

Twenty-sixth meeting of the Council  
Abu Dhabi, 19-20 October 2023

## **Report of the Director-General Proposed Amendment to Staff Rule 105.3 Types of Appointment**

### **Clarifications and Questions Relating to Staff Rule 105.3**

#### **I. Background**

1. The Director-General presented report C/25/5 dated 19 April 2023 (Annex 1) on the Proposed Amendment to Staff Rule 105.3 Types of Appointment. The proposed amendment was introduced as per staff regulation 13.2 that provides that the Director-General, as the chief administrative officer of the Agency, shall enforce such Staff Rules as he or she considers necessary in order to implement Staff Regulations. Therefore, as a point of clarification the Director-General introduced provisional amendment to Staff Rule 105.3 through the introduction of provisional rule 105.3(d) which clarifies that, in light of the fact that General Service staff are not subject to tenure, the proposed amendment reads:

“For staff appointed to the Professional staff category from the General Service category after appropriate competitive examination, time served in the General Service category shall not be taken into account in calculating their length of service” for the purposes of Professional staff tenure limits.

During the twenty-fifth meeting of the Council on 23-24 May 2023, various points of clarification were sought for presentation at the twenty-sixth council. The clarifications requested were as follows:

- (a) How many staff have or are planning to change from General Service to Professional Staff?
- (b) What is the entry level for both General Service and Professional Staff?
- (c) What are the entry requirements for General Service and how would this change when it comes to shifting to Professional Staff?
- (d) What are the rules and procedures of other organizations?
- (e) Has a full analysis of policies been done if fully implementing the proposed amendment?

- (f) What are the expectations toward further amendments?
- (g) What is the policy concerning the employment of ex-staff as consultants after having reached maximum tenure limits? A draft policy is requested for the next Council meeting.

**II. Clarifications Provided**

- 2. How many staff have or are planning to change from General Services to Professional Staff?

There are five (5) staff members that have changed or are planning to change from General Service to Professional staff as follows:

Job title	Incumbent Grade	Division	EOD Date at GS level	EOD Date at P-level
General Services Manager	P4	AMS	1-Sep-2011	1-Feb-2014
Associate Internal Auditor	P2	ODG	4-May-2014	1-June-2018
Associate Finance Officer	P1	AMS	18-Oct-2011	1-Oct-2020
Associate Web and Systems Developer	P2	PFS	21-Jul-2015	1-Oct-2022
Associate Programme Officer-Coalition for Action	P1	KPFC	06-Jan-2013	TBC

The General Services Manager (1 Feb 2014) and Associate Internal Auditor (1 June 2018) were appointed to professional staff via direct appointment with a note to file.

The Associate Finance officer (1 Oct 2020), Associate Web Systems Developer (1 Oct 2022) and pending Associate Programme Officer-Coalition for Action (Timing to be confirmed) were appointed via vacancy announcement advertisement, competitive examination, competitive interview process with recommendation by panel of three staff to the Director-General who approved the selection.

- 3. What is the entry level for both General Services and Professional Staff?

The entry level for General Services in administrative posts is at the GS4 level. The entry level for Professional staff is at the P1/P2 level.

4. What are the entry requirements for General Services and how would this change when it comes to shifting to Professional Staff?

The entry level requirements for a GS4 post of Administrative Assistant is as follows:

- (a) Education: High school diploma or equivalent
- (b) Experience: A minimum of four years' experience in administrative services, office management or related field. Previous work experience in international institutions, embassies, or other governmental entities is an asset.
- (c) Skills: Good knowledge of MS Office with emphasis on Word, Excel, and Outlook. Excellent command of written and spoken English.

The entry level requirements for P1/P2 Associate Programme Officer are as follows:

- (a) Education: Advanced university degree (Masters' degree or equivalent) in a related field is required. A first-level university degree in combination with two additional years of qualifying experience may be accepted in lieu of the advanced university degree.
- (b) Experience: A minimum of two years' experience in a related field. Previous work experience in international institutions, embassies, or other governmental entities is an asset.
- (c) Skills: Good knowledge of MS Office with emphasis on Word, Excel and Outlook. Excellent command of written and spoken English.

All applicants to a Professional Staff level post are required to meet all the vacancy announcement requirements in order to be considered as a candidate.

5. What are the rules and procedures of other organizations?

IRENA has research tenured organizations, and United Nations organizations as comparators. The findings are as follows:

#### Tenured Organizations<sup>1</sup>

IAEA: a) GS staff are not subject to tenure limitations therefore, staff that are appointed from GS to Professional Staff category do not have time served in GS category counted for purposes of determining Professional Staff tenure. b) for hiring from GS to Professional Staff category, the GS staff member must meet the experience and educational requirements of the vacancy profile for the Professional Staff position. The staff member retains a return right to GS when maximum Professional staff category tenure is reached.

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<sup>1</sup> Information derived from meetings with Director of Human Resources (HR) OSCE on 14 June 2023, Chief of HR OPCW on 15 June 2023, ex-Chief of HR IAEA on 13 June 2023, Executive Secretary Office of CTBTO on 13 May 2023.

OPCW: a) GS staff are not subject to tenure limitations therefore, staff that are appointed from GS to Professional Staff category do not have time served in GS category counted for purposes of determining Professional Staff tenure. b) for hiring from GS to Professional staff category, the GS staff member must meet the experience and educational requirements of the vacancy profile for the Professional Staff position.

OSCE a) GS staff are not subject to tenure limitations therefore, staff that are appointed from GS to Professional Staff category do not have time served in GS category counted for purposes of determining Professional Staff tenure. b) for hiring from GS to Professional staff category, the GS staff member must meet the experience and educational requirements of the vacancy profile for the Professional Staff position.

CTBTO: a) GS staff are not subject to tenure limitations therefore, staff that are appointed from GS to Professional Staff category do not have time served in GS category counted for purposes of determining Professional Staff tenure. b) for hiring from GS to Professional staff category, the GS staff member must meet the experience and educational requirements of the vacancy profile for the Professional Staff position.

In summary, for tenured organizations IAEA, OPCW, OSCE, and CTBTO General Service staff are not subject to tenure limitations and for staff appointed from GS to Professional staff category time served in a General Service capacity is not counted for purposes of determining Professional Staff tenure limits. With regards to appointing from GS staff category to Professional Staff category the candidate must meet the experience and educational requirements of the vacancy profile for a Professional staff position.

As a further comparison, sample UN organization requirements are provided below:

- (a) World Health Organization (WHO); As per HR e-manual III 4.1, paragraph 220 “general service staff who do not meet minimum educational qualifications specified in a vacancy notice may be considered eligible to apply for professional positions up to and including P-3 if:
  - i. It can be demonstrated that they have full body of the knowledge required for the position in question.
- (b) They have a minimum of six years of progressive WHO/UN experience relevant to the vacancy”
- (c) United Nations Development Programme (UNDP): UNDP policy on “SUPPORT TO CAREER PROGRESSION FOR LOCALLY RECRUITED STAFF” reads; “In support of career progression of UNDP GS staff in Headquarters locations, staff possessing a first level university degree in combination with at least 10 years of continuous service with a Fixed Term or continuous appointment, may be considered for Professional posts that have been advertised with the Masters’ degree or equivalent requirement, provided they meet all other selection criteria.

- (d) United Nations Secretariat provides requirements for GS to Professional Staff transfer under ST/AI/2012/2/rev.1 summarized as follows:
- i. The movement of staff from G to P is limited to P-1 and P-2 posts.
  - ii. The recruitment from G to P should be conducted through competitive methods of selection.
  - iii. The staff member must have post-secondary educational qualifications.
  - iv. The staff member must have a minimum of five years of continuous service with the Agency.
  - v. The staff member must hold an appointment valid for a minimum of six months or expected to be extended for a minimum of six months from the date the written examination is scheduled to take place.
  - vi. The staff member must have a rating of at least “successfully meets performance expectations” in their last two performance assessments.

6. Has a full analysis of policies been done if fully implementing the proposed amendment?

Yes, Staff Regulations and Staff rules and Staff Directives of IRENA have been reviewed. Amendments to break-in-service criteria are being proposed in Council document C/26/6 and criteria has been added to the IRENA recruitment policy as follows:

GS Staff may be considered for P Level positions subject the following conditions:

- (a) *The movement of staff from G to P is limited to posts up to P2 level;*
- (b) *The recruitment from G to P should be conducted through competitive methods of selection;*
- (c) *The staff member must meet the minimum requirements of the job in terms of both work experience and educational qualifications;*
- (d) *The staff member must have a minimum of five years of continuous service with the Agency;*
- (e) *The staff member must hold an IRENA appointment valid for a minimum of six months or expected to be extended for a minimum of six months from the date the selection decision;*
- (f) *The staff member must have a rating of at least “fully meets expectations” in their last two performance assessments.*

7. What are the expectations toward further amendments?

Please see question 6.

8. What is the policy concerning the employment of ex-staff as consultants after having reached maximum tenure limits?

- (a) A draft directive concerning engagement of former staff as consultants is contained in document titled Report of the Director-General – Break-in-Service and Consultants (C/26/6), Annex 3.

**III. Considerations**

9. The Agency has taken into account deliberations of past Council meetings and Assembly sessions on this issue. The Director-General recommends consideration by the Council of provisions similar to those which have been provided at other international tenured organisations. The proposed amendment to Staff Rule 105.3 in document C/25/5 is submitted as Annex 1 to this report for consideration by the Council.



19 April 2023

Twenty-fifth meeting of the Council  
Abu Dhabi, 23-24 May 2023

## **Report of the Director-General Proposed amendment to Staff Rule 105.3 Types of Appointment**

1. In line with the Decision on the Length of Service for Staff in the General Service Category ([A/12/DC/2](#)) adopted by the Assembly at its twelfth session and given the need to review staff rules that are impacted as a result, the Council is invited to consider the proposed amendment to Staff Rule 105.3 on Types of appointment. The proposed amendment to introduce a new rule 105.3 (d) takes into account instances in which staff have been or are appointed in the future from the General Service category, which has no tenure limits, to the Professional category, which has tenure limits on length of employment.
2. Offering General Service staff, the opportunity to advance to the Professional category through open competition without the disadvantage of counting prior General Service time toward tenure limits will level the playing field with external candidates which have no such restrictions. In addition, staff retention will improve as General Service staff with the motivation and skills to advance to the Professional category will be encouraged to apply. In instances where General Service staff compete and qualify through open competition for a professional post onboarding will be faster and less costly since travel and relocation expenses will be eliminated. When General Service staff see that there is a clear path for advancement within the Agency, they are more likely to be engaged, work harder, and strive for excellence. Internal General Service to Professional appointments can also help to build a strong pipeline of talent to back-up departing staff.
3. In summary, this provisional amendment to Staff Rule 105.3 is consistent with recent policy decision ([A/12/DC/2](#)) which places no tenure limits on General Service staff. The Director General recommends the natural extension of not counting prior General Service time served toward Professional staff tenure limits for those motivated and high performing General Service staff who through open competition with external candidates are selected for Professional staff positions. Without this change growth opportunities for motivated General Service staff will be severely curtailed. Finally, it is emphasized that if qualified General Service staff members are appointed to the Professional category, they are fully subject to tenure limits from the date of their appointment as per IRENA Staff Rule 105.3 (b).

4. Staff Regulation 13.2 provides that the Director-General, as the chief administrative officer of the Agency, shall provide and enforce such Staff Rules as he or she considers necessary in order to implement the Staff Regulations.
5. In accordance with Staff Regulation 13.3 (b), the Director-General shall report to the Assembly the full text of the provisional amendment to Staff Rule 105.3. Should the Assembly find that the provisional amendment is inconsistent with the intent and purpose of the Staff Regulations, it may direct that the amendment be withdrawn or modified.
6. The provisional amendment to the Staff Rule 105.3 through the introduction of provisional rule 105.3(d) is set out in the Annex to this Report.
7. The Director-General recommends that the Council consider and take note of the provisional amendment to Staff Rule 105.3, set out in the Annex to the present Report.
8. In accordance with Staff Regulation 13.3 (c), the provisional amendment to Staff Rule 105.3 reported by the Director-General, taking into account such modifications and/or deletions as may be directed by the Assembly, shall enter into full force and effect no later than thirty days after the end of the Assembly session having considered the provisional amendment, unless the Assembly decides on a different date.



## ANNEX

**Rule 105.3 *Types of appointment***

(a) Staff members may be granted fixed-term or temporary appointments, as defined below. No appointment carries any expectation of renewal or conversion to any other type of appointment, irrespective of the length of service or its extension.

(b) A “fixed-term appointment” is a time-limited appointment of one year or longer. The initial period shall normally not exceed three years. The total length of service on fixed-term appointments for staff at the professional level and above shall normally not exceed seven years. The Director-General may extend this maximum period once for a period of up to two years, provided that such an extension may be made only when there is a documented record of good performance and of the need to ensure continuity of the work of the Agency. The maximum length of service applicable to staff at the professional level and above shall not apply to staff in the general service category.

(c) A “temporary appointment” shall be granted for a period of less than one year to meet seasonal or peak workloads and specific short-term requirements. The appointment of a staff member who has served for the maximum period may be extended up to a total continuous period of less than two years when warranted by surge requirements and operational needs related to special projects with finite mandates.

(d) *For staff appointed to the Professional category from the General Service category after the appropriate competitive examination, time served in the General Service category shall not be taken into account in calculating their length of service for the purposes of paragraph (b) above.*