**Special Leave**

This policy implements UN Staff Regulation 5.2 and UN Staff Rule 5.3

**Purpose**

1. This policy establishes the circumstances under which staff members may apply for special leave of absence from work, particularly for extended periods, which are not covered by the UNDP policies for annual leave, maternity leave, paternity leave, adoption, surrogacy leave or sick leave.
2. This policy does not cover inter-agency exchanges within the UN system, loans, secondments, mission assignments to the Department of Peacekeeping Operations or internal movements within UNDP under different contractual modalities, which are governed by separate policies.

**Eligibility**

1. As a general rule, UNDP staff members holding Permanent Appointments (PAs), or Fixed-Term Appointments (FTAs) under the UN Staff Rules are eligible to apply for special leave for the reasons outlined below.
2. Staff members holding Temporary Appointments (TAs) are normally not eligible for special leave without Pay (SLWOP). However, they may be exceptionally granted limited periods of SLWOP, for compelling emergency reasons, under specific conditions described in paragraph 12.

**Applicability**

1. Special leave is normally without pay except in limited circumstances. For the reasons set out in paragraph 9, the Administrator or their delegate may approve special leave with full pay (SLWFP) or special leave with partial pay (SLWPP) to staff members holding PAs or FTAs under the UN Staff Rules.
2. In accordance with Staff Rule 5.3 (b), special leave (with or without pay) shall not be allowed for governmental service in a political office, in a diplomatic or other representational post or for the purpose of performing any functions that are incompatible with the staff member’s status as an international civil servant (e.g. running for elected, political office), in which case the staff member is required to resign from UNDP. SLWOP cannot and will not be granted while waiting for the outcome of an election or a political nomination.
3. While on special leave, even without pay, a staff member retains their status as a UNDP staff member and as such is still bound by the Staff Regulations and Staff Rules of the United Nations, the UN Standards of Conduct and other applicable policies and administrative issuances.
4. Staff members are normally expected to return to active duty after completing the period of special leave.

**Rationale**

**Reasons for special leave with full or with partial pay**

1. Special leave with full or partial pay may be authorized for:
	1. Cases of extended illness (after all sick leave entitlements have been exhausted and pending determination of the award of disability benefits by the Pension Fund Committee);
	2. Other compelling reasons, determined by the Director, Office of Human Resources (OHR), such as extreme conditions of national security or a life-threatening situation;
	3. Civil service, jury duty and appearance in court as a witness;
	4. Study leave at the expense of the Organization — for example, sabbatical leave; and
	5. The Administrator may, in exceptional cases, place a staff member on SLWFP if the Administrator considers such leave to be in the interest of the Organization.
2. The policy on special leave provides assistance to staff members in balancing their working life with personal responsibilities, needs and interests. UNDP aims to create a well-managed flexible working environment that supports staff members, promotes well-being and maintains fair and effective working practices, thereby providing a balance between organizational priorities and personal life. While staff members do not have an entitlement to special leave, UNDP will review requests for such leave in light of individual needs and organizational circumstances.

**Reasons for Special leave without pay**

1. SLWOP may be authorized for the following reasons:
	1. To accompany a spouse or legally recognized partner who has been assigned for their work to a different location;
	2. To allow more time for a parent to take care of their child following parental leave (maternity, paternity, adoption or surrogacy);
	3. For academic studies at the expense of staff members;
	4. When staff members are reinstated into a PA or FTA, in cases when any period between separation and re-employment cannot be covered by accrued annual leave;
	5. For military service (in accordance with Appendix C of the UN Staff Rules);
	6. For other compelling/personal reasons, such as serious illness of family members, time off after returning from a non-family duty station;
	7. To carry out a technical assignment with a governmental, non-governmental or private institution in the interest of the Organization;
	8. For search purposes when on unassigned status for a maximum duration of one year;
	9. For pension purposes to protect the pension benefits of staff members who are within two years of reaching 55 years of age or who are above that age and within two years of important Pension Fund thresholds (i.e. 25 or 30 years of contributory service);
	10. For staff members implementing agreed separation. SLWOP may be used for bridging to important pension fund or medical insurance thresholds;
	11. For locally recruited staff members to carry out an international assignment as United Nations Volunteers (UNV) within the UN system.
2. Staff members holding TAs are normally not eligible for any type of special leave. Special leave implies a sustained period of non-active service, which is inconsistent with the principle of TAs. However, under compelling circumstances such as medical emergencies, death of immediate family members or adoption of a child, special leave may be requested. Hiring managers should consult OHR on the duration and applicability. In general, requests for SLWOP for staff members holding TAs should not exceed brief periods of up to two weeks within a particular assignment, and under no circumstances may it be approved to extend a contract beyond its expiration date.
3. SLWOP is not the appropriate administrative status to cover periods of a staff member’s absence on detail assignment, secondment, loan, inter-agency exchange or transfer to another UN agency or movements within UNDP; therefore, SLWOP is not to be granted for that purpose. The administrative status of staff members on detail assignment and inter-agency movements falls under [separate policies](https://popp.undp.org/taxonomy/term/146).
4. As required by UN Staff Regulation 1.2 (o), “Staff members shall not engage in any outside occupation or employment, whether remunerated or not, without the approval of the Secretary-General”, and Staff Regulation 1.2 (p) specifies the circumstances under which such approval may be granted.

1. A request for outside employment/activity is first submitted to the Director, Ethics. If recommended by the Director, Ethics, the request must be submitted to the Director, OHR or the designate, for final determination and approval. Failure to secure a prior authorization before starting an outside activity/employment will result in separation from UNDP for implicit resignation. By requesting SLWOP from UNDP but at the same time beginning an employment elsewhere, a staff member implicitly demonstrates their unwillingness to work for UNDP.
2. Approval to undertake an outside employment/activity whilst on SLWOP will normally not be granted, unless the experience acquired through the outside employment/activity is beneficial to the Organization when the staff member returns to active service with UNDP. In all other cases, SLWOP for employment outside the UN Common System will only be authorised, if it is deemed necessary for purposes of supporting a UNDP spouse or legally recognized partner who has been assigned for their work to a different location.
3. During the period of SLWOP the staff member may take up a temporary assignment within the UN Common System in order to gain experience and remain active. Any such outside activities while on special leave of any type, including an employment/activity within the UN system must be approved in advance.
4. A staff member cannot have a dual contractual status, therefore a staff member on SLWOP shall not be granted a TA, IC or SC within UNDP or any UN agency while on SLWOP, except as provided in paragraph 11 (k). A staff member that wishes to take up an activity within UNDP or any UN agency whilst on SLWOP, must revert back to active status. If this entails an assignment within UNDP that is outside of the staff member’s official duty station, such short-term activity may be considered as a detail or temporary assignment, depending on the nature and duration of the function. If the employment/activity is with another UN agency, it is administered under the inter-organization agreement e.g. as a reimbursable loan. In this case, the staff member’s status is changed from SLWOP to active status.
5. SLWOP for outside activities or a temporary assignment with another UN Agency will not be authorized for staff members holding a TA.
6. For staff members who have compelling personal reasons for not being physically present at the office but are still able and interested in continuing to work, other arrangements than special leave may be explored, such as [telecommuting for a limited period of time or part-time employment](https://popp.undp.org/node/10821).

**Conditions and duration**

1. Special leave of any type for staff members holding a PA or FTA may be requested for a specific period of time, up to a maximum of 12 months.

1. Extensions beyond 12 months will be reviewed and may be approved, on an exceptional basis, for a maximum period of an additional 12 months. The total period on SLWOP shall not, in any event, exceed 24 months, except where SWLOP is granted purposes of supporting a UNDP spouse or legally recognized partner who has been assigned for their work to a different location, in which case it shall not exceed 60 months.

1. SLWOP is normally only granted up to the expiration date of the staff member’s appointment.
2. A staff member returning to active service from SLWOP is expected to complete at a minimum one full tour of duty or five years of continuous service before applying for another period of SLWOP. However, for highly compelling and personal reasons a second period of compassionate SLWOP may be exceptionally considered within the five-year period.
3. SLWOP is granted for a specific reason; if the initial reason changes during the course of the approved SLWOP, the staff member is obliged to submit a new request to the approving authority for reconsideration, in particular if outside activities are considered (see paragraphs 14 and 15).
4. Approval of special leave of any type depends on the nature of the request, operational necessity, availability of resources and replacements, and the interests of the Organization. For staff members holding UNDP letters of appointment for service limited to another organization, agency, fund or programme and administered by UNDP on behalf of such an organization, agency, fund or programme, any requests for special leave (with or without pay) must be reviewed in consultation with the respective organization.

Structure Element - Relevant Policies

**Special leave and liens against posts**

1. SLWFP or SLWPP is granted with a specific lien on the post the staff member held prior to going on special leave.
2. A locally recruited staff member is normally granted special leave against a specific post, usually the post the staff member held prior to going on special leave, for a period up to one year. A lien against a specific post can be exceptionally extended for a maximum period of two years subject to approval of the Resident Representative or the Head of Office. Only in exceptional cases will special leave be granted on a general lien basis without the identification of a specific post for the staff member when they resume active duty. Positions held by a staff member on special leave may be temporarily filled by an appropriate staff contract, such as a TA, or, for staff members already holding a PA or FTA, a detail assignment for career enhancement (excluding ICs or SCs) for the duration of the special leave period.
3. Internationally recruited staff membersholdingaPA or FTA: Special leave of less than six months will normally be granted against a specific post. For SLWOP over six months, whenever possible, an internationally recruited staff member will be granted special leave against a specific post, usually the post the staff member held before the leave. However, when it is not possible to reserve a specific post for a staff member who would like to use special leave, approval of special leave may be granted on a general lien basis without the identification of a specific post for the staff member when they resume active duty.
4. If a lien is granted to a staff member holding an FTA limited to a specific post/project, the lien is against the post that the staff member encumbers.
5. If a specific lien to a position is not granted and the staff member has not secured another assignment by the end of the SLWOP, the staff member will be separated when the appointment expires in accordance with the UN Staff Regulations and Rules.
6. If the post of a staff member is abolished during the course of the authorized special leave, such as in an office or unit realignment, the relevant rules and policies regarding staff members on abolished posts will be applicable. The respective manager from the releasing office/unit in consultation with OHR must ensure that due process is followed for staff member whose post is abolished. This includes sharing information with the staff member about the realignment process, an early notification of the abolition of the post, an invitation to apply for available vacancies in UNDP and a due consideration among other candidates based on order of retention.

**Salary and benefits**

1. A staff member on SLWFP is normally considered as being on ‘duty’ status and continues to receive full salary and allowances and to accrue credits toward entitlements under the UN Staff Rules. Thus, all normal entitlements and accruals continue unchanged when SLWFP is granted. The following entitlements may be modified if the staff member is away from their duty station for a period of three months or more:
	* 1. Post adjustment;
		2. Mobility, hardship and non-removal allowances;
		3. Rental subsidy;
		4. Home leave cycle;
		5. Non-accrual of international benefits if the staff member is in their home country; and
		6. Representation allowance.
2. When a staff member is placed on SLWFP in their home country, they cease to accrue credits towards repatriation grant as of the first day of SLWFP, regardless of duration.
3. When a staff member is granted SLWPP, post adjustment and all other allowances are reduced in the same proportion as salary.
4. When a staff member granted SLWPP for extended illness, the staff member receives their education grant in full, if entitled.
5. During SLWOP a staff member will receive no salary or allowances from UNDP.
6. When a staff member is on SLWOP, the amount of the education grant and related benefits shall be prorated on the basis of the period of eligible service compared to the full academic year.

**Health and life insurance**

1. SLWFP or SLWPP does not interrupt the coverage of the staff member under the health and/or life insurance plans to which the staff member has subscribed. For partial pay, UNDP will pay partial subsidy, and the staff member pays the rest of the premiums. For full pay, the contributions of the staff member and UNDP remain the same during the leave.

1. SLWOP of less than 30 calendar days does not interrupt the coverage under health and/or life insurance plans to which the staff member has subscribed. The contributions of the staff member and UNDP remain the same and are paid in full during the leave.
2. In the case of SLWOP for 30 calendar days or more, the staff member has the option of continuing coverage by making full payment (their contribution plus the UNDP contribution) of the premiums involved. UNDP does not subsidize health or life insurance coverage during SLWOP of 30 calendar days or more.

1. The payments by staff members are to be made in advance on a quarterly basis, as follows:
	1. Locally recruited staff members stationed outside New York: arrange payments through the HR Administrator at the duty station concerned; and
	2. Internationally recruited staff members and locally recruited staff members stationed in New York: contact the GSSU or JPOSC focal point to arrange payment of premiums via check (payable to UNDP) or preferably wire transfer (instructions will be provided by the HR focal point).
2. After Service Health Insurance (ASHI) may be available to a staff member who has been on SLWOP and separates from the Organization, if the staff member opts for continuing coverage as outlined in paragraph 40 (above) and meets the eligibility criteria spelled out in the policy governing [ASHI](https://popp.undp.org/taxonomy/term/156).

**Appendix D**

1. Although a staff member on special leave (with or without pay) continues to be bound by the UN Staff Regulations and Rules, the fact that the staff member is not in active service means that they are not covered under Appendix D to the UN Staff Rules that govern compensation for service-incurred death, injury or illness.

**Malicious Acts Insurance Policy**

1. A staff member on special leave (with or without pay) is covered by the Malicious Acts Insurance Policy (MAIP) and must, therefore, comply with the safety and security measures under the respective UNDP Security Plan. Failure to comply with security instructions may invalidate the insurance coverage.

**Pension fund**

1. SLWFP or SLWPP does not interrupt the staff member’s participation in the United Nations Joint Staff Pension Fund (UNJSPF). For partial pay, the entitlement to and the amounts of benefits shall be equivalent to the partial pay ratio.
2. SLWOP for less than 30 calendar days does not interrupt the staff member’s participation in the UNJSPF. The contributions of the staff member and UNDP remain the same and are paid in full during the leave.
3. In the case of SLWOP for more than 30 calendar days, the staff member has the option of continuing participation in the UNJSPF by making full payment (their contribution plus the UNDP contribution). UNDP does not subsidize contributions to the Pension Fund during SLWOP. The payments by staff members are to be made in advance on a monthly basis, as follows:
	1. Locally recruited staff members stationed outside New York: Premium contributions from the staff member must be remitted to the UNDP office by arranging payments through the HR Administrator/Operations Officer at the duty station concerned. A deposit of funds received should be created in the appropriate accounts in UNALL. The information should then be recorded in the United Nations Pension Page in Quantum;
	2. All internationally recruited staff members and locally recruited staff members in New York:Premium contributions from the staff member, must be remitted to the UNDP Payroll Finance Unit, GSSU in Kuala Lumpur by cheque payable to UNDP for the full amount of the contributions or preferably by funds transfer. A deposit of funds received should be created in the appropriate accounts in the Quantum. The information should then be recorded in the United Nations Pension Page in Quantum;
	3. Staff members should first consult with their HR Administrator regarding payment requirements under SLWOP. Those who contemplate suspending payments to the Pension Fund during SLWOP should ensure they have carefully read Article 21 of the rules of the UNJSPF regarding the conditions for retaining membership in the Fund (which is affected by the duration of non-contributory periods). For example, as per Article 21(c), a participant is deemed to have separated from the Pension Fund when they have completed a consecutive period of three years of leave without pay without concurrent contributions.

**Service credit for entitlement accrual**

1. All normal accruals continue unchanged when SLWFP has been granted.
2. All accrued annual leave must be exhausted prior to starting SLWOP, except in the case of SLWOP granted for military service as per staff rule 5.3 (c), for technical assignment as per staff rule 5.3 (b) or SLWOP following any of the parental leave entitlements, or as per paragraph 11 (k), SLWOP granted to locally recruited staff members for UNV assignments.
3. SLWOP for less than 30 calendar days: Service credit towards sick leave, annual leave and home leave, salary increments, seniority, termination indemnity and repatriation grant shall continue to accrue if the period of special leave is for less than 30 calendar days. Periods of SLWOP of less than 30 calendar days will count in determining the duration of service at a particular duty station. Continuity of service shall not be considered broken by periods of special leave.
4. SLWOP exceeding 30 calendar days: Service credit towards sick leave, annual leave and home leave, salary increments, seniority, termination indemnity and repatriation grant shall cease to accrue if the period of special leave exceeds 30 calendar days. Periods of SLWOP exceeding 30 calendar days shall **not** count in determining the duration of service at a particular duty station.

**Privileges and immunities**

1. Although a staff member on special leave (with or without pay) continues to be bound by the UN Staff Regulations and Rules and the Standards of Conduct for the International Civil Service, the fact that the staff member is not in active service means that the staff member does not enjoy the privileges and immunities accorded to staff members as officials of the United Nations by the 1946 Convention on the Privileges and Immunities of the UN, such as the use of a United Nations Laissez-Passer (UNLP). Therefore, the UNLP must be handed over to the HR Administrator/Operations Officer for safekeeping before commencing special leave. If any issue related to privileges and immunities occurs during the special leave, the Legal Support Office must be advised without delay.

**Visa status**

1. Visas which a staff member has been granted on the basis of their employment with the Organization pertain to active service. A staff member’s authorized stay in the United States expires automatically upon separation from service (which includes entry into special leave with or without pay of more than 30 days) or transfer to a duty station outside the United States, even if the G-4 visa stamped in the passport indicates that it is valid beyond the separation or transfer date. If a staff member on special leave wishes to remain in the duty station for study purposes, for instance, the staff member is responsible for obtaining the requisite visa. UNDP will not sponsor or support any such applications and will abide by its obligations towards the host country.

**Equipment and identification cards**

1. Equipment and identification cards granted to a staff member on the basis of their employment with the Organization pertain to active service and must, therefore, be handed over to the HR Administrator/Operations Officer before commencing any form of special leave.

**Return to active service after special leave without pay**

1. Staff members on SLWOP holding a lien against a specific position must notify the respective unit of their return at least three months prior to their return.
2. For staff members holding a general lien (i.e. who were granted special leave without the identification of a specific post), return to active service depends on the outcome of their successful job search, which in turn depends on the availability of posts, the required competencies, location, timing as well as overall operational realities of the Organization. This search must take place during the period of SLWOP. Therefore, preferably six months and certainly no later than three months prior to the date of return, it is the staff member’s responsibility to contact the respective HR Business Partner or HR Administrator in Country Offices and:
3. Begin an active search for suitable vacancies by, *inter alia*:
4. Sending their updated Curriculum Vitae and the last three Performance Evaluation reports to the HR Business Partner/HR Administrator; and
5. Applying for suitable vacant posts advertised within UNDP for which the staff member considers themselves qualified; or
6. Request extension of SLWOP within the maximum period of 24 months; or
7. Resign from UNDP.
8. For staff members holding a PA or FTA, the UNDP HR Business Partner or the HR Administrator in Country Offices as appropriate will:

* 1. Assist the staff member concerned by supporting their efforts by advocating on the staff member’s behalf to the units for which vacancies the staff member submitted their application; and
	2. Whenever possible (e.g. as part of corporate selection/reassignment exercises) put the staff member’s name forward as a candidate to be reviewed, along with other applicants, for UNDP posts which are vacant or becoming vacant and are at the same grade level as the staff member’s level prior to the leave and for which the staff member is qualified in terms of academic qualifications, job-related skills and work-related experience. For internationally recruited staff members, such posts may be located at any duty station; and for locally recruited staff members, located at their current duty station. The staff member will be informed if they are being considered for any suitable vacant post.
1. If the staff member is selected for a suitable post in UNDP but they do not accept it, UNDP is no longer required to assist the staff member in finding a suitable post. The staff member will continue to be considered an internal candidate for the vacant posts for which they apply while on SLWOP.
2. If at the end of the SLWOP, the efforts by staff members holding a PA to find a post are unsuccessful and the staff member has not reached the maximum allowable SLWOP of two years, the staff member may request an additional extension of SLWOP to search for a suitable post within the maximum allowable period of two years.
3. No staff member shall return to pay status without a post. In case of separation any applicable notice period will be paid in cash.

**Separation from service after special leave without pay**

1. If the staff member has not identified or accepted a suitable placement at the expiry of SLWOP or its extension(s), they will be separated from service in accordance with the UN Staff Regulations and Rules or the terms specified in the letter granting the approval for SLWOP.

**Requests and authorization for special leave with or without pay**

1. Requests for special leave - with or without pay - should be made no later than two months before the period for which staff members anticipate taking such leave. When the special leave is being requested for highly compelling and personal reasons, on an emergency basis, i.e. for reasons that could not be anticipated two months in advance, the request may be considered on an exceptional basis. Requests for SLWOP must be submitted through eServices in UNALLor [SLWOP leave request form](https://intranet.undp.org/unit/ohr/SitePages/Request%20for%20SLWOP.aspx) clearly indicating the reason for the leave. Requests for any other special leave can be made with a standard [Special Leave request form](http://sas.undp.org/Documents/Request_for_leave.doc), with a detailed explanation and supporting documentation for the request. Unless the request for SLWOP is motivated by the wish to have outside activities, in which case the request must be addressed to the Director, OHR, for consideration, in all other cases, special leave requests will be addressed as follows:

a) For locally recruited staff members:

i) holding FTAs and PAs in Headquarters, New York, to the respective HR Business Partner serving the organizational unit;

ii) holding FTAs and PAs in other locations outside of New York, including country offices, the respective Head of Office;

iii) holding TAs, their respective Head of Office.

b) For all internationally recruited staff members:

i) holding FTAs and PAs, the HR Business Partner serving the organizational unit or duty station.

ii) For staff members holding TAs, their respective Head of Office.

**Approving authority**

1. The following approval authority will be applied:

a) For locally recruited staff members:

i) holding FTAs and PAs in headquarters, New York, the Director, OHR;

ii) serving in other locations outside of New York, including country offices, the Head of the Office;

iii) holding TAs, their respective Head of Office.

b) For all internationally recruited staff members:

i) holding FTAs and PAs, the Director, OHR;

ii) holding TAs, their respective Head of Office.

1. The Director of OHR will not consider any requests for special leave which have not previously been endorsed by the Head of Office.
2. Where appropriate, particularly in case of doubt that the activities performed by the staff member during special leave may violate the United Nations Standard of Conduct, the Director of OHR, who is the approving authority, may consult with the UNDP Ethics Advisor and/or the Legal Support Office.

**Implementation**

1. Upon approval of any type of special leave, a communication to the staff member to this effect stating the terms of the leave and administrative formalities (together with a copy of this policy) is prepared by the respective HR contact in UNDP, and should include the following information:

a) They remain a staff member while on special leave (with or without pay);

b) Effective date of the leave;

c) Expiration date of the leave;

d) Confirmation that all accrued annual leave to date will be exhausted prior to commencing special leave (with or without pay) except for reasons mentioned under paragraphs 49 and 50;

e) Whether the special leave is approved against a specific post or on a general basis (if against a specific post the post number will be indicated);

f) If the special leave is without pay and is for more than 30 calendar days, notification:

i) That the staff member will not earn service credit toward seniority, salary increments, sick leave, annual and home leave, repatriation grant or termination indemnity;

ii) That continuous service in the UNJSPF will accrue only if the staff member arranges to continue to pay both their own contribution plus the Organization's contribution during the leave period, with the understanding that rates may change;

iii) That health and life insurance will continue only if the staff member arranges to continue to pay both their own contribution plus the Organization’s contribution during the leave period, with the understanding that rates may change.

g) That the staff member should provide contact information such as telephone numbers, mailing address, banking details and ensure that a valid UNDP email account, as well as access to the intranet be maintained and remain active throughout the approved period of special leave including the job search period. The staff member is required to keep the HR Business Partner / HR Administrator updated of any change in the information provided while on special leave;

h) Prior to departure on special leave of any type, the staff member is required to settle any outstanding obligations and undergo the necessary clearance procedures as applicable such as exit interview and signed attendance records;

i) In case of separation upon expiry of SLWOP, whether it is a termination or agreed separation the salary scale to be used for the payment of final entitlements is the salary scale in effect on the close of business date. However, in highly exceptional cases where SLWOP exceeded the maximum allowable period of 2 years, the salary scale to be used for payment of final entitlements is the salary scale in effect on the last day of active service.

**Monitoring**

1. The approving office will keep a record of any special leave that has been approved for future reference.