



Secretariat

24 June 2020

Administrative instruction

Working hours, overtime, leave and attendance

1. Pursuant to chapters V and VI of the Staff Rules (ISBA/ST/SGB/2020/1), and for the purpose of implementing staff rule 5.1 on hours of work, recognizing also the relevance of flexible working arrangements to create the enabling conditions for staff to continue to deliver in their best capacity despite the need to discharge personal obligations outside the office caused by special circumstances affecting the entire organization, the Secretary-General hereby promulgates the following:

A. Working hours and flexible working arrangements

2. The normal 40-hour working week comprises five days, Monday to Friday, of eight hours each, from 9 a.m. to 5 p.m., with a break of one hour for lunch. Staff members may be required to work beyond the normal working hours as the needs of service may require. Except for staff members on authorized absences, including those on a shift system (security personnel and drivers) or sick leave, all staff members must be present during a core period between 10 a.m. and 4 p.m., with their lunch hour beginning no earlier than 12 p.m. and ending no later than 3 p.m.

3. During the sessions of the International Seabed Authority, normal working hours are from 9 a.m. to 6 p.m., with no compensation paid for the extra hours. Flexible working arrangements are not applicable during that period.

4. The normal working week is subject to exceptions when staff members have been authorized to avail themselves of the following flexible working arrangements:

Staggered working hours

5. In accordance with paragraph 2 above, all staff members must be present during a core period between 10 a.m. and 4 p.m. The remaining two hours of work may be scheduled before or after those times on a regular basis as follows: 8 a.m. to 4 p.m., 8.30 a.m. to 4.30 p.m., 9 a.m. to 5 p.m., 9.30 a.m. to 5.30 p.m. or 10 a.m. to 6 p.m. Staff must complete the balance of their working hours for each day before, after or partly before and partly after the core period.

Working away from the office (telecommuting)

6. (a) Staff members may be authorized by the Director of the relevant office¹ to work from a home located at their official duty station when such an arrangement is consistent with the nature of the work involved;

¹ In the case of Directors, authorization should be granted by the Secretary-General.



(b) Authorization for staff members to work from home may be given only if they are reachable by telephone and email and other online teamwork platforms during the core working hours, and if they have, or obtain at their own expense, the office equipment necessary to discharge their official functions. Such equipment shall normally include a computer, a printer, access to a stable Internet connection and a telephone;

(c) During the period of working from home, the relevant Directors can require staff members to report to the office for work-related meetings and other events, including online meetings, if direct, face-to-face contact is necessary for mandate implementation;

(d) In cases where there are compelling personal circumstances, consideration may be given to allowing staff members to work outside their official duty station for an appropriate duration not exceeding one month. This can be implemented in connection with travel on official business or home leave, family visit travel, annual leave, parental leave or certified sick leave, if the staff member can satisfy the Secretary-General that the need is justified in terms of producing timely and high-quality work outputs with the necessary office equipment at the staff member's own expense (e.g. a computer and necessary software that will enable remote teamwork and online meetings). Staff members are not entitled to any additional benefits or entitlements as a result of such telecommuting arrangements.

7. Staff members should seek the written approval of the Director of the relevant office at least one week prior to the initiation of the flexible working arrangements to avail themselves of such arrangements. The written approval shall specify the duration and specifics related to the flexible working arrangements. A combination of the flexible working arrangements may be authorized. The Directors, after taking into consideration the needs of service and the requests received² from staff members, as well as, where appropriate, the views of the supervisor of the staff member, shall decide whether and to what extent the personal preferences of each staff member can be accommodated. When denying such requests, the Directors shall provide the basis for the non-approval in writing. The Directors may suspend or cancel previously approved flexible working arrangements at any time owing to exigencies of service or unsatisfactory performance. Staff members shall be informed of the basis for suspension or cancellation in writing.

8. Once the requests from staff members have been approved by the Directors, the staff members shall maintain the flexible working arrangements until the Directors authorize or request a change. The Directors are requested to provide the Office for Administrative Services with the approved flexible working arrangements, in writing and copied to staff members, for the purposes of proper attendance recording and placement on the official status file. The Office for Administrative Services shall monitor the implementation of the flexible working arrangements and report thereon regularly to the Secretary-General.

9. When staff members avail themselves of flexible working arrangements, their productivity and quality of output must be maintained at a satisfactory level, as assessed by their supervisors or the Directors. Supervisors or the Directors should communicate clearly to staff members their responsibilities and agreed deliverables.

10. No extra costs may be incurred by the Authority as a result of any of the flexible working arrangements.

² "Supervisor" means the first reporting officer, where the Director is not the first reporting officer of the relevant staff member.

11. Flexible working arrangements must be differentiated from leave. Leave is considered an absence from duty; therefore, if a staff member wishes to be excused from duty, leave must be requested and must have been approved.

12. In order to facilitate business continuity during crises, staff members may be requested to work from an alternative worksite. Such situations are exceptional and shall not be considered as flexible working arrangements. During such exceptional situations, the Authority shall, to the extent possible, provide affected staff members with the equipment and resources required to discharge their official functions.

B. Overtime

General provision

13. In the interests of the health of the staff and the efficiency of the service, staff members shall not be required to work more than 40 hours of overtime during any one month, except where unusual exigencies of the service so require, which shall be reported to the Secretary-General.

14. The Directors are required to plan work, review working methods and carefully monitor overtime work in their area of responsibility. Overtime should not be granted for the completion of routine assignments; instead, it should be used only as a device to respond to ad hoc contingencies or to cope with demands during peak periods.

15. Staff members who have not worked a full workday or a full working week are not entitled to be granted overtime pay for that day or for that weekend. Staff members whose absence was scheduled (such as through authorized annual leave or compensatory time off) are not excluded from working overtime. Any exception should be dictated by the exigencies of service.

16. Under the provisions of staff rule 5.3 (c), during periods in which the exigencies of service are high, when the Secretary-General requires staff members to work at the duty station on an official holiday, the Secretary-General shall set another working day to be observed as the holiday, and the holiday falling during the period of high demand shall be treated as a normal working day.

Compensation for overtime for staff members in the Professional and National Professional Officer categories

17. Should the exigencies of the service permit, and subject to the prior approval of the Head of the Office for Administrative Services, occasional compensatory time off may be granted to staff members in the Professional and National Professional Officer categories who have been required to work substantial or recurrent periods of overtime, including compensatory time off for cases in which official holidays at the duty station cannot be taken because of official travel.

Compensation for overtime for staff members in the General Service category

18. Staff members in the General Service category who are required to work in excess of the working week shall be given compensatory time off or an additional payment or a combination of both in accordance with paragraphs 19 to 26 below.

19. Definitions relating to overtime work are provided below:

(a) Overtime is defined as time worked in excess of the scheduled workday or in excess of the scheduled working week or time worked on official holidays, provided that such work has been authorized in advance by the relevant Director;

(b) The scheduled workday is defined as the duration of the working hours in effect at the time on any day of the scheduled working week, less one hour for a meal;

(c) The scheduled working week consists of the five working days assigned to the staff member during seven consecutive calendar days.

20. Compensation for overtime shall be reckoned to the nearest half hour; casual overtime of less than one half hour on any day during the scheduled working week shall be disregarded.

21. A staff member who is required to work on the sixth or seventh day of the week or on an official holiday shall, upon final calculation, receive no less than four hours of overtime compensation.

22. Compensation for overtime shall take the form of the following:

(a) An equal amount of compensatory time off for time worked in excess of the scheduled workday up to a total of eight hours of work on the same day. Subject to the exigencies of the service, such compensatory time off may be given at any time during the four months following the month in which the overtime takes place. Accrued time off shall be forfeited if the staff member elects not to take it within the prescribed period;

(b) An additional payment for time worked in excess of the eight hours of work on any day of the scheduled working week or when the overtime takes place on the sixth or seventh day of the scheduled working week.

23. Compensation for overtime as an additional payment may be granted only when the request is authorized by the relevant Director and the availability of funds is confirmed in advance, with a copy provided to the Office for Administrative Services.

24. The additional payment referred to in paragraph 22 (b) above shall be made at the rate of one and one half times the aggregate of the staff member's base salary and language allowance, if any, except that if the overtime takes place on a Sunday or on the seventh day of the scheduled working week, the rate of the additional payment shall be twice the aggregate. In the latter case, overtime which takes place on a Sunday will be subject to payment as compensation at the straight or one-and-a-half time rate, as appropriate.

25. Subject to the exigencies of service, if the staff member so requests, compensatory time off may be granted, as appropriate, at a one-and-a-half time rate or at twice the normal rate in lieu of compensation by additional payment at the one-and-a-half time rate or at twice the normal rate under paragraph 22 (b) above.

26. Staff members may receive a lump-sum payment, the amount of which is to be determined by the Secretary-General, as compensation for overtime worked and transportation fees incurred in connection with meetings of the organs of the Authority.

C. Annual leave

27. In accordance with staff rule 5.3, staff members who hold an initial appointment of one year or more shall accrue annual leave while in full pay status at the rate of two and a half days a month, and staff members who hold an initial appointment of less than one year shall accrue annual leave at the rate of one and a half days a month.

28. Annual leave may be taken in units of days or half days.

29. Annual leave may be taken only with the prior authorization of the relevant Director. All arrangements relating to leave shall be subject to the exigencies of service. The personal circumstances and preferences of the individual staff member

shall, as far as possible, be considered. Authorization must be given in advance, and leave request forms must be completed, signed and submitted to the Office for Administrative Services.

30. If a staff member is absent from work without authorization, payment of salary and allowances shall cease for the period of unauthorized absence. If the staff member is absent owing to an emergency and the staff member has accrued annual leave, the absence will be charged to that leave. Staff members must inform their supervisor or the relevant Director promptly of an absence due to illness or emergency, as per prevailing administrative issuances on sick leave.

31. As per staff rule 5.3, annual leave may be accumulated, provided that no more than 60 working days for staff members holding an initial appointment of one year or more and 18 working days for staff members holding an initial appointment of less than one year are carried forward beyond 31 March of any year.

32. As a general rule, annual leave should be taken in the leave cycle in which it was accrued. Staff members are therefore strongly encouraged to avail themselves of annual leave on a regular basis. Directors are responsible for ensuring that staff members under their supervision take annual leave and shall report to the Secretary-General on accrued leave balances in excess of 40 days of staff members.

33. A staff member may, in exceptional circumstances, be granted advance annual leave of up to 10 working days, provided that the staff member's service is expected to continue for a period beyond what is necessary to accrue the requested advanced leave.

D. Sick leave

34. In accordance with staff rule 6.2 and the administrative instruction on sick leave ([ISBA/ST/AI/2020/5](#)), all sick leave must be approved, and sick leave forms must be completed, signed and submitted to the Office for Administrative Services as soon as possible upon return to work. In case of an absence due to illness or injury, a medical certificate or medical report shall be submitted promptly under the conditions specified by the Secretary-General.

E. Attendance

35. Attendance and leave shall be reported weekly by each Office and recorded by the Office for Administrative Services. Staff members reporting for work more than two hours after their scheduled time of commencement or leaving work more than two hours before their scheduled end time or who are absent from work for more than two hours are required to make up the hours of absence or may be charged a half day of leave, as per prevailing administrative issuances on sick leave.

36. The Director of each Office shall designate a timekeeper, who, under the Director's authority, shall:

- (a) Verify attendance and compliance with working hours and inform the Director of unexplained absences;
- (b) Record overtime work;
- (c) Prepare attendance reports, to be endorsed by the Director;
- (d) Prepare an annual or sick leave form upon the return to duty of a staff member after any period of such leave and obtain endorsement of the completed form by the staff member and the Director;

(e) Keep all relevant records until transmitted to the Office for Administrative Services for formal record-keeping.

F. Final provisions

37. The present revised administrative instruction shall take effect on the date of its issuance.

38. Information circular [ISBA/ST/IC/2017/6](#) is hereby withdrawn.

(Signed) Michael Lodge
Secretary-General
