

FOR DECISION AND FOR INFORMATION

BM.02/DOC.11: AMENDMENT TO HUMAN RESOURCES POLICY AND NOTE ON SECONDMENTS

1. PURPOSE

The purpose of this paper is to: (i) seek a decision of the Board approving an amendment to the Human Resources Policy approved at the meeting via conference call on 26 February 2015; and (ii) provide further information regarding secondments to the Secretariat.

2. REQUESTED DECISION

The Board is requested to approve the following decision:

***BM.02/DEC.XX:** The Board approves the following addition to paragraph 1.9 of the Human Resources Policy (approved at the meeting via conference call on 26 February 2015 (CC.02.15/DOC.02)):*

1.9 Employees may undertake work, whether paid or unpaid for another organisation, or serve on the Board or Advisory body of another organisation directly or indirectly related to GCERF, or hold public office, if to do so is compatible with and does not conflict with the proper discharge of their duties for GCERF **and, if the work is within Switzerland, the employee has the legal right to undertake such work.** Employees must obtain the prior written consent of the Executive Director before doing so, and in the case of the Executive Director, the consent of the Chair of the Board. Any such activity or engagement must be undertaken on the employee's own time, unless explicitly approved otherwise.

3. AMENDMENT TO HUMAN RESOURCES POLICY

3.1 The Human Resources Policy was approved by the Board at the meeting via conference call on 26 February 2015.

3.2 As advised during the meeting via conference call, the Secretariat met with representatives of the Permanent Mission of Switzerland to the United Nations and Other International Organisations in Geneva on 12 March 2015, in anticipation of signing the Headquarters Agreement.

3.3 The Swiss Mission noted that the residence/work permits that the Swiss Department of Foreign Affairs will issue to non-Swiss GCERF employees (known as legitimisation cards) are specific to GCERF only. Under no circumstances can a person hold more than one status in Switzerland and therefore GCERF employees cannot take on work for another organization within Switzerland if they are holding a legitimisation card for GCERF.

3.4 As such, the amendment above is recommended for approval by the Board to clarify this matter.

4. NOTE ON SECONDMENTS

4.1 During the meeting via conference call on 26 February 2015, questions were asked regarding the privileges and immunities that would be granted to secondees to the Secretariat. The Secretariat stated that it would follow up on this question after speaking with the Swiss Mission.

4.2 As noted in the paper on the Human Resources Policy, secondments to the Secretariat from governments or international organisations should be for a defined period. Generally, the secondment arrangements can take three different forms:

- a. A government or international organisation contributes to GCERF the salary of the individual as an earmarked contribution. In this case, the individual would become a GCERF employee for the agreed defined period.
- b. An employee of a Geneva Permanent Mission to the UN and other international organisations¹ is assigned or “loaned” to work at GCERF. In this case, the national government or international organisation remains the employer.
- c. A government or international organisation continues to employ (directly or indirectly through a contracting entity) the individual who is assigned or “loaned” to work at GCERF, but s/he is not brought in under the auspices of the local Permanent Mission.

4.3 The applicable privileges and immunities to non-Swiss secondees depends on which of the three arrangements listed above are used, as detailed below.

- a. In cases where the salary of the individual is paid to GCERF as an earmarked contribution, GCERF will sign both a Contribution Agreement with the donor and an employment agreement with the secondee. The secondee becomes a member of GCERF staff and his/her privileges and immunities will be determined by the grade in which s/he is placed in the GCERF salary scale.
- b. In cases where the individual is an employee of the Geneva Permanent Mission assigned or “loaned” to work at GCERF, the individual’s privileges and immunities are determined by that person’s status within the Permanent Mission. In this case, the Permanent Representative would need to notify the Swiss Mission of the assignment and remains responsible for that person.
- c. In cases where the government or international organisation continues to employ the individual (directly or indirectly through a contracting entity), but s/he is not able to be brought in under the auspices of the local Permanent Mission, a

¹ Or in the case of Switzerland, a Swiss government employee

legitimation card can be obtained for the individual which will provide the following privileges and immunities to the holder:

- immunity in the performance of his/her duties;
- exemption from all federal, cantonal and communal taxes on salaries and emoluments and indemnities paid by GCERF;
- exemption from social insurance and Swiss mandatory health and accident insurance (including family members);
- duty-free importation of household effects (the goods must be returned at the end of the stay in Switzerland);
- free import of a vehicle, subject to certain conditions; and
- exemption from the obligation to exchange a foreign driving license for a Swiss driving license (including family members).

GCERF will need to provide written confirmation to the Swiss government that the individual remains affiliated to the social security scheme of his employer and that s/he has a health and accident insurance coverage in Switzerland.

Persons in this position may bring their spouse and non-married children under 25 who will receive the same kinds of benefits. However, spouses will not have automatic access to the Swiss labour market that spouses of regular GCERF employees do².

4.4 Finally, Board members are reminded that there are provisions in both the Policy on Contributions and the proposed Policy on Ethics and Conflicts of Interest regarding secondments/employment at the Secretariat.

5. NEXT STEPS

The revised Human Resources Policy will come into effect as soon as the Board's decision is made.

² For family members joining the secondee, GCERF will need to confirm in writing that the secondee has sufficient financial resources for the care of family members admitted and that they have health and accident insurance coverage in Switzerland.