

Flexible Work Arrangements – Telecommuting Outside the Duty Station

Frequently Asked Questions

Further to a number of questions and requests for clarification on the Flexible Work Arrangements (FWA) Policy ST/SGB/2019/3 and UNEP's FWA Guidance issued on 29th August 2019 and 10th December 2020 and bearing in mind the experience that we have had over the last three years in application, we're pleased to provide this FAQ to help guide staff and managers in understanding how the policy will be implemented in UNEP.¹

1. **What are the definitions of compelling reasons?** The UN Secretariat Policy did not define compelling reasons. UNEP, therefore, has designed a mechanism where staff members need to document their compelling reason(s) in WeCollaborate and these are reviewed in CSD by the Director, in order to provide some consistency and objectivity. Whereas there is some judgment in that, however, based on the data and the reasons provided by staff, the following have been the main categories of compelling reasons requested and endorsed outside of COVID related issues:
 - a. To accompany spouse or partners when changes in employment circumstances happen after the staff member has joined the duty station.
 - b. To provide caregiving to spouses/elderly parents/ family members.
 - c. Immigration related such as passport renewals and other national legal processes requiring in-person attendance.
 - d. Residency requirements linked to international adoptions.
 - e. Medical reasons not linked to evacuations but when staff members have preference for follow up care in a particular location. However, should it exceed six months, this then needs to be referred to the Joint Medical Service (JMS) for their endorsement. Should this exceed nine months, then both JMS and Office of Human Resources (OHR) endorsement is required.
 - f. It has also been allowable to combine annual leave with FWA for limited periods to accommodate family milestones.
 - g. Others may exist, but these are case specific.
2. **Duration of FWA requests outside of the duty station, how is the six months counted?**
 - a. FWA requests will be counted up to nine months within a continuous twelve-month period².
 - b. When it is requested for telecommuting outside of the duty station, it includes annual/home leave periods taken outside of the duty station i.e., one cannot reduce the number of days outside of the country due to annual/home leave.

¹ This guidance will remain in place until there is an updated policy from New York.

² The WeCollaborate system automatically calculates the period

- c. Six months is the duration indicated in the policy, which can be exceptionally extended up to nine months³.
 - d. The Executive Director does not have delegated authority to approve beyond nine months.
 - e. Should there be a requirement to go beyond the nine months on a highly exceptional situation, the staff member will need to seek UNEP endorsement via CSD and then apply to OHR six weeks in advance (that is before the ninth month has concluded). This cannot be requested post facto.
 - f. Staff members are reminded not to submit one off ad hoc FWA requests in the WeCollaborate portal. Up to 7 continuous working days, should be approved in writing between the First Reporting Officer (FRO) and the staff member and then recorded in Umoja.
3. **What is the frequency of FWA requests?** FWA outside the duty station is not an entitlement and is not meant to be a regular feature of ongoing employment arrangements. It is meant to facilitate exceptional or newly emerging circumstances; therefore, a staff member is not expected to put in multiple requests for six months every twelve-month period. However, acknowledging that there may be some very specific situations where a staff member may make such requests for six months more than once, the following will apply:
- a. There should be a six month break between when the six months or when the nine-month exceptional period was reached and the new request.
 - b. There should be a limited number of requests during the staff member's career. If the subsequent request exceeds two, then the CSD Director's endorsement will need to be solicited.
4. **Is there a maximum number of times that this can be availed over the course of a staff member's employment?** No, at this time there is no maximum, it will be based on a review and at the discretion of the appropriate decision maker i.e., the CSD Director, Executive Director or Deputy Executive Director in consultation with the relevant Director/ Head of MEA. Requests for continuous extended FWA should also take into consideration team cohesiveness and availing other team members the opportunities.
5. **Can FWA be taken before separation from the organization due to contract expiration or retirement?** Yes. However, staff members should consult with their HR Partner as this may affect their entitlements (please refer to point 10 below for further information).
6. **What is the process for staff members requesting to remain on extended FWA due to medical reasons?** Notwithstanding that medical conditions are strictly confidential and are normally managed between the staff member, their medical practitioner and JMS, the justification for extended requests may need to be shared to facilitate the processing through New York. Considerations for this will also have to be made as to whether this is the appropriate

³ Staff members who have been found to have gone beyond the applicable FWA policy time limit without exceptional approval, would likely not be eligible to submit requests in the future.

modality or if other administrative options should be considered including disability or formal sick leave and not FWA? etc.

7. What is the process for requesting, submission and recording of FWA requests? Staff and managers should use the WeCollaborate portal to submit all requests.
 - a. The forms for the different FWA modalities are available on WeCollaborate and should be used when submitting requests as per existing requirements.
 - b. Staff members are further reminded that once all necessary clearances and approvals have been received, they are required to record the FWA in Umoja. Please note telecommuting under FWA outside the duty station should be recorded as “telecommuting.”

8. **What happens if a staff member fails to comply⁴?** This will be managed through HR processes with the support of HR focal points. Supervisors are to notify HR.

9. **Do I need to apply for FWA outside of the duty station if I am remaining within the same country?** A duty station has been defined by the ICSC and is indicated in the contract of staff members. It is also acknowledged that in some duty stations commuting distance is allowable outside of the boundaries of a particular city and may even cross country borders. Given that there may be specificities in country contexts, for the purpose of application of this policy commuting distance and consequently what will be considered as “away from the duty station” has been largely defined according to norms which are governed by UN Country Team and Security Management Teams zoning of the country or duty station. As a rule of thumb if security clearance is required to travel to the location, this would generally be considered outside of the duty station. However, in order to be certain please check with your HR partner.

10. **Does FWA outside the duty station impact salary/entitlements?** Yes, in accordance with Section 5 of ST/IC/2019/15, the benefits and entitlements that require physical presence at the official duty station shall be suspended. Consequently, the payment and accrual of such entitlements shall be adjusted, including but not limited to:
 - a. After 30 days or more: hardship allowance, as well as home leave points accrual when staff members are telecommuting from their home country;
 - b. If staff members telecommute from their home country for more than two thirds of the academic year, education grant and special education grant will be prorated.

11. **Does this apply to FWA within the duty station?** No, the above is not applicable to FWA requests within the duty station.

12. **Does the staff member still receive an allocation to working space in the respective duty station?** Some accommodation for office space is made for all positions within the staffing table, but this is evolving and will no longer mean dedicated space. Further information on this

⁴ Failure to comply means not submitting a FWA request through the authorized mechanisms which could include email to supervisor, WeCollaborate Portal, or entry in Umoja and/or to continue on FWA beyond the authorized period.

13. will be incorporated into decisions to be made going forward on seating arrangements that will accompany new ways of working.

Please reach out to the CSD Director or UNEP's Chief of HR for further guidance or if you have specific questions.