

# INTERNAL STAFF REGULATIONS

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### CHAPTER I

#### SCOPE

**Article 1.-** The staff that performs services in the Permanent Secretariat of the Latin American Energy Organization (OLADE) will be subject to the provisions of these Regulations, whose application falls upon the Executive Secretary.

**Article 2.-** The Permanent Secretariat staff will be subject only and exclusively to the provisions in force in the Permanent Secretariat, it will not be subject to the labor laws of any Member State, and it will not have any other functional connections.

### CHAPTER II

#### CLASSIFICATION AND SUBROGATION OF POSITIONS

**Article 3.-** The Permanent Secretariat plant staff, hired by the Executive Secretary, according to these Internal Staff Regulations and the General Bylaws, includes:

- a) International Category Officials; and
- b) Local Category Officials

**Article 4.-** The staff posts existing in the Permanent Secretariat are those included in the General Bylaws approved by the Meeting of Ministers and its corresponding Organization Chart approved by the Directive Committee and will be filled by International Category Staff Officials and Local Category Staff Officials.

**Article 5.-** The Administration and Finances Management will have the responsibility before the Executive Secretary of the appropriate classification of the personnel members, and it will be subject to the criteria established in this Internal Staff Regulations and in the General Bylaws, taking into consideration the nature of the functions and their responsibility level.

**Article 6.-** In the event of absence or any other temporary impediment on the part of the Executive Secretary, for a period of no more than 30 days, the Executive Secretary will issue an internal administrative resolution, designating one of the Directors of the Permanent Secretariat to be temporarily in charge. In the case of the absence of two Directors, the Administration and Finances Manager will temporarily be in charge.

**Article 7.-** In the case of the Executive Secretary's resignation or permanent absence, the Director of Planning and Projects will assume the functions of Ad Interim Executive

Secretary until the next Meeting of Ministers, whereupon the election of the new Executive Secretary is to take place. If this position is vacant then the Director of Integration will assume the functions of Ad Interim Executive Secretary. Should both Directors positions be vacant, the Administration and Finances Manager will temporarily be in charge.

Directive Committee will meet in an Extraordinary Meeting within a period of thirty (30) days, to select the Ad Interim Executive Secretary among the international staff of the Permanent Secretariat, taking into consideration the appropriate qualification and experience of the personnel.

The Executive Secretary must resign in the presence of the Meeting of Ministers if in session, or before the Ministers of the Member States, through written communication addressed to the Chairman of the Meeting of Ministers, with copy to all the Ministers of the Member States and to the Directive Committee's President.

Past Executive Secretary will hand over the Permanent Secretariat to the Ad Interim Executive Secretary, including all official documentation and also will be available in case the Organizations needs him, for the next thirty (30) days.

This should immediately be notified in writing to the Organization's Member Countries.

**Article 8.-** The Executive Secretary will be able to entrust any suitable staff member in order to assume temporarily the functions and responsibilities of another position, being it higher or not.

**Article 9.-** The staff official who considers that the nature of the functions or responsibility level assigned to him are not applicable to his current position, will be able to submit a reasoned request to check his situation to the Administration and Finances Management.

## CHAPTER III

### STAFF SELECTION, HIRING AND ASSESMENT

**Article 10.-** According to Article 22 of the Lima Agreement, the hiring of the Permanent Secretariat staff falls on the Executive Secretary, who will watch over the fair geographical distribution of the International Category Plant Officials.

**Article 11.-** The plant staff of the Permanent Secretariat will be composed only by citizens of the Organization Member States.

**Article 12.-** The Executive Secretary, jointly with the Advisory Board, will determine the vacancy of International Category Staff Officials produced in the Permanent Secretariat, to be filled according to the Organization needs and will draw up and review the position profile and the reference terms.

The Executive Secretary will communicate to the OLADE Member States the vacancy of International Category Staff Officials produced in the Permanent Secretariat, and he will send the reference terms which should include, among others, the corresponding description of the position's functions, attributions, minimum professional requirements, education and salary, so that they nominate their candidates. Deadline for candidate nomination will be sixty days from reception of vacancy communication sent to the Member Countries.

Executive Secretariat will be in charge of vacancy dissemination process which additional to vacancy official communication will include the following:

- a) Publish in the internet and in OLADE' s web page and web pages of Member States' public institutions that accept it;

- b) Publish at energy communication means at Member States registered at OLADE's data base, at no cost for OLADE;
- c) Publish at the press of Member States registered at OLADE's data base, at no cost for OLADE; and
- d) Any other communication means that guaranties access to this information by interested professionals.

The Permanent Secretariat will review the postulations considering that the candidates should already have the approval of the authorities of their countries before postulating to the Organization. Accordingly, the first selection will be made, eliminating candidacies that do not meet the minimum requirements stated in Article 14 hereof.

The postulations sent directly to the Permanent Secretariat will be under the consideration of the candidate's country in order to obtain its approval or denial. Candidacies presented to the Permanent Secretariat who have not followed the steps stated in this Article will not be considered under any circumstance.

The postulations of Member States citizens whose sum owed to OLADE are equal or higher than the assigned quota for the current year will not be considered in the selection process.

When the Executive Secretary considers necessary, prior to the designation, he will be able to require the selected candidate to change his residence to the Organization Headquarters, with tickets and per-diem paid by the Permanent Secretariat, according to the scale in force at the United Nations, in order to be subject to the appropriate personal interviews.

After the deadline for postulating candidacies has been met, the Executive Secretary will proceed to the final selection and nominate the selected official within 30 days and then inform the Member States.

**Article 13.-** The Local Category Plant Officials can be selected from foreign countries or from the Headquarters country.

**Article 14.-** To select the plant staff of the Permanent Secretariat and to determinate their work categories, it will be a primordial condition to guarantee a high level of efficiency, professionalism, competence and integrity.

For this, the fulfillment by the postulants to International Category Staff Official of the minimum requirements of academic preparation and experience required for posts performance for which they are being considered through opposition and merit contests must be verified by the Executive Secretariat.

In order to promote incentives and recognition, and provided that it adjusts to the foreseen needs, the vacant posts to Local Category Staff Officer will be filled, preferably, with the staff from the Permanent Secretariat, and the corresponding promotions and transferences will be propitiated.

#### **Minimum Requirements for Directors:**

- a) A degree from a recognized university in Law, Engineering, Economics, Science, Business Administration, or any other degree related to energy;
- b) 7 years professional experience in the energy sector, whether in public/ private entities or companies and/or international agencies; and
- c) Command of at least two of the Organization's working languages.

**Minimum Requirements for Specialists Coordinators or Sub-regional Coordinators are:**

- a) A degree from a recognized university in Law, Engineering, Economics, Science, Business Administration, or any other degree related to energy;
- b) 5 years of professional experience in the energy sector, whether in public/ private entities or companies and/or international agencies; and
- c) Command of at least two of the Organization's working languages.

To apply for any of the vacancies for staff official, technical or administrative temporary contracted member, candidates shall have no kinship with any permanent staff of the Permanent Secretariat to the fourth degree of consanguinity and/or the second degree of affinity.

**Article 15.-** The International Category Staff Officials will be hired for periods of one to three years that can be renewed, at the Executive Secretary judgment, based on the annual assessment reports, provided that the aforementioned contract does not exceed six months from the end of the Executive Secretary mandate period nor six consecutive years.

The Local Category Staff Officials will be hired by a one to three year period, which can be renewed, at the Executive Secretary judgment, based on the annual assessment reports, provided that the aforementioned contract does not exceed six months from the end of the Executive Secretary mandate period.

When at the expiration of the respective term the Executive Secretary considers that the will to renew a contract does not exist, this decision must be communicated in writing to the Plant Official, at least thirty days in advance. If this notification does not take place, the contract will be taken as renewed for a thirty days period, keeping the rest of the previous adjoining contract terms.

The contracts entered into or renewed by the Executive Secretary during his last year administration can have a term inferior to one year to adjust them to his mandate period.

**Article 16.-** International or Local Category Staff Officials will not be freely removed by the Executive Secretary, without previous consultation with the Advisory Board, who shall respect contractual periods unless professional performance does not meet the objectives of the Organization and is justified properly according to periodic assessments prepared pursuant to what is established in Article 25 hereof.

The Executive Secretary may fire International or Local Category Staff Officials if the Permanent Secretariat registers lack liquidity for over 3 months, which must be fully grounded.

**Article 17.-** All personnel members' contracts of the Permanent Secretariat subscribed by first time must contain a ninety days test period.

The Executive Secretary will be able to terminate the contract of a personnel member during the test period when his/her performance has not met the requirements of the Permanent Secretariat, which should be grounded in the assessment of his/her superiors, according to the established in Article 25 hereof.

The decision can be notified in any moment within the test period. If necessary, the Permanent Secretariat will pay for the respective repatriation expenses, except for the laid out on Article 33 of these Regulations.

Once the test period expires without the resolution of the Executive Secretary for the termination of the contract, it will be understood it continues until the completion of the period

for which it was entered into.

**Article 18.-** The Executive Secretary will be able to contract temporarily, with the Organization's own resources or with external cooperation resources, the technical and administrative staff required to provide specialized services in the Permanent Secretariat, non covered by the plant staff. This temporary contracted member shall be linked through contracts and technical – professional or administrative services regime.

This staff will be preferably of a Member State citizenship. Exceptionally, services from specialists' of other nationalities can be used, whenever the technical requirements justify it.

These contracts will have a no more than one-year term and they can be terminated by will of any of the parts, through a prior notice of 30 days to the other part, without any indemnity right to any of the parts. These contracts can be renewed grounded in the service assessment of his/her superiors.

The insurance and health benefits specified on Chapter VI of these Regulations will be granted to this staff when the contract specifies at least a one-year term.

**Article 19.-** The Executive Secretary, assisted by the Administration and Finances Management, and taking into consideration the selection criteria in force, will take care of the analysis of the candidates conditions to fill the vacancy produced in the Permanent Secretariat staff officials, based on the following criteria and priorities:

- a) That the candidate has not any legal impediment of any kind;
- b) Professional technical suitability;
- c) Equitable geographic distribution between the Member States, in such a way that none of them have more than 2 (two) citizens performing plant functions; and
- d) Fulfillment of the financial obligations assumed with the Permanent Secretariat by the candidate country.

**Article 20.-** For all of the Permanent Secretariat staff designation an academic title and/or experience appropriate with the position nature will be required.

**Article 21.-** The Executive Secretary will send to the selected candidate the corresponding contract proposal, which must indicate:

- a) That it constitutes an official proposal;
- b) The nature and conditions of the contract.
- c) The duties and responsibilities of the position in question;
- d) The obligation of submitting, according to the case, the confirming documents of the professional or academic degree appropriate for the position;
- e) Date and place in which he must initiate his job;
- f) All related to his travel arrangements, if applicable;
- g) The remuneration and benefits that he has right to; and
- h) The term within which he must accept in writing the proposed position.

With the contract proposal a copy of these Regulations will be sent.

**Article 22.-** All personnel members of the Permanent Secretariat must state in the Administration and Finances Management their personal data and professional and labor background, and communicate in writing any change related with the provided data.

**Article 23.-** The Executive Secretary can require any additional information regarding his or her technical and professional ability, experience and suitability to any staff member.

**Article 24.-** The contract of the staff selected in the Headquarters will be effective from the date of the beginning of its performing, and the contract of the staff selected outside the Headquarters Country from the date of the beginning of the official trip to take possession of

the post.

**Article 25.-** The Permanent Secretariat, through the Administration and Finances Management, will assess the personnel members performance annually, based on the services assessment that the Immediate Superior must carry out on each personnel member.

The official assessed will have the right to know his assessment and, in case of disagreement, to appeal before the Advisory Board.

Directors and the Administration and Finances Manager are excluded of this appeal possibility.

## CHAPTER IV

### DUTIES AND RIGHTS

**Article 26.-** The regular workday of the Permanent Secretariat will be of eight hours a day, from Monday to Friday. The Executive Secretary will be able to make exceptions to it, according to the service needs.

The Executive Secretary, Directors, and the Administration and Finances Manager will watch over the established workday schedule fulfillment, allowing only justified absences.

**Article 27.-** The personnel members can be requested to work on Saturdays, Sundays or holidays only in exceptional circumstances, duly justified.

**Article 28.-** The Local Category Plant Officials that having the condition of administrative staff work overtime, will be remunerated as follows:

- a) Diurnal Additional Workday.- The diurnal additional workday, being understood as such carried out from 06:00 hours to 24:00 hours, outside the obligatory work schedule, will give the right to the same remuneration as ordinary;
- b) Additional Workday on Obligatory Rest Days or Holidays.- The diurnal additional workday on obligatory rest days or holidays will give the right to the same remuneration as ordinary, raised in fifty percent; and
- c) Nocturnal Additional Workday.- The nocturnal additional workday, understood as such carried out from 00:00 hours to 06:00 hours, will give the right to the same remuneration as the ordinary, raised in one hundred percent; and
- d) Compensation of vacations.- Whenever the personnel member is required to work outside of the work schedule, he/she will be able to credit these overtime hours to his/her vacations up to forty hours per year.

The additional work hours must be previously authorized by the Manager of the corresponding Organizational Unit and verified by the Administration and Finances Management. In the event of such authorization not being verified prior to the additional hours, they will not be recognized. In the event of such authorization not being verified prior to the additional hours, they will not be recognized.

**Article 29.-** The days considered as holiday by the Headquarters Country laws, and those the Executive Secretary considers must be kept due to special circumstances, will not be workdays.

The Local Category Plant Officials that by any circumstance have to work in those days will have the right to collect additional remunerations for overtime, according to the established in Article 28 of these Regulations, or it will be accumulated in their vacation, according to the case.

The International Category Officials, whose citizenship is not from the Headquarters Country, will be exempted to work in his country national day. If by any circumstance they were requested to work on that day, it will be accumulated for their vacation.

**Article 30.-** The personnel members of the Permanent Secretariat will be of exclusive dedication, they will not be able to practice outside the Organization any occupation or job in a permanent or occasional way.

Those who perform educational tasks in superior education institutions in the Country of the OLADE Headquarters, related with their functions in the Organization, whom with the Executive Secretary authorization will be able to make use of up to 5 (five) hours per week, non accumulative, of permission from the Permanent Secretariat schedule, are excluded, provided that it is of honorary nature and does not affect the appropriate fulfillment of their obligations.

The Permanent Secretariat will not be able to maintain any commercial relationship that brings benefits, directly or indirectly, to the spouse or relatives up to the fourth grade of consanguinity and/or second by marriage of their staff members.

**Article 31.-** The staff members will not be able to disclose to the public, by themselves or by other intervening people, documents, aspects or situations concerning the Organization. Neither can they make any public statement by themselves or by other intervening people, related to aspects of the Organization, without prior written authorization from the Executive Secretary.

**Article 32.-** The staff members will not accept neither gifts nor favors from natural or juridical people that have or are searching for business with the Permanent Secretariat.

**Article 33.-** The non fulfillment of the prescribed mandates established in the articles 31 and 32 above will be reason for the dismissal of the official, without any of the indemnities specified in these Regulations.

The official that has been subject of this sanction and those who had filed legal actions against the Organization will not be able to work in OLADE for life.

**Article 34.-** All rights, including those of copyright and license of any job done by a staff member as part of his official tasks on behalf of the Permanent Secretariat, will be property of the Organization.

**Article 35.-** The personnel members will not be able to participate in political activities, such as public meetings, manifestations, proselytizing or ideological practices, on behalf of the Organization.

**Article 36.-** All staff members, before assuming their functions, will subscribe the following statement: "I solemnly commit myself to exercise with loyalty, discretion and conscientiously my obligations as a personnel member at the service of OLADE; to obey and respect the regulations of the Organization; neither request nor accept directions of any government, in relation to my duties; and not to participate in any way of political activity in the Member States on behalf of the Organization."

## CHAPTER V

### SALARIES, BONUSES, SUBSIDIES AND PER DIEM

**Article 37.-** The salary scales of the International Category Plant staff of the Permanent Secretariat will have as reference the salary scales of the United Nations Representation (net-s) in Quito, according to the following classification:

	LEVEL	RANK
Executive Secretary	USG1	
Directors	D1-D2	1-3
Coordinators	P3-P5	1-5

The Executive Secretary, assisted by the Administration and Finances Management, will decide on the level and rank to place each International Category Staff Official, taking into account his background, labor experience and permanence years in the Permanent Secretariat.

**Article 38.-** The salary scales of the International Category Plant staff of the Permanent Secretariat will have as reference the salary scales of the United Nations Representation in Quito.

	LEVEL	RANK
Assistants	7-8	1-7
Secretary – Assistant	6-7	1-7
Driver	2	1-7
Messenger	1A -1B	1-7

The Executive Secretary, assisted by the Administration and Finances Manager, will decide on the level and rank to place each one of the International Category Staff Official, taking into account his background, labor experience and years of service in the Permanent Secretariat.

**Article 39.-** The Organization will pay exclusively to the Executive Secretary and to the International Category Plant Officials:

- a) To the non residents in the Headquarters Country and selected from outside the Headquarters Country, as an installing premium, only once, the equivalent to a monthly salary, making it effective on the first day of possession of his position;
- b) To the non residents in the Headquarters Country and selected outside this country, the tickets expenses through the most economic and direct way to go to the Headquarters to take possession of his post and back to their original residence at the end of his functions, as well as their spouses and single that do not have a remunerated function, being not older than 21, or younger than 25 if they were college students, that change their residence to the Country of the Organization Headquarters, according to the set forth in Art. 44;
- c) To the non residents in the Headquarters Country and selected outside this country, the household items packing and transportation expenses, in only one dispatch, according to the United Nations current scale, through the most economic and direct way to go to the Headquarters and back to their original residence, subject to the regulations of the Privileges and Immunities Agreement subscribed between the Government of Ecuador and OLADE.

At the request of the International Category Plant Official this benefit can be replaced by a payment of the equivalent to the 75% of the cost corresponding to the change of residence;

- d) To the non residents in the Headquarters Country and selected outside this country, and annual compensation for the difficulties caused by the change of one country to another, which will be made effective monthly by the equivalent sum, and up to six years, according to the following scale:

P3-P4:	Singles	US\$ 1,600
P5 and on:	Singles	US\$ 1,900
P3-P4:	Married	US\$ 2,000
P5 and on:	Married	US\$ 2,400

- e) Indemnity due to functions termination equal to one month of the last salary per each service year, up to a six salaries maximum. In the cases in which there are no calendar years completed, the proportional time worked will be recognized, provided that the official has carried out at least one year of service in the Permanent Secretariat; and
- f) To the non residents in the Headquarters Country and selected outside this country, which at the end of their functions come back to their original residence Country, a premium for repatriation equal to one last month salary per each one of the six first service years, and of half a month per each one of the following six service years, up to a nine salary maximum. In the cases of non completed calendar years of service, the proportional time worked will be recognized, provided that the official has carried out at least one year of service in the Permanent Secretariat.

**Article 40.-** The Permanent Secretariat will pay to the Local Category Plant Officials an indemnity for functions termination equal to one month of the last salary per each one of the six first years of service, and of half a month per each one of the following six first years of service. This indemnity will be suspended starting from the twelfth year of service. In the cases in which there are no calendar years of service completed, the proportional time worked will be recognized, provided that the official has carried out at least one year of service in the Permanent Secretariat.

**Article 41.-** When an International Category Plant Official or a Local Category Plant Official, referred to in Article 3 of these Regulations, returns to the Permanent Secretariat, whether in his own plant category or in another one, he will have the right to indemnity for functions termination provided in these Regulations, only for the time and amounts to complete the established maximum for one case and another.

**Article 42.-** In the event of decease of a Permanent Secretariat staff member, it will be recognized to his heirs, previously and formally designated before the Permanent Secretariat, or legally established, all the benefits and rights that the official would have generated at his decease date.

**Article 43.-** The Permanent Secretariat staff member referred in the Article 8 of these Regulations, that assumes in a temporary way and during more than three continuous

months all the functions and responsibilities of a higher position than his, will receive a subsidy for special functions starting from the beginning of the fourth month of exercise of these special functions and responsibilities, which will be paid while he performs continuously such functions and responsibilities.

Such subsidy will be equal to the difference that exists between his habitual position salary and that which corresponds to the first rank of the temporarily assumed position.

The temporary activity referred in this article shall not last more than six months, at which termination the vacant of the respective position must be declared.

Whoever takes possession of the post of Executive Secretary Ad Interim will have the right to receive the subrogation subsidy of the Executive Secretary position from his first day in duties up to the termination of his temporary post.

**Article 44.-** The plant staff members that have as dependent their spouses and children, being them not older than 21, or younger than 25 if they were college students, will receive as an annual familiar subsidy the sum of US\$450 per dependent child and US\$400 per spouse, that will be paid from the month in which the dependence is duly accredited and it will be effective monthly for the corresponding proportional sum.

The Permanent Secretariat recognizes up to a three children maximum as dependents of the staff member, additionally to spouse.

The married staff member, whose spouse works, must justify that this familiar subsidy is received exclusively by one of them. If the two spouses are collecting the familiar subsidy, the staff member of the Permanent Secretariat will be obligated to return the values collected on this account.

**Article 45.-** The corresponding transportation expenses and a daily allowance in agreement with the United Nations current scale will be paid, by the most quick, direct, and economic way, to the Executive Secretary and to the staff member of the Permanent Secretariat that travels in Service Assignment.

The Service Commission consists in carrying out official missions in behalf of OLADE outside the city of the Organization Headquarters.

**Article 46.-** The Executive Secretary, subject to recommendation of the Advisory Board, will be authorized to award special bonuses to the Permanent Secretariat personnel members, if the required financial resources exist, which must be in the periodical reports from the Permanent Secretariat.

## CHAPTER VI

### INSURANCE AND BENEFITS

**Article 47.-** The treatment received by the Permanent Secretariat staff on insurance and health benefits will be as specified in these Regulations.

**Article 48.-** The Ecuadorian Staff Official of International and Local Category or the temporarily contracted members, and the local foreign personnel member, will be protected by the Social Security of the Headquarters Country, and according to the procedure established by the Permanent Secretariat and that specified in the Privileges and Immunities Agreement subscribed between the Government of Ecuador and OLADE.

**Article 49.-** The Permanent Secretariat will contract for its staff, except in the case of an

official not being accepted by the insurance companies for his health condition, medical insurance, life insurance, accident insurance, and ambulatory medical emergency assistance which in the medical item will cover the official, spouse and single children, economically dependant up to 25.

For the purpose of the Premium payment of these insurances, which will be obligatory for the International and Local Category Staff Officials and optional for the rest of the contracted members, the Administration and Finances Management will communicate to the Permanent Secretariat staff the contribution scale that they must contribute.

**Article 50.-** The Organization will establish a Retirement Fund for the Executive Secretary, the International and Local Category Plant Official, in which OLADE and the beneficiary will contribute the same monthly sum, with a maximum, for each one, of 14% of the Official's salary.

Regarding the Headquarters Country Social Security affiliated officials, the Permanent Secretariat will deduct from this amount the value to be assigned to the Social Security on account of unemployment.

## CHAPTER VII

### VACATION, LEAVES AND COMMISSIONS

**Article 51.-** The Executive Secretary and the Permanent Secretariat Staff Officials will have the right to enjoy fifteen labor days per year of remunerated vacation, which will be gradually increased on one labor day per year up to a maximum of 25 labor days per year. This benefit will be effective from the ending of the eleventh month of work. This benefit will be effective from the ending of the eleventh month of work.

For the purpose of calculating the twenty-five labor days, it will not be taken into account either the holidays of the Headquarters Country, or the National Day of the staff member country of origin.

The contracted members hired under the conditions of the professional services or administrative services regime, having a minimum contract of one year, will have the right to enjoy fifteen labor days per year of vacation.

**Article 52.-** The Permanent Secretariat will pay, every two years, the ticket expenses through the most economic and direct way to go to the country of origin and back to the Headquarters Country, to the Executive Secretary and to the International Category Plant Official selected outside the Headquarters country, which are enjoying vacation, as well as his spouse and single children economically dependents, not older than 21, or younger than 25 if they were college students, residing on the Headquarters Country, provided that the respective job contract is effective for at least one more year, as set forth in Art. 44 of these Regulations.

**Article 53.-** The Administration and Finances Management will endeavor that the Permanent Secretariat personnel members effectively makes use of the vacation, in accordance with the schedule annually approved by the Executive Secretary.

**Article 54.-** The pecuniary compensation of non taken vacations is prohibited. However, if the official ceases his service and has right to non taken vacation, the Permanent Secretariat will pay in cash the equivalent to the respective time up to sixty days.

**Article 55.-** All decisions regarding vacation will depend on the service needs, according to the Executive Secretary decision.

**Article 56.-** The Executive Secretary will give special leaves, with salary, to the staff member

that justifies any of the following reasons:

- a) Marriage: up to five work days;
- b) Children birth; up to two work days, on the occasion of a staff member children birth;
- c) Decease of a close family member (parents, children, brothers or spouse): up to three workdays. . In the event that the funeral takes place outside the city in which the staff member gives services, two additional days will be granted to him, if he travels to attend to it; and,
- d) Installation: five labor days will be granted to the International Category Plant Officials selected outside the Organization Headquarters city to take care for their house search and installation, within six months subsequent to the beginning of their functions

**Article 57.-** The Executive Secretary will grant paid leaves to the personnel member, in the event of disability caused by disease or accident, within the following limits and with prior notice of the employee to his close superior, who will report to the Administration and Finances Management for the respective records:

- a) Up to three consecutive days, provided that he submits a medical certificate that checks the disability. This kind of leaves shall not exceed ten days in each calendar year; and
- b) Up to thirty continuous days as maximum limit, when the inability term is larger than that foreseen in the previous clause provided that he submits a medical certificate, to the satisfaction of the Permanent Secretariat.

In the event of the above-mentioned limit being exceeded, the Permanent Secretariat will have the faculty to proceed to the liquidation of his fees and benefits. The term foreseen in literal b) above can be increased in exceptional cases, subject to the approval of the Executive Secretary with the medical certificate.

The Permanent Secretariat will be able to request a particular physician to, in the cases considered in literals a) and b) above, examine the personnel member that has given a timely absence notice for any disability, and to report it to the Administration and Finances Management.

**Article 58.-** A maternity leave with salary will be granted, for the time lapse of four prenatal and eight postnatal weeks, to the Permanent Secretariat official subject to the corresponding medical certificate presentation.

During the nine months following the childbirth, the workday of the nursing mother will last six hours, distributed according to the work needs.

**Article 59.-** The Executive Secretary will be able to give special leaves to personnel members, without either salary or benefits accumulation, up to a two months maximum, provided that there are justified reasons.

## CHAPTER VIII

### TRAINING AND INSTRUCTION

**Article 60.-** The training and instruction programs will be approved annually by the Executive Secretary and will have as goal to reach the improvement of the technical and administrative knowledge of the Permanent Secretariat staff through seminars, practices and other similar events carried out in the Headquarters or in other countries, and such programs will be evaluated quarterly.

**Article 61.-** The Executive Secretary will submit to the Directive Committee the budgetary allotments provided for the execution of these programs.

## CHAPTER IX

### FAULTS AND SANCTIONS

**Article 62.-** Are faults of the Executive Secretary and of all Permanent Secretariat personnel members:

- a) The violation of the Lima Agreement, of Regulations, resolutions and internal administrative provisions of the Permanent Secretariat;
- b) The injury of the OLADE, its Member States or the Permanent Secretariat prestige;
- c) The offense to the dignity of the OLADE or Permanent Secretariat authorities, to its officials, or labor colleagues;
- d) Work harassment, considered to be improper words, conduct or actions that are repeated or persistent, directed at a personnel member of the Permanent Secretariat, whose intention is to annoy, or cause substantial emotional distress in that personnel member, and which are deemed offensive, humiliating, intimidating, and/or an interference in the private life of such members;
- e) Sexual harassment against any authority, personnel member, Consultant or visitor that is visiting within the facilities of the Permanent Secretariat;
- f) The falsification, supplanting, adulteration, disclosing, misappropriation or improper utilization of OLADE or Permanent Secretariat internal documents, in which case the sanction specified in the Article 33 will be applied;
- g) The misappropriation or any other kind of attempt against the property of the Permanent Secretariat;
- h) The serious negligence in their functions performing;
- i) The non-fulfillment of the instructions entrusted by the competent authority; and
- j) The repeated absence or unjustified delay on the work schedule.

**Article 63.-** Sanctions applicable to the Executive Secretary and to all Permanent Secretariat personnel members are:

- a) **Verbal warning:** Is a warning to a staff member regarding his conduct or his work deficiency, made directly by the Organizational Unit titular to which he belongs, with no record of it;
- b) **Written warning:** It will proceed when the misconduct or deficiency in the staff

member job makes advisable to leave a written record of the reasons that have motivated the sanction;

- c) **Temporary suspension without salary:** It will proceed up to a thirty day maximum when the misconduct or deficiency in the staff member job makes advisable to impose such measure; and
- d) **Dismissal:** It will proceed when the misconduct or deficiency in the staff member job was so serious or so persistent that requires the imposition of such measure.

Sanctions established at letters a), b) and c) of this Article will be applicable to the Executive Secretary by the Directive Committee.

**Article 64.-** The disciplinary measure considered in literal d) from Article 63, can be applied to the OLADE Executive Secretary, by virtue of the considered in literal g) from Article 10 of the Lima Agreement, in cases of verified lack of professional suitability in his functions performance or violation of the Lima Agreement principles, in a Ordinary Meeting of Ministers, or in an Extraordinary one convoked for such aim.

**Article 65.-** The staff member of the Permanent Secretariat can resign to his functions performance, as long as this decision is announced to the Executive Secretary, at least 30 days in advance, under penalty of being punished, at the Executive Secretary judgment, with a loss of up to fifty percent (50%) of all the corresponding indemnities.

The Executive Secretary must resign in the presence of the Meeting of Ministers if in session, or before the Ministers of the Member States, through written communication addressed to the Chairman of the Meeting of Ministers, with copy to all the Ministers of the Member States and to the Directive Committee's President.

Without detriment of the established in Article 67 of these Regulations, the Executive Secretary can terminate the contract of a staff member of the Permanent Secretariat, through notice at least 30 days in advance. If such a situation takes place, the Permanent Secretariat will pay to the staff member the total remuneration, for all the remaining time until the termination of his designation term, with a three-month maximum.

The Executive Secretary must resign in the presence of the Meeting of Ministers if in session, or before the Ministers of the Member States, through written communication addressed to the Chairman of the Meeting of Ministers, with copy to all the Ministers of the Member States and to the Directive Committee's President.

**Article 66.-** The disciplinary measures, excluding verbal warning, will be performed by the Administration and Finances Management, based on a formal communication of the Immediate Superior of the personnel member in question.

In the event that, at the Administration and Finances Management opinion, the behavior of a personnel member of the Permanent Secretariat affects the normal development of the job, it must be communicated formally to the Organizational Unit Head of the person in question, so that he adopts the applicable prescribed measures.

**Article 67.-** For the dismissal sanction of a staff member of the Permanent Secretariat according to established in Article 63 literal d) the following procedure will be applied:

- a) The Executive Secretary by his account or at the request of the respective Organizational Unit Head, will order the dismissal of the personnel member, through a communication:
  1. The charges against the sanctioned official;
  2. The provision for the notification of his decision to the sanctioned official;

- b) The Administration and Finances Management will notify, up to the following workday, the sanctioned person as previously indicated;
- c) The personnel member of the Permanent Secretariat against whom the sanction established in literal d) from Article 63 was imposed, if he considers convenient, will be able to appeal this decision before the Executive Secretary in the event of the dismissal being requested by an Organizational Unit Head or before the Advisory Board in the event of the decision being taken by the Executive Secretary. The appeal can be submitted up to the third workday after the notification.
- d) The Executive Secretary or the Advisory Board, depending on the case, must pronounce about the interposed appeal, accepting or rejecting it, up to the second workday after its mediation. This report will cause writ of execution and will be notified to the interested party by the Administration and Finances Management; and
- e) When the decision is favorable to the staff member, he will be able to choose between the indemnities payment to which he has right by the regulations, or to return to his functions again.

In the event of the indemnities payment being chosen, the Permanent Secretariat will pay to the International or Local Category Plant Official or with another kind of contract, a value equal to the total remuneration, for all the time left to the end of his contract term, with a three month maximum, without detriment of the other indemnities to which he has right according to these Regulations.

**Article 68.-** The staff member of the Permanent Secretariat that considers he has been subject to an unfair sanction or treatment, must submit formally his appeal to the Executive Secretary or to the Advisory Board, depending on the case, up to the third work day after the reception of the corresponding notification or of the day in which it took place.

**Article 69.-** The Administration and Finances Management, based on the definitive decision of the Executive Secretary or the Advisory Board, depending on the case, will proceed to liquidate the assets that are rightfully corresponding, according to the Regulations, to the personnel member to whom the dismissal procedure has been applied on.

**Article 70.-** All staff member that in bad faith or by inexcusable negligence or for not obeying the Regulations and other administrative provisions of the Permanent Secretariat, provokes any damage or economical loss to the Organization, will be responsible for these and the proper compensation will be demanded, without detriment of the specified in Article 63.

## CHAPTER X

### GENERAL PROVISIONS

**Article 71.-** The Executive Secretary will establish the means intended to make immunities, exemptions, and privileges corresponding to the Permanent Secretariat staff effective, according to the Privileges and Immunities Agreement subscribed between the Government of Ecuador and OLADE.

**Article 72.-** The documents and requests that must be addressed to the Executive Secretary depending on the implementation of these Regulations, will be sent through the Administration and Finances Management.

**Article 73.-** All the notifications to the personnel member of the Permanent Secretariat, depending on the implementation of these Regulations, will be done in writing, through the Administration and Finances Management.

**Article 74.-** The terms specified in these Regulations will include all days, being workdays or holidays, but if the term expires on a holiday, it will be extended to the next workday. For the case of a sanction notification, the terms will be on working days.

**Article 75.-** The Permanent Secretariat staff will be ruled by the considered in these Regulations from its effective date.

## FINAL PROVISIONS

**Article 76.-** The Executive Secretary is authorized to dictate the necessary provisions for the proper implementation of these Regulations, and to resolve cases that are not duly considered in its articles.

**Article 77-** These Internal Staff Regulations annul and revoke all Regulations, norms and dispositions that are opposed to or in contradiction with the contents herein, considering that all the acquired rights are maintained.

**Article 78.-** These Internal Staff Regulations went into effect on June 1st, 2007, once being approved by the IV Extraordinary Meeting of Ministers of the Organization.