**Dependency Status and Allowances**

1. This policy takes effect on 1 January, 2017 and introduces changes to the former policy on Dependency Allowances and amends the elements of the former definition of a dependent spouse. It also addresses the transitional arrangements from the old compensation package to the new one.
2. Subject to meeting the eligibility criteria described below, staff members

appointed under the UN Staff Regulations and Staff Rules are entitled to receive allowances for:

1. A dependent spouse ;
2. A dependent child (or children);
3. A dependent child of a staff member considered a single parent; or

1. A secondary dependent

1. A staff member must apply and meet the eligibility criteria described below to qualify for payment of the dependency allowances.

# Eligibility

**Dependent Spouse**

# Eligible dependent spouse (spouse allowance)

1. A spouse of a staff member is considered dependent when all the annual gross earnings (gross, before tax) of his/her spouse, if any, do not exceed:

* 1. For internationally recruited professional staff members**,** the gross salary of level G-2 step 1 of the New York General Service (GS) salary scale in force on 1 January of the year concerned, irrespective of the country in which the spouse is employed. OHR will inform internationally recruited staff members of such amount on a yearly basis; and

* 1. For locally recruited staff members,the lowest entry level of the GS gross salary scale in force on 1 January of the year concerned for the duty station in the country of the spouse's place of work.

1. If a staff member is in service or has been married for less than the full calendar year, the spouse's total gross earnings for the full year will be taken into account to determine eligibility in relation to the earnings limit established for that year.

# Basis for determining marital status

1. UNDP recognizes as a staff member's spouse any person who is lawfully married to him or her.

1. UNDP also recognizes legally recognized domestic partnerships, common law marriages and similar unions between a staff member and spouse that has been validated in reference to the law of the competent authority under which the personal status has been established, as per [ST/SGB/2004/13/Rev 1](http://undocs.org/ST/SGB/2004/13/Rev.1).
2. UNDP’s acceptance of a person as a ‘spouse’ will not, in any case (common law or another form of union or partnership), preclude further review should a question of an existing prior marriage arise at any time. Nor will it conclusively determine the rights of competing claimants to entitlements as surviving spouses under UN or United Nations Joint Staff Pension Fund (UNJSPF) Rules and Regulations.

# Instances of more than one spouse

1. For dependency benefits, the UN recognizes only one spouse. Where more than one spouse is legally recognized as validated by reference to the law of the competent authority under which the personal status has been established, as per [ST/SGB/2004/13/Rev 1](http://undocs.org/ST/SGB/2004/13/Rev.1), the staff member may elect which spouse to designate for dependency purposes for the duration of the appointment. Any travel or related entitlements will be in respect of the recognized spouse only. The names of the other (uncovered) spouses are recorded for Pension Fund purposes.

# Staff members who are legally separated

1. A staff member who is legally separated may claim dependency benefits in respect of his/her spouse as long as the staff member continues to provide financial support to him or her and can provide UNDP with proof thereof.

# Staff members who are divorced

1. A staff member who is legally divorced may not claim dependency benefits in respect of his/her former spouse.

# Calculation of dependent spouse allowance

1. Internationally recruited professional staff members with a dependent spouse receive a spouse allowance equivalent to six per cent of net remuneration (net base salary and post adjustment).

1. Locally recruited staff members with a dependent spouse receive a lump sum payment in addition to their net salary only when local conditions and/or practices of comparator employers call for the establishment of such an allowance. The amount of the allowance, if any, is provided in the local salary scale applicable at the duty station.

**Dependent Child**

# Eligible dependent child

1. A dependent child is any of the following children under the age of 18 years or, if the child is in full-time attendance at a school or university (or similar educational institution), up to the age of 21 for whom the staff member provides main and continuing support:

* 1. A staff member's natural child

* 1. A staff member's legally adopted child; and

* 1. A staff member's stepchild, if residing with the staff member

1. Unless disabled, a child over the age of 21 and still in school or university is NOT entitled to the allowance.

1. If legal adoption of the child is not possible because there is no statutory provision for adoption or any prescribed court procedure for formal recognition of customary or de facto adoption in the staff member's home country or country of permanent residence, then a child in respect of whom the following conditions are met can be recognized as a dependent:

1. The child resides with the staff member

1. The staff member can be regarded as having established a parental relationship with the child

1. The child is not a brother or sister of the staff member

1. The staff member has permanently assumed full responsibility for the care, education, and upbringing of the child; and

1. The number of children for which dependency benefits are claimed under this paragraph does not exceed three.

1. Attendance at a boarding school or a similar educational arrangement is not interpreted as meaning that a child is not residing with the staff member.

# Dependent disabled child (special dependency allowance)

1. A disabled child, for purposes of the dependency allowance, is a child who is physically or mentally disabled either permanently or for a period expected to be of long duration. The UN Medical Director makes the determination of disability on the basis of satisfactory medical documentation.

# For internationally recruited professional staff members

1. A dependent child allowance is payable in respect of each child recognized as a dependent. The yearly amount of the allowance is currently applicable to the staff member’s assigned duty station and is equivalent to the amount referred to in [Annex 1 of ST/IC/2011/6](http://www.un.org/Depts/OHRM/salaries_allowances/allowances/depallannex2011.pdf).

# Special dependency allowance for disabled children

1. The dependency allowance for disabled children is:
2. Double the amount of the dependent child allowance, if the staff member is entitled to receive a dependent child allowance with respect to that child; or
3. An additional payment in the amount of the dependent child allowance, if the staff member is paid a single parent allowance or a transitional allowance on account of that child.

# For locally recruited staff members

1. For locally recruited staff members:

1. Where there is no local practice to provide a dependent child allowance, the amount of the allowance is set at 3 percent of the mid-point of the local salary scale; and
2. Where there is a local practice to provide a dependent child allowance and the allowance has been set according to the local practice, the minimum amount will also be 3 percent of the mid-point of the local salary scale.

1. The number of children for whom the dependent child allowance is payable for locally recruited staff members is limited to six.

**Special dependency allowance for disabled children**

1. The amount for a disabled child, is double the rate of the regular dependent child allowance. However, at those duty stations where a higher amount of dependency allowance is payable for the first dependent child and if the first dependent child is disabled, the staff member receives for that child:

1. The higher amount of dependency allowance payable for the first child; plus
2. An amount equivalent to the child allowance payable in respect of children other than the first dependent child.

 **When both spouses are UNDP/UN staff members**

1. If both spouses are staff members of UNDP or one is employed by another UN system organization, only one may claim the dependent child allowance in respect of their child(ren). It is normally granted to the spouse receiving the higher salary unless that staff member is employed under a Temporary Appointment.
2. When a staff member is divorced or legally separated from another staff member, the determination of who will receive the dependency benefit for the child(ren) will be based on the staff members that has legal custody of the child(ren). In the case of shared legal custody, paragraph 24 above, will apply.

# Adjustment when a government grant is received

1. If a staff member, his/her spouse, or any other person receives a dependency benefit in the form of a government grant in respect of a child, the amount is subtracted from the allowance payable by UNDP.

1. Receipt of a government grant affects the amount of the dependency benefit only, not the dependency status of a child.

# Single parent allowance in respect of a first dependent child

1. Internationally recruited professional staff members shall receive a single parent allowance in respect of a first dependent child when the following conditions are met:
2. The staff member’s status, is recognized as single by UNDP
3. The staff member is divorced or widowed or legally separated from a spouse
4. The staff member does not reside with the other custodial parent
5. The staff member has a dependent child recognised by UNDP under UN Staff Rule 3.6 (a) (iii) and the criteria set out in the present policy.
6. A staff member who meets the eligibility criteria of a single parent shall receive the single parent allowance equivalent to six per cent of net remuneration (net base salary and post adjustment), in respect of the first dependent child, in lieu of the dependent child allowance.

# Adjustment where financial assistance is received

1. If a staff member claiming a single parent allowance receives financial assistance from any source in respect of that child, the staff member shall report the total amount of the financial assistance received. Such financial assistance received shall be deducted in full from the single parent allowance payable by UNDP on account of the first dependent child and applied on amounts exceeding *the dependent child allowance* under paragraph 19).
2. Receipt of financial assistance affects the amount of the single parent allowance payable by UNDP on account of the first dependent child only, not the dependency status of a child for other purposes under the Staff Regulations and Staff Rules

**Secondary Dependent**

# Eligible secondary dependent

1. A secondary dependent is a father, mother, brother, or sister for whom the staff member provides at least one half or more of the total financial support and, in any case, at least twice the amount of the secondary dependent's allowance.

1. The requirements as to age, school attendance, and total and permanent disability that apply to dependent children are also applicable to dependent brothers and dependent sisters.

1. An allowance for a secondary dependent is not paid where a dependent spouse allowance is paid.

1. The allowance is payable for one secondary dependent only.

1. In the case of local staff, secondary dependency allowance is paid only if provisions for this allowance are included in the salary scales for the particular duty station.

# Calculation of secondary dependent allowance

1. Internationally recruited professional staff members with no dependent spouse may receive dependency allowance for not more than one secondary dependent, provided that the conditions specified above are met. The yearly amount of the allowance is provided in the salary scale, which is available [here](http://www.un.org/Depts/OHRM/salaries_allowances/allowances/depallannex2011.pdf).
2. Locally recruited staff members receive a dependency allowance for a secondary dependent only when local conditions and/or the practices of comparator employers call for the establishment of such an allowance. The amount of the allowance, if any, is provided in the local salary scale applicable to the duty station.

# When both spouses are UNDP/UN staff members

1. When both spouses are staff members of UNDP or one is employed by another UN system organization, either or both spouses may claim a dependency allowance for one secondary dependent, provided that the conditions specified in paragraphs 32 through 36 are met.

# Obligation to Report Changes

1. Staff members are required to report any change in the status of a dependent that may affect the payment of the respective dependency benefits.
2. Staff members must immediately notify their HR focal point responsible for administering their entitlements of any changes in the elements that formed the basis for the eligibility of existing dependency benefits, such as:
	1. Their marital or personal status, including conditions related to recognition as a single parent;
	2. The status of their dependents, including all annual gross earnings, financial support or grants received, school attendance and marital status of their dependents, as applicable.

# Self-certification

1. The rimary responsibility for self-certification rests with the staff member. Through the self-certification process, the staff member must attest to the correctness of the information provided in his or her application for dependency benefits and submit documentation when requested to do so.

# Claim for payment of the dependency allowance

1. Payment of dependency allowance is not automatic. It is the responsibility of each staff member to claim dependency allowances for which he or she believes that he or she may be entitled.

# Discontinuance and Recovery of Dependency Allowances

1. Timely and complete submissions will avoid long periods of retroactive recovery in the case of discontinuance of a dependency allowance. This is particularly important when a change in spousal earnings or government grant occurs, or cessation of a dependent child’s full-time studies alters a staff member’s eligibility. In those cases where retroactive recovery is required, the recovery schedule will be:

1. If the allowances paid relate to a period of less than one year, the recovery will be in three monthly instalments

1. If the allowances paid relate to a period exceeding one year, the recovery will be in six monthly instalments.

1. The dependency allowance for spouses will be discontinued only if the staff member indicates that the spouse’s earnings have exceeded the established yearly gross earnings level. If the spouse’s earnings exceed the yearly gross earnings level, it is the responsibility of the staff member to report this by completing and submitting the Dependency Status Form. Staff members who fail to report this change may be subject to disciplinary sanctions.

# Government grants

1. The dependency allowance for children will be adjusted if a government grant has been received in respect of a child. If the amount of the grant changes, it is the responsibility of the staff member to report this by completing and submitting the Dependency Questionnaire (p.84). Staff members who fail to report this change may be subject to disciplinary sanctions.

 **Children between 18 and 21 years**

1. The dependent child allowance for children between 18 and 21 years will be discontinued if the child has ceased to be in full-time school attendance. If a child has ceased to be in full-time school attendance, it is the responsibility of the staff member to report this by completing and submitting the Dependency Questionnaire (p.84). Staff members who fail to report this change may be subject to disciplinary sanctions.

# Children reaching 21 years

1. The dependent child allowance for children reaching the age of 21 will be discontinued automatically, on the date of the child’s 21st birthday.

#  Maintenance of Dependency Benefits

1. Existing staff members who have already filed a claim and receive a dependency allowance are required to complete the Dependency Questionnaire (p.84), annually, to verify their entitlement.

1. The dependency benefits that the staff member receives will continue until the staff member informs his HR Focal point, in writing, of changes in the composition of their family or any other change affecting his or her entitlement to dependency benefits, signalling that an adjustment in the allowance should be made.

1. Failure to report a change in dependency status, false certification of the information contained in the Dependence Status Form, or misrepresentation of facts relating to a claim for dependency benefits may lead to disciplinary sanctions.

# Staff Members without Dependents

1. Staff members without dependents are not required to complete the Dependency Status Form. It is the staff member’s responsibility to file a claim for dependency benefits when they believe that they have become eligible.

# Transition measures

1. A staff member who does not receive a dependent spouse allowance or a single parent allowance, and who, on 31 December 2016 received a salary at the dependency rate in respect of a dependent child, shall receive a transitional allowance equivalent to six per cent of net remuneration (net base salary and post adjustment) from 1 January 2017 onward, in respect of that child, subject to the following conditions:
2. On 1 January 2017, the child continues to be recognized as a dependent child in accordance with staff rule 3.6 (a) (iii) and criteria set out in Paragraphs 14 to 17; and
3. The staff member is not in receipt of a dependent child allowance in respect of that dependent child, except for an additional payment on account of a dependent child with a disability as per paragraph 23 (b) of the present policy.
4. The transitional allowance shall be reduced by one percentage point of net remuneration every 12 months thereafter. This reduction shall fall due on 1 January of every year and not be suspended for any reason.
5. Payment of the transitional allowance shall be discontinued when:
6. the staff member becomes eligible for, and is paid, a dependent spouse allowance or a single parent allowance; or,
7. the child in respect of whom the transitional allowance is paid is no longer recognized as an eligible dependent child; or,
8. the amount of the transitional allowance becomes equal to or lower than the amount of the dependent child allowance, provided that, in such case and at such time, the staff member shall be paid the dependent child allowance for that child.
9. Once the transitional allowance is discontinued, it shall not be reinstated regardless of subsequent changes to a staff member’s personal status and dependents.