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## CHAPTER I: PURPOSE, SCOPE AND DEFINITIONS

### Article 1: Purpose

1. This Staff Regulation lays down the conditions of employment and specifies the rights, obligations, and privileges of Staff Members of ECOWAS Institutions.
2. A Manual of Procedures shall be developed to facilitate the implementation of this Staff Regulation.

### Article 2: Scope of application

1. The provisions of this Staff Regulation shall apply only to Staff Members of ECOWAS Institutions except where it is otherwise specified by extant legal texts.
2. The provisions of this Staff Regulation shall not apply to Technical Cooperation Staff posted to ECOWAS by their Organisations for the execution of Community projects.

### Article 3: Definitions

In this Staff Regulation, the following expressions shall mean:

- |    |                                     |   |
|----|-------------------------------------|---|
| 1  | <b>Additional Expense/<br/>Cost</b> | Any extra work-related money spent and justified incurred by Staff Member.  |
| 2  | <b>Academic year</b>                | The period from 1 <sup>st</sup> September of a given year to 31 <sup>st</sup> August of the following year.   |
| 3  | <b>Step Increment</b>               | An advancement from one step to a higher step in the same Employment Category based on satisfactory performance.  |
| 4  | <b>Promotion</b>                    | Movement of a staff member from one employment category to a higher employment category.  |
| 5  | <b>Next of Kin</b>                  | Any person(s) designated as such by a staff member in writing and in accordance with the relevant provisions of this Staff Regulation, or as designated by law. |
| 6  | <b>Internal Candidate</b>           | Any Staff member of an ECOWAS Institution who applies for a vacant position.  |
| 7  | <b>Employment Category</b>          | A group of Staff Members based on type of activity, task and assignment.  |
| 8  | <b>End of Employment</b>            | Separation from service and end of Professional activity of a Staff Member in an ECOWAS Institution.  |
| 9  | <b>Head of Institution</b>          | Any citizen of an ECOWAS Member State appointed/elected to this position in accordance with the Revised Treaty or other legal instruments of ECOWAS.            |
| 10 | <b>Classification</b>               | The employment category assigned to a function and position.  |
| 11 | <b>Code of Ethics</b>               | A set of rules governing the conduct of Staff of ECOWAS Institutions.   |



12	<b>ECOWAS/Community</b>	The Economic Community of West African States (ECOWAS) in accordance with Article 2 of the Revised ECOWAS Treaty.
13	<b>Spouse</b>	The person legally married to a Staff Member.
14	<b>Dependent spouse</b>	The spouse for whom ECOWAS provides support on the condition that the person is not in a paid employment.
15	<b>Administration and Finance Committee</b>	Specialized technical committee responsible for administrative and financial matters, as well as matters related to the organisation and staffing of ECOWAS Institutions, in accordance with the relevant provisions, particularly Articles 6 and 69 of the Revised Treaty.
16	<b>Council of Ministers</b>	ECOWAS Council of Ministers in accordance with Article 10 of the Revised Treaty.
17	<b>Fixed-Term Appointment or contract (FTA)</b>	Any appointment whose duration is fixed as specified in the appointment letter.
18	<b>Date of step increment</b>	The calendar day on which the salary of a Staff Member is increased to a higher pay level of the salary scale as decided by the competent authority.
19	<b>Step</b>	Administrative position of a Staff Member within his/her grade level of his/her professional category.
20	<b>Dependent child</b>	Any biological or legally adopted child aged not more than twenty-four (24), years who is not married or in paid employment, for whom a staff member is legally required to provide support and tuition.
21	<b>Academic studies</b>	Studies leading to the award of an academic qualification recognised by one of the ECOWAS Member States.
22	<b>Job Family</b>	A group of job functions based on the competencies, knowledge, skills, aptitudes, technical know-how brought by practice and experience necessary for the performance of the activities and tasks of a function or position.
23	<b>Self-funded training</b>	Training for a staff member, the cost of which, is entirely borne by the staff member
24	<b>Sponsored training</b>	Training for a staff member of which the cost is partially or entirely funded by ECOWAS and/or one of its partners.
25	<b>ECOWAS Institutions</b>	The Commission, Community Court of Justice, ECOWAS Parliament, WAHO, GIABA and other Specialised Agencies, and any other similar ECOWAS Institutions established by the Authority of Heads of State and Government.
26	<b>Public Holiday</b>	A day declared as such by the relevant authority.
27	<b>Working days</b>	The days on which a Staff Member is expected to normally perform the roles and tasks of a function or position which she/he occupies.

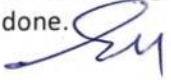
28	<b>Retirement Date</b>	The last day of the month in which a Staff Member attains statutory retirement age or completes the statutory number of years of service qualifying him/her for retirement as defined in the relevant texts.
29	<b>Host Institution</b>	An ECOWAS institution where a Staff Member executes his/her functions.
30	<b>The hierarchical Supervisor(n+2)</b>	The hierarchical manager refers to the officer who has the supervisory role to decide on the appraisal, rating, confirmation, step increment, disciplinary measures, redundancy-related mobility, secondment, etc. of the staff under his/her responsibility in line with this Staff Regulation.
31	<b>Direct Supervisor (n+1)</b>	The Direct manager who has the role to make recommendations to the hierarchical manager on the appraisal, rating, confirmation, step increases, disciplinary measures, redundancy-related mobility, secondment, etc. of the staff under his/her responsibility in accordance with this Staff Regulation.
32	<b>Appointment letter</b>	The letter which successful candidates receive and which states expressly the conditions of employment.
33	<b>Acceptance of Appointment</b>	Letter by which a newly recruited Staff Member acknowledges and consents to the conditions spelt in the letter of appointment.
34	<b>Duty station</b>	The place where the Institution or the position is located.
35	<b>Place of Permanent Residence</b>	The place of abode of the Staff Member, administratively acknowledged by him/her and which is stated in the employment contract.
36	<b>ECOWAS Staff Member</b>	A national of a Member State, who occupies a permanent post on the approved organogram and who serves in one of the ECOWAS Institutions in accordance with this Staff Regulation. With the exception of a Consultant, any person who holds a fixed term contract, is considered as a Staff Member.
37	<b>Statutory Appointee</b>	Staff Member appointed in accordance with the new Article 18 of Supplementary Act A/SP.01/06/06 amending the Revised ECOWAS Treaty. This consists of staff in the "Statutory" category: S3, S2 and S1.
38	<b>Transfer/Redeployment</b>	Change of duty station or position of a Staff Member decided by the Head of Institution without change in grade of the Staff Member.
39	<b>Permanent Appointment</b>	Part time or full-time employment with no specified end date. The Staff Member is employed on a permanent basis.
40	<b>New Appointment</b>	<p>a) Appointment of a former Staff Member of ECOWAS to a new position in one of ECOWAS Institutions after a competitive process or</p> <p>b) Appointment after a competitive process to a new Employment Category.</p>



41	Travel Authorisation	Administrative approval required for any official travel by a Staff Member outside his/her duty station, in order to perform duties assigned to him/her.
42	Home country/ country of origin	The country from which a staff member of ECOWAS is recruited or of which he/she is a national. In all cases, the staff member is required, at the time she/he assumes a duty, to indicate in writing his/her country of origin or "home country", as provided in <u>Article 31-Home Leave</u> of this Staff Regulation, or indicate the country of origin recognised for either the husband or wife if both are ECOWAS Staff Members.
43	Host country	The country in which an ECOWAS institution is based.
44	Step increment period	One year period, after which a Staff Member is eligible for a step increase based on satisfactory performance and merit.
45	Probation Period	The period of trial of a newly recruited staff starting from the day of assumption at ECOWAS as stipulated by this Staff Regulation.
46	Annual Leave Calculation Period	The 12-month period starting from the first day of assumption of duty of the staff member.
47	Technical Cooperation Assistance Staff	Any person provided to ECOWAS and paid by a Donor/Partner. The terms and conditions of work for such persons shall be agreed by ECOWAS and the original employer.
48	'G' Category Supervisory Staff	An ECOWAS support staff member (Employment Categories "G5 to G7") occupying a position, the functions of which include organising [2], directing [3], Coordinating [4] and Controlling [5] the work of subordinate Staff. Staff in this Employment Categories are recruited locally (i.e., the country where the position is located)
49	Support Staff	An ECOWAS staff member occupying a function or support position (Employment Categories, "G1 to G7"), who carries out support duties in the various ECOWAS Institutions and executes directives from supervisors for the management and follow up of tasks in accordance with rules and procedures. Staff in these Employment Categories are recruited locally (i.e., the country where the position is located.)
50	Staff on secondment to ECOWAS	Any person temporarily assigned by a Member State, partner, or International Organisation to ECOWAS to perform specific duties for a fixed period.
51	Leave without pay	Where a Staff Member, on the basis of a justified request, is temporarily authorized to cease to perform their duties or occupy their position without pay for a period agreed with the Institution.
52	Professional Staff/International	Any Internationally recruited ECOWAS Staff Member who effectively exercises a profession or an activity and occupies a position requiring skills and professional specialisation.
53	Per diem/Daily Subsistence Allowance	An amount paid to a staff member on an official mission outside his/her duty station to cover living expenses.

54	Position	The specific function on the approved organogram, occupied by an ECOWAS Staff Member.
55	International position	Position for which the advertisement and recruitment are done internationally; (Employment Groups "D" and "P").
56	Local position	Position for which advertisement and recruitment are done locally (i.e., in the country in which the position is located); (Employment Group "G").
57	President of the Commission	Statutory staff member whose mode of appointment and functions are set out in New Articles 18 and 19 of the Supplementary Protocol A/SP.01/06/06 amending the Revised ECOWAS Treaty.
58	Competitive Process (Competition)	Established competitive procedures for the selection of candidates by ECOWAS, based on predetermined and advertised criteria, for a given function and position.
59	Reclassification	The reappraisal or repositioning of one or several functions or positions leading to a change of their Employment Category.
60	Total Remuneration	Amount corresponding to basic salary and other related remuneration such as benefits, allowances and grants attached to the function or to the Staff Member.
		The termination of employment of a Staff Member at the initiative of the employer for such reasons as:
61	Dismissal	a) Unsatisfactory performance; b) breach of disciplinary provisions c) abolition of post
62	Staff Representative	Any permanent Staff Member elected by their peers to represent them and defend their interests in accordance with the relevant provisions of the Staff Regulation.
63	Early Retirement	Voluntary separation from service by the Staff Member before the statutory retirement age.
64	Rewards	The benefits accorded to a Staff Member for services rendered.
65	Review of remuneration scale/Grid	Changes in the pay rate(s) applicable to a job category.
66	Basic Salary	The remuneration received for the performance of duties and tasks of a function or position, excluding other related remuneration such as bonuses, benefits, allowances, and grants attached to the function or to the Staff Member.
67	Working week	The normal number of working days in a week.
68	Monthly Basic Salary Rate	The basic salary rate for a calendar year divided by twelve (12).
69	Daily Pay rate	The basic salary rate for a calendar year divided by two hundred and twenty (220).



- 70 **Revised Treaty** Revised ECOWAS Treaty signed in Cotonou, Republic of Benin, on 24<sup>th</sup> July 1993.
- 71 **Core Functions** Function of Directors, Managers, Professionals and supervisors which has added value to attaining the objectives of ECOWAS.
- 72 **Harassment** Any hostile behaviour aimed at psychologically weakening the staff member who is the victim. The harassment can be of a moral, sexual, physical nature or related to any other differences such as physical or mental abilities, in conformity with ECOWAS Code of Conduct.
- 73 **Conflict of Interest** A situation in which a Staff Member is in a position to derive personal benefits from actions or decisions made in his/her official capacity.
- 74 **Professional Secret** Facts and information about the organisation, known to a Staff Member by virtue of his/her job, and where disclosed, may cause damage or prejudice to others.
- 75 **Sensitive Information** Personal or Institutional data or information that should be protected and handled differently (sexual life, sexual orientation, religious, political and philosophical convictions, race, ethnicity, social origin, health condition) etc.
- 76 **Confidential Information** Sensitive and personal information about the organisation which if stolen or disclosed, may adversely affect or cause serious damage to the integrity, credibility and reputation of the Institution beyond the damage done.
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## **CHAPTER II: PRINCIPLES OF STAFF EMPLOYMENT**

**Ethical Standards** - A Staff Member must show integrity and ensure utmost respect for the interests of ECOWAS. In this regard, they must be mindful of respecting the ethical standards adopted by ECOWAS and abstain from any action that might jeopardize the achievement of the ECOWAS objectives or result in a conflict of interest in accordance with the ECOWAS Code of Ethics.

### **Article 4: General Obligations of ECOWAS**

1. ECOWAS shall act in a just, fair and equitable manner in all circumstances and adhere to legal procedures in its relations with Staff Members. In the interest of equity, it shall not discriminate between individuals or groups of Staff.
2. In addition, ECOWAS shall:
  - a. Protect Staff Members from every form of threat, outrage, duress, assault and battery, insult or defamation to which he/she may be subjected as a result of, or during, the performance of his/her duty.
  - b. Establish the necessary measures to protect the personal data of Staff Members and the confidentiality of information relating to them.
  - c. Develop and implement appropriate remuneration and human resources policies and practices to create a work environment conducive to levels of high performance as required by ECOWAS.
  - d. Accept full civil or administrative liability associated with any professional misconduct on the part of its staff during or in the performance of his/her official duties. In such cases, ECOWAS may take appropriate measures against the concerned Staff Member.
  - e. Undertake all necessary measures to ensure the safety and protect the physical and mental health of Staff Members.
  - f. Develop a Policy to promote or encourage the employment of Young Professionals (Men and Women) that are competent and have the potential to develop and with a level of experience compatible with the advertised posts.
3. ECOWAS prohibits any form of harassment in particular sexual harassment within its workplace or in the line of duty.
4. The procedures for protecting a Staff Member shall be defined in the Manual of Procedures.

### **Article 5: General obligations of a Staff Member**

#### **1. Official Working Hours**

- a. A Staff Member shall be present at his/her duty post and he/she shall discharge diligently tasks assigned.
- b. The daily working hours within ECOWAS Institutions is eight (8) hours that is forty (40) hours per week. Working hours are fixed from 9.00am to 5.00pm including a one-hour (1) break. It may be reviewed by the President of the ECOWAS Commission in exceptional circumstances.





## 2. Respect for Hierarchy

- a. The hierarchical supervisor shall treat all the Staff Members placed under his supervision with respect, equity and dignity.
- b. Staff Member shall respect hierarchy, the rules, regulations, norms, and established authorities within the Institutions of ECOWAS.
- c. Staff Member shall follow general and specific directives given by their supervisors which fall under the framework of their duties.
- d. Staff Member shall answer to their supervisors regarding the manner in which they perform their duties and implement directives. They shall be fully responsible for the work executed by their subordinates, except in case of offences committed by the subordinate.
- e. Staff Member shall play an advisory role to assist their immediate supervisor if the need arises.
- f. A Staff Member shall demonstrate discretion in the discharge of his duties. In this regard, he/she shall avoid any action, disclose facts or make any public declaration which might compromise or discredit ECOWAS or is deemed to be incompatible with the principles of integrity, independence and impartiality expected from a Staff Member.
- g. Any rights to works of authorship, inventions and discoveries undertaken by a Staff Member within the framework of their official duties shall remain the exclusive property of ECOWAS unless otherwise decided by the Head of the Institution.

## 3. Conflict of Interests

- a. A Staff Member shall not undertake any other paid professional activity, without prior authorization of the Head of the Institution.
- b. A Staff Member shall discharge their civic rights; however, they shall not engage in any political activity or pursue an elective position incompatible with the independence and impartiality required by his/her status as a Staff Member.
- c. Staff Member shall not accept from any other source, any honorary award, decoration, remuneration, gratification or favours incompatible with his/her obligations and duties towards ECOWAS except by authorisation from the President of the Commission.
- d. Staff Member shall neither seek nor accept any instructions from any government, or national or international authority.
- e. A Staff Member holding interests in any company prior to his/her appointment in an ECOWAS Institution or who has acquired shares while in service shall disclose this information to the Head of the Institution in accordance with the ECOWAS Code of Ethics. Moreover, the Staff Member shall undertake in writing not to be involved in the management of such Companies.
- f. A Staff Member who is part of the decision-making process for a recruitment and has interests in that process or any other process shall disclose that interest and recuse him/herself from the process.



#### **Article 6: Privileges and Immunities of Staff Members**

1. Staff Members of the Professional and General Service categories and non-nationals of the country hosting the headquarters of the ECOWAS Institution, shall enjoy the immunities and privileges as provided by the ECOWAS General Convention on Privileges and Immunities dated 22 April 1978 and the provisions of the Headquarters Agreements and International Conventions. These privileges and immunities shall apply in the framework of the service.
2. These privileges and immunities do not obviate the need for the Staff Members to discharge their private obligations or abide by the laws and regulations in force.
3. The President of the Commission is the only person empowered to waive or maintain the immunity of the Staff Member.
4. Where the immunities and privileges are called into question, the Staff Member shall report to the Head of the Institution who shall take appropriate action.
5. The modalities for the implementation of these decisions shall be defined in the Manual of Procedures.

#### **Article 7: Oath of Secrecy and Confidentiality**

1. A Staff Member of ECOWAS Institutions shall swear and be bound by an Oath of Secrecy.
2. Except when formally authorized by the Head of the Institution the Staff Member shall not communicate to a third party, or make private use of information, documents or facts that come into their possession due to their position or during the performance of their work or by virtue of their official duties.
3. All Staff Members shall abide by the Oath of Secrecy and Confidentiality. Staff Members are not authorized to make statements to the press or to other private or public media organs, to make public statements or to publish articles and scientific books on the activities of ECOWAS. However, the Head of the Institution can authorize for the publication of articles and scientific books taking into consideration the interest of ECOWAS as well as the scientific output of the Staff Member to be encouraged.
4. All Staff Members shall remain bound by the obligations set forth in paragraph 2 of this Article for a period of five (5) years after separation from the service of ECOWAS, except where authorized by the Head of the Institution.
5. Diversion, disclosure, removal and destruction of official documents without the prior authorization of the Head of the Institution, is formally prohibited and subject to disciplinary sanctions.
6. Similarly, official documents shall not be made public or reproduced except for official purposes.
7. The Oath of Office to be sworn by the Staff Member is attached in Appendix A to this Staff Regulation.





## **CHAPTER III: APPOINTMENTS – CONTRACTS - CAREER DEVELOPMENT**

### **Article 8: Guiding Principles for Standardisation of Human Resources Management**

1. For the efficient management of human resources within ECOWAS Institutions, it is mandatory for all related activities to be implemented in a uniformed way in accordance with this Staff Regulation.
2. In this regard, the Department in charge of Human Resources at the Commission shall, in consultation with the Head of ECOWAS Institutions, ensure the establishment of mechanisms and tools designed to harmonize practices in the following areas:
  - a. Recruitment, rights, benefits and obligations of a Staff Member, evaluation of the Staff Member, transfer of qualified staff to meet the needs and objectives of ECOWAS, defining the procedures and conditions governing the deployment of a permanent Staff Member at various levels.
  - b. Defining the type of appointment and their terms and conditions indicating the duration of the appointment.
  - c. Respect for confidentiality.
  - d. The elaboration of a promotion procedure for permanent Staff in compliance with this Staff Regulation. Appointments shall be based on this Staff Regulation and relevant texts in force; likewise, Promotions and step increment shall be based on the annual appraisal of the staff member. The modalities of Promotions shall be laid down in the Manual of Procedures.
  - e. The establishment of a procedure for the periodic evaluation of Staff Members' performance to identify training and development needs.
  - f. The processes for secondment, leave of absence or transfer of Staff Members to another ECOWAS Institution, a Member State or any similar Institution.
  - g. Defining the efficient management of official missions at the expense of ECOWAS Institutions.
  - h. Medical Coverage of Staff Members.
  - i. Disciplinary issues, recourses or remedies.

### **Article 9: Recruitment, Appointment and Contracts**

#### **1. Recruitment of a relation of a Staff Member**

- a. ECOWAS shall not employ the spouse, father, mother, son, daughter, brother or sister of a Staff Member.
- b. In the event of two (2) Staff Members getting married, the contractual basis of their employment shall remain unchanged, but their rights and benefits shall be modified in accordance with extant rules within the organisation.
- c. A staff member who is related to another Staff Member in any of the ways enumerated in paragraph (b) above, may not be deployed to a post where she/he shall be the immediate superior or subordinate of his/her relation; nor may the Staff Member be part of any administrative decision review of an administrative decision affecting his/her relation.

## 2. Staff Recruited from ECOWAS Member States

- a. During the recruitment of professional staff, due attention shall be paid to the equitable geographic distribution of positions and gender balance among nationals of all Member States in addition to the efficiency criteria and technical competencies required by the Institution.
- b. All permanent professional positions declared vacant in an ECOWAS Institution shall be advertised. Applicants shall be notified of the receipt of applications for the positions advertised. The deadline for receipt of applications shall be forty-five (45) calendar days after the date of publication.
- c. The positions shall be filled through a competitive recruitment process in which all shortlisted candidates shall appear before the relevant Committee.
- d. The minimum age limit for the recruitment of professional staff shall be twenty-four (24) years and a maximum of fifty (50) years.
- e. This age limit stated in paragraph (d) shall not apply to Staff Member already in the service of ECOWAS.
- f. With regards to equally qualified applicants, preference shall be given to:
  - i. internal candidates,
  - ii. gender balance and
  - iii. nationals of Member States with the lowest staff representation in the Institution.

## 3. Locally Recruited Staff

- a. For the recruitment of Local Staff, the post shall be filled through a competitive process. Only shortlisted candidates shall appear before the **Committee on the Appointment and Promotion of locally recruited Staff**.
- b. Rigorous standards based on efficiency and technical competencies shall be taken into consideration during the appointment process of General Service Staff of ECOWAS.
- c. Candidates shall be recruited from ECOWAS citizens who are resident in the Member State where the position has been advertised.
- d. The modalities of application are defined in the Manual of Procedures.

## 4. Types of appointment

- a. Permanent Appointment;
- b. Fixed-Term Appointment;

## 5. Letter of appointment

- a. The letter which a successful candidate receives, shall state expressly or by reference, the terms and conditions of employment including the appointment type, start date, duration of appointment, notice required to end employment, length of probationary period, remuneration and benefits attached to the position with the starting remuneration and all special conditions which may apply from time to time.
- b. The staff shall state in writing, upon acceptance of the offer that he or she understands and accepts the conditions listed in this Staff Regulation as well as all other relevant ECOWAS Regulations and Texts.





#### **6. Effective date of appointment**

The appointment of a Staff Member shall take effect on the day the staff member departs from his or her normal place of residence to the duty station by the most direct route.

#### **7. Official information to be provided by staff member**

- a. A staff member, upon appointment, shall provide his/her personal information to the Head of Institution for the establishment of his or her administrative status in accordance with this Staff Regulation.
- b. A Staff Member shall inform the Head of the Institution, in writing and without delay, of any subsequent change in his or her personal information in accordance with this Staff Regulation.
- c. The Head of the Institution may demand from the Staff Member at any time additional information concerning facts prior to his or her appointment and relevant to his or her capability, integrity, conduct and services as a Staff Member.
- d. If the Institution discovers that a Staff Member failed to disclose information, misrepresented facts regarding his or her work experience, educational and academic qualification, date of birth, knowledge of languages, dependents, criminal record and/or any other significant fact within the framework of the job offer, the Institution shall apply sanctions and disciplinary measures.
- e. A Staff Member shall immediately report to the Head of Institution any arrest or imprisonment for an offence other than a minor traffic violation.

#### **8. Probationary period and confirmation of appointment**

- a. During the probationary period, the immediate supervisor, the hierarchical manager shall establish a written report regarding the competencies, performance and conduct of the Staff Member and on his/her suitability for his/her continued employment in ECOWAS.
- b. The report referred to in paragraph (a) shall be examined by the Advisory Committee on Appointments and Promotions which shall recommend to the Head of Institution the confirmation or otherwise of the concerned staff member.
- c. The concerned Staff Member shall be informed in writing of any shortcomings noticed in his or her performance during the probationary period.
- d. If the performance within the initial probationary period is deemed unsatisfactory but the Staff Member's immediate supervisor believes that the Staff Member is capable of improving significantly, the relevant Advisory Committee on Appointments and Promotions may recommend to the Head of Institution an extension of the probationary period not exceeding six (6) months.
- e. At the expiration of the extended probationary period, the Staff Member's competence, performance and conduct as stated in the reports referred to in (a) and (d), shall be re-examined under the same conditions.
- f. If, after an extension, the performance of a Staff Member is still deemed unsatisfactory in the report of his or her immediate supervisor, the Advisory Committee shall invite the concerned staff to appear before it.
- g. If a staff member successfully completes the standard or extended probationary period, then the appointment of the concerned Staff shall be confirmed based on the recommendation of the relevant Advisory Committee.





- h. The appointment of a staff member shall be terminated based on the recommendations of the relevant Advisory Committee if his or her services are evaluated as unsatisfactory after an extension of the probationary period.
- i. A Staff member appointed on a permanent contract shall initially be subject to a probationary period of one (1) year. In case of unsatisfactory performance, the probationary period may be extended for a maximum period of six (6) months. The supervisor shall formally communicate to the staff member under probation his/her inadequacy. At the end of the probationary period, a Staff Member shall either be confirmed or terminated in accordance with the provisions of this Staff Regulation.
- j. The contract of a Staff Member attached to the office of the Head of Institution, or a Statutory Appointee shall be tied to the tenure of that Head of Institution or Statutory Appointee. However, such Staff shall undergo a six (6) months probationary period. In case of unsatisfactory performance, the probationary period may be extended for a maximum period of six (6) months after which he may be confirmed or terminated in accordance with the provisions of this Staff Regulation.

#### **Article 10: Career Development**

- 1. ECOWAS shall establish, for the benefit of its permanent Staff, a career development system which matches the objectives and abilities of the Staff Member with the needs of ECOWAS which are in constant evolution.
- 2. The Career Development System shall cover the following:
  - a. Performance planning and evaluation.
  - b. Promotion.
  - c. Capacity building through training and other learning systems.
  - d. Job Transfer.
  - e. Secondment.
- 3. The modalities for implementation of this policy are defined in the Manual of Procedures

#### **Article 11: Development of Competencies**

- 1. Each Staff Member must review his/her competencies periodically and strive to update them throughout his/ her career.
- 2. ECOWAS, through the annual Planning and Evaluation Programme, shall offer the Staff Member and his/her direct supervisor the opportunity of jointly examining the state of the concerned Staff's competencies in order to adapt them to the needs of the Organization.
- 3. ECOWAS shall invest in the capacity building of a permanent Staff Member to:
  - a. Prepare the Staff Member for a change caused by a reorientation in organizational priorities
  - b. Equip the Staff Member with the necessary competencies to apply for a new post or promotion when that is in accordance with the interest of the Institution and the Staff Member.
  - c. Improve his/her performance in areas requiring attention.



4. Capacity building can be implemented in the following manner:
  - a. The first step is the identification and enhancement of competencies based on a dialogue between a Staff Member and his or her direct supervisor (n+1) or his hierarchical supervisor (n+2)
  - b. Once needs are identified by mutual agreement, measures shall be taken to respond to them through various types of actions, including the following:
    - i. Individual learning efforts.
    - ii. On-the-job training with assignments designed to respond to specific objectives.
    - iii. Coaching by a direct supervisor or another identified expert.
    - iv. Participation in professional events such as seminars and training workshops.
    - v. In-class training within ECOWAS or in an external specialized institution.
5. ECOWAS shall not be responsible for expenses associated with university degrees or other similar academic qualifications.

#### **Article 12: Performance Management**

1. ECOWAS Institutions shall adopt an annual performance management system that provides for the following:
  - a. A written assessment of concerned Staff Members' performance during the previous year.
  - b. Every supervisor shall assess his/her Staff Member and any refusal to do so must be explained in a detailed report submitted by the supervisor to his/her immediate supervisor.
  - c. Any unsubstantiated refusal of a supervisor to assess his/her Staff Member, shall impact negatively on the evaluation of the Supervisor.
  - d. A detailed performance appraisal form is provided in the Manual of Procedures.
2. The performance management system shall allow the Institution to establish a record containing basic information about the staff member's performance and career objectives for meaningful use in the following areas:
  - a. Deliberations of relevant organs in charge of appointments and internal promotions.
  - b. Approval of requests for training, capacity building or refresher training.
  - c. Other issues relating to the career management of Staff Members.
3. Annual step increment within the same grade shall result in a payment in the amount corresponding to the salary scale in accordance with the following:
  - a. Step increment within the same grade shall be awarded to permanent Staff Members on the basis of certification stating that the performance of the concerned Staff has been satisfactory during a year of continuous service.
  - b. Increment shall be withheld as a result of an unsatisfactory performance.
  - c. Step increment is equally withheld when a Staff Member is under second degree disciplinary sanctions.
  - d. The date of effect of a step increment shall be the date decided by the relevant authority in accordance with this Staff Regulation.
4. The refusal of step increment for unsatisfactory performance or for disciplinary reason shall lead to a denial of a retroactive payment.
5. The modalities for the implementation of Performance Management are defined in the Manual of Procedures.



## **CHAPTER IV: CLASSIFICATION OF POSTS AND STAFF**

### **Article 13: Classification of Posts**

1. The Council of Ministers shall define the modalities for the classification of posts based on the nature of the duties and responsibilities attached to these posts.
2. Any requests for the creation of new posts, re-designation or abolition, upgrading and downgrading of a position shall be submitted by the President of the Commission through the Administration and Finance Committee to the Council of Ministers for consideration and approval. The request may originate from the Commissioner of the Department in charge of Human Resources or the concerned Head of Institution.

### **Article 14: Classification of Staff**

1. ECOWAS Staff Members are classified into three (3) categories:

#### **a. Category I – Statutory Staff. (S)**

- i. Statutory (S1)
- ii. Statutory (S2)
- iii. Statutory (S3)

#### **b. Category II – Professional Staff (P and D)**

- i. Senior Director and ECOWAS Representative (D2)
- ii. Director (D1)
- iii. Expert (P7)
- iv. Senior Manager (P6)
- v. Manager (P5)
- vi. Senior Professional (P4)
- vii. Professional II (P3-B)
- viii. Professional I (P3-A)
- ix. Junior Professional (P2)
- x. Trainee Professional (P1)

#### **c. Category III – General Service Staff (G)**

- i. Senior Supervising Assistant II (G7)
- ii. Senior Supervising Assistant I (G6)
- iii. Supervising Assistant (G5)
- iv. Assistant III (G4)
- v. Assistant II (G3)
- vi. Assistant I (G2)
- vii. Junior Assistant (G1)



#### Article 15: Grades and Steps

1. The Statutory Appointee category shall comprise of three (3) grades without steps:
  - a. S1: President of the ECOWAS Commission
  - b. S2: Vice- President of the ECOWAS Commission;  
President of the Community Court of Justice
  - c. S3 : Commissionners ;  
Judges;  
Heads of Specialized Institutions ;  
Auditor General
2. The professional staff category shall comprise the following grades and steps:
  - a. Grade D2 comprising ten (10) steps
  - b. Grade D1 comprising ten (10) steps
  - c. Grades P1 to P6 comprising ten (10) steps each
  - d. Grade P7 comprising ten (10) steps
3. The General Services category comprises Grades G1 to G7, each made up of 10 steps.

#### Article 16: Management of Appointments and Promotions

1. ECOWAS shall adopt a system of appointments and promotions of its permanent Staff. To this end, posts shall be classified by grade and published as follows:
  - a. P5 managerial (Team Leader) positions are to be distinguished from non-managerial P5 positions. Some posts are established at a single grade. The description of posts considered to be single grade within each professional unit shall be published for all staff. Appointments to these positions are made through a competitive process. Any person appointed after competition to one of these posts whose grade is higher than that of his/her current position, shall be confirmed in the higher grade after his appointment. This process is defined as "**structured promotion**".
  - b. Certain posts shall be established as covering more than one (1) grade at a time (normally between 2 and not more than 4 grades), known as "Band", which is a single job category containing one or more budgeted posts. Whenever a vacancy occurs in such a "Band", shall be advertised at the range of levels within the "Band" (for example, P2/P3) and not a single graded level. Within each "Band", since it is established that the job can be performed at more than one graded level, information on these levels will be clearly described and the criteria for the differences published in the job descriptions. The purpose of this is to allow for promotion where there is clear professional growth on the job within a single professional occupation. If an incumbent Staff Member is not at the highest grade within the band, the supervisor may recommend a promotion within the band, with clear evidence to show that the staff member has already performed at a grade higher than their existing level for at least one year. This is called a '**professional growth Promotion**' and is not subject to competition, although it requires the consideration and endorsement of the appropriate Appointment and Promotion body.



- c. When a staff member applies for a post in another 'band' outside his/her own – either within the same organizational unit or another unit or institution, appointment shall be filled through competitive recruitment process.
  - i. If the successful competitive appointment is to a Band which starts at a grade higher than the applicant's current grade, then appointment shall be at the lowest grade in the new band.
  - ii. If the successful appointment is to another Band containing the same grade as the Staff Member's current one, then the Staff Member shall be appointed to the new job at the same grade, the same step and same salary. This constitutes a lateral movement.
- 2. Appointments under this Staff Regulation shall be made on a competitive basis. Any appointment made in violation of the provisions of this Staff Regulation shall be null and void.
- 3. The modalities for the implementation of Appointments and Promotions shall be defined in the Manual of Procedures.



## **CHAPTER V: ADMINISTRATIVE POSITIONS OF A STAFF MEMBER**

Staff Member shall, in the course of their career, be placed in one of the following administrative positions:

- Business position
- Secondment
- Leave of Absence

### **Article 17: Business position**

1. The business position is the position in which the Staff Member is placed to perform the duties for which he/she has been recruited.
2. In the interest of the Institution, a Staff Member may be assigned to other duties.

### **Article 18: Secondment**

1. A permanent Staff Member may, at his/her own request or at the initiative of his/her Institution and upon the approval of the President of ECOWAS Commission, be seconded to:
  - a. A Member State;
  - b. Any other National or International body whose activities are of direct or indirect interest to ECOWAS.
2. The salary and benefits of a Staff Member on Secondment shall be borne by the host Institution;
3. The Secondment shall be renewable but may not exceed a cumulative period of two (2) years.
4. Furthermore, a Member State, a Partner or International Body may second an Expert to an ECOWAS Institution based on a request from ECOWAS to perform specific duties for a fixed period.
5. In such a scenario, the Member State/entity that makes the secondment shall pay the salary and all the benefits of the Expert that is seconded according to the terms of the agreement between the parties.

### **Article 19: Leave of absence**

1. Leave of absence is where a permanent Staff Member, at his/her own request, is allowed temporary absence from professional duties.
2. The period of leave of absence shall be renewable but may not exceed a cumulative of two (2) years.
3. The modalities for the implementation of secondment and leave of absence are defined in the Manual of Procedures.





## **CHAPTER VI: ADVISORY BODIES ON STAFF MATTERS**

### **Article 20: Management Succession Committee**

1. The Management Succession Committee is an Inter-Institutional organ responsible for:
  - a. Approving all appointments and promotions to positions for grades P5 Managerial to D2;
  - b. Reviewing long-term plans for management development as provided for in this Staff Regulation.
2. The Management Succession Committee shall comprise:
  - a. President of the Commission - Chairperson
  - b. Heads of Institution - Members
  - c. Commissioner in charge of Human Resources - Secretary
  - d. Director of Legal Affairs of the Commission – Advisor
3. The Management Succession Committee shall meet as often as necessary, at least once a year, when convened by its Chairperson. The Management Succession Committee shall define its own rules of procedures.
4. In addition to its work on appointments and promotions, the Committee shall also review solely matters submitted by any Heads of Institution concerning standardization and interpretation of Human Resources policies and procedures within any of the ECOWAS Institutions, in accordance with the provisions provided for in this Regulations.

### **Article 21: Advisory Committee on Recruitment, Appointment and Promotion of Professional Staff**

1. The Head of each Institution shall appoint an Advisory Committee on Recruitment, Appointment and Promotion of Professional staff to consider the cases of candidates to be employed or employees to be promoted by the Institution.
2. This Committee shall review exclusively appointments and promotions for P1 to P5 (Non-Managerial) positions.
3. At the Commission, the Advisory Committee on Recruitment, Appointment and Promotion of Professional Staff shall comprise of the following members:
  - a. The Commissioner in charge of Human Resources at the Commission - Chairperson
  - b. One Statutory Appointee nominated by the President of the Commission - Member
  - c. The Director of Legal Affairs - Member
  - d. One Staff Representative of the Professional Category - Member
  - e. Head of User Department - Member



4. In other Institutions, the Advisory Committee on Recruitment, Appointment and Promotion of Professional Staff shall comprise:
  - a. A Statutory Appointee or a Staff Member of "D" Category nominated by the Head of Institution – Chairperson
  - b. Director of Administration and Finance (DAF) - Member
  - c. The Officer in charge of Legal Affairs - Member
  - d. A Professional Staff Representative - Member
  - e. The Head of the User Department - Member
5. The Secretary of the Advisory Committee , in the case of the Commission, shall be the Director in charge of Human Resources of the Commission or his/her representative and, for other ECOWAS Institutions, the most senior official responsible for Human Resources or his/her representative. In the event of voting, the Secretary has no voting right.
6. The Advisory Committee sessions shall be chaired by the Commissioner of the Department in charge of Human Resources in sessions pertaining to the Commission and in the case of the other ECOWAS Institutions, by the Statutory Appointee as referred to in paragraph 3 (b) of this Article or the most senior official of the Institution.
7. Members of the Advisory Committee may be represented by officers in the professional category. In the absence of the Statutory Appointee, the Committee may be chaired by a member with a rank not lower than that of a director.
8. With regard to recruitment, the Advisory Committee shall examine the applications of candidates against the required qualifications for each post to be filled. It shall ensure that due regard is given to the qualifications and experience of persons already in ECOWAS in accordance with the provisions in this Staff Regulation and that all vacancies are first advertised internally to all ECOWAS Institutions before considering external candidates. In the case of equal performance between an external and internal candidate, priority shall be given to the internal candidate.
9. With regard to promotions, the committee shall recommend the type of "Professional Growth Promotions" that are proposed within established "bands" as described in Article 16 of this Staff Regulation.
10. The Advisory Committee shall examine all proposals regarding measures to be taken with regard to professional staff and their probationary period, confirmation or extension, and separation from service for reasons set forth in Article 53 of this Staff Regulation as well as other proposals concerning the status of Staff Members.
11. The Advisory Committee shall examine cases of renewal of fixed-term contracts and the periodic salary increases within a same grade.
12. The Advisory Committee shall not deal with disciplinary matters.
13. The Advisory Committee shall be empowered to establish subcommittees to examine special cases or special categories of cases. The reports of the sub-committees to the Advisory Committee shall be submitted to the Advisory Committee in a plenary session.
14. For recruitment needs, the Advisory Committee may solicit the assistance of internal and/or external experts for the interview of candidates in specialized areas.





15. All decisions pertaining to the appointment and promotion of professional staff shall be taken by the Head of the Institution on the recommendation of the Advisory Committee.
16. The Advisory Committee shall meet as often as necessary, at least once a year, when convened by its chairperson. The Advisory Committee shall define its own rules of procedures.

**Article 22: Advisory Committee on Recruitment, Appointment and Promotion of Locally Recruited Staff**

1. The Head of each Institution shall appoint an Advisory Committee on Recruitment, Appointment and Promotion of Locally Recruited Staff to consider cases of candidates to be employed or employees to be promoted by the Institution.
2. The functions of the Advisory Committee on Recruitment, Appointment and Promotion of Locally Recruited Staff are the same as those of the Advisory Committee on Recruitment Appointment and Promotion of Professional Staff.
3. At the Commission, the committee shall comprise the following members:
  - a. The Director in charge of Human Resources - Chairperson
  - b. A Staff Member with the rank of a Director - Member
  - c. The Director of Legal Affairs or his/her representative - Member
  - d. One (1) Staff Representative - Member
  - e. Head of the User Department - Member

The Secretary to this Committee shall be the Officer in charge of Human Resource. In the event of voting, he/she shall have no voting rights.

4. In other Institutions this Committee shall comprise:
  - a. The Director of Administration and Finance - Chairperson
  - b. A Staff Member with the rank of a Director - Member
  - c. A Legal Officer - Member
  - d. One (1) Staff Representative - Member
  - e. Head of the User Department - Member

The Secretary to this Committee shall be the Officer in charge of Human Resource in the concerned Institution. In the event of voting, he/she shall have no voting rights.

5. The Advisory Committee on Recruitment, Appointment and Promotion of Locally Recruited Staff shall adopt its own rules of procedures.

**Article 23: Records and Archives**

Documents relating to a Staff Member shall be preserved and archived in accordance with the following modalities:

1. Original records of activities e.g. recruitments undertaken at the level of the Institution in line with Regulations, decisions of the Heads of Institution and Reports of various Consultative Bodies for Personnel Management shall be archived by the Institutions concerned and copies sent to the Department in charge of Human Resources, Legal Affairs Directorate and the Office of the Secretary General of the ECOWAS Commission.
2. Records for P5 Managerial to D2 Professional Staff shall be archived by the Department of Human Resources of the Commission and copies sent to the concerned Institution.
3. Such Records in (1) and (2) above, shall be digitalized and original copies maintained for at least ten (10) years, upon separation.



## **CHAPTER VII: REMUNERATIONS & BENEFITS**

### **Article 24: Entitlement of Statutory Appointees**

Statutory Appointees shall be entitled to receive basic salary, allowances and benefits as approved by the Council of Ministers on the recommendation of the Administration and Finance Committee.

### **Article 25: Salary Scale**

The salary scale for all categories of ECOWAS Staff shall be fixed by the Council of Ministers on the recommendation of the Administration and Finance Committee.

1. The salary of each Staff Member within the approved scale shall be determined according to his/her grade and professional classification, on the recommendation of the appropriate Advisory Committee on Appointments.
2. The modalities and implementation of the salary scale of the Staff Members will be defined in the Policy and Procedure Manual for Remuneration of ECOWAS.
3. A comparative compensation survey shall take place once every five (5) years to inform future salary adjustments.
4. Increases in salary shall be dependent on the Financial situation of the ECOWAS
5. The modalities shall be defined in the Manual of procedures.

### **Article 26: Grants**

A Grant is a financial assistance given by ECOWAS to a Staff Member. It includes the following:

1. **Education grant**
  - a. The purpose of this grant is to provide reasonable assistance to Staff Members for the education of their dependent child. The number of individually named children eligible for this allocation shall not exceed four (4) during the entire service period of the Staff Member at ECOWAS; neither can any one of these four (4) named children be replaced by other children except in the event of death of an eligible child.
  - b. Statutory Appointees, Professional and locally recruited Staff Member shall be entitled to an education grant in the form of a lump-sum amount covering primary, secondary and higher education of a dependent child at rates determined by the Council of Ministers on the recommendation of the Administration and Finance Committee.
  - c. This grant shall be payable during the academic year upon presentation of evidence by the concerned staff member confirming the child's registration in recognised school or university anywhere in the world and that the child is in full attendance.
  - d. All Staff Members are eligible to receive education grant for their dependent child as follows:
    - i. Education grant shall be payable to all Staff Members for each dependent child in full-time attendance in a recognised educational institution provided such child is at least five (5) years old and at most twenty-four (24) years.
    - ii. Without prejudice to the provisions for allocations for dependants, Education grant shall not be payable for any period following the end of the academic year during which the dependent child reaches the age of 24 years.





- iii. The concerned child must be a full-time student at any recognised primary, secondary or tertiary educational institution anywhere in the world.
- iv. The child must be registered as a full-time student at any recognised accredited university or any other accredited higher educational institution anywhere in the world, where his or her studies shall lead to a degree or diploma.

## 2. Housing Allowance

- a. ECOWAS shall pay a fixed housing allowance to all the Staff Members of the ECOWAS Institutions at a rate to be determined by the Council of Ministers on the recommendation of the Administration and Finance Committee taking into consideration the cost of housing at each duty station. The rates of the housing allowance shall be subject to review every three (3) years.
- b. In accordance with Regulation C/REG.15/11/09 of November 29, 2009 establishing the criteria for hosting ECOWAS Institutions, Heads of Institution shall be entitled to receive the benefits and privileges stipulated in the Headquarters Agreement.
- c. In addition, they shall receive a unique allocation for household appliances and soft furnishing grant established by the Council of Ministers based on the recommendations of the Administration and Finance Committee.
- d. The other Statutory Appointees shall receive a unique allocation established by the Council of Ministers based on the recommendations of the Administration and Finance Committee for the procurement of furniture and housing materials.
- e. The Heads of Institution and other Statutory Appointees shall receive a unique allocation for domestic staff established by the Council of Ministers based on the recommendations of the Administration and Finance Committee.
- f. Statutory Appointees shall receive a unique allocation based on the recommendations of the Administration and Finance Committee to cover water and electricity expenses as well as a unique allocation for communication expenses.
- g. Upon arrival at their duty stations, Statutory Appointees, Professional Staff and their dependent shall be accommodated in a hotel at the expense of ECOWAS for a maximum period of sixty (60) days.
- h. ECOWAS shall only cover accommodation costs. Upon the expiration of sixty (60) days, the concerned Staff Member shall be expected to settle all bills for expenses not covered by ECOWAS.

## 3. Family Dependency Allowance

Family dependency allowance shall include:

- a. **Spouse Allowance:** shall be paid to Staff for an eligible dependent spouse, as stipulated in Article 3-Definitions of this Staff Regulation, upon presentation of an affidavit or certificate of non-employment.
  - i. The amount of the allowance shall be fixed by the Council of Ministers based on the recommendation of the Administration and Finance Committee.
  - ii. Staff Members shall notify Management of any change in status of dependent spouse. Failure to do so shall attract sanctions.



- b. **Dependent Child Allowance:** shall be paid to Staff Member for each dependent child up to the age of twenty four (24) years, provided the child is not married and for a maximum of four (4) children.
- i. If the child is adopted, the adoption must be in accordance with the laws of the relevant country.
  - ii. The adopted child may only be included in the list of dependent children after investigations and recommendations by the Directorate of Legal Affairs.
  - iii. If both spouses are Staff Members of ECOWAS, only one of the two shall declare for the children.
  - iv. The number of dependent children individually named shall not exceed four (4) during the entire service period of the staff member at ECOWAS and no dependent child may be substituted.

#### **Article 27: Allowances**

ECOWAS shall pay allowances to Staff Members. The allowances shall be as follows:

##### **1. Daily Subsistence Allowance (DSA/Per diem)**

Staff Member travelling on official missions shall be entitled to a daily subsistence allowance in accordance with the conditions defined in Article 46 of this Staff Regulation, based on the daily subsistence allowance rates for different regions of the world as approved by the Council of Ministers based on the recommendation of the Administration and Finance Committee.

##### **2. Installation Allowance**

- a. Statutory Appointees and Professional Staff Member shall be paid an installation allowance upon arrival at their duty stations to cover their installation expenses.
- b. The installation allowance shall amount to one (1) month basic salary.

##### **3. Resettlement Allowance**

- a. A resettlement allowance shall be paid to Statutory Appointees and Professional Staff Member who leave the service of ECOWAS on the condition that their departure was not caused by a dismissal due to gross negligence or a resignation and that they have served ECOWAS for at least four (4) consecutive years.
- b. The amount of the resettlement allowance shall be equivalent to three (3) months' basic salary.

##### **4. Relocation Allowance**

A Staff Member, upon transfer to another duty station, shall be entitled to the following:

- a. One (1) month basic salary
- b. Travel expenses for him/herself and eligible dependents to the new duty station.
- c. Hotel accommodation for him/herself and eligible dependents for a period not exceeding sixty (60) days.
- d. Movement of his/her personal effects to the new duty station in accordance with Article 47 of this Staff Regulation.





**5. Acting Allowance**

- a. Any confirmed permanent Staff Member may be assigned by the Head of Institution to discharge the duties and responsibilities of a position graded immediately higher than his/her substantive position. If he/she works continuously and uninterruptedly for a period of at least sixty (60) days, he/she shall be entitled to an acting allowance.
- b. Acting allowance shall correspond to 15% of the basic salary of the acting Staff Member. The acting Staff Member shall retain all other benefits associated with his/her rank prior to appointment to the acting position.
- c. The most senior Staff Member at the unit who occupies a position graded at a level immediately lower than the level to be filled, shall be appointed until the position is filled through a competitive process.
- d. No Staff Member on a Fixed-Term Appointment (FTA), regardless of the duration, may be appointed to act in any position.
- e. All the modalities for the implementation of acting positions are laid out in the Manual of Procedures.

**6. Communication Allowance**

- a. Communication allowance shall be paid to ECOWAS Staff Members with a view to compensating for communication expenses incurred in the course of duty. The rate of this allowance shall be fixed by the Council of Ministers on the recommendation of the Administration and Finance Committee.
- b. The Head of Institution shall draw up, according to exigencies of service, a list of the Staff who shall receive this allowance.

**7. Leave Transport Allowance**

- a. All Staff Members in the General Service Category shall be entitled to transportation allowance for themselves and their dependants during their annual leave.
- b. The amount of this allowance shall be fixed by the Council of Ministers based on the recommendation of the Administration and Finance Committee.

**8. Duty/Overtime Allowance**

- a. Members of the General Services staff category who are regularly called upon to exercise additional responsibilities or who are subject to special constraints due to the nature of their employment shall be entitled to duty allowance. The President of the Commission, in consultation with other Heads of Institutions of ECOWAS, shall propose to the Council of Ministers the amount and terms of granting this allowance.
- b. The Head of Institution shall draw up a list of Staff Members who shall benefit from it.
- c. Staff Members receiving Responsibility allowance shall not be entitled to overtime allowance.

**9. Transport allowance**

- a. All Staff Members shall be paid a monthly transportation allowance at a rate to be determined by the Council of Ministers on the recommendation of the Administration and Finance Committee.



- b. In lieu of transport allowance, Heads of Institution shall have an official ECOWAS vehicle and a driver.
- c. However, if an official vehicle is assigned to a Staff Member, he/she shall not receive transportation allowance.

**10. Responsibility Allowance**

- a. This allowance shall be paid to Staff Members of all Institutions whose jobs demand that they assume additional and special responsibilities.
- b. The beneficiaries and rates for this allowance shall be determined by the Council of Ministers based on the recommendations of the Administration and Finance Committee.

**11. Post Adjustment**

- a. The compensation of all ECOWAS Staff shall be adjusted to ensure the equivalence of purchasing power in the different duty stations.
- b. ECOWAS Headquarters in Abuja shall be considered the base, with all other duty stations adjusted accordingly.
- c. Post adjustment indices shall be established for the ECOWAS duty posts based on the indices published regularly by the United Nations International Service Commission.

**Article 28: Salary Advance and Loan Guarantees**

**1. Salary advance**

- a. The Head of Institution may authorize the payment of a salary advance not exceeding two (2) months of basic salary following a written request by a Staff Member. The conditions required for granting this advance shall include the following:
  - i. When the concerned Staff Member embarks on an extended official trip;
  - ii. When a newly recruited Staff Member reports for duty.
  - iii. When there is a change of duty station.
  - iv. Whenever any exceptional circumstances arise.
- b. A Staff Member may not receive more than two (2) month's salary advance in any twelve (12) month period.
- c. The amount of the advance shall be reimbursed by deductions at source, starting from the second (2<sup>nd</sup>) month following the month during which the advance was granted. Reimbursements shall be payable over a three (3) month period, if the advance was equivalent to one (1) month basic salary; and payable over a six (6) month period, if the advance was equivalent to two (2) months of basic salary.
- d. In the event of a resignation or a contract termination of the concerned staff member, the outstanding balance shall be fully deducted from his or her termination benefits.

**2. Loan Guarantees**

A Staff member whose appointment has been confirmed may be guaranteed by ECOWAS for loans obtained from commercial banks or any other financial institutions, particularly those offering mortgages, loans for property and real estate acquisitions, under terms determined by the Heads of Institution.



## **CHAPTER VIII: HOLIDAYS AND LEAVES**

### **Article 29: Holidays**

1. Staff Members shall be entitled to the following paid holidays:
  - a. 28<sup>th</sup> May, ECOWAS Day, marking the anniversary of the signing of the ECOWAS Treaty which created the organization.
  - b. Official public holidays observed in the host country of the Institution.
2. Staff Members shall be granted a paid work-free day on the national day of the country of origin.

### **Article 30: Annual leave**

1. A Staff Member shall qualify for his/her first annual leave of thirty (30) working days upon completion of twelve (12) working months
2. Under exceptional circumstances, the Head of Institution may grant up to twenty (20) days of advanced annual leave to a Staff Member. However, the Staff Member shall remain in the services of ECOWAS long enough to cover the period of the annual leave granted.
3. A maximum of forty-five (45) accumulated annual leave days may be carried over to the following year for Staff Members. Any surplus days which cannot be carried over shall be deducted at the end of the leave year without compensation.
4. A Staff Member on an official trip during an official holiday observed by ECOWAS at the location of his/her duty station shall be credited with one additional day of annual leave for each day of official holiday missed.
5. The modalities for taking the annual leave are defined in the Manual of Procedures.

### **Article 31: Home leave**

1. Internationally recruited Staff Members and their dependents are entitled to Home Leave every two (2) years. The aim of this leave is to enable the Staff and their dependants to maintain cultural, professional and personal ties with their home country. This leave is authorized by the Head of Institution. To this end, ECOWAS shall pay the transport costs of the Staff Member and their dependants to the Member State of origin every two (2) years with the exception of those whose duty station is their home country.
2. Home leave shall not be authorized when the Staff Member has not completed two (2) years of service on behalf of ECOWAS. In no case shall such leave be authorized until the Staff Member has been confirmed in his/her position.
3. The Head of Institution may, exceptionally, authorise home leave to be taken to another destination, when the Staff Member cannot return to his/her country of origin and provided that the travel expenses do not exceed the cost of travel to the country of origin.
4. A Staff Member may take home leave at any time during the year in which they are entitled to it, subject to operational requirements and provided they have been authorized to do so.
5. Home leave may only be granted to an employee if he/she has at least six (6) months of service remaining upon return from home leave.



## **Article 32: Special leave and other similar leave**

Special Leave shall be as follows:

### **1. Family leave**

- a. In the case of death of a spouse, child, father, mother, brother, sister, father-in-law and mother-in-law, a Staff Member, upon request, may be granted a compassionate leave with full pay of up to five (5) working days without affecting his or her annual leave entitlement.
- b. Family leave shall not be accruable and may be granted to a maximum of fifteen (15) working days with pay during a calendar year without affecting the Staff Member's annual leave entitlement.
- c. All additional days required over the maximum allowable fifteen (15) days may be granted but will be deducted from the annual leave.
- d. The modalities for taking the family leave are defined in the Manual of Procedures.

### **2. Social Commitment Leave**

- a. In the case of social events such as the wedding of a Staff Member and/or of his/her child, a Staff Member may apply for five (5) consecutive working days leave with full pay per social commitment, without affecting his/her regular annual leave entitlement.
- b. Social Commitment Leave shall not be accruable and may be granted to a maximum of ten (10) working days with pay during a calendar year without affecting the Staff Member's annual leave entitlement.
- c. All additional days required over the maximum allowable ten (10) days may be granted but will be deducted from the annual leave.
- d. The modalities for taking the social commitment leave are defined in the Manual of Procedures.

### **3. Studies and Training**

#### **a. Study Leave**

Staff Members on Permanent Appointment may benefit from a leave to pursue specific studies at a higher level in the interest of ECOWAS following five (5) years after confirmation of his/her appointment and under the following conditions.

- i. Academic studies shall be excluded from study leave.
- ii. A permanent Staff Member willing to attend a professional training programme or undertake research may be granted a study leave by the Head of Institution for a period not exceeding one (1) year, renewable once.
- iii. A study leave lasting less than three (3) months shall be granted with full salary and allowances.
- iv. For leave lasting more than three (3) months, the concerned Staff Member shall receive 50% of his/her salary for the remaining period beyond the first three month.
- v. The granted study leave shall not impact the annual leave accrued and the continuity of service shall not be deemed broken by the study leave.
- vi. All other allowances will remain unaffected during the course of this leave.





**b. Allowances allocated for training, workshops and internships**

- i. All Staff Members shall be entitled to a training allowance, in addition to his/her salary and other allowances upon receiving official authorization to pursue training, upgrading or reorientation courses outside the duty station in fields defined as priority areas for ECOWAS and for a period of less than three (3) months.
- ii. The amount of such allowance shall correspond to the daily subsistence allowance fixed for each category of staff during the first thirty (30) calendar days.
- iii. Once the first thirty (30) calendar days have elapsed, the amount paid shall be half of the normal daily subsistence allowance.

The modalities for the implementation are defined in the Manual of Procedures.

**Article 33: Maternity, Paternity and Sick Leave**

**1. Maternity leave**

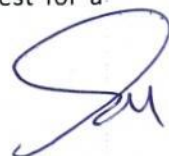
- a. All female Staff Members upon presentation of a medical certificate shall be entitled to maternity leave with full remuneration for a period of fourteen (14) weeks. This leave entitles the employee to full remuneration for a period of fourteen (14) consecutive weeks including Six (6) weeks before and eight (8) weeks after the expected date of delivery indicated on the medical certificate. In case of complications, this leave shall be extended by three (3) weeks based on a medical advice.
- b. During her maternity leave, the concerned Staff Member shall be entitled to take her annual leave and shall, upon request, be granted special leave without pay for the additional days of absence.
- c. The duration of maternity leave is not extended by public holidays falling within the period of the maternity leave.
- d. A breastfeeding Staff Member is entitled to two (2) hours break per day to nurse her baby up to the age of fifteen (15) months.

**2. Paternity leave**

A male Staff Member shall be entitled to five (5) working days of paternity leave on full pay on the birth of a child.

**3. Sick Leave**

- a. A Staff Member who is unable to perform his/her duties because of illness or accident shall be granted sick leave.
- b. A Staff Member is required to inform his or her immediate supervisor as soon as possible of an absence caused by illness or accident.
- c. Any sick leave of more than three (3) consecutive working days shall be granted by the hierarchical supervisor. Where the Staff Member's medical status is confirmed by the Institution's medical service within a period of forty-eight (48) hours no other formalities shall be required. Otherwise, except in cases of force majeure, he/she shall provide his/her employer with the reasons for his/her absence within the period of six (6) days following the date of the accident or illness. Such absence shall be confirmed by a medical certificate to be tendered on resumption of duty. ECOWAS may request for a



review of the Staff Member's case by the Institutions medical doctor or any medical doctor of its choice.

- d. Before resuming his or her work following an absence due to illness, a Staff Member may be requested to undergo examination by a medical doctor approved by the Institution when because of exposure to contagious diseases, the presence of the Staff Member at work could jeopardize the health of others.
- e. A Staff Member holding a Fixed-Term Appointment (FTA) contract for more than one year may be granted a sick leave of up to two (2) months on full remuneration and two (2) months on half remuneration in any twelve (12) month period, provided the length of sick leave permitted in any three (3) consecutive years shall not exceed six (6) months of which three (3) months are on full remuneration and the remaining three (3) months are on half remuneration.
- f. A Permanent Staff Member may be granted a sick leave of up to three (3) months on full remuneration and three (3) months on half remuneration in any twelve (12) consecutive months period, provided the length of sick leave permitted in any three (3) consecutive years shall not exceed twelve (12) months in which six (6) months are on full remuneration and the remaining six (6) months are on half remuneration.
- g. A Staff Member, who is on sick leave, shall not leave their normal duty station without prior approval of the Head of the Institution or a relevant authority. Any absence from the duty station under this provision shall be treated as an absence without authorization.

#### **Article 34: Recall from leave and annual leave roster**

##### **1. Recall from annual leave**

- a. An immediate supervisor may request in writing that a Staff Member returns to his or her duty station at any time during the annual leave due to operational requirements. If the Staff Member returns to his/her duty station prior to the approved termination date of the annual leave, any unused days of the annual leave shall remain with the Staff Member to be taken at a later date.
- b. Travel expenses shall be paid to the recalled Staff Member to cover costs associated with the return to his or her duty station and the return to the location where he/she was at the time of the recall provided all documentation required to process payment is submitted to his or her immediate supervisor.
- c. This provision shall apply to annual leave only.

##### **2. Planning of Annual leave**

- a. To have an appropriate workforce available at all times to meet operational requirements, all Directors shall ensure that an annual leave plan is prepared at the beginning of each calendar year.
- b. This annual leave plan shall be submitted to the Directorate in charge of Human Resources prior to the first quarter of the following year to enable the Directorate to produce a consolidated annual leave plan.





## CHAPTER IX: HEALTH INSURANCE AND SOCIAL SECURITY

### Article 35: Medical Insurance Plan

1. ECOWAS shall provide a medical insurance plan, pending the implementation of a medical insurance system:
  - a. The plan shall be open to all Staff Member and their dependents.
  - b. 80% of the cost of initial consultations and treatment shall be reimbursed by the Institution.
  - c. Reimbursement shall be 100% for major medical expenses including hospitalization and surgery.
  - d. Medical expenses incurred outside the duty station shall be reimbursed:
    - i. When the Staff Member is on an official mission or leave.
    - ii. Eligible dependents will be covered when they are on approved leave or when children are receiving an education grant.
    - iii. When a Staff Member or any of his/her dependents at their own expense choose to travel to another place within the Member States of ECOWAS for medical treatment.
2. In deciding the medical insurance plan, ECOWAS shall take the best interest of the staff into consideration.
3. The practical modalities of the application of this Article shall be provided for in the Manual of Procedures of the Staff Regulations.

### Article 36: Medical Board

The Medical Board shall examine all cases submitted to it by the Heads of Institution such as cases of illness including prolonged illness, termination on medical grounds, accidents, resumption of duty following a period of disability or long-term illness and medical evacuation.

1. A Medical Board is hereby established in each Member State where ECOWAS Institutions are located.
2. Each Medical Board shall be composed of three (3) qualified Health Professionals as follows:
  - a. One (1) Health Professional appointed jointly by the Heads of Institution in the locality concerned.
  - b. A medical doctor appointed by the Head of Institution concerned.
  - c. ECOWAS in-house doctor.
3. The Medical doctor attending to Staff Members may be called upon by the Medical Board.
4. The Medical boards shall be Ad Hoc Boards.
5. The Board shall elect one (1) of its members as Chairperson for the case to be examined.
6. The recommendations of the Board shall be strictly confidential. Its recommendations shall be submitted to the concerned Head of the Institution for decision.
7. If recommendations made by the Board are contested by the Staff Member in question or by the Head of the Institution, the Board shall re-examine the matter and shall be assisted in this



case by two (2) other doctors licensed to practise in the country of the duty station. One shall be chosen by the Head of the Institution and the other by the concerned Staff Member. The recommendations of this expanded board shall, if necessary, be taken by a simple majority vote by its members.

8. The practical modalities of the application of this provision shall be provided for in the Manual of Procedures of the Staff Regulations.

#### **Article 37: Medical evacuation**

1. When, due to illness or serious accident, it becomes necessary for a Staff Member or his/her eligible dependents to leave the duty station for diagnosis or treatment, the authorization to travel at ECOWAS expense shall be granted by the Head of the Institution on the recommendation of the ECOWAS Medical Board defined in **Article 36** of this Staff Regulation.
2. ECOWAS Medical Board shall ascertain those facilities and expertise for diagnosis or treatment are not available locally. However, when the life of Staff Member or a dependent is at great risk or, when specialized medical examination is needed urgently, the Head of Institution or any other person duly authorized shall grant approval without waiting for the opinion of the Medical Board.

#### **Article 38: Compensation for Service-incurred Illness, Injury or Death**

1. In the event of death, partial or total incapacity of a Staff Member on duty, due to a disaster or unforeseen event not covered by the ECOWAS insurance policies, ECOWAS shall pay to the Staff or their next of kin one (1) year remuneration in addition to other allowances.
2. In the event of death, ECOWAS shall contribute to the funeral expenses by granting a lump sum of:
  - a. USD 10 000 in the case of death of a Statutory Appointee,
  - b. USD 5 000 in the case of death of a Staff Member
  - c. USD 3 000 in the case of death of a spouse or dependent child
  - d. USD 1 000 in the case of death of father or mother of a Staff Member
3. The general terms and conditions for the payment of the indemnity applicable to all Institutions of ECOWAS shall be proposed by the President of the Commission through the Administration and Finance Committee and approved by the Council of Ministers.

#### **Article 39: Repatriation of corpse**

1. Where a Staff Member or his/her dependant is deceased outside of his/her duty station, ECOWAS shall pay the cost of transporting the corpse to the country of origin or the venue of interment in an ECOWAS Member State.
2. The repatriation expenses shall include the cost of the coffin, the undertaker's fee, and an appropriate sum for embalming the corpse.
3. Upon the death of a Staff Member, ECOWAS shall also bear the cost of the return journey of the spouse and/or a close relative who has lived with the Staff Member at his /her duty station, to enable them accompany the corpse.
4. The Head of the Institution shall send a delegation of three (3) representatives amongst which shall be one (1) Staff Representative. This delegation shall be reduced to two (2) Staff





Members when a close relative of a Staff Member is deceased.

5. The travel expenses and the per diem of the members of the delegation shall be borne by ECOWAS.
6. If the death of a Staff Member occurs outside the duty station, the Head of the Institution shall appoint one Staff Member to travel to the place of death to arrange for the repatriation of the corpse. The cost of travel and other related costs shall be borne by ECOWAS.
7. In the case of the death of a Staff Member's dependent outside the duty station, ECOWAS shall pay the travel expenses of the Staff Member and other related expenses for the repatriation the corpse.
8. The modalities for repatriation of corpse and the costs related thereto shall be defined in the Manual of Procedures.

#### **Article 40: Pension Funds**

1. All permanent Staff Members shall be members of the ECOWAS Pension Fund.
2. The monthly contributions to the ECOWAS Pension Plan shall be 20% of a Staff Member's basic salary and shall comprise:
  - a. 14% contributed by the Staff Member's employer.
  - b. 6% contributed by the Staff Member.
3. All permanent Staff Members of ECOWAS Institutions as well as Contract Staff who are CRRAE affiliate members desiring to join the ECOWAS Pension Fund shall transfer all their contributions to the ECOWAS Pension Fund.

#### **Article 41: Group Life, Accident and Travel Insurance**

1. ECOWAS shall subscribe to a Group Life, accident, and Third Party Liability insurance policy for all its Staff Members in all categories. The Head of Institution shall negotiate the terms and conditions for subscription in these insurance policies.
2. All Staff Members of ECOWAS Institutions shall be provided with travel insurance to cover the risk associated with travelling and their stay away from their duty station during local and international missions.
3. Pending the establishment of Third-Party Liability Insurance, ECOWAS shall be responsible for all damages or loss of property sustained by staff within the premises of the Institution.
4. The modalities for the implementation of these provisions shall be defined in the Manual of Procedures.



## **CHAPTER X: TRAVEL**

### **Article 42: Authorisation of Travel**

1. All travels undertaken by Staff Member or his/her dependents as defined in this Staff Regulation, at the expense of ECOWAS shall require the prior written approval of the Head of the Institution or a delegated competent authority.
2. The Staff Member shall be personally responsible for ensuring, before embarking on a journey, that he/she is in possession of the necessary authorization.

### **Article 43: Types of travel**

1. Subject to the provisions of this Staff Regulation, ECOWAS shall pay the cost of the different types of official travel of Staff Members as follows:
  - a. At the time of the initial appointment, the Staff Member's trip from his/her recognized home or place of recruitment to the duty station, provided the Staff Member belongs to the Professional or Statutory category and that he/she was recruited from outside the locality of his/her duty station
  - b. For official missions undertaken on behalf of ECOWAS.
  - c. For the transfer or change of a duty station.
  - d. For separation from service, when moving from the duty station to the place officially recognized as the Staff Member's place of residence or any other authorized place.
  - e. For the education travel of eligible dependent children. They shall also be entitled to round-trip travel expenses every academic year.
  - f. During home leave, to and from the country of origin.
  - g. During annual leave, the roundtrip journeys of all professionals serving in their home country and their dependents between the duty station and their hometown.
  - h. For medical reasons, in accordance with the provisions of this Staff Regulation.
  - i. security reasons and for any other special reasons authorized by the Head of the Institution.
2. The administrative or financial modalities for the implementation of this article shall be defined in the Manual of Procedures.

### **Article 44: Route, Mode and Conditions of Travel**

1. All travels at the expense of ECOWAS shall take place according to the route, mode and travel conditions approved in advance by the Head of the Institution. The normal route shall be the most direct and most economical one.
2. When travelling by air, the President of the Commission shall travel in first class. Statutory Appointees shall travel business class while all Staff Members shall travel in economy.
3. However, where travel involves nonstop flight time of more than seven (7) hours, the Staff Member shall be upgraded to the next higher travel class.
4. If travel is on initial appointment, transfer of duty station, home leave or trip to a country of origin after separation from service, an accompanying spouse may travel in the same class as the Staff Member. Other eligible dependents of a Staff Member shall travel in economy class.
5. When several Staff Members travel in the same private vehicle during an official mission, only the owner of the private vehicle shall be entitled to the mileage allowance.
6. The provisions of paragraph 5 above shall apply only when the authorized travel covers a distance beyond fifteen (15) kilometres from the duty station.





#### **Article 45: Travel and other expenses**

1. For the purposes of this Staff Regulation "Travel expenses" shall mean the following:
  - a. Tickets for air, land, or sea travel;
  - b. Authorized excess baggage/unaccompanied baggage as defined in this Staff Regulation.
  - c. Airport tax;
  - d. Local transport and related expenses
  - e. Visa fees, fees for vaccination and medical tests
  - f. Travel insurance.
2. The President of the Commission shall, from time to time, in application of Article 18 of the Revised Treaty, determine the conditions under which the expenses associated with excess baggage are paid, including those related to the transportation of documents, machines and other equipment, particularly for conferences and meetings organized by, or in collaboration with ECOWAS.
3. Any Staff Member on mission other than statutory missions shall be entitled to an advance to cover local transportation, airport taxes, medical tests, vaccinations and other related expenses.
4. For the purposes of a refund for travel expenses, the Staff Member shall provide documentary evidence as defined in the Manual of Procedures.
5. Any additional reimbursable expenditure authorised and justified, incurred by Staff for office related matters and supported by the presentation of valid receipts shall be refunded by ECOWAS.

#### **Article 46: Daily subsistence allowance**

1. Staff Member on official missions shall be entitled to daily subsistence allowance at the fixed rates for the areas visited during their journey and during the period of their stay.
2. Staff Member authorized to travel at ECOWAS' expense for medical reasons shall, in accordance with the provisions of this Staff Regulation, be entitled to daily subsistence allowance. Daily subsistence allowance shall not be payable for any period spent as an in-patient in a hospital.
3. If at the end of the period of hospitalization, the Staff Member needs to continue treatment beyond ten (10) days, he/she shall submit a request to the Head of Institution which shall be reviewed by the Medical Board.
4. The Staff Member meeting all relevant conditions and travelling on initial appointment, change of duty station or separation from service or home leave shall be entitled to two (2) days daily subsistence allowance.

#### **Article 47: Shipment of personal and household effects**

1. A lump sum approved by the Council of Ministers shall be paid to cover the shipment of Staff personal and household effects in the following cases.
  - a. Upon initial appointment
  - b. Upon change of duty station
  - c. Upon separation from service to country of origin
  - d. in the case of death
2. The administrative and financial modalities for the implementation of this Article shall be defined in the Manual of Procedures.



## **CHAPTER XI: STAFF RELATIONS WITH INSTITUTIONS AND CONSULTATIVE BODIES**

### **Article 48: Staff relations**

ECOWAS recognises the right of association of Staff Members.

1. The Heads of Institution shall ensure the establishment of appropriate Institutional mechanisms for promoting consultations and social dialogue with the elected Staff Representatives.
2. The elected Staff Representatives shall enjoy immunity within the framework of their mandate.
3. Staff Representatives shall participate in the development or drawing up of policies relating to Human Resources, conditions of service and staff welfare. In addition, they shall collaborate in raising awareness and in the implementation of instruments concerning the social and administrative life of Staff Members.
4. Staff Representatives shall be elected for a term of two (2) years renewable only once. They shall elaborate and ensure the adoption of their Constitution.
5. A joint meeting of all Staff Representatives in ECOWAS Institutions shall be organized twice a year. Each Institution shall be responsible for the participation of their representatives.

### **Article 49: Advisory Bodies**

Appropriate Advisory Bodies shall be established under this Staff Regulation to promote consultation and social dialogue between Staff Members and Management. Each Head of Institution shall ensure the establishment and maintenance of harmonious relations with the Staff and the promotion of good communication between the different ECOWAS hierarchical levels. In that regard, the following Advisory Bodies are hereby established:

#### **1. Inter-Institutional Committee of Staff Representatives of all ECOWAS Institutions.**

##### **a. Functions of the Inter-Institutional Committee of Staff Representatives:**

The Inter-Institutional Committee of Staff Representatives of all ECOWAS Institutions shall be responsible for ensuring the effective participation of staff in identifying, discussing and resolving issues related to staff welfare, including work, general living conditions and other human resources policies.

##### **b. Composition of the Inter-Institutional Committee of Staff Representatives:**

- i. This committee shall be composed of two (2) Staff Representatives per Institution.
- ii. Members of the said Committee shall elect a bureau.

##### **c. Tenure:**

The bureau shall have a two year tenure renewable once.

#### **2. Committee of Staff Representatives in each Institution**

A Staff Representative Committee for Professional Category and a Committee for General Service Staff shall be established in each ECOWAS Institution.

The composition, functions and tenure of both committees shall be similar.

##### **a. Functions:**

- i. This Committees shall be responsible for the promotion and defence of Staff Members' interests
- ii. The operational modalities, the composition and the tenure of these Committees shall be defined in the Manual of Procedures.





## **CHAPTER XII: SEPARATION FROM SERVICE**

### **Article 50: Types/ reasons of separation from service**

1. Separation from service shall occur in the following cases:
  - a. Resignation
  - b. Termination of appointment
  - c. Dismissal
  - d. Retirement
  - e. Severance package
  - f. Death
  - g. Expiration of a fixed term contract
  - h. Withdrawal of a Member State

### **Article 51: Initiative for Separation from service**

Separation from service may be at the initiative of ECOWAS or that of the Staff Member.

#### **1. At the initiative of ECOWAS**

- a. When Separation from service is initiated by the Institution, the Staff Member shall be given notice in writing together with reasons justifying the decision.
- b. Such a measure shall be based on the following:
  - i. The decision not to confirm the appointment of a Staff Member at the end of the probationary period ;
  - ii. Health reasons;
  - iii. where the Institution considers that the position is no longer useful or in case of restructuring
  - iv. where the functions of the position have evolved to the point where the concerned Staff Member is no longer qualified;
  - v. As a result of unsatisfactory performance of a Staff Member;
  - vi. Where the staff member is convicted of a criminal offence other than a traffic violation;
  - vii. Any action capable of compromising the reputation of ECOWAS or its Staff;
  - viii. As a result of the withdrawal of a staff's Member State from ECOWAS. The Staff Member affected should also lose his/her job on the official date of the withdrawal.
- c. Any Staff Member separated from service following a decision taken by an Institution in accordance with the provisions of this Article, shall receive gross salary equivalent to the period of notice.

#### **2. At the initiative of the Staff Member**

- a. Separation from service occurs at the Staff Member's initiative:
  - i. The notice shall be three (3) months for Permanent Staff



- ii. The notice shall be one (1) month for Contract Staff
- b. In the cases above, notices may be replaced by payment of gross salary corresponding to the notice period.
- c. Separation from service as a result of resignation, abandonment of post, expiration of appointment, retirement or death shall not constitute dismissal as provided in this Staff Regulation.

#### **Article 52: Resignation**

1. A Staff Member may resign by giving the Head of the Institution the appropriate notice required in accordance with the terms of this Staff Regulation.
2. If the Staff Member holds a permanent appointment, he or she shall give three (3) months' notice or pay a sum equivalent to three (3) months basic salary.
3. The Head of the Institution may, however, accept the resignation on a shorter notice.
4. Accumulated leave can be used in lieu of notice.
5. If a Staff Member separates from service before the expiration of the notice period without the authorization of the Head of the Institution, ECOWAS shall deduct from the entitlements due to the Staff Member an amount equivalent to the remuneration and allowances that the Staff Member would have received for the outstanding period covering the notice.
6. All entitlements due to the Staff Member after deducting money owed to ECOWAS upon separation from service shall be paid to him or her after the presentation of a duly completed clearance form.

#### **Article 53: Termination of appointment**

1. In the context of this Staff Regulation, ECOWAS may terminate a fixed term or a permanent contract appointment for the following reasons:
  - a. Redundancy due to abolition of post, or a change in job profile to the extent that the Staff Member no longer qualifies to occupy that position;
  - b. The inability of the Staff Member to continue in his/her functions for medical reasons;
  - c. The emergence of facts anterior to his/her appointment and relevant to his/her suitability for the position, which, had they been known at the time of recruitment, would have prevented the appointment.
  - d. When the Staff Member's country is no longer a member of ECOWAS, the Staff Member affected should also lose his/her job after a grace period of between six (6) to one (1) year to prepare for his/her exit.
2. For the purposes of this Article, only Staff Member separated from service for the reasons in accordance with (a), (b) and (d) of this Article shall be eligible for severance pay in accordance with this Staff Regulation.
3. Under the provisions of this article, the notice period for the termination of a fixed term contract shall be one (1) month, and three (3) months for a permanent appointment.
4. In the interest of ECOWAS, the President of the Commission may terminate the appointment





of a Staff Member without notice. In this case, he shall authorize the payment of compensation. It is calculated on the basis of the salary and allowances that would have been due if he/she had remained in service up to the end of the notice period.

5. Retirement, the non-renewal of a fixed term contract appointment and dismissal shall not be considered as a termination of appointment as stipulated in this article.

#### **Article 54: Dismissal**

##### **1. Reasons for dismissal**

Subject to the relevant provisions of this Staff Regulation, the President of the Commission may dismiss a Staff Member for any of the following reasons:

- a. Where the concerned Staff Member is found guilty by the Disciplinary Board of an offence punishable by dismissal.
- b. Where the Staff Member has been finally convicted by a court of law for a criminal offence other than minor offences punishable by the payment of fines or other administrative measures in road traffic violations.
- c. Where the Staff Member, on the advice of the Disciplinary Board, is found finally guilty of a criminal offence that brings ECOWAS into disrepute.
- d. Where the Staff Member is found finally guilty of conduct detrimental to the image of ECOWAS.
- e. Where the Staff Member's performance remains unsatisfactory at the end of a one (1) year probationary period following a documented appraisal of his/her unsatisfactory performance and after reasonable efforts made in good faith by the Institution to help the concerned Staff Member improve and attain the required performance level that has failed;
- f. A staff member who has left the services of ECOWAS following a dismissal shall not be appointed in any other Institution of ECOWAS.

##### **2. Specific Procedure for termination after probationary period**

All Staff Members recruited through a competitive process, shall undergo a probationary period. At the end of the probationary period, they shall be confirmed if their performance is satisfactory. Otherwise, the following procedure shall be followed:

- a. The case is reviewed by one of the following relevant Committees:
  - i. Management Succession Committee (MSC)
  - ii. Advisory Committee on Recruitment, Appointment and Promotion of Professional Staff (ACAPPS)
  - iii. Advisory Committee on Recruitment, Appointment and Promotion of Locally Recruited Staff (ACAPLRS)
- b. The relevant Committee makes its recommendation to the Head of Institution for approval.
- c. The Director of the Directorate or the Statutory Appointee concerned, as the case may be, during the probationary period referred to in Article 9. Paragraph 8 of this Staff Regulation, prepares a written report on the competence, performance and conduct of the Staff

Member and his/her suitability. This report shall be reviewed by the appropriate Advisory Committee which shall recommend to the Head of Institution that the appointment of the Staff Member is not be confirmed.

- d. The Staff Member is informed in writing of any deficiencies in his/her performance during the probationary period.
- e. If the initial probationary period is not deemed satisfactory, but the Staff Member's supervisor considers that the staff member can improve significantly, the relevant Advisory Committee may recommend its extension to the Head of Institution for a further period not exceeding six (6) months.
- f. At the end of the period thus extended, the Staff Member's performance, as established above, shall be reviewed again under the same conditions.
- g. If his/her performance remains unsatisfactory, the relevant Advisory Committee shall, after hearing the person concerned, recommend his / her services be terminated.

### **3. Financial Implications of Termination**

- a. A Staff Member whose employment is terminated for reasons of unsatisfactory performance shall not be entitled to severance pay.
- b. In the case of dismissal for unsatisfactory performance, the Head of Institution shall accord as social support 50% of his/her monthly basic salary
- c. In these two cases, the Staff Member shall be entitled to:
  - i. Return air ticket for him/her and his eligible dependents.
  - ii. One (1) day daily subsistence allowance
  - iii. Shipment of personal effects and household items
  - iv. Payment of accrued leave
- d. The payment of the severance pay shall be effected not later than one (1) month after separation from service.

### **4. Financial Implications of Termination on Disciplinary grounds**

- a. A Staff Member whose employment is terminated for reasons on disciplinary grounds shall not be entitled to severance pay.
- b. A Staff Member terminated on Disciplinary grounds shall be entitled to:
  - i. Return air ticket for him/her and his eligible dependents.
  - ii. One (1) day daily subsistence allowance.
  - iii. Shipment of personal effects and household items except the car.
  - iv. The payment of accrued annual leave.
- c. In the event of termination due to disciplinary grounds the Staff Member shall not be entitled to any social assistance.





#### **Article 55: Retirement and Severance Package**

Separation from the service of an ECOWAS Institution shall be by retirement or by severance package amongst others.

##### **1. Compulsory Retirement**

- a. The retirement of a Staff Member shall take place on the last day of the month in which he/she attains the age of sixty-two (62) years.
- b. Staff Members who have served the Community continuously for thirty-five (35) years shall retire.
- c. Staff Members who have reached retirement age or years of service shall be eligible for retirement without waiver.

##### **2. Early Retirement.**

- a. A Staff Member who has served ECOWAS for a period of not less than thirty (30) years or has reached the age of fifty-five (55) years may apply for early retirement.
- b. In the case of early retirement, the concerned Staff Member shall be entitled to the payment of all retirement benefits and awards as stipulated in this Staff Regulation.

##### **3. Severance Package**

- a. Severance package can be initiated by the Institution.
- b. The modalities for the implementation of the above provisions shall be defined in the Manual of Procedure.

#### **Article 56: Death in service**

1. Upon the death of a Staff Member, ECOWAS shall undertake all required measures to pay his/her entitlements and settle related expenditure in accordance with this Staff Regulation.
2. In the event of death in service:
  - a. A full month's salary shall be paid to the Next of Kin.
  - b. A benefit equivalent to two (2) months' basic salary shall also be paid to the Next of Kin.
  - c. The benefits that would have been due to the Staff Member for his/her period of service shall be paid to the Next of Kin.
3. The modalities for the implementation of this article shall be defined in the Manual of Procedures.

#### **Article 57: Financial Entitlements and Obligations upon Separation from Service**

1. In the event of separation from service initiated by the Institution, a severance pay shall be made to **permanent Staff Member** under the following conditions:
  - a. **In case of restructuring, the withdrawal of a Member State from ECOWAS and retirement, the permanent Staff Member who is a national of the member state shall be entitled to compensation as follows:**
    - i. If the Staff Member is under the age of forty-five (45) years at the effective date of separation, he/she shall receive payment equivalent to:
      - Three (3) months' basic salary and
      - One (1) month remuneration for each year of continuous service up to a maximum of twelve (12) years of service and one month net salary for each three (3) year surplus.



- ii. If the Staff Member is forty-five (45) years or older upon the effective date of separation, he/she shall receive pay equivalent to:
    - Three (3) months' basic salary and
    - One and a quarter month's (1.1/4) basic salary for each year of continuous service up to a maximum of 12 years of service and one month net salary for each three (3) year surplus.
  - iii. The separation allowance may not exceed the cumulative remuneration for the remaining months up to the date of mandatory retirement.
2. A **contract Staff Member** shall be paid a gratuity of 12.5 % of his/her basic annual salary for each year of service at the time of separation from service
3. **Medical Reasons**
- i. A Staff Member whose employment is severed because of ill health shall receive full severance pay.
  - ii. In case of permanent disability established by the ECOWAS Medical Board, the Head of Institution shall take necessary measures to pay all entitlements due to the Staff Member.
4. **Financial regularization upon separation from service by the Staff Member.**
- a. A Staff Member separating from the services of ECOWAS for any reason shall be required to reimburse any sums that he/she may be owing including daily subsistence allowance/per diem received and any financial loss suffered by ECOWAS resulting from his/her negligence or violation of any regulation, rule or administrative instruction.
  - b. If, upon separation, a Staff Member has taken annual or sick leave in advance beyond the number of accumulated days, he/she shall make restitution for such advance leave by either remitting a cash payment in an amount equivalent to the remuneration and allowances received for the days of the advance leave or by having the amount deducted from his or her final entitlements.

#### 5. **Advances and reimbursements**

- a. All Statutory Appointees on missions unrelated to attending statutory meetings of ECOWAS and Board meetings of the ECOWAS Bank for Investment and Development (EBID) group shall be entitled to a mission advance to cover non-refundable local transport, official receptions, airport taxes, medical tests, vaccinations and other associated costs.
- b. The advances are fixed by the Council of Ministers on the recommendations of the Administration and Finance Committee (AFC).
- c. These advances must be regularized within seven (7) days after returning from the mission.
- d. No further advances may be made if the employee has not accounted for the expenditure of the previous advance.
- e. The relevant provisions of Article 107 of the Financial Regulations relating to cash advances for official travel shall be applied to any Staff Member who has not accounted for the expenditure of the advance within the stipulated time above.





**Article 58: Certification of service and exit interview**

1. Upon separation from service, a Staff Member shall be issued a Certificate of Service signed by the Commissioner in charge of Human Resources or Head of Institution in the case of other Institutions.
2. A supervisor may, upon request from a prospective employer, give to him/her directly a confidential reference regarding a Staff Member who has separated from the service of ECOWAS and who was under his/her direct supervision. No provision in this Staff Regulation shall be construed as preventing supervisors from providing employment references.
3. A Staff Member separating from the services of ECOWAS shall be required to complete an Exit Interview Questionnaire which may assist ECOWAS to develop more effective policies and practices for Staff Members.



## CHAPTER XIII: DISCIPLINE

The provisions of this Chapter relating to disciplinary measures shall not apply to Statutory Appointees. These are covered under Article 18 of the ECOWAS Revised Treaty and other relevant Texts.

### Article 59: Classification of Offences

1. Offences are professional acts committed in breach of the provisions of this Staff Regulation, the Code of Ethics and any other ECOWAS regulations requiring a sense of honesty and integrity on the part of the Staff Member in the performance of his/her duties.
2. These offences, shall be classified in three (3) categories, notably:
  - a. First (1<sup>st</sup>) degree offences,
  - b. Second (2<sup>nd</sup>) degree offences
  - c. Third (3<sup>rd</sup>) degree offences.
3. The gravity of the offences is assessed according to the circumstances surrounding the facts, the general conduct of the perpetrator and his responsibilities within ECOWAS as well as the place where the offence was committed.

### Article 60: First degree offences

1. The following shall constitute first degree offences:
  - a. Frequent lateness to work;
  - b. Unauthorized and unjustified departure from place of work during working hours;
  - c. Refusal to carry out lawful instructions from a superior officer;
  - d. Insubordination;
  - e. Use of abusive or provocative language;
  - f. Unauthorized sale of merchandise within the premises of the Institutions;
  - g. Unjustified extension of paid leave.
2. First degree offences shall attract first degree sanctions.
3. Any recurrences of first (1<sup>st</sup>) degree offences committed by a Staff Member may be commuted to second (2<sup>nd</sup>) degree offences.
  - a. For first (1<sup>st</sup>) degree offences committed, the observation time limit shall be three (3) years starting from the observation of the first offence
  - b. For second (2<sup>nd</sup>) degree offences committed, the observation time limit shall be two (2) years starting from the observation of the first offence

### Article 61: Second (2<sup>nd</sup>) degree offences

1. The following shall constitute second (2<sup>nd</sup>) degree offences:
  - a. Drunkenness, drug consumption within the premises of the workplace;
  - b. Use of threats;





- c. Harassment of all types. The procedures for determining harassment shall be defined in the Manual of Procedures;
  - d. Outrage against a supervisor or a subordinate;
  - e. Dissemination of literature, petitions, posters or graffiti on equipment or buildings belonging to the institution;
  - f. Blatant indiscipline;
  - g. Absence without reason for an extended period;
  - h. Instigating other Staff Member to be disobedient;
  - i. Divulging professional secrets or transmitting sensitive documents to an unauthorized third party;
  - j. Unauthorized acceptance of favours or remuneration that are incompatible with a staff member's obligations and duties to ECOWAS;
  - k. Refusal to answer a query;
  - l. Unruly or disorderly behaviour within the premises of ECOWAS or acts contrary to good discipline;
  - m. Misuse of office and/ or abuse of authority;
  - n. Acts of Violence, fighting within the premises of the Institution or on mission.
2. Second (2<sup>nd</sup>) degree offences shall attract second (2<sup>nd</sup>) degree sanctions.
  3. The recurrence of committing any second (2<sup>nd</sup>) degree offence may result in dismissal. Where necessary a full investigation on the personality of the Staff Member by a Medical Expert or Psycho- Therapist may be requested by the Head of Institution.

**Article 62: Third (3<sup>rd</sup>) degree offences**

1. The following shall constitute third (3<sup>rd</sup>) degree offences:
  - a. Embezzlement, theft, abuse of trust detrimental to the interests of ECOWAS;
  - b. Fraud, forgery, misuse of official funds and properties for personal gain;
  - c. Taking or giving bribes;
  - d. Abandonment of post;
  - e. Assault and battery of a subordinate, colleague or a superior;
  - f. Divulging of confidential documents,
  - g. Abuse of privileges and immunities.
2. Third degree offences shall attract third degree sanctions.

### Article 63: Disciplinary Sanctions

Disciplinary sanctions shall be of three (3) kinds:

1. First degree offences shall attract the following sanctions:
  - i. Written warning to Staff;
  - ii. Written warning which is placed in the Staff Member's personal file;
  - iii. Reprimand which is placed in the Staff Member's personal file.
2. Second degree offences shall attract the following sanctions:
  - i. Stoppage of step increment for a period of one (1) or two (2) years;
  - ii. Step demotion, which is the reduction of a Staff Member's grade level by one or two steps;
  - iii. Suspension with half salary for a period between fifteen (15) and thirty (30) days.
  - iv. Suspension without pay for a period of sixty (60) days.
3. Third degree offences shall lead to dismissal with the following modalities:
  - i. Dismissal with written notice.
  - ii. Summary Dismissal.
4. In the event of dismissal for disciplinary reasons, the Staff Member concerned shall not be entitled to severance pay provided for in this Staff Regulation.

### Article 64: Execution of Disciplinary Sanctions

1. The Head of Institution shall provide reason for any disciplinary sanction imposed. He may authorise that the said sanction be made public. The record of the sanction shall be placed in the Staff Member's file.
2. A Staff Member subject to a first-degree disciplinary sanction may, after two (2) years from the date on which the sanction became effective, submit a request to the Head of Institution to which he/she belongs for any trace of the sanction to be deleted from his/her file.
3. In the case of a second degree sanction, this request may only be made after a period of five (5) years has elapsed.
4. Such a request shall be submitted by the Staff Member to the Head of Institution who shall submit it to the Disciplinary Board for consideration and recommendation.
5. The modalities for the implementation of this article shall be defined in the Manual of Procedures.

### Article 65: Disciplinary Boards

1. Each Institution shall appoint a **Disciplinary Board** to review infractions committed by Staff Members in the performance of their duties and resulting from breaches and shall have jurisdiction over acts of misconduct, violation of the provisions of the ECOWAS Constitutive Acts, Code of Conduct and Ethics, Procurement Code, Staff Regulation, Financial Regulation and any other Regulation.





This Board shall equally be competent to deal with the offences referred to in **Article 61** of this Staff Regulation.

2. The **Disciplinary Board** does not have authority to make decisions to sanction. The **Disciplinary Board** makes recommendations to the concerned Head of Institution.
3. In the case of the Commission, the **Disciplinary Board** is made up as follows:
  - a. A Statutory Appointee nominated by the President who is the Chairperson;
  - b. Director of Legal Affairs ;
  - c. One Staff Representative of the same Staff category chosen by the Staff Member concerned.
4. The Director of Human Resources shall serve as Secretary.
5. In the case of other Institutions, the **Disciplinary Board** is made up as follows:
  - a. A Statutory Appointee who is the Chairperson
  - b. The most senior officer responsible for Legal Affairs;
  - c. One Staff Representative of the same Staff category chosen by the Staff Member concerned.
6. The Director of Administration and Finance shall serve as the Secretary.
7. In the case of the Commission, the Director of Human Resources shall Chair the Board when a Staff Member in the General Service Category is concerned. The most senior Human Resources Officer shall be the Secretary.
8. In the case of other Institutions, the Director of Administration and Finance shall Chair the Board when a Staff Member in the General Service Category is concerned. The Head of Human Resources shall be the Secretary.
9. In any event, where the case under consideration involves a member of the Disciplinary Board who is not a Statutory Appointee, the President of the Commission or the Head of Institution shall appoint a replacement.

#### **Article 66: Inter-Institutional Disciplinary Advisory Board**

1. A **Inter-Institutional Disciplinary Advisory Board** is hereby established for all the Institutions of ECOWAS by the President of the Commission, in consultation with the Heads of Institution, to explore all infractions, sanctions, and disciplinary offences defined in Article 62 of this Staff Regulation.
2. Membership of the **Inter-Institutional Disciplinary Advisory Board** shall comprise:
  - a. One Statutory Appointee of a rank below the Head of the Institution or a Director appointed by each Institution;
  - b. The Director of Legal Affairs of the Commission;
  - c. A Staff Representative of the Institution in which the Staff Member whose case is scheduled to appear before the Board is employed. This Representative shall be chosen by the concerned Staff Member. If Staff Representatives are directly or indirectly involved in the case under consideration, they shall recuse themselves from membership of the Board and be replaced with Staff Representatives of other Institutions of their choice.



3. The **Inter-Institutional Disciplinary Advisory Board** shall make recommendations to the President of the Commission.
4. The Inter-Institutional Disciplinary Advisory Board shall not deal with disciplinary matters concerning Statutory Appointees of ECOWAS Institutions. Their disciplinary regime is governed by the Revised Treaty in its Article 18 and the related Texts.
5. The Inter-Institutional Disciplinary Advisory Board is competent to deal with third degree offences referred to in Article 62 of this Staff Regulation.
6. The **Inter-Institutional Disciplinary Advisory Board** shall elect a Chairperson. The Secretary shall be the Director of Human Resources at the Commission.

#### **Article 67: Disciplinary Procedure**

##### **1. Conditions precedent to initiating a disciplinary procedure**

The disciplinary procedure shall be characterised by the existence of mandatory rules which the Head of Institution must observe. These rules constitute guarantees for the Staff Member concerned by the disciplinary process.

By virtue of these principles, the Head of Institution shall:

- a. Issue a query to the Staff Member within five (5) working days;
- b. Bring to the attention of the Staff, the disciplinary dossier within thirty (30) working days after receipt of the response to the query;
- c. Convene a Disciplinary Board within ninety (90) working days after the issuance of the query to the Staff Member.

##### **2. Disciplinary procedures for First (1<sup>st</sup>) degree offences**

- a. First-degree offences committed by a Staff Member, do not require that a disciplinary dossier be communicated to the Staff Member nor the convening of a Disciplinary Board.
- b. However, the hierarchical superior must send a query to the Staff Member concerned to which the Staff Member is obligated to give a written response within 48 hours or two working days.

First-degree offences are punishable by First degree (1<sup>st</sup>) sanctions.

##### **3. Disciplinary procedures for Second (2<sup>nd</sup>) degree offences**

Second degree offences, are deemed to be serious and require that:

- a. A query is given to the Staff Member;
- b. The Staff Member responds in writing within forty eight hours (48) or 2 working days;
- c. A dossier be communicated to the Staff Member concerned, bringing the incriminating facts to his/her attention, in order to enable him/her prepare his/her defence. The communication of the dossier shall be confidential;
- d. The Staff Member shall not refuse to take cognizance of his/her file, thereby stalling disciplinary procedure. Likewise, the Disciplinary Board must act promptly to investigate and deliberate on the case;
- e. A disciplinary board is convened.





- f. In the case of second (2<sup>nd</sup>) degree offence by a Staff Member, and if the Head of the Institution considers that the continued employment of the Staff Member is likely to prejudice the interests of ECOWAS or the investigation, the Head of Institution shall suspend the concerned Staff Member until a decision is taken on the matter. This suspension of the Staff Member, may not exceed three (3) months. During the period of suspension, the Staff Member shall not leave his duty station without the authorisation of the Head of Institution.
  - i. After the investigations, the Head of Institution shall convene the Disciplinary Board to consider the case of the Staff Member concerned.
  - ii. The Disciplinary Board may validly deliberate only in the presence of all its members.
  - iii. The Staff Member may be assisted by another Staff Member of his/her choice.
- g. The Disciplinary Board shall hear the Staff Member concerned in the presence of the Staff Member whom he/she has chosen to assist him/her. The Disciplinary Board shall also hear any other person who may assist in ascertaining the truth.
- h. In each Institution, the Disciplinary Board shall adopt its conclusions by a simple majority of its members. In the event of a tie, the Chairperson shall have a casting vote. The report of the Disciplinary Board, signed by all the members present, shall contain its conclusions and recommendations addressed to the Head of Institution, if any, and shall include any dissenting opinion and the reasons for it.
- i. All members of the Disciplinary Board shall be bound to respect the strict confidentiality of the deliberations before, during and after the session.
- j. The decision of the Head of Institution shall be notified to the Staff Member concerned and to the members of the Disciplinary Board within fourteen (14) calendar days after the submission of the report. The Staff Member concerned may exercise his/her right of appeal against the decision of the Head of Institution.
- k. The disciplinary procedure provided for in this Staff Regulation shall not apply to Statutory Appointees.

#### **4. Disciplinary procedures for Third (3<sup>rd</sup>) degree offences**

In case of third (3<sup>rd</sup>) degree offences and where maintenance of the Staff Member in situ may be inimical to the interests of the Community or the investigation of the case, the following measures shall apply:

- a. the Head of Institution may suspend the Staff Member, pending such time as a final decision is taken. The suspension shall not normally occasion cessation of salary, nor shall the action affect the Staff Member's rights, or be considered to be a disciplinary measure. Suspension with half pay may be imposed if the offence is third (3<sup>rd</sup>) degree and if there is reasonable evidence of guilt in the opinion of the Head of Institution. The Staff Member shall not leave the region of his/her duty station throughout the period of any suspension, without approval from the Head of Institution.
- b. The Head of Institution shall notify the Disciplinary Board of the matter and a meeting of the Board shall be convened by its Chairperson.
- c. The accusations levelled against the Staff Member and his/her reply, as well as all other

relevant papers shall be communicated to the members of the Disciplinary Board and to the Staff Member concerned. All parties shall be given adequate time to acquaint themselves therewith, bearing in mind, however, the need for the Disciplinary Board to act with utmost dispatch. Confidential papers shall be communicated to the Chairperson of the Disciplinary Board.

- d. The deliberations of the Disciplinary Board shall be considered valid in respect of disciplinary matters only where all of its members, including the Staff Representative, are present.
- e. The procedure shall consist in a presentation of the accusations, the facts of the matter, denials, regulations, either written or oral, or both.
- f. The Staff Member may use the services of a lawyer, at his/her own expense, or may be assisted by another Staff Member of his/her choice who shall not be a member of the Disciplinary Board.
- g. The Disciplinary Board may hear the deposition of the Staff Member concerned, his/her lawyer or the Staff Member s/he chooses to assist him/her. The Disciplinary Board may also listen to all other persons whose contributions may help to uncover the truth.
- h. The Disciplinary Board in each Institution shall take decisions by a simple majority of its members. Where there is a tie, the Chairperson shall have a casting vote. The report of the Board shall be signed by all members present and shall contain its conclusions and recommendations to the Head of Institution as to which disciplinary measure should be applied, if necessary. The Disciplinary Board shall also justify its decision in the report which shall also contain any dissenting opinions.
- i. All members of the Disciplinary Board shall observe strict confidentiality with regard to the deliberations, both during and outside meetings.
- j. The Staff Member concerned, and the members of the Disciplinary Board shall be notified of the Head of Institution's decision within fourteen (14) days of his/her submission of the report. The Staff Member may exercise his/her right of recourse and contest the decision of the Head of Institution.

**Article 68: Procedure to follow in the case of Abandonment of Post**

1. All unauthorized or unjustified absence of a Staff Member from work for a minimum of five (5) working days may trigger the procedure for abandonment of post.
2. The Head of Institution shall then send a registered letter with acknowledgment of receipt or any other verifiable means of communication to the Staff Member, at his/her last known address, requesting him/her to return to duty and to provide a satisfactory explanation for his/her absence within fifteen (15) working days.
3. If no reply is received within fifteen (15) working days, a second letter shall be sent to the Staff Member informing him/her that disciplinary action shall be taken against him/her within fifteen (15) working days.
4. Where no response is received to the second letter, abandonment of post is confirmed.





## CHAPTER XIV: RESOLUTION OF DISPUTES

### Article 69: Procedure for dispute resolution

1. Staff Members are entitled to fair treatment in all matters related to their employment. In the event of a dispute, the Staff Member shall have the right to defend himself/herself without fear of reprisals through the appropriate mechanisms provided for in this Staff Regulation.
2. Any Staff Member who wishes to appeal a decision taken against him/her shall have the right to proceed as follows:
  - i. **Application for review:** The Staff Member shall submit to his immediate supervisor within one (1) month an application requesting the withdrawal of the contested decision. The supervisor shall have one (1) month from the date of referral by the Staff Member to act on the request. If the application is rejected, the Staff Member shall refer the matter to the Head of the Institution.
  - ii. **Hierarchical recourse:** The Staff Member shall send a letter to the Head of Institution within one (1) month, requesting a review and the withdrawal of the contested decision. The Head of Institution shall have one (1) month from the date of referral to act on the request. If the Head of Institution confirms the decision, then the Staff Member shall refer the matter before the Committee for Conciliation of Staff Claims and Dispute Resolution.
  - iii. In any event, neither the application for review nor the hierarchical recourse shall suspend the execution of the decision taken.
  - iv. The absence of a response in both instances shall constitute a rejection to the application.
3. The modalities for implementing this article shall be defined in the Manual of Procedures.
4. Committee for Conciliation of Staff Claims and Dispute Resolution
  - a. **Establishment and Powers**
    - i. A Committee for the Conciliation of Staff Claims and Dispute Resolution is hereby established in each Institution to examine issues relating to Staff Members' conditions of service. It shall not examine disciplinary issues.
    - ii. This Committee shall be responsible for examining the Staff Members' claims and making recommendations to the Head of Institution.
    - iii. The mode of implementation of the Committee shall be defined in the Manual of Procedures.
  - b. **Composition and Functions**
    - i. In the case of the Commission, the Committee for Conciliation of Staff Claims and Disputes Resolution is composed of:
      - One (1) Statutory Appointee nominated by the President of the Commission who serves as Chairperson;
      - Commissioner in charge of Human Resources – Member;



- The Director of Finance – Member;
  - The Director of Human Resources - Member
  - Director of Legal Affairs - Member
  - One (1) Staff Representative - Member
- ii. In the case of other Institutions, the Committee for Conciliation of Staff Claims and Disputes Resolution is composed of:
- One (1) Statutory Appointee or the Secretary General in the case of the Parliament who serves as Chairperson;
  - The Director of Administration and Finance – Member;
  - The most senior Officer in charge of Human Resources – Member;
  - The most senior Legal Officer – Member;
  - One (1) Staff Representative – Member;
- iii. The committee shall adopt its own rules of procedure and shall meet twice (2) a year.

5. In case of non-satisfaction, the Staff Member may now refer the matter to the Joint Advisory Board for consideration.

#### **Article 70: Inter-Institutional Appeals Committee**

An Inter-Institutional Appeals Committee is hereby established to deal with disciplinary appeals in relation to the application of the Staff Regulation. Staff Members or their Next of Kin may refer cases to this Committee.

##### **1. Composition**

- a. The Appeals Committee shall consist of a President and two (2) assessors of nationalities other than that of the Staff Member. They shall be appointed by the President of the Commission and may not have taken part in any previous Disciplinary Board concerning the applicant.
- b. The Director of Human Resources shall be the Secretary.

##### **2. Decisions**

The Appeals Committee shall give a second opinion on the issue brought before it. The final decision of the President of the Commission may be appealed before the Community Court of Justice.

3. The modalities for the implementation of this provision shall be defined in the Manual of Procedures.



## **CHAPTER XV: SOCIAL SECURITY - STAFF WELFARE AND MOTIVATION**

In order to maintain mental balance, motivation, social cohesion and the necessary therapeutic conditions, ECOWAS hereby puts in place the following measures for the benefit of all Staff Members.

### **Article 71: Social services and recreation**

ECOWAS encourages the participation of Staff Members in socio-cultural, sporting and recreational activities. ECOWAS shall undertake administrative and budgetary measures.

#### **1. Social Activities:**

- a. ECOWAS Institutions shall from time to time, organize social, sporting and recreational activities for Staff Members.
- b. ECOWAS Institutions shall set up suitable facilities for breastfeeding mothers.

#### **2. Psychosocial Counselling Services:**

- a. The Head of the Institution shall establish a referral system for employee psychosocial counselling services to help Staff Members cope effectively with their work-related or personal problems.
- b. The practical modalities of the Organization and operation of the services shall be set forth in an enabling rule issued by the President of the Commission.

#### **3. Recognition and Awards programme**

- a. An annual recognition and motivation programme shall be instituted for ECOWAS Institutions by the President of the Commission for Staff Members who have distinguished themselves in the performance of their duties according to specific criteria.
- b. In addition to the criteria of seniority in service and outstanding/meritorious services rendered, the President of the Commission in consultation with other Heads of Institution shall establish other selection criteria.
- c. This recognition shall take the form of:
  - i. Honorary award;
  - ii. Certificates;
  - iii. Congratulatory message;
  - iv. Medals and material gifts;
  - v. Letter of recommendation;
  - vi. Public commendation.
- d. A budgetary allocation shall be made for this programme.

The modalities for the implementation of these provisions shall be defined in the Manual of Procedures.



**Article 72: ECOWAS Staff Mutual Credit Union**

1. Staff Members of ECOWAS shall set up a Credit Union. Membership of the Credit Union shall be voluntary.
2. The Statutes defining the operating procedures of the Credit Union shall be adopted and amended by its Members as necessary.

**Article 73: Staff Feedback**

All Staff Members' suggestions and remarks shall be forwarded to the Director in charge of Human Resources or, in the case of other institutions, to the most senior officer in charge of human resources who shall ensure that appropriate measures are taken.





## **CHAPTER XVI: TRANSITIONAL AND FINAL PROVISIONS**

### **Article 74: Transitional provisions**

Pending the adoption of the Manual of Procedures provided for in this Staff Regulation the provisions of the present Regulation, which do not refer to the Manual of Procedures for clarification, shall have full effect upon entry into force.

### **Article 75: Final Provisions**

#### **1. Entry into force**

This Regulation C/REG. .../.... /..../2021 is subject to adoption by the Council of Ministers. It shall enter into force in accordance with the provisions of Article 12(2) of the Supplementary Protocol A/SP1/06/06 amending the Revised Treaty governing the entry into force of Regulations. Once adopted, this Regulation supersedes The ECOWAS Staff Regulations of C/REG. .../..../..../2005.

#### **2. Execution**

The President of the Commission, in consultation with the Heads of other Institutions, shall ensure compliance with the general provisions of this Staff Regulation. S/he shall draw up, publish and execute Human Resources policies and programmes for the efficient functioning of ECOWAS.

### **Article 76: Amendment**

This Staff Regulation may be supplemented or amended at any time by the Council of Ministers.

Done in.....Abuja.....on..... December, 2021



## OATH OF OFFICE

Before assuming duty, staff of ECOWAS shall subscribe to the following written declaration:

"I, (name) .....solemnly swear that, in my capacity as .....(title) , I shall be faithful and loyal to the Economic Community of West African States, that I shall not directly or indirectly communicate or reveal any document or information known to me in the course of the discharge of my duties to any person other than a person to whom I am authorised to communicate such; that I will not use the information in my possession as a staff member of ECOWAS in any other manner prejudicial to the safety and interest of ECOWAS even after leaving the services of the Community. I also solemnly undertake to execute in all .loyalty, discretion and conscience the duties assigned to me, to discharge these duties and regulate my conduct with the exclusive interests of ECOWAS view, and not to seek or accept instructions from any Government or authority external to the Community."

Signature: .....

Date: .....

