**Abandonment of Post**

1. Abandonment of post is a separation initiated by the staff member other than by way of resignation. The intent to separate may be presumed from the circumstances, in particular from the failure of the staff member to report for duty or to make a good– faith effort to perform assigned functions when directed to do so.

1. The following circumstances may lead to the presumption of the staff member's intent to separate from service:
	1. Absence from his/her work, unless properly authorized as annual leave (AL), special leave with pay (SLWP), special leave without pay (SLWOP), sick leave (SL), or maternity leave (ML), and he/she is not able to give satisfactory proof that such absence was involuntary and beyond his/her control
	2. Seeking or accepting outside employment while on unauthorized absence or extended SL
	3. Failure or refusal to undertake assigned functions unless he/she is able to provide acceptable evidence of inability to do so; or
	4. Failure to report for duty if selected against a vacant post (unless acceptable evidence of his/her inability to report for duty at the new post is provided) within:
		1. 30 days if the position is at his/her current duty station, except when a longer period is agreed upon; or
		2. 60 daysif transfer from one duty station to another is involved, except when a longer period is agreed upon

# Entitlements

3. Separation for abandonment of post does not affect the staff member's entitlement to payment of accrued AL or withdrawal benefits under the UNJSPF. However, the staff member is not entitled to:

1. A notice of termination
2. A termination indemnity
3. A repatriation grant (RG)

# Procedures

1. Supervisors must report all unauthorized absences not later than the end of the fourth day of such absences for:

* 1. All staff members stationed outside New York, to the Deputy Resident Representative (Operations), DRR (O); or, in the absence of a DRR (O), to the

Senior HR Advisor serving that office

* 1. All staff members stationed in New York, to the OHR Business Partner in Copenhagen serving the organizational unit

1. The DRR (O), Senior HR Advisor, or OHR Business Partner should then endeavour to contact the staff member concerned by telephone or by any appropriate means, failing which a written communication should be addressed to the staff member at his/her last known address, requesting him/her to report for duty or provide an acceptable explanation for his/her absence. In cases of possible illness, the DRR (O), Senior HR Advisor, or OHR Business Partner should call the staff member's attention to UN Staff Rule 6.2.

1. Unless the DRR (O), Senior HR Advisor, or OHR Business Partner receives a medical certificate or an acceptable explanation for the absence within six working days of unauthorized absence, he/she should address a further written communication, by registered mail, personal delivery, or other appropriate means, calling the staff member's attention to the earlier attempts to contact the latter and the absence of an appropriate response. The communication should remind the staff member of the provisions of UN Staff Rule 5.1(e) (ii) under which payment of salary and allowances will cease for the period for unauthorized absence. It should allow a further period of up to ten working days for reporting to duty or submission of a medical certification or acceptable explanation and should warn the staff member that failure to do so would be considered abandonment of post and would lead to separation on that ground.

1. It is the responsibility of staff members to keep the Organization informed of their current address and the person to be notified in case of accident or emergency. If, despite due diligence on the part of the Organization, the staff member cannot be reached or contacted either in person, by registered letter, or other reliable form of communication to the address most recently provided by the staff member, or through family or friends, receipt of such notice will be deemed to have occurred. Refusal to accept a registered letter or a personal delivery will be considered to be evidence of delivery.

1. If, by the end of the specified period, the staff member has failed to comply with the warning to report for duty or provide an acceptable explanation or medical certificate, a recommendation to separate the staff member from service for abandonment of post will be submitted for:
	1. Local staff members stationed outside New York, by the DRR (O) or the Senior HR Advisor to the Resident Representative or the Head of Office (applicable to European duty stations), for review and decision
	2. International staff members stationed outside New York, by the Resident Representative or the Head of Office to the OHR Business Partner serving the duty station, who will review the case and forward it to the Director, OHR for decision
	3. International or local staff members stationed in New York, by the OHR Business Partner in Copenhagen serving the organizational unit, who will review the case and forward it to the Director, OHR for decision

1. If the staff member reports for duty within the period specified in any warnings issued, the separation action may be cancelled. The staff member may, however, be subject to reprimand or to disciplinary measures.

# Claims for Absence for Reasons of Health

1. Where a staff member claims that his/her absence is the result of incapacity for reasons of health, his/her attention should be called to the provisions of UN Staff Rule 6.2 (f), which require the production of a certificate from a duly qualified medical practitioner stating the nature and probable duration of the illness.

1. If the staff member fails to produce such certification or if the certification produced is not acceptable to the UN Medical Service Division (UNMSD), and SL is not certified, the officer will immediately advise the staff member that SL has been refused and that the staff member must report for duty immediately or be separated for abandonment of post.

1. If the staff member disagrees with the UNMSD’s decision, he/she may request that the matter be referred to an independent practitioner or to a medical board. The medical board shall consist of the following members:
	1. A medical practitioner selected by the staff member
	2. The UN Medical Director or a medical practitioner designated by the Medical Director
	3. A third medical practitioner, who shall be selected by agreement between the other two members and who shall not be a medical officer of the UN

1. The fees charged by the medical practitioners selected for the medical board shall be paid either by the Organization or partially by the Organization and partially by the staff member. If the original decision is altered in favour of the staff member, the Organization shall bear all medical fees and incidental expenses. However, if the original decision is sustained, the staff member shall bear the medical fees for the medical practitioner whom he/she selected and one half of the medical fees and expenses of the third medical practitioner on the board. The balance of the fees and expenses shall be borne by the Organization.

1. Pending a final decision following the report of the independent practitioner or medical board, the period following the date of notification that SL has been refused will be treated as non-payable, in accordance with paragraph 9 of Annex I to the UN Staff Regulations.

1. Whereas the certification of SL falls within the competence of the UN Medical Service, the determination as to whether the staff member had a valid excuse for failing to submit evidence of incapacity or a reasonably acceptable explanation for the absence within the prescribed or reasonable time-limits lies for:
	1. Local staff members stationed outside New York**,** with the Resident Representative or the Head of Office
	2. International staff members stationed outside New York**,** with the Director, OHR
	3. International staff and local staff members stationed in NewYork**,** with the Director, OHR

# Abandonment of Post Following Annual or Special Leave

16. If a staff member has been absent from duty on approved annual or special leave and has failed to report for duty after expiration of the approved period of leave, the supervisor must report the matter to the DRR (O), Senior HR Advisor, or OHR Business Partner, who will proceed on the same lines as indicated above.

# Separation Action

1. Upon approval of separation for abandonment of post, the DRR (O), Senior HR Advisor, or OHR Copenhagen HR Specialist concerned will process the separation action and will notify the staff member at the address most recently provided by the latter, advising the latter of the decision and indicating the effective date of separation.

1. The effective date of separation will be the date of the decision of the Resident Representative, Head of Office, or OHR Director to treat the staff member’s conduct as abandonment of post or the date of expiry of his/her fixed-term appointment, whichever comes sooner.

1. Under UN Staff Rule 5.1 (e) (ii), annual leave (AL) may not be used to cover unauthorized absences.