



# STAFF RULES<sup>1</sup>

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## 1. GENERAL PROVISION

The Staff Rules establish the fundamental principles of employment, regulate the working relationships and establish the rights and responsibilities of formally appointed employees who render their services in and receive remuneration from the North Atlantic Marine Mammal Commission (hereinafter referred to as the “Commission”).

In these Rules:

- 1) “Secretariat members” are the regular Secretariat members, hired under the Professional or General Services categories under the UN staffing system, including the General Secretary.
- 2) “Secretariat employees” are all personnel hired or contracted by the Commission for service in the Secretariat, those including temporary personnel and interns.

The Staff Rules apply to all Secretariat employee, except otherwise indicated in these rules or in the employment contract.

## 2. DUTIES, OBLIGATIONS AND PRIVILEGES

The Secretariat members are international civil servants and general service personnel. Upon accepting their appointment, Secretariat members and employees pledge themselves to discharge their duties faithfully and to conduct themselves with the interests of the Commission in mind.

While fulfilling their duties the Secretariat members and employees shall at all times conduct themselves in a manner in keeping with the international nature of the Commission. They shall always bear in mind the loyalty, discretion, and tact them by their international responsibilities in the performance of their duties. While they are not expected to give up their national sentiments or their political and religious convictions, the Secretariat members shall avoid all actions, statements or public activities that might be detrimental to the Commission and its aims.

Secretariat members and employees 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 Council in respect of the General Secretary, and with the General Secretary in respect of the Secretariat members and employees.

No Secretariat member may be associated with the management of or have a financial interest in a business, industry or other enterprise if, as a result of the official position held in the Commission, he/she may benefit from such an association or interest.

The Secretariat staff should not receive external payment for lectures, or presentations related to their work at NAMMCO.

Secretariat members shall enjoy the privileges and immunities to which they are entitled by virtue of the Host Agreement signed between the Commission and the Government of Norway (26 September 2000).

In the performance of their duties, Secretariat members and employees may neither seek nor accept instructions from any government or authority other than the Commission.

Any Secretariat member may be required to reimburse the Commission either partially or in full for any financial loss suffered by the Commission as a result of his/her negligence or of his/her having violated any regulation, rule or administrative instruction of the Commission.

### 3. CLASSIFICATION OF STAFF

Secretariat members (by definition excluding temporary personnel and interns) shall be classified in one of the two following categories used in the UN staffing system: Professional and General Service.

#### 3.1.1 Professional Category

Professional means all persons whose functions and main employment consist of performing the official functions of the Secretariat of the Commission. These are positions of a managerial, professional, or scientific nature where appropriately qualified professionals with university degrees will fill these posts. Secretariat members in this category will be recruited internationally unless decided otherwise by the Council.

#### 3.1.2 General Service Category

This includes administrative, clerical, secretarial and other office personnel, performing functions of general, supportive character (e.g., clerical and technical work) for the Commission. Unless decided otherwise by the Council, posts for staff members in this category will be advertised only within Norway.

Professional as well as General Service category posts shall be classified in accordance with the post classification system used in the UN staffing system.

#### Temporary personnel under contract & Interns

In addition to regular Secretariat members, hired under the Professional or General Services categories under the UN staffing system, the General Secretary may contract temporary personnel necessary to discharge special duties in the service of the Council. They may be contracted to work on a full-time or part-time basis or assigned to hourly rates of pay.

The Secretariat is also receiving Interns, under its internship programme established in 2017 under the guidance of the Finance and Administration Committee.

In the absence of specific rules in their contract (e.g., regarding working hours and holidays), the staff rules shall apply, mutatis mutandis, as appropriate to the temporary personnel and the interns.

### 4. RECRUITMENT AND APPOINTMENT

The Council shall appoint the General Secretary and shall determine the conditions of employment.

The responsibility of recruiting staff in the Professional category is shared between the General Secretary and the Council.

The General Secretary shall have the responsibility of recruiting staff in the General Service category, as well as temporary personnel and interns.

Together with the offer of appointment, all Secretariat members and employees shall be provided with a copy of these Staff Rules.

#### Special duties of the General Secretary

The General Secretary shall have the full power and authority over the Secretariat subject to the general supervision of the Council.

The General Secretary shall also have signatory authority relating to financial matters (such as signing audits) and granting staff access to the organizations' bank account when required.

The General Secretary reports directly to the Council, and the other Staff members report directly to the General Secretary.

## 5. HOURS OF WORK

For Secretariat members, the normal working week is a total of 40 hours including a break of 30 minutes per full working day. Normal working hours per day shall be up to eight hours, Monday through Friday.

Temporary personnel and interns have a working week of 37,5 hrs including a break of 30 minutes per day for lunch.

Working hours are flexible at the discretion of the General Secretary, with a core presence from 9:30 to 14:30. Staff should inform the Secretariat in advance if they will arrive later than 9:30 or leave sooner than 14:30.

The General Secretary may request Secretariat members and employees to alter their working hours, if circumstances may require this, e.g., in accordance with the working hours of the Committee members' own time zones.

Remote-work days may be granted at the discretion of the General Secretary.

Attendance at meetings and events organised by the Commission and external bodies will be reported as actual working hours. However, attendance over 8hrs a day to meetings or events organised by external bodies shall be cleared in advance with the General Secretary and a documentation of workhours beyond 8 hrs a day (e.g., programme or other) shall be attached to the expenses claim and the observer memo (see under point 12. Travel). Travel time to and from meetings will be reported as normal working hours.

## 6. REMUNERATION AND TAXES

The salaries paid to Secretariat members in both the Professional and General Service categories are based on the salary scales developed by the UN/ICSC. The post adjustment component and the official exchange rate for Norway as developed by the UN/ICSC will be utilized to calculate the salaries.

The day of payment of salaries of Secretariat members shall be the 20<sup>th</sup> of each month. When the 20<sup>th</sup> is a Saturday, Sunday, or holiday, salaries are paid on the last working day before the 20<sup>th</sup>. Temporary personnel (working on a full-time or part-time basis) and interns shall receive their salary or stipend on the last day of the month or on the last working day before.

Unless decided otherwise by the Council or General Secretary, the salary of a staff member shall be fixed on appointment at step 1 in the level of the post to be occupied. Salary increments, based on satisfactory staff performance appraisal, can be awarded subject to the approval of the Council.

Any promotion in level of a member of the Secretariat will require the approval of the Council.

A staff performance appraisal meeting shall be carried out annually in December or January so that any proposed salary increment can be forwarded by the FAC to the Council for approval and be included in the budget of the year it come into effect. Increments are effective from 1<sup>st</sup> January in the year for which they are awarded. Increments shall cease once a staff member has reached the highest step in the level in which the staff member serves.

The General Secretary has responsibility for conducting appraisal meetings with Secretariat members and employees and makes proposals for salary increments to the FAC. The Chair of the Council has responsibility for conducting the appraisal meeting with the General Secretary.

In accordance with the Host Agreement article 15 with the Government of Norway, staff salaries are exempt from Norwegian income tax. Instead, they are subject to a "Staff assessment" determined in accordance with the approved salary scales, which is paid back to the Commission and recognised by the Norwegian authorities as an Income Tax substitute for the purpose of covering those benefits under the Norwegian Social Security System to which staff members are entitled according to the Host Agreement article 16.

Professional staff are not eligible for overtime payments. Subject to the prior approval of the General Secretary, time off may be granted to staff in the Professional category who have been required to work substantial or recurrent periods of time in excess of the normal working hours (time-off in lieu).

Members in the General Service category required to work outside the normal daily working hours will be compensated:

- a) with compensatory leave equivalent to the hours of overtime performed; or
- b) by remuneration per overtime hour.

The choice of compensation shall be at the discretion of the General Secretary.

Secretariat members, who upon termination of their appointment, have not been able to take all of their annual leave entitlement shall receive the cash equivalent calculated on the basis of the last salary received.

## **7. PENSION**

NAMMCO Secretariat members and temporary personnel working on a full-time or part-time basis are enrolled in a Defined Contribution Pension Scheme (DCS, "Innskuddspenjon") under Storebrand Insurance Limited.

## **8. VACATION AND SPECIAL LEAVE**

### **8.1 ANNUAL LEAVE**

Secretariat members are entitled to annual leave at the rate of 2.5 working days for each full month of service. The leave may be taken in units of days or half-days, subject to the exigencies of the service and with the General Secretary's approval. Up to a maximum of 12 days may be transferred to the following year, but not to subsequent years.

Those part-time Secretariat members who work fewer than 5 days per week are only entitled to annual leave corresponding to 5 times the number of days on which they work per week.

Annual leave may be taken in one or more periods. The taking of leave shall not cause undue disruption to normal staff operations. In accordance with this principle, leave dates shall be subject to the needs of the Commission. Leave dates of Secretariat members shall be approved by the General Secretary who shall, as far as possible, bear in mind the personal circumstances, needs and preferences of Secretariat members.

### **8.2 SICK LEAVE & PARENTAL LEAVE**

The Secretariat members are enrolled in the Norwegian Social Security system (Den norske Folketrygden) and will be entitled to and compensated for sick leave according to this system.

An employee who is completely incapacitated for work before holiday may demand to have the holiday postponed until later in the holiday year. The demand must be supported by a medical certificate and be submitted at the latest on the last working day the employee would have worked before the holiday.

An employee who has been completely incapacitated for work during the holiday may demand to have a corresponding number of working days' holiday postponed and given as a new holiday later in the holiday year. The demand must be supported by a medical certificate and be submitted without undue delay after the employee's return to work.

### **8.3 PUBLIC HOLIDAYS**

Members of the Secretariat shall be entitled to the paid holidays traditionally celebrated in the location of the headquarters of the Organisation. In Norway, Secretariat members shall be entitled to the following holidays:

- 1 January
- Maundy Thursday and Good Friday
- Easter Monday
- 1 May
- 17 May
- Ascension Day
- Whit Monday
- 24 December
- 25 December
- 26 December

#### **8.4 OTHER LEAVE**

In the event of the death of a Secretariat member's next of kin or close relative (husband, wife, children, father, mother (including in-laws), brothers, sisters (including in-laws), grandparents, and grandchildren), a reasonable period of special leave with pay, but not exceeding 5 working days, will be granted with the approval of the General Secretary.

One day's special leave with pay will be granted to a Secretariat member when relocating his or her home to, from or in Norway.

Subject to the approval of the General Secretary, special leave with pay may be granted to Secretariat members for sitting examinations in subjects relevant to the staff member's work.

Any absence not approved within the terms of these Rules shall be deducted from annual leave or, at the discretion of the General Secretary, treated as leave without pay.

In exceptional cases, the General Secretary may take special leave, with pay, or authorise staff members to take special leave. Such special leave shall not exceed ten days.

## **9. BENEFITS**

### **9.1 HOME TRIP**

Once a year Professionals, recruited from outside Norway, are entitled to a home-travel allowance. This allowance is defined as a round-trip economy class airfare travel, or equivalent by other means of transportation, to one destination with dependants (spouse and children under the age of 18). The value shall not exceed the cost of such travel between Tromsø and the Professionals' recognised former residence at the time of employment and will be paid against documented travel costs. Reasonable costs of local transportation to/from airports/station etc from home to place of destination will be reimbursed.

Secretariat's member will return to continue rendering services for a minimum additional period of six (6) months, or, unless otherwise authorized by the Commission, the accounts paid for his or her travel expenses will have to be returned.

Alternatively, the *Professionals* may choose to use the annual home-travel allowance for getting family members to Tromsø, the overall cost not exceeding the cost of the home-travel allowance and to be paid against documented travel costs.

### **9.2 PHONE AND HOME INTERNET**

Under the condition that the phone number can be made public for the use of the Commission and subsidiary bodies' work, the permanent staff of the Secretariat shall be

- provided with a reasonable amount for the acquisition of a mobile phone every four years, on due presentation of documented costs. After one year of service, the phone will remain the property of the staff member in case of separation from the Commission. If separation happened within one year of acquisition, the staff member shall return the reimbursement
- provided with a monthly basic telephone subscription by the Commission (including internet and data and access to foreign countries)
- staff shall reimburse private utilisation not included in the basic subscription
- refunded for broadband internet subscription in their private homes, as long as this subscription is not linked to a business.

Under the same condition as above, full time temporary staff and interns will be provided with a phone-reimbursement allowance for each month of service.

### **9.3 SCREEN GLASSES**

Under the condition that glasses for working on computer screens are prescribed by an optician or ophthalmologist, the Secretariat's members shall be reimbursed the costs of eye examination (once a year), glasses and frames, and the adaption of the glasses/frames.

Terms of coverage are:

- that the computer glasses are different from the employee's own glasses, i.e., that the employee cannot wear the usual glasses for computer-based work or
- that the employee needs special correction because he or she is slightly farsighted (hypermetropia) and / or has skewed corneas (astigmatism) or the like.

If the employee wants more expensive solutions than is necessary, the employer is not obliged to cover these additional expenses. Examples of additional expenses can be special mountings, choice of special types of glass, expensive frames, i.e., elements that are not necessary for the function of the glasses. Such extra costs must be borne by the employee. Frames can be reimbursed once every four years, and the price should be kept under a reasonable amount.

## **10. SEPARATION FROM SERVICE**

Secretariat members may resign at any time upon giving the period of notice stated in their letter of appointment taking effect and starting the first day of the following month, or such lesser period as may be approved by the General Secretary or the Council.

In the event of a Secretariat member leaving the employment without giving the required notice, the Council has the right to withhold the payment of any termination of employment allowances to which the staff member may be entitled.

The Council can request the resignation of a Professional upon giving the required notice stipulated in the individual contracts.

The General Secretary can request the resignation of the personnel in the General Service category and temporary personnel upon giving the required notice in the individual contracts.

If it is to the benefit of the Commission due to restructuring of the Secretariat or if the General Secretary considers that a staff member does not give satisfactory service, fails to comply with the duties and obligations set out in these Regulations, appointment of staff members may be terminated upon prior written notice at least three months in advance, by the General Secretary.

In the case of serious misconduct by a staff member that threatens the organization's operations or the organization's staff members (for example, criminal offence, theft, intentional breach of confidentiality), appointment of the staff member may be terminated without prior warning.

## 11. RELOCATION

NAMMCO will pay the initial relocation costs of moving the Employee, recruited from outside Norway, and dependants (defined as spouse and children under the age of 18 years) from the former country of residence (as defined in the Employee's contract) to Tromsø.

Relocation costs may include travel for the Employee, dependents and domestic pets but not include quarantine costs for domestic pets. They may also include transport (land and/or maritime transport) for personal effects, household goods and one car as well as the costs of packing and removal insurance. Personal goods limit is set at 40 m<sup>3</sup> for an individual and an additional 10 m<sup>3</sup> for a spouse /partner, and 2.5 m<sup>3</sup> for each dependent child, based on the Norwegian system for diplomatic personnel.

Importation of relocation goods will be tax-exempt under the Host Agreement with Norway. Employees have the right to import free of duty furniture and personal effects that they have owned, possessed or ordered before taking up their posts and that are intended for their personal use.

Once every three years, members of the Secretariat who are not of Norwegian nationality have the right to import one motor vehicle free of customs and excise, it being understood that no permission to sell or dispose of the vehicle in the open market shall normally be granted until three years after its importation. This privilege shall be subject to the same conditions governing the disposal of goods imported into Norway free of duty as are accorded to diplomatic agents accredited in Norway.

Upon termination of the contract the Commission will pay return relocation costs (as defined above) from Tromsø to the Employee's former country of residence or equivalent costs to another new place of residence within the limit of the cost of relocation to the former country of residence. Return relocation costs do not include any taxes liable on exportation of goods and/or a car from Norway or importation into the new country of residence, Norway included.

The Employee shall always seek the most economical means possible for transporting goods. Offers from three companies should be provided to the Secretariat, and the choice of provider will be at the General Secretary's discretion. In the case of the General Secretary, it will be at the discretion of the FAC.

The cost of relocating other items, such as leisure boats, are subject to the discretion of Council whose decision on such matters will be final.

The Commission will not pay return relocation costs should the Employee choose to terminate her/his first contract before its end-date. In subsequent contracts, however, the Employee will be entitled to return relocation costs at any time.

In the event of divorce or if life together between a Secretariat member and his or her spouse in actual fact has ceased, reasonable costs of removal (following rules established under Item 10) and travel of spouse and children of Secretariat members back to their country of origin will be covered by the Commission, provided the move is made within six months after the divorce is pronounced. The move can be postponed to the end of the following summer holidays if dependent children are involved.

## 12. DEATH IN SERVICE

Following the death of a Secretariat's employee any salaries, allowances and other benefits due shall be paid to his/her designated beneficiaries.

In case of death of a Secretariat's member recruited from outside Norway,

- The Organization shall pay shipment of the remains from place of death to a place designated by the next of kin, limiting the payment of costs to those that correspond to shipping them from Tromsø to the deceased member's home for purposes of home leave or to the place from which personal effects or household goods were shipped.



- The family of the deceased shall be entitled to the payment specified under Item 10. Relocation except that this right shall lapse if the travel is not undertaken within the six (6) months of the date of the member's death, except if a reasonable extension of that period of time is approved.
- If the deceased does not have dependants in Tromsø, the organisation will pay the costs (following the rules established under Item 10. Relocation) of moving the personal effects and household goods back to the country of origin, provided the move is made within six months of the staff member's death.

### 13. TRAVEL

All official travel by Secretariat members shall be authorised by the General Secretary in advance. Travel expenses, excluding hotel costs, and including necessary insurance and per diem, shall be paid according to Norwegian rates (see Regulativ for reiser innenlands for Statens regning and Regulativ for reiser i utlandet for Statens regning<sup>2</sup>). They can be exceeded only in special circumstances and with the approval of the Finance and Administration Committee.

Hotel costs, at reasonable rates agreed with the General Secretary, will be covered by NAMMCO on an individual basis, and not in accordance with official Norwegian rates.

Economy class fare shall be utilised, wherever feasible, for all travel. Premium economy flight will be allowed for overseas travel for travel legs longer than six hours. In case of overseas travel, hotel and per diem will be provided for one day recuperation ahead of the meeting/event.

During travel period, non-working days and free days during or between meeting attendance will be taken as non-working days but hotel and per diem will continue being provided by the Commission.

On completion of travel, the Secretariat members and staff shall submit within fifteen (15) days, for the approval by the General Secretary and/or the financial officer, a detailed claim of expenses with proof of expenditure. The General Secretary shall submit its claim to the approval of the financial officer. Secretariat members and staff shall provide together with their travel claim an observer memo for attendance at meetings or events not organised by the Commission.

Meal per diem will be provided for flight departure earlier than 8:00am for breakfast, 13:00pm for lunch and landing time later than 19:00pm.

The possibility of combining travel to home country and other leave with official travel in service of the Commission may be considered, provided the interests of the Commission are duly borne in mind, the difference in cost incurred is documented and any extra cost is covered by the Secretariat member.

### 14. APPLICATION OF RULES

The General Secretary, following consultation with the Chair of the Council, shall resolve any question arising from the application of these Rules.

The General Secretary shall bring all matters not foreseen in these Rules to the attention of the FAC.

The Staff Rules may be supplemented or amended by the Commission without prejudice to the acquired rights of Secretariat members.

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<sup>2</sup> [https://www.regjeringen.no/no/tema/arbeidsliv/Statlig-arbeidsgiverpolitikk/statens\\_reiseregulativ/id965/](https://www.regjeringen.no/no/tema/arbeidsliv/Statlig-arbeidsgiverpolitikk/statens_reiseregulativ/id965/)

## **15. JURISDICTION**

Any disputes that may arise in relation to these Rules and the employment contract shall be brought before Norwegian courts for decision in accordance with the Norwegian Civil Procedure Act of 17<sup>th</sup> June 2005 number 90. These Rules and employment contract are otherwise not subject to Norwegian employment legislation.

## **16. AMENDMENTS TO THE STAFF RULES**

The Council make decision on amendments of the Staff Rules.

## **APPENDIX 1. GUIDELINES FOR THE PARTICIPATION IN EXTERNAL FIELDWORK AND OTHER TASKS**

(Next page)

## **GUIDELINES FOR THE SECRETARIAT OF NAMMCO ON THE PARTICIPATION OF STAFF MEMBERS IN EXTERNAL FIELDWORK AND OTHER TASKS**

### **Background to the guidelines:**

In previous years, Daniel Pike, Scientific Secretary at the Secretariat, has participated in fieldwork in 2001, 2003 and 2004, twice for Iceland and once for Greenland. During 2005, he was invited to lead an aerial survey in Iceland, which he accepted with the agreement of the General Secretary and Council. Later in the autumn of 2005, he was invited to lead an aerial survey in Greenland, which he accepted with agreement from the General Secretary. These surveys have generally taken between 2-4 weeks of his time away from the NAMMCO office. Travel and living expenses had previously been paid for by Iceland (twice) and Greenland (once), whereas NAMMCO had covered the salary when he worked for Iceland, while Greenland had paid half his salary in 2003. In 2005, all his expenses and his salary were covered by Iceland and Greenland. It is important to note the distinction between essentially national surveys and those of NASS which are internationally generated, coordinated and designed through the Scientific Committee of NAMMCO, and in which the Scientific Secretary is expected to play a significant role and contribute time to the fieldwork. Only the 2001 survey in Iceland was part of the NASS.

The questions put forward to the Finance and Administration Committee at its January 2005 meeting were if participating in such fieldwork was acceptable, and if so, who should pay the salary, as this aspect had not been consistent.

The Committee saw it as beneficial to the organisation that its staff members gained skills and experience through endeavours of this kind. External collaboration of this kind increases the Secretariat's competence, broadens the network and raises the international profile of NAMMCO. A precondition for undertaking such extra work would be that it does not conflict with other priorities set by the Council, and that the General Secretary approves.

The Committee however, did not reach a conclusion on this matter, and agreed to forward the question to the Heads of Delegations of Council. At this point in March 2005, at the Heads of Delegation meeting, it was recommended that the General Secretary create some guidelines as to what kind of external work would be acceptable to NAMMCO and also some rules as to responsibility for payment of expenses and salary.

The broad terms of reference were:

1. Guidance to Secretariat staff on acceptability of external work
2. Consideration of benefits to the Secretariat in relation to other duties
3. Certainty that such external work does not conflict with other duties
4. Guidance on Secretariat salaries during fieldwork and other tasks for member countries
5. Permission to be granted at the discretion of the General Secretary.

### **1. Guidance to Secretariat staff on acceptability of external work:**

The staff of NAMMCO are currently comprised of professionally qualified and experienced staff, fully competent in their field of expertise. Needless to say, the staff have arrived at this position after many years of specialist studies and work experiences upon which NAMMCO now depend. In terms of continued acquisition of relevant work experience and exercising

existing skills, and also career development, it is important that staff are able, on occasion, to be involved in external projects that utilise their expertise and knowledge. In the case that NAMMCO member countries request specific help, advice and leadership in work projects from NAMMCO staff members, it would seem very appropriate that staff members can be available to accept. Being able to draw on such expertise is in fact an extra advantage for NAMMCO member countries, and should in principle be encouraged.

The current examples of such projects that have been undertaken all involve aerial surveys, for which Daniel Pike has special skills. However, other types of tasks may come to mind in the future, where NAMMCO staff members may be requested to undertake data compilations, reports and analytical tasks for individual member countries. It is also important to bear in mind that surveys also involve a fair amount of analytical work. The guidelines on acceptable work should therefore be somewhat wider than originally envisaged, and not merely restricted to fieldwork. This will prevent the same type of issue be raised again over different work issues in the future.

The guidelines for acceptable work should thus include the following:

1. Work project that is directly relevant to the overall goals of NAMMCO
2. Work project that is organised by or involves a NAMMCO member country
3. Work project that will utilise and/or enhance the special skills and experience of the NAMMCO staff member, and may be fieldwork, data analysis, laboratory work, report writing, or other specialist task, and will be accredited in due course (publications, presentations, etc.)
4. Work that the invited staff member is personally willing to undertake
5. Work that will not exceed a total of 6 weeks in any 12 month period, and generally less than 4 weeks at a time on any individual project – unless specific permission is given by the General Secretary
6. There should be no obligation for a NAMMCO staff member to feel pressured into accepting such external work.

## **2. Consideration of benefits to the Secretariat in relation to other duties:**

This aspect is generally transparent as the taking on of specialist external work will enhance experience and initiative, as well as increasing the network of contacts. Above all, such work – if undertaken within other member countries – gives extra insights into the status, special needs and problems faced in member countries. On the matters of career development, these external work project participations keep staff members fresh in their field, and provide better in-depth perspectives when dealing with NAMMCO tasks and issues.

## **3. Certainty that such external work does not conflict with other duties:**

With reference to the guidance given in item 2. above, the possibility of conflict in terms of work content with other duties may still be possible, but may also be synergistic on occasions. In cases where there is doubt, the General Secretary should intervene and decide. In all cases however, it is clear that timing will be important, and here conflicts may arise. If external work schedules overlap with current NAMMCO work schedules, then NAMMCO must take precedence. As an example of this, participation in an aerial survey in Greenland commencing in September 2005 was cut short because of a series of NAMMCO Working Group meetings throughout October.

## **4. Guidance on Secretariat salaries during fieldwork and other tasks for member countries:**

Although it is recognised that participation in external work projects as defined above are beneficial to the NAMMCO Secretariat staff, and to NAMMCO generally, it is clear that all such involvements must attract full reimbursement of costs (travel, *per diem*, etc.) as set out by NAMMCO rules, by the member country requesting services. In addition, it is important that rules be laid down for salary payment. In the past this has been variable. The simplest and fairest arrangement is that there is one rule for all, and that is that the staff member shall continue to receive salary from NAMMCO while on such “secondments”, and at the completion of the project, NAMMCO Secretariat will invoice the host member country accordingly for the proportion of net salary (tax-paid) used while on duty elsewhere. On survey work, for example, in addition to active duty, this shall also include travel time and “on-call” time which means for example, waiting for good weather or such on site, even if the staff member is able to do other tasks.

Exceptions to this salary rule will be NAMMCO-coordinated projects such as NASS. It has already been stated in the background preamble that such surveys traditionally require active input from the Secretariat, and normally have not required salary reimbursement. In future cases the participating staff member will continue to be paid directly by NAMMCO during surveys.

There may be other NAMMCO-coordinated projects that arise in the future where it may be appropriate for NAMMCO staff to participate at no extra cost to member countries, and there should be flexibility to allow negotiation on this point in the future.

In general, it may be noted that other participatory work projects that arise will be judged on a case by case basis, and the General Secretary will decide on how to proceed.

##### **5. Permission to be granted at the discretion of the General Secretariat:**

Subsequent to satisfying all the above guidelines, permission must be granted by the General Secretary of NAMMCO before external work is undertaken. However, if all guidelines are followed, then this should merely be a formality.

It is possible that there may be special situations that arise in the future where a staff member may be sought after to undertake work that may not have immediate direct relevance to NAMMCO or be coordinated by a non-member country or organisation (e.g. Canada or the EU). In such cases, the General Secretary should be called upon to decide if there is a conflict of interest, and may confer with Council as to a suitable decision if considered necessary. However, even if such work collaborations may be seen as advantageous, a rule of thumb might be adopted that unpaid leave should be taken and all expenses and salary payments must be sought externally by the staff member. Again, it will be important that neither the subject or timing of such work collaborations are in conflict with NAMMCO work goals and schedules.

Should the external work be undertaken by the General Secretary, then the Chair of Council should be consulted in the first instance.

Finally, a list of all fieldwork and other commitments undertaken by Secretariat staff should be submitted to the FAC annually.