

STAFF REGULATIONS
Of the Secretariat of the
Sava Commission

Pursuant to Article 16 paragraph 1(c) of the Framework Agreement on the Sava River Basin, Article 4 paragraph 2(d) of the Statute of the International Sava River Basin Commission, the International Sava River Basin Commission, on its 1. Regular Session held in Zagreb on June 27 – 29, 2005, has adopted the following

STAFF REGULATIONS OF THE SECRETARIAT

I GENERAL PROVISIONS

Article 1 Scope

These Staff Regulations establish the basic principles of employment, regulate the working relations and establish the rights and responsibilities of the officials and support staff (hereinafter: staff members) who render their services in and receive remuneration from the Secretariat of the International Sava River Basin Commission (hereinafter called “Secretariat” and “Sava Commission,” respectively) established under the International Framework Agreement on the Sava River Basin (hereinafter: “FASRB”), and set out the broad principles of personnel policy.

Article 2 Applicability

- 1) These Regulations shall apply to all staff members of the Secretariat holding a contract on employment.
- 2) In implementing these Regulations, the Secretary may issue corresponding, specific Staff Rules as necessary.

Article 3 Definitions

For the purpose of these Regulations, the following definitions shall apply:

- (a) **Officials** – the Secretary, his Deputies and Advisors. Officials shall be nationals of the Parties, represented on an equal basis;
- (b) **Support Staff** – staff with administrative and technical functions within the Secretariat;
- (c) **Staff Member** – officials and support staff holding a contract on employment with the Secretariat. Persons engaged for specific tasks under short-term contract shall not be considered as staff members;
- (d) **Contract on employment** - a contract regulating the appointment with the Secretariat, having an expiration date specified in the letter of appointment;
- (e) **Dependants** - which includes:
 - (i) Any child of a staff member or his/her spouse who is below the age of eighteen years and who is dependent on a staff member or his/her spouse for main and continuing support;

- (ii) Any child fulfilling the conditions laid down in paragraph (i) above, but who is between eighteen and twenty-five years of age, and is attending school or university or vocational training;
- (iii) Any other child who is given a home by and is dependent on a staff member or his spouse for main and continuing support;
- (iv) Any person related by blood or marriage for whose main and continuing support a staff member or his spouse is legally responsible.

II DUTIES, OBLIGATIONS, IMMUNITIES AND PRIVILEGES

Article 4

International Nature of Service

Officials of the Secretariat are international civil servants.

Article 5

Accountability and Responsibility

- 1) By accepting appointment, staff members pledge themselves to discharge their functions and regulate their conduct with the interests of the Sava Commission only in view.
- 2) Staff Members shall carry out their duties and responsibilities professionally and with due diligence, as specified in the Job Description applicable to the post in question.
- 3) Staff members shall be responsible and accountable to and subject to the authority of the Secretary. The Secretary shall be responsible and accountable to and subject to the authority of the Sava Commission.
- 4) Staff Members shall neither seek nor accept instructions from any Government or from any authority external to the Sava Commission.

Article 6

Staff Members' Conduct

- 1) Staff members shall have no employment other than with the Secretariat. In special cases, staff members may accept additional engagement outside the Secretariat, if it does not interfere with their duties in the Secretariat, and that prior authorization by the Secretary has been obtained. The Sava Commission's prior authorization shall be obtained in respect of the Secretary.
- 2) 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.
- 3) Ownership of non-controlling stock in a company shall not be considered to constitute a financial interest within the meaning of previous sub-paragraph.
- 4) Staff members shall notify the Secretary, or in case of the Secretary the Sava Commission, in writing of any event affecting their status under these Staff Regulations. In particular, they shall give such notification on:
 - (a) Changes in their nationality, family or dependency status;

- (b) Any arrest, indictment or court summons as a defendant in a criminal proceeding or any conviction, fine or imprisonment for the violation of any law;
- 5) In connection with their duties staff members shall not receive any favour, gift or remuneration from any Government or from any source external to the Sava Commission or its bodies without prior permission from the Sava Commission.

Article 7 Proprietary Rights

All rights, including title, copyright and patent rights, in any work performed by a staff member, as part of his/her official duties shall be vested in the Sava Commission.

Article 8 Release of Information

Staff members shall observe maximum discretion with regard to all matters of official business. They shall at no time use information known to them by reason of their official position to private advantage, nor shall they publish anything based thereon, except with the written approval of the Secretary, respectively the Chairman, in case of the Secretary. Staff members shall also not communicate such information to third parties, except in connection with the discharge of their functions. These obligations shall not cease in 5-years period upon separation from the Secretariat.

Article 9 Immunities and Privileges

Officials shall enjoy the privileges and immunities, which they are entitled to according to FASRB and the Seat Agreement between the host state and the Sava Commission, pursuant to Article 19 paragraph 2 of the FASRB. Officials shall respect the laws of the countries in which they enjoy immunities and privileges. Immunities and privileges granted to officials shall be conferred in the interests of the Sava Commission. In any case, where the question of claiming immunity from a legal suit or process may arise, the official involved must immediately report such question to the Secretary, and in case of the Secretary to the Chairman.

Article 10 Working Week

- 1) The Secretary shall establish working hours and shall decide which days are to be observed as holidays.
- 2) The working week shall consist of five working days, Monday through Friday, of eight working hours each. The Secretary may alter working hours for the benefit of the Sava Commission, as circumstances may require. Staff members shall work beyond the usual working hours if required.

III APPOINTMENTS

Article 11

Authority to appoint

Officials shall be appointed by the Sava Commission. Support staff shall be appointed by the Secretary. The paramount consideration in the staff members' selection shall be the necessity for securing the highest standards of their efficiency, competence and integrity.

Article 12

Recruitment of staff members

- 1) Staff members shall be selected competitively by tender procedure. The common and specific qualifications and experience required of staff members (selection criteria) shall be determined according to the Job Descriptions for the relevant posts.
- 2) Support staff members shall be recruited in the host state from among citizens of Parties to the FASRB.
- 3) Vacancies for the Officials shall be announced in the Parties unless the Sava Commission otherwise has decided.
- 4) Recruitment shall be subject to open competition among nationals of Parties regardless of race, colour, gender, mother tongue, religion and beliefs, or the national, ethnic or social origin.
- 5) No specific posts shall be identified with any Party.
- 6) The appointing authority shall evaluate the applications according to selection criteria and interview a selected candidate(s).
- 7) The appointing authority shall select and appoint the most qualified and experienced candidate.
- 8) In case that a representative of a Party submits application for the opened vacancy, he/she shall be excluded from the selection procedure for that post.

Article 13

Procedure for the Appointment of the Officials

- 1) The Sava Commission shall agree on the text of a Vacancy Announcement, including required qualifications, other conditions (*e.g.* program for the term of the office, deadline for application) and job description, for the post of the Officials. The Sava Commission shall announce this vacancy through agreed means in conformity with the rules and regulations of the Sava Commission.
- 2) The applications shall be submitted to the Sava Commission within a deadline of twenty days following the vacancy announcement.
- 3) The applications received shall be examined by a Screening Committee composed of one member from each Party, appointed by the Commission.
- 4) Decision on appointment of the Screening Committee shall contain details on its work and time limits.

The Screening Committee shall meet at the Seat of the Sava Commission within two weeks from the closure of the vacancy notice.

The objective of the screening shall be to disqualify applicants who do not submit application within deadline and do not fulfil explicitly the qualifications required for the post.

The Screening Committee shall submit the applications of qualified candidates to the Sava Commission.

The Sava Commission shall also receive a list of the names of disqualified applicants with their applications.

- 5) The Sava Commission shall inform disqualified applicants properly.
- 6) The Sava Commission shall select a number of qualified candidates for interview, within one month after receiving of applications.

The chairman of the Sava Commission shall, with no delay, invite selected candidates for the interview.

The Sava Commission shall establish a list of questions, which shall be posed to all candidates during their separate interviews lasting a maximum of 50 minutes each.

- 7) The decision on appointment shall be adopted after the interview, at the same session.
- 8) The Chairman shall inform on decision on appointment all applicants within one week after completion of appointment procedure.

Article 14

Contract on employment

- 1) Upon appointment, the staff members shall respectively conclude contract on employment with the Chairman of the Sava Commission or the Secretary or an authorized official, as the case may be. The contract shall set out all terms and conditions of employment, including:
 - (a) A statement that the appointment is subject to the Staff Regulations and to changes, which may be duly made in such regulations from time to time;
 - (b) The nature of the appointment, including Job Description;
 - (c) The date on which the staff member is required to commence duty;
 - (d) The period of appointment, the notice required to terminate it and the period of probation;
 - (e) The salary;
 - (f) The allowances attached to the appointment;
 - (g) Any special terms and conditions, which may be applicable.
- 2) The rights and obligations set out in the contract on employment shall not be subject to change except in case of mutual agreement.
- 3) 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 state in writing that they are familiar with and accept the conditions set out in these Regulations.

Article 15
Period of Appointment

- 1) A term of office for an official shall be for five years, with the possibility of subsequent extensions, provided that the Sava Commission agrees.
- 2) In case of the Secretary, term of office may be extended for only one subsequent period.
- 3) Support Staff shall be appointed for no more than two years, with the possibility of subsequent extensions. The probationary period under such appointment shall normally be six months.
- 4) In case of longer absence from service of staff member in the Secretariat and if the needs require so, Secretary may upon approval of the Chairman engage adequate replacement on the basis of short-term contract.

Article 16
Medical Standards

As a precondition of appointment, staff members shall be required to submit health certificate issued by an authorized medical institution that he/she meets the medical standards set for appointment in his/her country of origin.

Article 17
Performance Evaluation

The performance of staff members shall be the subject of periodic reports based on execution of work plan of the Sava Commission, for the part he/she is responsible for.

IV SEPARATION FROM SERVICE

Article 18
Grounds for Termination

- 1) The appointment of a staff member may be terminated on the following grounds:
 - (a) If the support staff member has not completed or is unable to complete the probationary period in a satisfactory manner;
 - (b) If the needs of the Sava Commission require abolition of the post or reduction of staff;
 - (c) If the staff member is, for reasons of health, incapacitated for further service;
 - (d) If the staff member has committed a serious breach of regulations or rules;
 - (e) If the services of the staff member prove to be unsatisfactory or if his/her conduct clearly indicates that he/she does not meet the standards of integrity required under the Staff Regulations.
- 2) In cases specified under subparagraph (d) and (e), the Secretary may decide on immediate suspension and promptly inform the members.

Article 19
Termination of Appointments

- 1) The Secretary may terminate the appointment of a support staff member before its expiration date on the grounds listed in Article 18 paragraph 1. The termination shall become effective one month after its notification except in case of probationary period. Each termination shall be reported to the Sava Commission.
- 2) The Sava Commission may terminate the Term of office of an official before its expiration date on the grounds listed in Article 18 paragraph 1(b), (c), (d) and (e).
- 3) The termination under Article 18 paragraph 1(b) and (c) shall become effective three months after its notification.
- 4) The termination under paragraph Article 18, paragraph 1(d) and (e) shall become effective one month after its notification.
- 5) In case of notice delivery failure, the notification shall be considered successful 15 days as of date of notice delivery attempt.

Article 20
Resignation

- 1) A support staff member may resign by giving the Secretary a minimum of one month's written notice.
- 2) An official may resign by giving the Sava Commission a minimum of three months' written notice.
- 3) In the event of a staff member resigning without giving the required notice, the Secretary or the Sava Commission, respectively, reserves the right to decide whether repatriation expenses or any other allowance shall be paid.

Article 21
Payment in Lieu of Unused Annual Leave

If at the time of separation a staff member has unused annual leave, he/she shall be paid in lieu thereof the cash equivalent for the period of such accrued leave up to a maximum of thirty working days, calculated on the basis of the last net base salary.

V SALARIES, ALLOWANCES AND OTHER COMPENSATIONS

Article 22
Salaries

Salaries of staff members shall be in accordance with the salary levels as established by the Sava Commission in relation to comparative international organizations. The Sava Commission shall establish salary levels.

Article 23
Allowances

- 1) The type of allowances available to staff members shall, in principle, be those allowances in force for comparative international civil servants.
- 2) Education allowances for each dependent child shall be paid:
 - (a) In respect of attendance at public (state) school or University in the Seat of the Sava Commission in case there is tuition fee;
 - (b) In respect of attendance at any other international school in the Seat of the Sava Commission, in amount of 75% of tuition at that school;
 - (c) In respect of attendance at any other University in amount of tuition at respective public (state) University in the Seat of the Sava Commission.
- 3) Education allowances for each dependent child shall not be paid:
 - (a) In respect of education expenses covered from scholarship grants or subsidies from other sources;
 - (b) In respect of attendance in kindergarten or nursery school at pre-primary level.
- 4) Education allowances shall be paid on grounds of submission of all supporting documentation and only for years attended not more than once.

Article 24
Representation expenses

The Sava Commission shall pay duly justified representation expenses incurred by the Secretary in the performance of his duties within the limits prescribed annually in the budget.

Article 25
Reimbursement of income tax paid

If staff members' salaries are subject to national income tax, the Sava Commission shall reimburse the income tax amount.

Article 26
Compensation for Overtime

- 1) Support Staff required to work more than 40 hours during one week will be compensated:
 - (a) With compensatory leave equivalent to hours of overtime performed; or
 - (b) By remuneration per overtime hour, to be estimated at the rate of time and a half, or if the additional time is worked on a Sunday, or on official holidays, at the rate of double time.
- 2) Officials are not entitled to overtime pay or compensatory leave.

Article 27
Death of Staff Member

- 1) In the event of death of a staff member, following illness or surgery not resulting from an accident covered by the appropriate insurance, the right to salary, allowances and other corresponding benefits shall cease on the day on which death occurs, unless the deceased leaves dependants, in which case

these shall be entitled to mortality allowances and return travel and removal expenses to country of origin or former residence, at the expense of the Sava Commission through the Secretariat.

- 2) Eligibility of the dependants 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.
- 3) The mortality allowance shall be in amount equal to one-month full salary.
- 4) The Secretariat shall pay for shipment of the staff member's body from the place of death to the place designated by the next of kin.

Article 28 **Currency payments**

All remunerations shall be paid in Euros.

VI TRAVEL EXPENSES, SETTLEMENT AND RE-PATRIATION GRANT

Article 29 **Official Travel**

- 1) The Secretariat shall pay in advance or reimburse staff members for expenses for travel on official business, authorized in advance by the Secretary within the limits of the budget, according to the respective rules to be agreed upon by the Sava Commission. With regard to official travel, a travel allowance shall be paid for fares, accommodation, and per diems.
- 2) Economy class shall be utilized, wherever feasible, for air travel.
- 3) First class may be utilized for land travel.
- 4) Following completion of a duty journey, staff members shall repay any travel allowances to which, in the event, they were not entitled.
- 5) 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.
- 6) Staff members who, in the course of their duty, are required to use private motor vehicles for official travel purposes shall, with the prior authorization of the Secretary, be entitled to receive a reimbursement in amount of 30% of the one-litre of petrol price per kilometre in the host country. The costs associated with normal daily travel to and from place of work shall not be reimbursed.

Article 30 **Travel upon appointment and separation**

The Secretariat shall reimburse official for travel expenses incurred by them, his/her spouse or his/her dependent children, upon appointment and separation from service, unless separation under Article 18, paragraph 1(d) and (e).

Article 31
Settlement and Repatriation Grants

- 1) Officials who have not continuously resided in the Seat of the Sava Commission prior to taking up their appointment shall be eligible for a settlement grant upon appointment and a repatriation grant upon separation.
- 2) The grants payable to the staff member shall be the equivalent of one-month full salary.
- 3) At the discretion of the Secretary, the right to the repatriation grant may be cancelled or reduced appropriately if:
 - (a) Less than one year has elapsed between the date of taking up the term of office and the date of separation from service;
 - (b) The reason for separation from service under Article 18 paragraph 1(d) and (e);
 - (c) More than six months has elapsed between the staff member's separation from service and his return to his country of origin or former residence;
 - (d) The staff member has attained status as a permanent resident of the Seat.

Article 32
Removal of Household Effects

- 1) The officials shall be entitled to be paid the costs of removal of their household effects upon appointment and upon separation of term of the office.
- 2) The officials shall be entitled to be paid such costs upon separation only after having spent at least two years holding the term of the office, except in case of reasons mentioned in Article 18 paragraph 1(d) and (e).
- 3) The costs mentioned in paragraph 1 of this Article shall be paid only within three months following the date of taking up the term of the office or separation.
- 4) The costs shall be paid on the request of the right holder against the submitted receipts of use of the most economical means of transportation.

Article 33
Deduction

Staff members shall not be entitled to the allowances and benefits to the extent that they receive benefits in money or kind, which serve essentially the same purpose as these allowances, and benefits from other sources.

VII LEAVE

Article 34
Annual Leave

Staff members shall be entitled to annual leave at the rate of two and- a-half working days per month. Annual leave may be accumulated, but not more than 30 working days may be carried over beyond 31 December of any year, unless

otherwise justified by exceptional circumstances. In addition, staff members shall be entitled to all official holidays in the host state. The taking of leave shall not cause undue disruption to normal Secretariat operations. In accordance with this principle, leave dates shall be subject to the needs of the Sava Commission. Leave dates shall be approved by the Secretary who shall, as far as possible, bear in mind the personal circumstances, needs and preferences of staff members. Any absence not approved within the terms of these Regulations shall be deducted from annual leave.

Article 35
Special Leave

Staff members may be granted, in exceptional cases, special leave for the following reasons:

- (a) Marriage of the staff member - one day;
- (b) Change of residence of the staff member one day;
- (c) Death of spouse/child four days;
- (d) Death of a parent/parent-in-law two days.

Article 36
Sick Leave and Maternity Leave

- 1) Staff members who are unable to perform their duties because of illness or injury or whose attendance is prevented by public health requirements shall be granted paid sick leave not exceeding 4 consecutive months, or 15 months in any five consecutive years. The Secretary may propose to terminate the appointment of the staff member after this period in accordance with Article 18 paragraph 1(c).
- 2) Staff members shall receive full salary during paid sick leave.
- 3) A staff member absent from duty because of sickness for a period of more than three consecutive working days, shall produce a certificate from a duly qualified medical practitioner stating the probable duration of his/her incapacity.
- 4) Staff members shall be entitled to three consecutive working days as uncertified sick leave, provided that in one calendar year the total uncertified sick leave does not exceed seven working days.
- 5) Staff members shall be entitled to maternity leave for the period of six months. During this period staff members shall receive full pay and corresponding allowances.

VIII SOCIAL SECURITY

Article 37
Health and Pension Insurance

- 1) Staff members shall participate either in the national health and pension insurance scheme of the host state or other recognized health and pension insurance scheme.

- 2) The Sava Commission may contribute towards the cost of such participation in accordance with guidelines to be provided by the Secretary.
- 3) The Sava Commission shall cover the health insurance expenses for dependants through either national health insurance scheme of the host state or other recognised health insurance scheme.

Article 38
Occupational Hazard Insurance

The Secretary shall make provision for professional insurance of staff members to cover death or injury connected with the performance of official duties.

IX APPEALS

Article 39
Right to appeal

- 1) A staff member, a former staff member or a rightful claimant on his/her behalf, who is aggrieved by a decision of individual application, which he/she considers contrary to these Regulations made in implementation of them, may request the Secretary to retract or modify such decision.
- 2) In case of discharge or dismissal, the staff member, former staff member, or a rightful claimant on his/her behalf, may appeal to the Sava Commission against such a decision.

X AMENDMENTS and INTERPRETATION

Article 40
Amendments

- 1) These Regulations may be amended by the Sava Commission, in accordance with the Rules of Procedure.
- 2) All matters not regulated by these Regulations shall be brought to attention of the Sava Commission by the Secretary.
- 3) The Sava Commission shall review periodically the conditions of service of the staff of the Secretariat, including the adequacy of the level of remuneration and its affordability in the light of the Sava Commission's financial situation.

Article 41
Relations with Other Instruments

These Regulations are subject to the terms and conditions of the FASRB and the Seat Agreement between the Sava Commission and the host state, as they may be amended from time to time. In the case of a conflict between the provisions of these Regulations and of those instruments, the provisions of the latter shall prevail.

Article 42
Interpretation

Any doubts arising from application of these Regulations shall be resolved by the Secretary following consultation with the Sava Commission.