office Instruction.</p>	<p>Rule deleted to implement the reform of the working time arrangements, further to the report and recommendations of the Working Group on Time Management.</p>
<p>Rule 1.3.4</p> <p>Fixed Working Time</p>	<p>Rule 1.3.4 – Fixed Working Time</p> <p>Any staff member following a fixed schedule shall have a daily working time of eight hours excluding the lunch break, according to the schedule agreed upon</p>	<p>Rule 1.3.4 – Fixed Working Time</p> <p>Any staff member following a fixed schedule shall have a daily working time of eight hours excluding the lunch break, according to the schedule agreed upon</p>	<p>Same as above.</p>

Provision	Current Text	New Text	Purpose/Description of amendment
	with his or her supervisor. The schedule shall respect the “core hours” for fixed working time: 9.15 to 12.00, and 14.15 to 17.00. The lunch break shall be at least 30 minutes long.	with his or her supervisor. The schedule shall respect the “core hours” for fixed working time: 9.15 to 12.00, and 14.15 to 17.00. The lunch break shall be at least 30 minutes long.	
<p>Rule 1.3.5</p> <p>Authorized Absences</p>	<p>Rule 1.3.5 – Authorized Absences</p> <p>Absence from the office premises shall be authorized in the following cases, for which the conditions shall be prescribed in an Office Instruction:</p> <p>(a) absence on official business or authorized training;</p> <p>(b) absence for a medical appointment;</p> <p>(c) absence for exceptional and important reasons;</p> <p>(d) when leave is authorized.</p>	<p>Rule 1.3.3 1.3.5 – Authorized Absences</p> <p>Absence from the office premises shall be authorized in the following cases, subject to for which the conditions which shall be prescribed in an Office Instruction:</p> <p>(a) absence on official business or authorized training;</p> <p>(b) absence for a medical appointment;</p> <p>(c) absence for exceptional and important reasons;</p> <p>(d) <u>absence arising from a duly approved flexible working arrangement;</u></p> <p>(e) when leave is authorized.</p>	<p>Rule amended to implement the reform of the working time arrangements, further to the report and recommendations of the Working Group on Time Management.</p>
<p>Rule 1.3.6</p> <p>Unauthorized Absences</p>	<p>Rule 1.3.6 – Unauthorized Absences</p> <p>(a) An unauthorized absence shall be any absence from work when presence is required, and any absence in excess of the maximum time allowed for the absence for exceptional and important reasons under Rule 1.3.5(c).</p> <p>(b) An unauthorized absence may give rise to the initiation of a disciplinary procedure and to the application of disciplinary measures as provided for in Chapter X.</p>	<p>Rule 1.3.4 1.3.6 – Unauthorized Absences</p> <p>(a) An unauthorized absence shall be any absence from work when presence is required, and any absence in excess of the maximum time allowed for the absence for exceptional and important reasons under Rule 1.3.5(c).</p> <p>(b) An unauthorized absence may give rise to the initiation of a disciplinary procedure and to the application of disciplinary measures as provided for in Chapter X.</p>	<p>Same as above.</p>
<p>Rule 1.3.7</p> <p>Special Working Hours</p>	<p>Rule 1.3.7 – Special Working Hours</p> <p>(a) If the exigencies of the service or the particular nature of a position so require, the Director General may prescribe special working hours for one or more</p>	<p>Rule 1.3.5 1.3.7 – Special Working Hours</p> <p>(a) If the exigencies of the service or the particular nature of a position so require, the Director General may prescribe special working hours for one or more</p>	<p>Same as above.</p>

Provision	Current Text	New Text	Purpose/Description of amendment
	<p>staff members or the entire staff, for a definite or indefinite period.</p> <p>(b) Any special working hours shall be incorporated mutatis mutandis either in the provisions governing flexible working hours or in those governing fixed working hours.</p>	<p>staff members or the entire staff, for a definite or indefinite period.</p> <p>(b) Any special working hours shall be incorporated mutatis mutandis either in the provisions governing flexible working hours or in those governing fixed working hours.</p>	
<p>Rule 3.14.2</p> <p>Limits of Eligibility</p>	<p>(a) [...]</p> <p>(5) [...] (ii) special teaching or training for a disabled child within the scope of Regulation 3.14(c).</p> <p>[...]</p>	<p>(a) [...]</p> <p>(5) [...] [(ii) specific special teaching or training for a disabled child with a disability within the scope of Regulation 3.14(c).</p> <p>[...]</p>	<p>Provision amended to ensure consistency with the wording of (the English version of) the Convention on the Rights of Persons with Disabilities and/or avoid the use of language that could be perceived as stigmatizing.</p>
<p>Rule 3.14.3</p> <p>Amount of the Education Grant</p>	<p>[...]</p> <p>(g) Tuition for teaching in the mother tongue under Rule 3.14.2(a)(5)(i) and/or for authorized correspondence courses under Rule 3.14.2(a)(3) shall be reimbursed subject to conditions established by the Director General.</p> <p>[...]</p>	<p>[...]</p> <p>(g) Tuition for teaching of in the mother tongue under Rule 3.14.2(a)(5)(i) and/or for authorized correspondence courses under Rule 3.14.2(a)(3) shall be reimbursed subject to conditions established by the Director General.</p> <p>[...]</p>	<p>Editorial correction and alignment with Regulation 3.14(e) and Rule 3.14.2(a)(5)i).</p>
<p>Rule 5.3.1</p> <p>Home Leave</p>	<p>[...]</p> <p>(k) Subject to the provisions of Chapter VII, staff members authorized to travel on home leave shall be entitled to travel time for themselves and to payment of outward and return travel expenses for them and their eligible dependants for the journey between their official duty station and the place of their recognized home, or any other place in the same country provided that this does not result in additional expenditure for the International Bureau. [...]</p> <p>(l) Dependants shall travel at the same time as the staff member taking home leave; however, exceptions may be authorized if the exigencies of the service or other special circumstances prevent staff members and their dependants from travelling</p>	<p>[...]</p> <p>(k) Subject to the provisions of Chapter VII, staff members authorized to travel on home leave shall be entitled to travel time for themselves and to payment of outward and return travel expenses for them and their eligible family members dependants for the journey between their official duty station and the place of their recognized home, or any other place in the same country provided that this does not result in additional expenditure for the International Bureau. [...]</p> <p>(l) Eligible family members Dependants shall travel at the same time as the staff member taking home leave; however, exceptions may be authorized if the exigencies of the service or other special</p>	<p>Technical correction which reflects that a spouse does not have to be a dependant to be eligible for home leave, in accordance with Staff Rule 7.3.4(a).</p>

Provision	Current Text	New Text	Purpose/Description of amendment
	<p>together.</p> <p>[...]</p>	<p>circumstances prevent staff members and their eligible family members dependants from travelling together.</p> <p>[...]</p>	
<p>Rule 6.2.7</p> <p>Health Protection and Insurance for Temporary Staff Members</p>	<p>[...]</p> <p>(d) Rule 6.2.3, “Maternity Leave,” shall apply to temporary staff members subject to the following:</p> <p>(1) the entitlement to maternity leave shall consist of 16 weeks on full pay for temporary staff members with 12 months of continuous service. The entitlement shall apply on a pro rata basis after six months of continuous service;</p> <p>(2) in cases where maternity leave shall commence prior to the expiry date of the temporary appointment, the appointment of the temporary staff member shall be exceptionally extended for the purpose of exercising the unused portion of the maternity leave entitlement. Entitlements such as annual leave and sick leave shall not accrue during the extension.</p> <p>[...]</p>	<p>[...]</p> <p>(d) Rule 6.2.3, “Maternity Leave,” shall apply to temporary staff members subject to the following:</p> <p>(1) the entitlement to maternity leave shall consist of 16 weeks on full pay for temporary staff members with 12 months of continuous service. The entitlement shall apply on a pro rata basis after six months of continuous service;</p> <p>(2) in cases where maternity leave shall commence prior to the expiry date of the temporary appointment, the appointment of the temporary staff member shall be exceptionally extended for the purpose of exercising the unused portion of the maternity leave entitlement. Entitlements such as annual leave and sick leave shall not accrue during the extension.</p> <p>[...]</p>	<p>Provision deleted in order for all temporary staff members to be entitled to 16 weeks of maternity leave, regardless of length of service.</p>
<p>Rule 7.2.5</p> <p>Travel Conditions</p>	<p>[...]</p> <p>(d) When approved travel is by automobile, the following conditions shall apply:</p> <p>[...]</p> <p>(4) the mileage rate established by the Director General shall be payable to only one or two or more persons engaged in travel in the same automobile;</p> <p>[...]</p>	<p>[...]</p> <p>(d) When approved travel is by automobile, the following conditions shall apply:</p> <p>[...]</p> <p>(4) the mileage rate established by the Director General shall be payable to only one of or two or more persons engaged in travel in the same automobile;</p> <p>[...]</p>	<p>Correction of an editorial error in the English version of the Staff Regulations and Rules (the French version is correct: « Lorsque deux ou plusieurs personnes voyagent dans une même automobile, le montant des frais de voyage, calculé sur la base des taux fixés par le DG, est versé à une seule d'entre elles. »)</p>

Provision	Current Text	New Text	Purpose/Description of amendment
<p>Rule 7.3.4</p> <p>Dependants Eligible for Travel or Removal at the Expense of International Bureau and for the Settling-in Grant</p>	<p>(a) For payment of travel and removal expenses, of excess baggage and unaccompanied shipment, as well as of the settling-in grant, dependants shall be deemed to comprise:</p> <p>(1) a spouse;</p> <p>(2) dependent children.</p> <p>(b) A totally disabled son or daughter of more than 21 years of age may also be deemed to be a dependant for the purposes of this Rule.</p> <p>(c) [...].</p> <p>(d) [...].</p>	<p>(a) For payment of travel and removal expenses, of excess baggage and unaccompanied shipment, as well as of the settling-in grant, dependants shall be deemed to comprise:</p> <p>(1) a spouse;</p> <p>(2) dependent children.</p> <p>(b) A totally disabled son or daughter of more than 21 years of age may also be deemed to be a dependant for the purposes of this Rule.</p> <p>(c) [...].</p> <p>(c) (d) [...].</p>	<p>Provision deleted because it is unnecessary (Staff Regulation 3.2(b) provides that dependent children include disabled children of more than 21 years of age).</p>
<p>Rule 9.16.1</p> <p>Restitution of Advance Annual Leave by Temporary Staff Members</p>	<p>Rule 9.16.1 – Restitution of Advance Annual Leave by Temporary Staff Members</p> <p>A temporary staff member shall not be granted advance annual leave, unless under exceptional or compelling circumstances. In the exceptional or compelling circumstances where temporary staff members are granted advance annual leave, the above Regulation shall apply to such temporary staff members.</p>	<p>Rule 9.16.1 – Restitution of Advance Annual Leave by Temporary Staff Members</p> <p>A temporary staff member shall not be granted advance annual leave, unless under exceptional or compelling circumstances. In the exceptional or compelling circumstances where temporary staff members are granted advance annual leave, the above Regulation shall apply to such temporary staff members.</p>	<p>Rule deleted because (i) the first sentence is unnecessary/redundant with Staff Rule 5.1.2(b)(2) and (ii) the second sentence becomes unnecessary with the deletion of the last sentence of Regulation 9.16.</p>
<p>Rule 10.1.1</p> <p>Disciplinary Measures</p>	<p>[...]</p> <p>(b) Measures other than those listed under Rule 10.1.1(a) shall not be considered to be disciplinary measures within the meaning of the present Rule.</p>	<p>[...]</p> <p>(b) Measures other than those listed under Rule 10.1.1(a) shall not be considered to be disciplinary measures within the meaning of the present Rule. <u>These include, but are not limited to, the following administrative measures:</u></p> <p><u>(1) Recovery of monies owed to the Organization;</u></p> <p><u>(2) Temporary suspension from duty.</u></p>	<p>Provision amended to clarify what non-disciplinary measures include.</p>

Provision	Current Text	New Text	Purpose/Description of amendment
<p>Rule 11.4.2</p> <p>Administrative Resolution of Rebuttal of Performance Appraisals</p>	<p>[...]</p> <p>(b) If the staff member disagrees with a decision under paragraph (a) above, or in the absence of a decision within the applicable time limit, he or she shall be entitled to file an appeal under Regulation 11.5 within ninety (90) calendar days from the date of the notification of the decision or, in the absence of a decision, within ninety (90) calendar days from the expiration of the applicable time limit. Failure by the Director General to take a decision within the applicable time limit shall be considered a rejection of the rebuttal.</p>	<p>[...]</p> <p>(b) If the staff member disagrees with a decision resulting from the Director General's review under paragraph (a) above, or in the absence of a decision within the applicable time limit, he or she shall be entitled to file an appeal under Regulation 11.5 within ninety (90) calendar days from the date of the notification of the decision or, in the absence of a decision, within ninety (90) calendar days from the expiration of the applicable time limit. Failure by the Director General to take a decision within the applicable time limit shall be considered a rejection of the rebuttal.</p>	<p>Editorial amendment to clarify that, where the Director General decides to return the appraisal to the direct supervisor and/or the reviewing officer for reconsideration, the time limit for filing an appeal before the WAB would start to run from the moment a new decision is taken upon the reconsideration, rather than from the moment of the decision to return the appraisal for reconsideration.</p>
<p>Annex II</p> <p>Salaries and Allowance</p>	<p>Article 2 – Allowances</p> <p>[...]</p> <p>(b) [...] [For staff who became eligible on or after January 1, 2009 / between January 1, 2007 and December 31, 2008 / prior to January 1, 2007]</p> <p>2. For a dependent child who is determined to be physically or mentally disabled, in addition to any amount payable under Regulation 3.3(b) or (c) (as per Regulation 3.3(d)).</p> <p>(c) [...]</p> <p>(1) [...]</p> <p>4. For a dependent child who is determined to be physically or mentally disabled, in addition to any amount payable pursuant to Regulation 3.4(b) and (c) (as per Regulation 3.4(d)).</p>	<p>Article 2 – Allowances</p> <p>[...]</p> <p>(b) [...] [For staff who became eligible on or after January 1, 2009 / between January 1, 2007 and December 31, 2008 / prior to January 1, 2007]</p> <p>2. For a dependent child who is determined to have a disability be physically or mentally disabled, in addition to any amount payable under Regulation 3.3(b) or (c) (as per Regulation 3.3(d)).</p> <p>(c) [...]</p> <p>(1) [...]</p> <p>4. For a dependent child who is determined to have a disability be physically or mentally disabled, in addition to any amount payable pursuant to Regulation 3.4(b) and (c) (as per Regulation 3.4(d)).</p>	<p>Provision amended to ensure consistency with the wording of (the English version of) the Convention on the Rights of Persons with Disabilities and/or avoid the use of language that could be perceived as stigmatizing.</p>

[Annex III follows]

AMENDMENTS TO STAFF RULES AND RELATED ANNEXES IMPLEMENTED BETWEEN JULY 1, 2016 AND JUNE 30, 2017

Provision	Previous Text	Current/New Text	Purpose/Description of amendment
<p>Rule 5.1.1</p> <p>Annual Leave</p>	<p>[...]</p> <p>(e) Annual leave may be accumulated, provided that not more than 60 days of such leave shall be carried forward from one calendar year to the next. Those staff members who accumulated more than 60 days prior to January 1, 2013, shall be entitled to retain them until January 1, 2018. Following this date, accumulated annual leave in excess of 60 days shall be forfeited on January 1 of each calendar year. [...].</p> <p>[...]</p>	<p>[...]</p> <p>(e) Annual leave may be accumulated, provided that not more than 60 days of such leave shall be carried forward from one calendar year to the next. Those staff members who accumulated more than 60 days prior to January 1, 2013, shall be entitled to retain them until December 31, 2017 January 1, 2018. Following this date, accumulated annual leave in excess of 60 days shall be forfeited on January 1 of each calendar year. [...].</p> <p>[...]</p>	<p>Entry into force: January 1, 2017 (Information Circular No. 42/2016).</p> <p>Paragraph (e) was amended to correct the erroneous reference to "January 1, 2018." As indicated in the 2012 document entitled "Revision of the Staff Regulations and Staff Rules of WIPO - An overview of the differences and the rationale for all changes between the text of the proposed SRR" (WO/CC/66/2/Ref/Overview), "[a] transitional measure had been proposed to enable staff with a large amount of accumulated leave to reduce it over a five year period, so that the leave is not lost." Since the current rule entered into force on January 1, 2013, the five-year transitional period will end on December 31, 2017.</p>
<p>Rule 5.1.2</p> <p>Annual Leave for Temporary Staff Members</p>	<p>(a) Regulation 5.1, "Annual Leave," shall apply to temporary staff members, except for paragraph (a).</p> <p>(b) Rule 5.1.1, "Annual Leave," shall apply to temporary staff members, except for paragraphs (c), (e), (g) and (h). In addition, the following provisions shall also apply:</p> <p>[...]</p> <p>(3) a maximum of 15 days of accrued annual leave may be paid at the end of an appointment or carried over in case of extension;</p> <p>[...]</p>	<p>(a) Regulation 5.1, "Annual Leave," shall apply to temporary staff members, except for paragraph (a).</p> <p>(b) Rule 5.1.1, "Annual Leave," shall apply to temporary staff members, except for paragraphs (c), (e), (g) and (h). In addition, the following provisions shall also apply:</p> <p>[...]</p> <p>(3) a maximum of 15 days of accrued annual leave may be paid at the end of an appointment or carried over in case of extension;</p> <p>[...]</p>	<p>Entry into force: January 1, 2017 (Information Circular No. 42/2016).</p> <p>In paragraph (b)(3), the provision "or carried over in case of extension" was deleted in order to align the rule with the current practice, as well as with the provisions applicable to regular staff, whereby the limit for the accrual of annual leave is the end of the calendar year and not the expiry date of the appointment.</p>
<p>Rule 11.5.1</p> <p>Appeal Board</p>	<p>[...]</p> <p>(b) The Appeal Board shall be composed as follows:</p> <p>(1) A Chair and a Deputy Chair [...].</p>	<p>[...]</p> <p>(b) The Appeal Board shall be composed as follows:</p> <p>(1) A Chair and a Deputy Chair [...].</p>	<p>Entry into force: as from the designation and election of the new members of the WAB in May 2017 (Information Circular No. 37/2016).</p> <p>Paragraph (b) was amended and old paragraph (c) was deleted so that the WAB would have eight full members (half designated by the Director General,</p>

Provision	Previous Text	Current/New Text	Purpose/Description of amendment					
	<p>(2) Two members designated by the Director General from among the staff members of the International Bureau.</p> <p>(3) Two members elected by the staff members of the International Bureau from among the staff members, according to a procedure to be established, after consultation with the Staff Council, by the Director General.</p> <p>(c) For each of the members referred to in subparagraphs (b)(2) and (b)(3) above, one alternate, who shall sit on the Appeal Board when the member is unable to do so, shall be designated or elected in the same way as the member.</p> <p>(d) [...].</p> <p>(e) The Chair and Deputy Chair shall be designated for a term of five years, renewable once. The other members shall be designated, renewable once, or elected for a period of two years and shall be eligible for re-election.</p> <p>(e) (f) [...]</p>	<p>(2) Two Four members designated by the Director General from among the staff members of the International Bureau.</p> <p>(3) Two Four members elected by the staff members of the International Bureau from among the staff members, according to a procedure to be established, after consultation with the Staff Council, by the Director General.</p> <p>(c) For each of the members referred to in subparagraphs (b)(2) and (b)(3) above, one alternate, who shall sit on the Appeal Board when the member is unable to do so, shall be designated or elected in the same way as the member.</p> <p>(c) (d) [...].</p> <p>(d) (e) The Chair and Deputy Chair shall be designated for a term of five years, renewable once. The other members shall be designated, renewable once, or elected for a period of two years and shall be eligible for further designations or re-election.</p> <p>(e) (f) [...]</p>	<p>and half elected by the staff), instead of four full members and four alternates. This will help avoid or deal with conflicts of interest, reduce the caseload of members, and ensure more representativeness and diversity among members.</p> <p>Old paragraph (e) was amended to clarify the provision and put on par members designated by the Director General and members elected by the staff as regards the renewal of their term.</p>					
<p>Annex II</p> <p>Salaries and Allowances</p> <p>Article 2 – Allowances</p>	<p>Article 2 – Allowances</p> <p>[...]</p> <p>(d) [...]:</p> <p>(1) Allowance for dependent spouses and dependent children of staff in the General Service category:</p> <p>For staff who became eligible on or after April 1, 2008, in Geneva and on or after September 1, 2006, in New York</p> <table border="1" data-bbox="338 1342 943 1417"> <tr> <td></td> <td>Swiss francs</td> <td>US dollars per annum</td> </tr> </table>		Swiss francs	US dollars per annum	<p>Article 2 – Allowances</p> <p>[...]</p> <p>(c) [...]:</p> <p>(1) Amounts applicable for General Service staff in Geneva:</p> <table border="1" data-bbox="943 1342 1547 1417"> <tr> <td></td> <td>Swiss francs per annum</td> </tr> </table>		Swiss francs per annum	<p>Entry into force: September 1, 2016 (Information Circular No. 36/2016).</p> <p>Article 2(d) was amended to update the amounts of dependency allowances for General Service staff in Geneva, as approved by the International Civil Service Commission at its eighty-third session.</p>
	Swiss francs	US dollars per annum						
	Swiss francs per annum							

Provision	Previous Text				Current/New Text				Purpose/Description of amendment
		per annum (Geneva)	(New York)			(Geneva)			
	1.	For a dependent spouse (as per Regulation 3.4(a)).	6,526	3,336	1.	For a dependent spouse (as per Regulation 3.4(a)).		7,939	
	2.	For each dependent child (as per Regulation 3.4(b)).	5,025	2,083	2.	For each dependent child (as per Regulation 3.4(b)).		6,398	
	3.	For the first dependent child, if there is no spouse (as per Regulation 3.4(c)).	9,321	2,879	3.	For the first dependent child, if there is no spouse (as per Regulation 3.4(c)).		13,183	
	4.	For a dependent child who is determined to be physically or mentally disabled, in addition to any amount payable pursuant to Regulation 3.4(b)and (c) (as per Regulation 3.4(d)).	5,025	2,083	4.	For a dependent child who is determined to be physically or mentally disabled, in addition to any amount payable pursuant to Regulation 3.4(b) and (c) (as per Regulation 3.4(d)).		6,398	
		For staff who became eligible prior to April 1, 2008, in Geneva and prior to September 1, 2006, in New York						2,515	
		Swiss francs per annum (Geneva)	US dollars per annum (New York)						
	1.	For a dependent spouse (as per Regulation 3.4(a)).	7,211	3,562	(2) The amounts applicable for General Service staff in duty stations other than Geneva and for National Professional Officers shall be located with the salary scales for the relevant duty stations on the WIPO Intranet.				
	2.	For each dependent child (as per Regulation 3.4(b)).	5,025	2,217					
	3.	For the first dependent child, if there is no spouse (as per Regulation 3.4(c)).	10,702	3,246					
4.	For a dependent child who is determined to be physically or mentally disabled, in addition to any amount payable pursuant to Regulation	5,052	2,217						

Provision	Previous Text	Current/New Text	Purpose/Description of amendment				
	<p data-bbox="405 252 613 304">3.4(b) and (c) (as per Regulation 3.4(d)).</p> <p data-bbox="353 368 927 475">(2) Allowance for a dependent parent, a dependent brother or a dependent sister of staff in the General Service category, where there is no dependent spouse (as per Regulation 3.4(f)):</p> <table border="1" data-bbox="454 501 826 624"> <thead> <tr> <th data-bbox="454 501 642 568">Swiss francs per annum</th> <th data-bbox="642 501 826 568">US dollars per annum</th> </tr> </thead> <tbody> <tr> <td data-bbox="454 568 642 624">1,635</td> <td data-bbox="642 568 826 624">1,257</td> </tr> </tbody> </table> <p data-bbox="353 655 893 730">(3) The amounts applicable for National Professional Officers shall be located on the WIPO Intranet.</p>	Swiss francs per annum	US dollars per annum	1,635	1,257		
Swiss francs per annum	US dollars per annum						
1,635	1,257						

[Annex IV follows]



GENERAL DISTRIBUTION
DATE OF PUBLICATION : JUNE 8, 2017
ORIGINAL : ENGLISH

Office Instruction
N° 17/2017

WIPO Policy on Mobility to Offices Away from Headquarters

1. This Office Instruction establishes the WIPO policy on mobility to offices away from Headquarters and provides an overview of mechanisms and support for mobility applicable to staff in the Professional and higher categories holding fixed-term, continuing and permanent appointments. In case of any inconsistency between this Office Instruction on the one hand and the Staff Regulations and Rules or any Office Instructions on specific topics discussed herein on the other, the latter shall prevail.

<u>Subject</u>	<u>Paragraphs</u>
Background	2 – 4
Benefits of mobility	5
Reassignment mechanisms between Headquarters and offices away from Headquarters	6 – 8
Conditions of service in offices away from Headquarters	9 – 30
Other support to mobility	31 – 37
Entry into force	38

Background

2. Headquartered in Geneva, Switzerland, WIPO also has offices in the following duty stations: Rio de Janeiro, Brazil; Beijing, China; Tokyo, Japan; Moscow, Russia; Singapore; New York, USA. Two more offices are soon to be established in Algiers, Algeria, and Abuja, Nigeria.¹ All are considered as External Offices,² with the exception of the WIPO coordination office in New York.

I...

¹ As decided by the Assemblies of the Member States of WIPO at their Fifty-Sixth Series of Meetings in October 2016 (see document A/56/16 Add.2).

² See information document on "WIPO External Offices" submitted to the Assemblies of the Member States of WIPO (A/55/INF/6).

3. The offices away from Headquarters play an important role in bringing WIPO's services and cooperation closer to Member States, stakeholders and partners, and in contributing to WIPO's strategic goals.

4. In coordination with the relevant sectors at WIPO's Headquarters, the external offices provide cost-effective support services in relation to the PCT, Madrid and Hague systems; arbitration and mediation; collective management; IP research; development and capacity building; and/or UN system-wide cooperation. The New York office is WIPO's liaison to the United Nations and the related community of diplomats and agencies in New York.

Benefits of Mobility

5. Mobility, including between WIPO's Headquarters and its offices away from Headquarters, is an important element of the Organization's HR strategy. Benefits of geographical mobility for WIPO and its staff include:

- enhancing organizational effectiveness;
- promoting WIPO's mission globally;
- acquiring work experience in different countries and cultures;
- broadening experience and expertise;
- acquiring new/transferable skills;
- widening professional networks;
- gaining leadership experience;
- facilitating professional development and career progression;
- training others and sharing knowledge and technical expertise;
- developing a versatile, multi-skilled and internationally-focused staff.

Reassignment mechanisms between Headquarters and offices away from Headquarters

6. As per Staff Regulation 1.2 ("Assignment of Staff Members"), staff members "shall be assigned functions according to the needs of the International Bureau, due account being taken of their qualifications as much as possible." Furthermore, Staff Regulation 4.3 ("Transfers") provides that "[a] staff member may be transferred to any of the organizational units of WIPO whenever the interests of the International Bureau so require. Due consideration shall be given to respecting the staff member concerned."³

7. Subject to the needs of the Organization, staff members in the Professional and higher categories holding fixed-term, continuing and permanent appointments are expected to be geographically mobile and may be assigned to any duty station of the Organization.

l...

³ Staff Regulation 4.3 does not apply to temporary staff members.

8. Within this context, the current mechanisms for reassignment between Headquarters and offices away from Headquarters are as follows:

- (a) Lateral transfer without a competition, pursuant to Staff Regulation 4.3 and Staff Rule 4.3.1.⁴
- (b) Lateral transfer pursuant to the policy on "Internal Mobility through Lateral Transfer" (see Office Instruction No. 34/2013).
- (c) Appointment and transfer following a competition to a post at the same grade (lateral move) or at a higher grade (promotion), pursuant to Staff Regulations 4.9 and 4.10.
- (d) In exceptional cases, assignment for less than 12 months, in which case the staff member shall return to the post from which he/she has been temporarily released, following completion of the temporary assignment.

Conditions of service in offices away from Headquarters

Living conditions

9. The International Civil Service Commission (ICSC) places all duty stations in one of six categories:

- (a) H duty stations, which are at headquarters and other similarly designated locations where the United Nations has no development/humanitarian assistance programs, or in member countries of the European Union; and
- (b) A to E duty stations, which are rated on a scale that assesses the difficulty of working and living conditions from A to E, with A being the least and E the most difficult. Categories are designated through an assessment of the overall quality of life. In determining the degree of hardship, consideration is given to local conditions of safety and security, health care, housing, climate, isolation and level of amenities/convenience of life.

10. The classification of a duty station is a factor to determine whether staff are entitled to additional benefits, such as field allowances and benefits (also referred to as the mobility and hardship scheme).

11. Currently, the duty stations in which WIPO has or is about to establish offices away from Headquarters are categorized as follows:

H duty station	New York Tokyo
A duty station	Beijing Moscow Rio de Janeiro Singapore
B duty station	Algiers
C duty station	Abuja
D or E duty station	n/a

⁴ Staff Rule 4.3.1 ("Transfers") provides:

- *(a) A transfer shall normally be to a post classified at the same grade as that of the staff member. The staff member must have the required qualifications for the post.
- *(b) A staff member may be transferred with his or her post when justified by business needs or in other exceptional circumstances.
- *(c) The reasons for the transfer shall be communicated to the staff member in writing.
- *(d) This Rule shall not apply to temporary staff members."

Working conditions

12. The Staff Regulations and Rules and Office Instructions apply to staff in offices away from Headquarters (including, but not limited to, the Performance Management and Staff Development System (PMSDS), learning and development, leave and absences), unless otherwise stated.

13. The Human Resources Management Department (HRMD) will inform staff of any differences in procedures, working days/hours and conditions applicable to the local area.

Assignment length

14. The length of an assignment in an office away from Headquarters (or at Headquarters) will depend on the needs of WIPO. There is no standard assignment length, i.e., no mandatory minimum or maximum length, and no automatic right of return to Headquarters, unless otherwise decided by the Director General or in case of a temporary assignment (see paragraph 8(d) above).

15. Notwithstanding the foregoing, the minimum assignment length in an office away from Headquarters should normally be two years, except in case of a temporary assignment (see paragraph 8(d) above), to establish effective relations and provide continuity with the stakeholders and partners of the office, and also to take into account the financial costs related to relocation. Likewise, the maximum assignment length in an office away from Headquarters should normally be five years.

Benefits and entitlements related to geographical mobility

16. WIPO applies the United Nations common system of salaries, allowances and other conditions of service, and grants the applicable entitlements to staff moving from one duty station to another. These entitlements include:

17. Travel. WIPO will pay the travel expenses of an internationally recruited staff member on assignment to another duty station (see Staff Rule 7.1.2). WIPO will also pay the travel expenses of a staff member's spouse and/or dependent children where the assignment is for a period of at least one year (see Staff Rule 7.3.3).

18. Settling-in Grant. A settling-in grant will be paid for the staff member and his or her dependants when a staff member travels at the Organization's expense on assignment to another duty station for a period which is expected to be of at least one year's duration (see Staff Rule 7.3.2). The grant provides a cash amount at the beginning of an assignment to assist with the expenses for temporary accommodation and other incidental settling-in expenses associated with the relocation of staff and accompanying family members at the beginning of an assignment. The grant comprises a daily subsistence allowance element (30 days at the daily rate for the staff member and 15 days for each accompanying eligible family member) and a lump-sum amount (equivalent to one month of the staff member's net base salary, plus the post adjustment applicable at the duty station of assignment).

19. Removal expenses/Unaccompanied shipment. WIPO will also pay the cost of the full removal (see Staff Rule 7.3.6) of the staff member's household goods and personal effects for the staff member and his or her dependants, upon assignment to another duty station for a period of at least two years,⁵ or a smaller shipment (see Staff Rule 7.3.7(e)) when the assignment is for at least one year but less than two years.⁶

/...

⁵ Up to a maximum of 30 cubic meters for a staff member without dependants and 60 cubic meters for a staff member with one or more dependants residing with him/her at the duty station.

⁶ Up to a maximum of 1,000 kg for the staff member, 500 kg for the first dependant, and 300 kg for every other dependant.

20. **Mobility incentive.** Staff serving in an A to E duty station may qualify for the payment of a mobility incentive (see Office Instruction No. 44/2016). The incentive aims to encourage mobility to field duty stations and applies to staff with at least five years of prior continuous service in WIPO or a common system organization. It is payable from the staff member's second assignment and for a maximum period of five continuous years at the same duty station.

21. **Hardship allowance.** A hardship allowance may be paid to staff members assigned to duty stations classified in categories B to E (see Office Instruction No. 44/2016). The allowance is payable from the beginning of the assignment and for its entire duration, subject to any changes in the category of the duty station.

22. **Non-family service allowance.** The non-family service allowance may be paid to staff members who are assigned to duty stations designated as non-family. The allowance is payable from the beginning of the assignment and for its entire duration, subject to any changes in the designation of the duty station (see Office Instruction No. 44/2016).

23. **Home leave.** Staff members serving and residing outside their home country are normally entitled to paid travel every two years to their home country for themselves, their spouse and their dependent children (see Staff Regulation 5.3 and related Rules, and the Office Instruction on home leave).

Salaries and related allowances

24. **Base salary.** The base salary scale for staff in the Professional and higher categories is the same at all duty stations.

25. **Post adjustment.** Base salaries are adjusted by the application of a non-pensionable post adjustment (see Staff Regulation 3.8), which is designed to ensure that staff in the Professional and higher categories have the same purchasing power at all duty stations. As the cost-of-living varies significantly between duty stations, post adjustment is set at different levels at each duty station so as to compensate for these observed differences in living costs.

26. By way of comparison, in April 2017, the following post adjustment multipliers were applicable:⁷

Switzerland	Algeria	Brazil	China (Beijing)	Japan (Tokyo)	Nigeria	Russia	Singapore	USA (New York)
79.3	32.7	50.5	60.5	79.4	28.0	62.4	75.4	66.1

27. **Alternative arrangements for post adjustment.** Under certain conditions, a staff member reassigned to a different duty station classified lower in the post adjustment schedule than his or her former duty station may continue receiving, for up to six months, the post adjustment applicable to his or her former duty station (see Staff Regulation 3.8(b)).

28. **Rental subsidy.** The rental subsidy scheme is part of the post adjustment system and is designed to ensure equal treatment of staff as regards housing costs, as newcomers in a duty station tend to be faced with rents substantially higher than the average. A rental subsidy may be paid when a staff member's rent exceeds a certain threshold and will not normally exceed 40% of the rent or of the applicable reasonable maximum rent level, whichever is lower (see Staff Regulation 3.9 and the Office Instruction on rental subsidy).

L...

⁷ By way of example, a post adjustment multiplier of 50 results in a post adjustment payment equal to 50% of the base salary.

29. Dependency allowances. Dependency allowances are provided for staff with dependants (e.g., a spouse who is not in employment, dependent children, and/or in certain cases, a dependent mother, father, brother or sister). An allowance at the level of six per cent of the net salary plus post adjustment may be paid for a dependent spouse or in some cases for the first dependent child when there is no spouse. Otherwise, a flat-rate allowance may be paid for dependent children and for a secondary dependant (see Staff Regulations 3.2 and 3.3).

30. Education grant. An education grant is available to internationally recruited staff members residing and serving outside their home country, to cover part of the cost of educating children in full-time attendance at an educational institution. A revised education grant scheme will enter into force as from school year 2017/2018 (for details, see Staff Regulation 3.14 and related Rules, as well as the Office Instruction on education grant applicable to the relevant school year).

Other support to mobility

31. In addition to the common system compensation package detailed in paragraphs 16 to 30 above, the following support measures may also apply for staff reassigned to offices away from Headquarters.

Timing of reassignment

32. Reassignment to an office away from Headquarters will, to the extent possible, be timed in consultation with the staff member concerned, so as to take into account personal and family circumstances.

Information

33. Whenever possible, reassignment briefing sessions will be organized and information packages about work/life and health/security conditions at the new duty station will be made available.

Rental advance

34. Staff members may request a salary advance in order to meet their contractual obligations towards landlords when significant amounts of rent are requested to be paid in advance (see Staff Regulation 3.15). More details are available in Office Instruction No. 10/2014 on salary advances.

Special leave with full pay

35. Staff members transferred to an office away from Headquarters may be granted up to five days of special leave with full pay to deal with any formalities associated with the move (packing and unpacking, search for accommodation, schools, etc.).

Language courses

36. For the purpose of integration in the local area, the Organization may provide to the staff member, as well as his or her spouse, language training in the language of the duty station, under conditions defined by the Organization.

/...

Special salary increment

37. In accordance with Staff Regulation 3.25 ("Special Salary Increment"), a non-pensionable allowance corresponding to up to a maximum of three steps in the staff member's grade, plus post adjustment, may be paid to a staff member who is reassigned, for a period of at least one year, from Headquarters to a post at the same grade in an office away from Headquarters. Conditions for the payment of the special salary increment are defined in Office Instruction No. 43/2016.

Entry into force

38. This Office Instruction shall enter into force on its date of publication. It supersedes Information Circular No. 1/2017, which is hereby abolished.

[signed by Francis Gurry
Director General]

[End of Annex IV and of document]