
Human Resources Services
Services des Ressources humaines



Circular No. **HRS 28/2008** Date: **28-10-2008**
Circulaire n°

International Training Centre
Centre international de formation
Centro Internacional de Formación

Rules and approval procedures governing outside activities

1. The rules which govern the activities and occupations in which full-time and part-time officials may engage outside the performance of their duties are set out, in general terms, in Chapter IV of the Staff Regulations. These rules were further clarified in a revised report on "Standards of Conduct in the International Civil Service" prepared by the International Civil Service Commission and issued in 2001, text of which can be found on the HRS intranet web site (http://intranet.iticilo.it/portal/hrs/english/regulation_circulars/icsc/icsc.htm).
2. The information contained in Circular No. DIR/04/2008 dated 17/10/2008 on Ethics in the Centre should be read in conjunction with this circular.
3. This circular clarifies the obligations of officials set out under articles 4.2, 4.3, 4.4 and 4.5 of the Staff Regulations.
 - Under article 4.2, officials are obliged to refrain from engaging in any political or other activity or occupation or holding any office which is incompatible with the proper discharge of their duties and to obtain the prior approval of the Director of the Centre before they engage in outside occupations.
 - Under article 4.3(a), officials are obliged to refrain from communicating unpublished information known to them by virtue of their official position except in the performance of their duties or by authorization of the Director of the Centre. These obligations continue to bind officials after they leave the service.
 - Under article 4.3(b), officials are obliged to refrain from publishing, causing to be published or assisting in the publication of material relating to the Centre, or delivering public lectures relating to the Centre, except in the course of their duties or by authorization of the Director of the Centre.
 - Under article 4.4, an official is not allowed to accept any honour, decoration, favour, non symbolic gift or fee from any government or from any other source external to the Centre, unless in the opinion of the Director of the Centre, such acceptance is compatible with the official's status as an international civil servant.
 - Article 4.5 requires any official who becomes a candidate for a public office of a political character to resign from the Centre.

4. This circular sets down the conditions and procedures under which an official will normally be authorized to engage in outside activities and/or to accept remuneration from an outside source. In certain cases, it delegates approval authority under the above-mentioned articles from the Director of the Centre to the Chief of the Human Resources Services, following consultations with the Higher Level Chief or Responsible Chief, as appropriate.
5. This circular applies to all officials employed by the Centre, including those in technical cooperation projects, whether they are at the Centre or serving in ILO external offices, are on paid or unpaid leave, and whose conditions of service are governed by the Staff Regulations or Rules Governing Conditions of Service of Short-Term Officials.

General principles

6. Engagement in outside activities may be beneficial both to officials and to the organization. The Centre encourages the participation of its officials in professional activities that widen knowledge and understanding of the Centre. Officials are encouraged to maintain and enhance their professional and technical competencies through contacts with appropriate professional bodies.
7. According to the applicable rules, the primary consideration that officials must bear in mind is that, with respect to outside activities and remuneration, the interests of the Centre take precedence. The interests of the Centre must not be, or appear to be, prejudiced by an official's participation in any outside activity. Participation in outside activities or acceptance of outside remuneration must not involve any actual or potential conflict of interest with the work of the Centre nor call into question the integrity, impartiality or independence of the official in the performance of his or her duties. Furthermore, the performance of outside activities must not impair the capacity of the official to perform his or her duties to the best of his or her ability.

Outside activities

8. An outside activity is any activity that is not included within the scope of the official's job description or any duties otherwise assigned to the official by the Director of the Centre, his or her Responsible Chief or Higher Level Chief. For the purposes of this circular, the expression "occupation" shall be defined as the exercise of a profession, as specified in paragraph 13, whether or not any emoluments (salary, fee or any other form of payment) are received, as an employer, employee or as an independent contractor.
9. Based on the above principles and rules, officials must obtain written approval before engaging in any activity outside the normal course of their duties that may

be related to the work of the Centre, takes place during working hours or is remunerated. Such an activity may be authorized only if:

- a) the activity is compatible with the status of an international civil servant; and
 - b) the activity does not interfere with the work of the official, nor with his or her availability to accept any new assignment that the Director of the Centre may require the official to undertake in accordance with the Staff Regulations.
10. Continuing or recurring activities will be authorized for a maximum of 12 months at a time. Such authorization may be reviewed in the light of a new assignment or any other relevant fact.
 11. In general, officials may be members of a political party in their home country, including when the duty station is their home country, provided the obligations imposed on its members are compatible with the proper discharge of their duties. Officials, while retaining the right to vote, should not participate in political activities either in their home country or host country, such as standing for or holding political office, actively participating in campaigns, making public statements or writing articles. In their support for a political party, officials should always exercise tact and discretion. In particular, they should not accept or solicit funds, write news articles, make speeches or make statements to the press.
 12. Officials are expected to observe local laws and should not engage in any outside activity that is prohibited by law.
 13. Subject to the general principles set out in paragraphs 6 and 7, approval would not normally be required to participate in any activity:
 - (1) that takes place outside working hours;
 - (2) that is not related to the work of the Centre; and
 - (3) that is not remunerated or gives rise to any other form of financial gain.
 14. Officials are responsible for determining whether participation in an outside activity requires prior approval in light of the considerations set out above. In case of doubt, the official may seek guidance, on a confidential basis, from the Ethics Officer.

Approval procedures

15. All requests for permission to engage in any **outside occupation** as defined in paragraph 8 above shall be submitted in advance in writing by the official concerned through his/her Responsible Chief to the **Chief of the Human Resources Services (HRS)**. The Chief of HRS will decide on such requests in accordance with the provisions of this circular and will give written notice of the decision to the official within two weeks, with a copy to the Responsible Chief.
16. Officials are encouraged to submit articles, books or other material on work related to the Centre for publication by external publishers as a valuable component in their professional development. The prior approval of the **Chief of HRS** is required, following consultations with the Responsible Chief. The article, book or other material should normally include the following disclaimer:

“The views expressed herein are those of the author(s) and do not necessarily reflect the views of the International Training Centre of the ILO.”
17. All requests to engage in outside activities, other than those referred to in paragraphs 15 and 16 above, shall be submitted in advance in writing by the official concerned to the **Chief of HRS via the Responsible Chief**. The Chief of HRS shall decide on such requests in accordance with the provisions of this circular and shall give written notice of the decision to the official within two weeks.
18. Officials who are invited to participate in, or to attend, conferences, symposia or meetings of various kinds in their official or personal capacity should seek the approval of the Responsible Chief **before** accepting such an invitation. In considering such requests, account will be taken, in particular, of the nature of the forum or event. Approval of such requests does not relieve officials of their responsibility to avoid any public pronouncement of a controversial nature, unless such pronouncement is directly based on decisions of the Board of the Centre, the Governing Body of the ILO or of the International Labour Conference.

Final provisions

19. The enforcement of these rules shall be the responsibility of the Chief of HRS, in consultation with the Responsible Chief and/or Higher Level Chief of the official concerned, as appropriate.
20. Non-compliance by any official with the principles and provisions of this circular may lead to disciplinary action.

21. Each official is invited to consider these principles and rules before envisaging or engaging in an outside occupation or activity. S/he may wish to consult the Ethics Officer, on a confidential basis, to seek advice on any potential conflict of interest that may arise through engagement in the outside occupation or activity before initiating the formal approval procedure.
22. Further information and guidance on this circular are contained in the Centre guidelines annexed to this circular.
23. This circular enters into force on the date of publication.

Jean-Claude VILLEMONTÉIX
Chief
Human Resources Services

Annex

Centre guidelines on rules and approval procedures

The following Centre guidelines, presented in the format of questions and answers, aim to facilitate the implementation of Circular No. HRS/28/2008, dated 28/10/2008 on the Rules and approval procedures governing outside activities.

These guidelines should be read in conjunction with that circular.

May I participate in political or public activities?

Officials must not take part in the political affairs of a country in which they find themselves as a result of their service with the Centre.

You may retain your right to vote in your home country, but you should avoid expressing your convictions publicly on controversial matters. Since it would be nearly impossible to stand for any political office at local, national, regional or international level without doing so, normally such activity will not be approved.

If the position envisaged will not involve you in any matters of national or international controversy, authorization may be granted for a public office which is not specifically political in nature. For example, participating in the administration of a small township or a school board could be considered compatible with the status of an international civil servant, but holding the position of Mayor or Deputy Mayor would not be.

What about being a member of a political party?

Membership of a political party in your home country is permissible provided that its policies and the obligations imposed on its members are consistent with the status of an international civil servant and that it does not entail active participation in political affairs (e.g. writing articles, participating in campaign activities, making public statements, holding an office). However, membership of a political party in the country of your duty station – other than when your duty station is your home country – is not permitted.

Membership of a political party that is illegal in the country of which the official is a national or in the country of the duty station is, in principle, not permitted.

May I hold a post in government service?

Officials may not hold any position in the service of a government, whether remunerated or not, nor may they perform any services, whether remunerated or not, on behalf of a government.

The Director of the Centre may grant an exception to this rule when the interest of the Centre so requires. In such cases, the concerned official should make it clear when performing the activity that he or she is not acting in his or her capacity as an international civil servant.

May I be a member of an association?

In principle, you may belong to occupational, cultural, educational, academic, scientific or other associations without requiring authorization from the Centre. You are in fact encouraged to belong to such associations if, by doing so, it can enhance the prestige of the Centre or the good reputation of the international civil service or can broaden your knowledge and improve your skills.

However, membership of an association must not impose any obligation that you act in a manner that is incompatible with your oath of office and your responsibility as an international civil servant and it should not otherwise be contrary to the interests of the Centre. In case of doubt, a request should be submitted for advice and approval.

May I participate in commercial activities?

Active participation in commercial, industrial or financial affairs is normally incompatible with the status of an international civil servant and is therefore not permissible.

You may not hold a financial interest in any business concern if it is possible for you or the business to benefit from such interest by reason of your official position with the Centre. The mere holding of shares in a company does not constitute a financial interest unless it constitutes a substantial or controlling interest, in which case it must be reported to the Centre, where appropriate, as part of financial disclosure requirements.

If, in your official capacity, you deal with any matter involving a business concern in which you or a close relative holds a financial interest you must immediately disclose the nature of that interest to the Chief of HRS.

May I give lectures or participate in group discussions?

Permission is not required to deliver, outside Centre hours, lectures on subjects unrelated with the ILO or its activities and policies to societies, clubs and other gatherings of a private nature or to participate in discussions at such gatherings, subject always to the obligations of dignity, tact and reserve and the avoidance of unauthorized disclosure of unpublished information. In case of doubt as to whether a subject relates to the Centre or not, you should seek the advice of your Responsible Chief.

However, any lecture or statement of a public nature or made in an official forum – even on questions unrelated to the Centre and its activities but which may impact on Centre’s operations, image or relations, does require prior approval by the Chief of HRS, via the Responsible Chief. The term "lecture or statement of a public nature" means any lecture or statement made public through the media or delivered to an audience, or liable to receive publicity.

Since officials are a valuable potential source of public information on the organization, officials on leave or on mission in their home country are encouraged to give talks on the activities of the Centre especially those coming within their sphere of competence. Approval should be sought ahead of time. The Director’s Office can facilitate contacts with the Department of Communication and Public Information (DCOMM), who has materials and tools that can be used for such purposes.

What kind of academic activities may I undertake?

Study at universities or other educational institutions outside Centre hours does not require prior approval. However, publication of theses and other papers may require prior approval as described below.

Teaching or research at universities or other academic institutions may be authorized within defined limits. It is essential to request authorization from the Chief of HRS through your Responsible Chief prior to undertaking such activities. You may be authorized to give courses over short periods, participate in group research or discussion of an academic nature or teach on a regular basis only outside working hours and for a maximum of a few hours per week. Requests to give a special lecture or a short course during working hours, including while on mission, should be authorized by your Responsible Chief.

Once authorization has been granted, you shall enjoy normal academic freedom, subject always to the general obligations of dignity, tact and reserve. No separate authorization will be required for specific lectures or activities falling within the scope of the general authorization.

You should always request special authorization to disclose unpublished information known to you by reason of your official position. Specific rules concerning the publication of certain documents (for instance, paragraphs 5.5.3 and 5.5.4 of the Standing Orders of the Governing Body in connection with Governing Body minutes), and in particular ILO Circular No. 17, Series 12, dated 25 May 1973 on Copyright, must be strictly adhered to at all times.

What about publication of materials?

First of all, “publication” means not only printed material offered for sale or distribution, but, more generally, any written communication of information to the public, including by electronic means.

The publication of any material relating to the Centre is not allowed except in the course of an official's duties or by authorization of the Chief of HRS, after consulting the Responsible Chief. Any material relating to the activities or policies of the Organization at large is considered to be material relating to the Centre in this sense. In case of doubt as

to whether the material relates to the Centre, the official should seek the advice of the Responsible Chief or of the Chief of HRS.

Officials may be authorized to publish material related to the Centre under their own name in outside publications. The publications should state that the views expressed are not necessarily those of the Centre. As stated in the circular, the following disclaimer should normally be included:

“The views expressed herein are those of the author(s) and do not necessarily reflect the views of the International Training Centre of the ILO.”

Officials may publish in outside publications without authorization, under their own name and in their personal capacity, material not relating to the Centre or the ILO which they have prepared in their own free time, subject always to the need to avoid any pronouncement that might adversely reflect on the reputation of the Centre and the international civil service. In case of doubt as to whether the material relates to the Organization, the official should seek the advice of the Responsible Chief. If the publication identifies the ITCILO affiliation of the author, it should state that the views expressed are not necessarily those of the Centre, normally using the above disclaimer.

Am I free to accept any remuneration, awards or decorations?

You may not accept any honour, decoration, remuneration, favour, gift or fee from any government or from any source external to the Centre without prior approval of the Chief of HRS, acting on behalf of the Director of the Centre. This is clearly stated in Article 4.4 of the Staff Regulations. Therefore, any request for permission to engage in an outside activity should state whether or not such activity will give rise to any form of payment, financial reward or other favour, gift or award.

As regards remuneration or awards from governments, permission will be given only in very exceptional circumstances where this is not incompatible with the official's status as an international civil servant. The granting of permission does not remove the obligation to report the receipt of remuneration in the annual Register of Financial Interests for those officials required to do so.

As regards remuneration and awards from sources other than governments, permission will normally be given to receive only moderate fees.

However, you are free to accept, without prior authorization:

(a) reimbursement of travel and subsistence expenses incidental to activities which have been authorized or do not require authorization;

(b) souvenirs, without commercial value, of a commemoration or other ceremony such as diplomas, scrolls, commemorative medals, etc.

As a general rule, the acceptance of a decoration will be permitted only if it relates to services rendered during a period when you were not in the service of the Centre. If you cannot, without risk of embarrassment, refuse a decoration officially conferred upon you

in respect of service as an ITCILO official, you should accept it in the name of the Centre and inform the Chief of HRS of the matter immediately.

You may not accept any remuneration for activities concerning the Centre or which are considered part of your official duties unless, in the opinion of the Responsible Chief and the Chief of HRS, such acceptance is compatible with your status as an international civil servant. In that event, the remuneration should be accepted on behalf of the Centre and turned over to the Director of the Centre for payment at his or her discretion into an appropriate fund.

Where can I go to obtain further advice or information?

For further guidance on potential conflicts of interest, you may consult the Ethics Centre on a confidential basis. To obtain further information and general guidance on the application of these rules and approval procedures, you may contact Mr Villemonteix or Mr Zefola, Human Resources Services.