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Programme, Financial and Administrative Section
Personnel Segment

PFA

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NINTH ITEM ON THE AGENDA

Reform plan of action in the area of human resources management: Update

Purpose of the document

To report on progress made in implementing the Director-General's human resources reform. The Governing Body is invited to approve the amendments to the Staff Regulations in the appendix (see the draft decision in paragraph 22).

Relevant strategic objective: Governance, support and management.

Legal implications: Amendments to the Staff Regulations.

Financial implications: None.

Decision required: Approval of the amendments to the Staff Regulations contained in the appendix.

Author unit: Human Resources Development Department (HRD).

Related document: GB.320/PFA/13.

1. This paper provides an update on progress made in implementing the Director-General's human resources reform and follows up on the request made by the Governing Body at its 320th Session (March 2014).¹

Recruitment and selection procedures and mobility policy

2. In March 2014, the Governing Body approved amendments to the Staff Regulations containing new recruitment and selection procedures and reflecting the new collective agreement reached between the administration and the Staff Union. These procedures are to be put in place progressively, with a view to full implementation in 2015.
3. The new procedures aim at ensuring uniform administration of criteria and procedures, a transparent process and rigorous merit-based recruitment standards, while at the same time addressing the need to improve mobility and enhance diversity within the Office. Preparations are now under way for the new system to be fully implemented in early 2015:
 - The newly launched Employee Profile (EP) tool is already proving to be an important tool for supporting effective workforce planning. The use of the EP is being monitored and metrics to support the work of the Recruitment, Assignment and Mobility Committee are being considered.
 - A list of independent members of the selection panels to be tasked with the technical evaluation of candidates is being finalized. The first series of training in interviewing techniques has been planned for the last quarter of 2014.
4. While preparing for the procedures to become effective, the Office launched the publication of the RAPS/3/2014 vacancy announcements (22 August 2014), which was widely disseminated via international and local media, including through permanent missions in Geneva and through the Bureaux for Employers' and Workers' Activities. Two prospection missions have already taken place and further outreach initiatives and recruitment workshops specifically targeting inadequately represented countries are planned for 2015. These activities are being jointly organized with member States.
5. Discussions on the revised ILO mobility policy between the administration and the Staff Union are well under way, with the aim of facilitating both geographical and functional mobility. The revised policy includes a definition of standard assignment lengths, affirmation of the link between mobility and career progression, procedures, roles and responsibilities regarding mobility, and a consolidated list of measures to promote and facilitate mobility. Measures to be taken in order to provide support for staff and their families when taking up an assignment in a new duty station are also outlined. Once finalized, the new mobility policy will be published to coincide with the launch of the new recruitment and selection procedures. The ILO has also continued to support moves to and from other organizations, especially as regards UN common system organizations, through interagency mobility mechanisms.

Other key HR policy developments

6. Joint Negotiating Committee (JNC) discussions have been actively pursued in the past months with regard to the prevention and resolution of harassment grievances,

¹ GB.320/PFA/13 and GB.320/PV, para. 759.

harmonization of certain conditions of employment between headquarters and external offices, maternity protection, and contractual arrangements, in addition to the aforementioned issue of mobility within the Office. While the administration and the Staff Union sometimes have different perspectives on the matters being discussed, these discussions have been held in a positive and constructive atmosphere reflecting real improvement in the overall climate of staff–management relations in the Office.

- 7. *Harassment:*** As indicated last March, the Office lacks a specific procedure for the investigation of harassment claims to supplement the already existing procedures for handling allegations of sexual harassment. The administration and the Staff Union have reached an agreement within the context of the JNC related to new procedures which are reflected in draft amendments to Chapter XIII of the Staff Regulations proposed in the appendix. These draft amendments contain a definition of sexual harassment and harassment in general against which to assess possible allegations, as well as a procedure for their review and investigation. The procedure is integrated with the other features of the conflict prevention and resolution policy adopted in 2004.²
- 8. *Working time:*** Proposals for harmonization of annual leave and the calculation of overtime and the night differential of officials in the General Service category between headquarters and the external offices have been explored by the JNC. The appendix contains proposed amendments to the Staff Regulations which would:

 - harmonize the calculation of overtime and the night differential of officials in the General Service category on the basis of the official’s actual step in grade, as is used in some external offices, rather than the mid-point of the official’s grade used for that category of staff at headquarters. This proposal is expected to have a neutral or minimal financial impact and would be absorbed within existing resources; and
 - harmonize Office practice regarding the minimum number of annual leave days to be taken each year so that officials in external offices will henceforth also be bound to take a minimum of leave within each calendar year. This will support the ILO’s work–life balance initiatives in all offices.
- 9. *Maternity protection:*** Measures to better accommodate officials with family responsibilities, particularly as regards maternity protection, are currently under discussion in the JNC. It is expected that agreed proposals aimed at clarifying maternity leave entitlements and supporting officials returning to work after a period of maternity leave will be presented to the 323rd Session of the Governing Body in March 2015.
- 10. *Contracts policy:*** Contractual arrangements are at the very heart of the Office’s employment and career policy and are vital to the efforts of recruiting and retaining high-calibre staff. A constructive dialogue in the JNC about the reform of contractual arrangements, consistent with the International Civil Service Commission contractual framework, is now well under way, building on the identification of the basic principles of a revised contracts policy as outlined to the Governing Body in March 2014. Due to the complexity of this subject, which impacts the employment conditions of all staff, further consideration of various options and their consequences is required before proposals can be submitted to the Governing Body.

² GB.289/PFA/18, para. 54.

Implementation of new tools: Employee Profile, learning management system, performance management framework, and leave management

- 11.** The Office continues to support the development, implementation and monitoring of key human resource policies and processes throughout the Office and has introduced a range of online applications to streamline processes, ensure compliance with rules and regulations, increase transparency and ultimately bring benefits in terms of efficiency and quality.
- 12.** The worldwide launch of ILO People, a fully integrated e-talent management system, in February 2014 has provided new tools for strengthening workforce planning, performance management and learning. The system is available for staff in English, French and Spanish, and has already facilitated significant improvements in process automation, and data quality and collection.
- 13.** ILO People also provides staff with greater visibility and faster access to relevant personal information, user-friendly tools including the EP, and reporting dashboards. ILO People's integrated features and robust functionality allow the Human Resources Development Department (HRD) to more easily capture, analyse and share important HR-related information, such as:
 - changes in organizational structures and reporting hierarchies;
 - skills, experience and aspirations of individual staff members through the EP;
 - upcoming learning opportunities; and
 - performance management and internal governance training compliance rates.
- 14.** As of 10 September 2014, a total of 2,587 staff members have accessed ILO People and 2,068 staff have benefited from either the available online materials and e-learning programmes or from scheduled face-to-face learning activities. The upward-feedback process was launched for 125 responsible chiefs through the online performance management module and a total of 2,689 staff were invited to participate. Their feedback was incorporated into a summary report that was made available to the responsible chiefs and their managers. The upward-feedback process was very well received by staff members and the Office now plans to extend this process to cover all direct supervisors.
- 15.** Since the launch of ILO People in February, HRD has focused its efforts on staff engagement and capacity building to support the effective use of the system across the Office. User guides, a set of short video tutorials, and a Frequently Asked Questions section in the three languages have been developed to assist staff in navigating and utilizing the different modules. A series of briefings, hands-on training and webinars have also been delivered to more than 600 staff at both headquarters and in the field (a total of 37 field offices have been covered).
- 16.** As a further initiative to streamline administrative processes and improve the effectiveness of the Office, the Office has developed a comprehensive leave/absence management module within the enterprise resource planning system, IRIS. This new module enables the following improvements concerning leave management: modernized business processes through self-service tools; enhanced accuracy, timeliness and transparency of leave information; streamlined application of leave rules and compliance; better workplanning

for departments and/or offices; and reduced staff efforts for data collection at year-end through automated leave liability reporting.

17. The new module was launched to all leave clerks at headquarters and in IRIS-live locations (regional offices and Decent Work Team and Country Office for Central and Eastern Europe in Budapest) in July 2014. A pilot deployment of the module to officials and managers of selected departments occurred at the same time, with full functions of self-service and approval workflows. Thereafter, deployment to officials and managers of other headquarters departments has been planned on a staggered basis in order to ensure that the necessary technical and functional support is available before Office-wide implementation by early 2015.

Field Operations and Structure and Technical Cooperation Review implementation

18. The Director-General's decisions regarding the Field Operations and Structure and Technical Cooperation Review have significant implications for the work of HRD and for the implementation of the ILO Human Resources Strategy. The changes being introduced seek to support the creation of a sustainable staffing model for ILO field operations, ensuring that the Office has the right and sufficient talent and expertise in the right place at the right time. From a human resources perspective, some of the main follow-up actions to be implemented are:

Area of reform	Action by HRD
Effective technical cooperation	Assignment of more technical cooperation staff to the field and related HR support measures to facilitate decentralization
Geographical and functional mobility of staff	Implementation of new recruitment and selection procedures Support of geographical and functional mobility Strengthen temporary mobility arrangements to foster synergies between headquarters and the field
Capacity and skills development	New set of competencies and job descriptions for external office managers Targeted management training for field managers in cooperation with the International Training Centre of the ILO, Turin Development of induction programme for all new ILO staff
Structure, composition and geographical locations	Review of number, location and composition of staff working in external offices Re-profiling of job descriptions of directors of western European branch offices

19. Work is already under way in a number of the abovementioned areas of HR reform, in particular regarding both functional and geographical mobility. A dedicated programme for strengthening the capacity of, and support to, field managers and staff in field offices is being developed with the Turin Centre. Other activities are being planned to ensure continuing technical upgrading of specialists at both headquarters and field level in the framework of the new global team approach with a view to promoting stronger cooperation, achieving greater impact in the regions and facilitating knowledge sharing.

Cooperation with the International Training Centre of the ILO, Turin

20. In recognition of the important role that the Turin Centre plays in the ILO's capacity development and learning framework, HRD has significantly increased its collaboration with the Centre in recent years. Based on expenditure, this partnership has increased by 79 per cent over the past three bienniums, with support for the development, delivery and staff participation in joint learning initiatives increasing exponentially year by year. These initiatives are focused on upgrading strategically important technical skills and building the capacity for training delivery. In line with the recommendations from the Field Structure Review Report, they are developed and delivered in partnership with the technical departments at headquarters. HRD is currently engaged in several new joint ventures, including the design of academy-style programmes in the field of green jobs and the design and delivery of technical cooperation programmes and projects.

Expenses upon termination

21. The Office needs to ensure that statutory time limits related to claims for travel and removal expenses upon separation from service are consistently applied and do not allow accruals over a long period of time. Amending the provisions of article 9.7 and paragraph 2(b) of Annex III of the Staff Regulations in order to extend the current six-month time limit to two years would provide former staff with a sufficient time frame which will then be strictly applied. The proposed amendments would also bring the provisions into line with article 11.15 of the Staff Regulations on the repatriation grant.

Draft decision

22. *The Governing Body:*

- (a) *notes the progress made in implementing the Director-General's human resources reform;*
- (b) *approves the amendments to the Staff Regulations contained in the appendix.*

Appendix

Proposed amendments to the Staff Regulations

(additions appear underlined,
suppressions are struck out)

Chapter VII

Hours of work and leave

ARTICLE 7.2

Compensation for overtime

- (e) Compensation in cash shall be paid at the rate of one-and-a-half times the hourly salary ~~of the middle step of the official's grade~~ ...

ARTICLE 7.3

Night differential

- (a) When any part of a General Service category official's prescribed tour of duty falls between the hours of 8 p.m. and 8 a.m. he shall be paid an hourly night differential at the rate of 25 per cent of the official's hourly salary ~~corresponding to the mid-point of the salary of his grade, ...~~

ARTICLE 7.5

Annual leave

- (a) An official shall be entitled to annual leave at the rate of 30 working days, calculated on the basis of a working week of 5 days, for 12 months' service.
- ...
- (d) Not more than ~~15 days of~~ half the annual leave entitlement due in any calendar year may be carried forward to the next calendar year ~~by an official stationed in Geneva~~. A total of not more than 60 days of annual leave may be carried forward by an official ~~at any duty station~~.

Chapter IX

Travel and removal expenses

ARTICLE 9.7

Expenses upon termination

- (a) Upon the termination of his appointment –
- (1) an official shall be paid travel expenses in respect of himself and his spouse and dependants from his duty station to his home;

- (2) an official shall be paid the cost of removal of his household goods and personal effects to his home from a duty station at which he was entitled to removal by virtue of article 9.3(c) or 9.4(b) or by virtue of choices under article 9.3(d)(i) or 9.4(c)(i) or at which he would have been entitled to removal but for the fact that he was residing at the duty station at the time of his appointment; where entitlement under the aforesaid provisions arose at more than one duty station, the official shall normally be paid the cost of removal from the most recent.
- (b) When both husband and wife are officials of the Office and each is entitled to the payment of travel expenses upon termination of appointment, travel expenses from the duty station to the home shall be paid only once to each of them.
- (c) Expenses under this article shall not normally be paid to an official whose appointment is terminated in accordance with article 12.7 (Summary dismissal) or article 12.8, paragraph 2 (Summary dismissal of fixed-term officials), nor to an official who resigns before he completes one year of service. Travel expenses under this article shall not be paid after the expiry of two years from the effective date of cessation of service. Travel expenses under this article shall not be paid to an official who resigns within six months after his return from home leave except that, where home leave travel expenses were not paid in respect of the official's spouse or in respect of any dependant, travel expenses shall be payable in respect of such spouse or dependant, nor to an official who resigns within six months after his return from travel under article 9.5 (Expenses upon authorized travel to visit spouse or dependants). Expenses under this article may be paid in respect of travel or removal to a place other than that recognized as the official's home, provided the cost is not greater. Exceptions to the provisions of this paragraph may be authorized in special circumstances.

Annex III

Travel and removal expenses

2. ...

- (b) Claims for payment of travel and/or the transport of unaccompanied personal effects on termination shall not ~~normally~~ be paid unless payment is duly claimed within ~~six months~~ two years after the termination of appointment, provided that the Director-General, after consulting the Joint Negotiating Committee, may extend this period.

Chapter XIII

Conflict resolution

ARTICLE 13.1

Informal conflict resolution

1. An official¹ who considers that s/he has been treated in a manner incompatible with her/his terms and conditions of employment, including the right to work in a place that is free of ~~sexual harassment~~, ~~should attempt to have the matter solved through dialogue. To this end, the official~~ may at any time, without prejudice to the right to file a

¹ For the purpose of Chapter XIII, the term "official" does not comprise officials in the executive directorate level.

grievance in accordance with article 13.2.1 or article 13.2.2 within the time limit specified therein:

- (a) rely on the mediation or facilitation mechanisms established by the Director-General on the recommendation of the Joint Negotiating Committee;
- (b) request the intervention of the Human Resources Development Department or a higher level chief;
- (c) request the assistance of any official, former official or the Staff Union.

2. An official who faces any other work-related problem may, at any time, resort to the mechanisms referred to in paragraph 1 above with a view to its informal settlement.

3. There shall be no formal record of the informal processes referred to above.

ARTICLE 13.2

Grievances

1. An official who wishes to file a grievance on the grounds that s/he has been treated in a manner incompatible with her/his terms and conditions of employment shall, except as may be otherwise provided in these Regulations or other relevant rules,² request the Human Resources Development Department to review the matter within six months of the treatment complained of. The procedure for the examination of general grievances related to the terms and conditions of employment is governed by article 13.3.

2. An official who wishes to file a grievance on the grounds that s/he has been subjected to ~~sexual~~ harassment shall request the Human Resources Development Department to review the matter within six months of the last occurrence of the conduct complained of. The procedure for the examination of ~~sexual~~ harassment grievances is governed by article 13.4.

ARTICLE 13.3 remains unchanged

ARTICLE 13.4

Administrative resolution of ~~sexual~~ harassment grievances

1. The term “harassment” is defined³ as “any form of treatment or behaviour by an individual or group of individuals in the workplace or in connection with work, which in the perception of the recipient can reasonably be seen as creating an intimidating, hostile or

² Special procedures apply to compensation claims (Annex II) and the review of performance appraisals (Chapter 6), as well as for appeals in respect of selection and recruitment (Annex I, paragraph 14), discipline (Chapter 12), job grading (relevant administrative circular), termination for unsatisfactory services (articles 11.4 and 11.8), termination on reduction of staff (article 11.5), and withholding of increment (article 6.4) and transfer to a lower grade (article 6.11).

³ Determining whether or not certain behaviour constitutes harassment has both subjective and objective elements including the severity and impropriety of the act, the circumstances and context of each situation, and whether the behaviour is linked to real or perceived grounds such as race, ethnicity, social origin, national extraction, nationality, gender, family status, family responsibilities, age, sexual orientation, gender identity, political opinion, religion, disability, HIV status or trade union affiliation.

abusive working environment or is used as the basis for a decision which affects that person's employment or professional situation".

~~4.2. The term "sexual harassment" is defined as "any unwanted conduct of a sexual nature in a—the workplace or in connection with work—that, which, in the reasonable perception of an—official—the recipient, can reasonably be seen as creating an offensive, intimidating, hostile or humiliating working environment for that person or is used as a basis for a decision which affects his/her—that person's employment or professional situation-or-creates an intimidating, hostile or humiliating work environment".~~

~~2. The Human Resources Development Department shall review any sexual harassment grievance under article 13.2.2 within one month and notify the official of the measures it intends to apply, including, where appropriate, referral to independent investigation or any interim measures.~~

~~3. Should the official disagree with the proposed action or in the absence of any proposal, the grievance shall be submitted to independent investigation within one month of the notification of the proposed action or the expiration of the time allowed for the review.~~

~~4. There shall be at least three officials trained as investigators, appointed by the Director General on the recommendation of the Joint Negotiating Committee. The investigators shall designate among themselves a coordinator, responsible for assigning any case to the investigator or the investigators best suited to conduct the investigation, having regard to their availability and to the specific skills that may be required in each case.~~

~~5. The assignment of a case to an investigator shall be notified by the coordinator to the official, the Human Resources Development Department and other parties directly involved, who shall have one week to comment on the suitability of the investigator or investigators. The coordinator shall have one week from the receipt of any comment from the abovementioned parties to confirm or modify the selection of the investigator. This decision is not subject to appeal.~~

~~6. The investigator shall conduct any inquiry necessary to elucidate the case and shall draw up a report comprising a summary of the allegations, the investigative measures undertaken, the findings and suggestions where appropriate. This report shall be communicated to the Director General within three months of the assignment of the case, except where, in the investigator's opinion, exceptional circumstances require additional time. When communicating the report to the Director General, the investigator shall notify the parties that the investigation has been concluded.~~

~~7. If in the course of the investigation it becomes apparent that the conduct complained of does not constitute sexual harassment but that it may constitute treatment incompatible with other terms and conditions of employment of the official, the investigator shall refer the matter to the Human Resources Development Department for consideration under article 13.3.1 and inform the official having filed the grievance accordingly.~~

~~8. The Director General shall take a decision within two months of the communication of the investigator's report. The decision shall be transmitted to the official having filed the grievance and to any other party directly implicated together with a copy of the report, subject to any privileged information necessary to protect third parties. In the absence of an express decision within this deadline, the investigator shall provide the official having filed the grievance with a copy of the report subject to the restrictions noted above, and the official shall be entitled to imply acceptance of the findings as to the facts and rejection of the grievance.~~

3. To be receivable, a harassment grievance must:

- (a) be submitted by the claimant in written form addressed to the Director of the Human Resources Development Department within six months of the last occurrence of the behaviour which gave rise to the grievance;
- (b) be signed and dated by the claimant;
- (c) include the following:
 - (i) a detailed written statement of facts, including the person(s) designated as author(s) of the behaviour complained of (hereinafter "respondent(s)"), places, dates and a description of the acts of alleged harassment and the impact of the offending behaviour on the claimant;
 - (ii) the names of witnesses, if any, of the alleged acts of harassment;
 - (iii) any other relevant documentation, such as emails, message recordings, photographs, letters, medical examinations, or any other information the claimant deems relevant; and
 - (iv) the name and contact details of the claimant.
- (d) not be manifestly without merit.

4.(a) If a grievance is receivable, the Director of the Human Resources Development Department will notify the claimant and the respondent accordingly in writing within ten (10) working days of the receipt of the grievance and will proceed to nominate an investigator in accordance with paragraph 5 below. The Director of the Human Resources Development Department shall, at the request of the claimant, refer to the Recruitment, Assignment and Mobility Committee any urgent request for interim measures such as the transfer of the claimant to a similar post while the investigation is under way.

(b) In exceptional cases, if the Director of the Human Resources Development Department determines that the grievance is receivable and is satisfied that the facts are fully established, he/she will notify the claimant and respondent accordingly and proceed with any appropriate disciplinary measures in accordance with Chapter XII of the Staff Regulations, and any other administrative response deemed necessary.

(c) If the Director of the Human Resources Development Department determines that the harassment grievance is not receivable, s/he shall indicate in detail the grounds for this decision in a written reply to the claimant. No information shall be provided to the respondent. In such a case, any other issues which may be included in the grievance may be addressed to the Human Resources Development Department in accordance with the provisions of article 13.3.1 of the Staff Regulations.

5. In the case of a harassment grievance requiring investigation the Director of the Human Resources Development Department shall nominate an investigator and inform the claimant and the respondent of the identity of the investigator within ten (10) working days of the notification referred to in paragraph 4(a) above. The investigator shall be nominated from a list of qualified independent investigators established and maintained by the Joint Negotiating Committee.

6. The nominated investigator shall be obliged to declare any possible conflict of interest at the earliest opportunity and, in such case, to recuse him/herself from any further involvement in the investigation.

7. Both the claimant and the respondent shall have the right to raise any concerns they may have as to the suitability of the investigator within ten (10) working days of the notification regarding the identity of the investigator. If any objections are raised regarding the selection of the investigator within this time limit, the Director-General shall have five (5) days from the receipt of any comment from the abovementioned parties to confirm or

modify the selection of the investigator. This decision is not subject to appeal, but may be raised as an element in a later appeal.

8. The investigation shall be carried out promptly and with the highest standards of impartiality, objectivity, confidentiality, fairness and due process. The respondent shall be provided with a copy of the written statement of facts (paragraph 3(c)(i)) included in the grievance together with the other accompanying documentation submitted with the grievance (paragraph 3(c)(iii)). The respondent shall submit an initial response to the allegations in writing, including the names of any witnesses and all relevant documentation within twenty (20) working days of the reception of the above mentioned documents. A copy of this initial response shall be given to the claimant.

9. The investigator shall conduct any inquiry necessary to investigate the case including the review of the grievance and any additional statements of the claimant; review of the statements of the respondent; interviews with the parties and any witnesses or staff members deemed relevant to the investigation; as well as the review of any documentation supplied by the claimant, the respondent and the witnesses and gather any additional information needed to complete the investigation.

10. The claimant and respondent may be assisted during interviews by a Staff Union representative or any other member or former member of staff who is not a party to the proceedings.

11. The claimant and respondent shall both be informed of witness testimony in order to exercise their right of reply, to rectify erroneous information by furnishing evidence where necessary, or to have their disagreement put on record.

12. In the course of the investigation the investigator may also consult the personnel files of the claimant and respondent in order to verify or establish any relevant fact; request additional written statements and/or documentation; interview persons in a hierarchical relation to the claimant or respondent; and gather any additional information needed to complete the investigation.

13. The investigation shall be conducted as expeditiously as possible and shall normally be concluded within sixty (60) working days of the reception of the grievance by the investigator, except where, in the investigator's opinion, exceptional circumstances require additional time.

14. At the end of the investigation, the investigator shall prepare a report comprising:

- (i) a summary of the allegations;
- (ii) the investigative procedure undertaken;
- (iii) the persons interviewed;
- (iv) the documentation and additional information considered;
- (v) the established facts and an opinion as to whether or not the allegations of harassment were founded.

When communicating the investigation report to the Director-General, the investigator shall notify the claimant and the respondent that the investigation has been concluded.

15. The Director-General shall determine whether disciplinary action(s) in accordance with Chapter XII of the Staff Regulations, or any other administrative measures, are deemed necessary in response to the findings of the investigation report. Within twenty (20) working days of the receipt of the investigation report, the Director-General shall notify the claimant and the respondent of his/her reasoned decision as to possible disciplinary action(s) and possible administrative measures, including compensation. The Director-General shall also indicate, where necessary, the proposals of

the Office to improve the working environment. A copy of the investigation report shall be attached to the Director-General's decision.

16. If the Director-General has not made an express, reasoned decision within the deadline specified in paragraph 15 above the investigator shall provide the claimant and the respondent with a copy of the investigation report and they shall be entitled to infer acceptance of the report's contents by the Director-General.

17. The claimant shall be entitled to challenge a the decision taken in accordance with paragraph 4(c) above, before the Joint Advisory Appeals Board within one month of its receipt.

18. The claimant and the respondent shall be entitled to file a complaint against the express or implied decision taken in accordance with paragraphs 15 or 16 above with the Administrative Tribunal of the International Labour Organization.

19. Disciplinary action(s) decided paragraphs 4(b) or 15 above are subject to Chapter XII of the Staff Regulations.

ARTICLE 13.5 remains unchanged