

Staff Regulations for the Secretariat of the Antarctic Treaty

STAFF REGULATIONS

REGULATION 1

PREAMBLE

1.1 These Staff Regulations establish the fundamental principles of employment, regulate the working relationships and establish the rights and duties of members of the staff of the Secretariat of the Antarctic Treaty (the Secretariat), and includes the staff members who render their services in and receive remuneration from the Antarctic Secretariat.

1.2 In the text of these Staff Regulations, reference to staff members in the masculine gender shall apply to staff members of both sexes, unless it is clearly inappropriate from the context to do so.

REGULATION 2

DUTIES, OBLIGATIONS AND PRIVILEGES

2.1 Staff members, upon accepting their appointments, shall pledge themselves to discharge their duties faithfully and to conduct themselves solely with the interests of the ATCM in mind. Their responsibilities as staff members are not national but are exclusively owed to the ATCM.

2.2 Staff members shall at all times conduct themselves in a manner in keeping with the Antarctic Treaty. They shall always bear in mind the loyalty, discretion and tact imposed on them by their responsibilities in the performance of their duties. They shall avoid all actions, statements or public activities which might be detrimental to the ATCM and its aims.

2.3 Staff members are not required to renounce either their national feelings or their political or religious convictions, but must ensure that such views or convictions do not adversely affect their official duties or the interests of the ATCM. Staff members shall uphold the highest standards of efficiency, competence, and integrity. The concept of integrity includes, but is not limited to, probity, impartiality, fairness, honesty, and truthfulness in all matters affecting their work and status.

2.4 In the performance of their duties, staff members may neither seek nor accept instructions from any government or authority other than the ATCM.

2.5 Staff members shall observe maximum discretion regarding official matters and shall abstain from making private use of information they possess by reason of their position. Authorisation for the release of information for official purposes shall lie with the ATCM or the Executive Secretary, as the case may require.

2.6 Staff members shall, in general, have no employment other than with the Secretariat. In special cases, staff members may accept other employment, provided that it does not interfere with their duties in the Secretariat, and that prior authorisation by the Executive Secretary has been obtained. The ATCM's prior authorisation shall be obtained in respect of the Executive Secretary.

2.7 No staff member may be associated in the management of a business, industry or other enterprise, or have a financial interest therein if, as a result of the official position held in the Secretariat, he/she may benefit from such association or interest. Ownership of non-controlling stock in a company shall not be considered to constitute a financial interest within the meaning of this Regulation.

2.8 Staff members shall enjoy the privileges and immunities granted to them under the Headquarters Agreement for the Secretariat of the Antarctic Treaty, pursuant to Article 5 of Measure 1 (2003) of ATCM XXVI.

REGULATION 3 HOURS OF WORK

3.1 The normal working day shall be eight hours, Monday to Friday, for a total of forty hours per week.

3.2 The Executive Secretary shall establish the working hours, and may alter them for the benefit of the ATCM, as circumstances may require.

3.3 Staff members may work flexible hours in accordance with the Flextime System included in the internal procedures, with the approval of the Executive Secretary and in the interest of the functioning of the Secretariat.

3.4 Full-time staff members shall take a lunch break of no less than 30 minutes and no longer than 1 hour, to be taken no later than five hours after beginning the working day.

REGULATION 4 CLASSIFICATION OF STAFF

4.1 Staff members shall be classified in either of the two following categories:

(a) Executive Category

Positions of high responsibility of an executive nature. These posts will be filled by appropriately qualified professionals, preferably with University qualifications or the equivalent. Staff members in this category will be recruited internationally but only among nationals of Consultative Parties.

(b) General Staff Category

All other staff, such as translators, interpreters, technical, administrative and auxiliary positions. Such staff members shall be recruited in Argentina from among nationals of Consultative Parties.

4.2 Persons employed under Regulation 11 shall not be classified as staff members.

REGULATION 5 SALARIES AND OTHER REMUNERATION

5.1 The scale of salaries for staff members in the executive category is attached in Schedule A. The salaries of staff members in the executive category shall be paid in US currency.

5.2 The scale of salaries for staff members in the general category is attached in Schedule B. The salaries of staff members in the general category shall be paid in US currency.

5.3 For the purposes of these regulations the term 'dependent' means:

(a) any unsalaried child, who is born of, or adopted by, a staff member, his/her spouse, or their children, who is below the age of eighteen years and who is dependent on a staff member for main and continuing support;

(b) any child fulfilling the conditions laid down in paragraph (a) above, but who is between eighteen and twenty-five years of age and is receiving school or university education or vocational training;

(c) any handicapped child who is dependent on a staff member for main and continuing support;

(d) any other child who is given a home by and is dependent on a staff member for main and continuing support;

(e) any member of the family forming part of the household of the staff member, for whose main and continuing support a staff member is legally responsible.

5.4 The salaries of staff members in the executive category shall begin at Step 1 of the level at which they are appointed. They shall remain at that level for at least the first year of employment.

5.5 The promotion of the Executive Secretary and other staff members from one level to another requires the prior approval of the ATCM.

5.6 The Executive Secretary shall seek to make arrangements for any staff member in the executive category whose salary is subject to income tax in his/her home country, to be reimbursed for that tax. Such arrangements shall be made only on the basis that the direct costs of reimbursement are paid by the staff member's home country. Staff members in the general category will be responsible for the payment of income tax, if any on their salaries in their home country.

5.7 Staff members shall receive annual step increases, subject to satisfactory performance of their duties. Step increases shall cease once the staff member has reached the highest step in the level in which he/she is serving.

5.8 Only in very special cases, on the proposal of the Executive Secretary and with the approval of the ATCM, may a staff member in the executive category be appointed at a salary higher than Step 1 of the relevant level.

5.9 Staff members in the executive category are not entitled to overtime pay or compensatory leave.

5.10 Staff members in the general category required to work more than 40 hours during one week will be compensated, at the discretion of the Executive Secretary:

(a) with compensatory leave equivalent to hours of overtime performed; or

(b) by remuneration per overtime hour, to be calculated at the rate of time and a half, or if the additional time is worked on a Sunday, or on holidays listed in Regulation 7.8, at the rate of double time.

5.11 The ATCM shall pay duly justified representation expenses incurred by the Executive Secretary in the performance of his/her duties within the limits prescribed annually in the budget.

5.12 With the prior approval of the Executive Secretary, an employee in the general services category who must carry out all the duties of an employee of a higher classification for a period of a minimum of four weeks shall be paid the salary of the corresponding higher category while carrying out these tasks.

REGULATION 6 RECRUITMENT AND APPOINTMENT

6.1 In accordance with Article 3 of Measure 1 (2003), the ATCM shall appoint an Executive Secretary and shall establish the remuneration and such other entitlements as it deems appropriate. The Executive Secretary's term of office shall be for four years unless otherwise decided by the ATCM and the Executive Secretary shall be eligible for reappointment for one additional term. The total length of employment may not exceed eight years.

6.2 In accordance with Article 3 of Measure 1 (2003) the Executive Secretary shall appoint, direct, and supervise other staff members. The paramount consideration in the appointment, transfer or promotion of staff members shall be the need to secure the highest standards of efficiency, competence and integrity. Qualifications being equivalent, gender and geographic balance will be taken into account when selecting candidates. Subject to this, due consideration should be given to recruiting Executive staff on as wide a basis as possible from among the nationals of Consultative Parties.

6.3 Upon selection, each staff member shall receive an offer of appointment stating:

- (a) that the appointment is subject to these regulations and to changes which may be made to them from time to time;
- (b) the nature of the appointment including a description of the duties and tasks of the position;
- (c) the date on which the staff member is required to commence duty and the working hours;
- (d) the period of appointment, the notice required to terminate it and the period of probation;
- (e) for executive staff the period of appointment, which shall not exceed four years, and which may be renewed in consultation with the ATCM;
- (f) the category, level, commencing rate of salary and the scale of steps increases and the maximum salary attainable;
- (g) the allowances attached to the appointment;
- (h) any special terms and conditions which may be applicable.

6.4 Together with the offer of appointment, staff members shall be provided with a copy of these Regulations. Upon acceptance of the offer staff members shall sign the relevant Work Contract and state in writing that they are familiar with and accept the conditions set out in these Regulations.

6.5 The Executive Secretary shall carry out an annual evaluation of the performance of the staff

member's duties, using a recognised method, to ensure the continued improvement of management, as well as to facilitate consideration of the promotion of, or justify the separation from the service of, the staff member.

REGULATION 7 LEAVE

7.1 Staff members shall be entitled to 25 paid work days of annual leave during each working year of service, or for periods of less than a full calendar year at the rate of two paid work days for each completed month of service. Said leave shall be divided into 15 paid work days for holiday leave, which may be taken consecutively, and 10 additional paid work days that shall be taken in periods of no more than 3 days. Annual holiday leave is cumulative, but at the end of each calendar year, not more than 15 workdays may be carried over to the following year. Additional leave is not cumulative.

7.2 The taking of leave shall not cause undue disruption to normal Secretariat operations. In accordance with this principle, leave dates and duration shall be subject to the needs of the ATCM. Leave dates shall be approved by the Executive Secretary who shall, as far as possible, bear in mind the personal circumstances, needs and preferences of staff members.

7.3 Annual leave may be taken in one or more periods. Staff members shall inform the Executive Secretary of their intention to take holiday leave at least four weeks in advance after verifying with other staff members that such leave would not result in an overlap that might affect the normal functioning of the Secretariat.

7.4 Any absence not approved within the terms of these Regulations shall be deducted from annual leave.

7.5 Staff members who, upon termination of their appointment, have accumulated annual leave which has not been taken shall receive the cash equivalent estimated on the basis of the last salary received to a limit of 30 days.

7.6 After 18 months of service the Secretariat shall, in accordance with Regulations 9.3 and 9.4, pay fares to the staff member's home country on annual leave for internationally recruited staff members and their dependents. Following this, home leave fares shall be granted at two-year intervals provided that:

(a) dependents who benefit from this grant have resided at Buenos Aires for at least 6 months prior to travel;

(b) it is expected that staff members will return to the Secretariat to continue rendering their services for a minimum additional period of 6 months.

7.7 The possibility of combining travel to home country on leave with official travel in Secretariat service may also be considered provided the functions of the Secretariat are not disadvantaged.

7.8 Staff members shall be entitled to the holidays and non-working days established by law and/or decree by the Argentine Republic and/or the City of Buenos Aires, i.e.:

Fixed Holidays

1 January	New Year's Day
24 March	National Holiday
02 April	National Holiday
01 May	National Holiday
25 May	National Holiday
9 July	National Holiday
8 December	Immaculate Conception
25 December	Christmas Day

Moveable Holidays and Non-Work Days

	Monday and Tuesday of Carnival
	Holy Thursday
	Good Friday
17 June	National Holiday
20 June	National Holiday
17 August	National Holiday
12 October	National Holiday
20 November	National Holiday

7.9 If under special circumstances members of the staff are required to work on one of the aforementioned days, or if any one of the above holidays falls on a Saturday or Sunday, the holiday shall be observed on another day to be set by the Executive Secretary, who shall take into account the efficient functioning of the Secretariat.

7.10 Staff members shall be entitled to the following special leave: ¹

- a) For marriage: 10 consecutive days;
- b) For the death of a spouse, domestic partner, children or parents: 3 consecutive days;
- c) For the death of siblings, parents-in-law or grandparents: 1 day;
- d) For moving house: 2 days;
- e) For sitting an exam at second or university level: 2 consecutive days per exam, with a maximum of 10 days per calendar year;
- f) To care for, due to illness, the employee's spouse, parents or children: 2 days, unless at the Executive Secretary's discretion and for justified reasons a longer time period is granted.

7.11 Following twelve months of continued employment in the Secretariat staff may request unpaid leave for personal reasons of up to a maximum of three months. Such leave shall not cause undue disturbance to the normal functioning of the Secretariat. Under this stipulation, the dates and duration of the leave shall be subject to the approval of the Executive Secretary.

7.12 Staff members shall not be granted sick leave for a period of more than three consecutive days or more than a total of seven working days in any calendar year without a medical certificate.

¹ Regulations 7.10, 7.11 and 7.14 are established in accordance with prevailing Argentine national law; the ATCM should review any significant change in Argentine national law but may at any time review these provisions.

7.13 (a) Staff members shall be granted certified sick leave for an accident or non-occupational illness in accordance with the provisions of the current legal regime in the Argentine Republic.

(b) In the event that the accident or illness prevents a staff member from fulfilling his/her duties with the Secretariat, the staff member and his/her dependents shall be entitled to return travel and expenses for relocating to his/her country of origin or former residence at the expense of the Secretariat.

7.14 Staff members shall be entitled to maternity leave as provided by the current legal regime in the Argentine Republic. On the other hand, the father shall receive 10 days of paid leave that may be used in the same period described above.

7.15 After twelve months of continuous employment in the Secretariat, staff members shall be entitled to parental leave of up to three months of unpaid leave for the birth or adoption of a child.

REGULATION 8 SOCIAL SECURITY

8.1 Staff members will be responsible for the full payment of their personal Social Security contributions. The Secretariat will make all employer contributions to Social Security and will pay any mandatory insurance corresponding to the employer, as provided by the regulations of the Argentine Republic.

8.2 In the event of the death of a staff member, their dependents will be entitled to a death allowance and payment of the return trip and moving expenses to their country of origin or previous residence by the Secretariat, regardless of any compensations to which they may be entitled by the regulations of the Argentine Republic and those mentioned in Article 10.

8.3 Eligibility of the dependents of a deceased staff member for the payment of return travel and removal expenses shall lapse if the travel is not undertaken within six months of the date of the staff member's death.

8.4 The above mortality allowance for death shall be calculated in accordance with the following scale:

Years of Service	Months of Gross Salary Following Death
Less than 3 years	3 months
3 years and more, but less than 7 years	4 months
7 years and more, but less than 9 years	5 months
9 years and more	6 months

8.5 The Secretariat shall pay for customary and reasonable expenses for shipment of the staff member's body from the place of death to the place designated by the next of kin.

REGULATION 9 TRAVEL

9.1 Staff members may be required to undertake travel, including international travel, on behalf of the Secretariat. All official travel shall be authorised by the Executive Secretary in advance within the limits of the budget, and the itinerary and travelling conditions shall be those best suited for maximum effectiveness in the fulfilment of duties assigned.

9.2 With regard to official travel, a reasonable travel allowance shall be paid in advance for accommodation and daily living expenses.

9.3 Economy class shall be utilised, wherever feasible, for air travel. For journeys over nine hours in flying time, business class may be utilised.

9.4 First class may be utilised for land travel, but not for travel by sea or air.

9.5 Following completion of a journey for official purposes, staff members shall repay any travel allowances to which, in the event, they were not entitled. Where staff members have incurred expenses above and beyond those for which travel allowances have been paid, they shall be reimbursed, against receipts and vouchers, as long as such expenses were necessarily incurred in pursuit of their official duties.

9.6 On taking up an appointment in the Executive Category staff members shall be eligible for:

(a) payment of air fares (or equivalent) and travel allowance for themselves, their spouses and dependents to Buenos Aires;

(b) payment of removal costs, including the shipment of personal effects and household goods from place of residence to Buenos Aires, subject to a maximum volume of 30 cubic metres or one international standard shipping container;

(c) payment or reimbursement of sundry other reasonable expenses related to relocation, including insurance of goods in transit and excess baggage charges. Such payments shall be subject to prior approval by the Executive Secretary.

9.7 Staff members who, in the course of their duty, are required to use private motor vehicles for official travel purposes shall, with the prior authorisation of the Executive Secretary, be entitled to receive a reimbursement of the reasonable costs involved. The costs associated with normal daily travel to and from the place of work shall not be reimbursed.

REGULATION 10 SEPARATION FROM SERVICE

10.1 Staff members may resign at any time upon giving three months' notice or such lesser period as may be approved by the Executive Secretary (in the case of staff other than the Executive Secretary) or the ATCM (in the case of the Executive Secretary).

10.2 In the event of a staff member resigning without giving the required notice the Executive Secretary (in the case of staff members other than the Executive Secretary) or the ATCM (in the case of the Executive Secretary) reserves the right to decide whether repatriation expenses or any

other allowance shall be paid.

10.3 Appointment of staff members may be terminated upon prior written notice at least three months in advance, by the Executive Secretary (and in the case of the Executive Secretary by the ATCM) when this is deemed to be for the benefit of the efficient functioning of the Secretariat due to restructuring of the Secretariat or if it is considered that the staff member does not give satisfactory service, fails to comply with the duties and obligations set out in these Regulations, or is incapacitated for service.

10.4 In the event of separation from service with the Secretariat, executive staff members shall be compensated at a rate of one month base pay for each year of service, beginning the second year, unless the cause of termination has been gross dereliction of duties imposed in Regulation 2.

10.5 In the event of involuntary separation from service of a member of the general services staff, compensation will be paid in accordance with the regulations of the Argentine Republic. If the cause of termination has been a gross dereliction of the duties mentioned in Regulation 2, or having incurred in offences established as very serious in Regulation 12, said compensation will not be granted.

10.6 On separation from service, an executive staff member shall be entitled to the following:

- (a) payment of economy class air fares (or equivalent) to the staff member's country of origin or former residence, for the staff member and dependent members of his/her family; and
- (b) payment of removal costs, including the shipment of personal effects and household goods from place of residence in Buenos Aires to the country of origin or former residence, subject to a maximum volume of 30 cubic metres or one international shipping container.

10.7 Any member of staff shall be entitled to end his/her relationship with the Secretariat in order to take retirement, with advance notice of three (3) months from the date of the termination.

10.8 The Executive Secretary may request that a staff member take retirement benefit, provided that said staff member has met the requirements to obtain retirement benefit established by Law in the Argentine Republic. Prior notice to this effect shall be given and the working relationship shall be maintained for one year from said notice. Upon expiry of that period, the fully binding working relationship shall be deemed terminated.

REGULATION 11 TEMPORARY PERSONNEL UNDER CONTRACT

11.1 The Executive Secretary may contract temporary personnel necessary to discharge special duties of a short-term nature in the service of the Secretariat. Short term shall be defined as a contract lasting less than six months. Such personnel shall be classified as additional help and may be paid on an hourly basis.

11.2 Persons in this category may include additional translators, interpreters, typists, and other persons contracted for meetings, as well as those whom the Executive Secretary contracts for a specific task.

REGULATION 12 DISCIPLINARY REGIME

12.1 The Executive Secretary may apply disciplinary sanctions to staff members for any non-compliance that is registered and depending on its severity. Said sanctions will be duly notified to whoever has committed the disciplinary offence.

The Executive Secretary shall provide the staff member with:

(a) The allegations of misconduct in writing or by electronic means, which should include the specific obligations or standards of conduct that the staff member has breached;

(b) Notification of the staff member's right to respond to the allegations of misconduct and to provide any evidence within a 3 working day period.

12.2 Three types of disciplinary offences are established, which may be sanctioned according to their severity. These are:

- Minor offences. These may be sanctioned with a warning.
- Serious offences. These may be sanctioned with a warning or 1 to 4 days suspension without pay.
- Very Serious offences. These may be sanctioned with 5 to 10 days suspension without pay or with fair dismissal.

12.3 Sanctionable offences will be listed in the Internal Regulation on Disciplinary Regime of the Secretariat, highlighting that said list is not expected to be comprehensive and shall leave non-listed actions that deserve to be sanctioned at the discretion and analysis of the Executive Secretary.

REGULATION 13 APPLICATION AND AMENDMENT OF REGULATIONS

13.1 The Executive Secretary is responsible for the administration of these Staff Regulations on behalf of the ATCM. The ATCM shall determine their applicability to the Executive Secretary.

13.2 Any doubts arising from application of these Regulations shall be resolved by the Executive Secretary following consultation with the ATCM.

13.3 All matters not foreseen in these Regulations shall be brought to the attention of the ATCM by the Executive Secretary.

13.4 These Regulations, including the schedules, may be amended by a Decision of the ATCM.

