

# International Personnel Administration

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**Abstract:** The aim of the study was to identify international personnel administration, with particular reference to officials employed by the United Nations. The study provided a background to the environment, roles, functions, activities and core values of international public officials and reviewed personnel administration. The context of the personnel administration, working conditions and expatriate benefits in the international civil service was provided.

**Keywords:** identify international personnel administration, international public officials.

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## 1. INRODUCTION

To understand personnel administration in the context of International Public Officials (IPOs) more clearly, one must take cognisance of specific aspects related to their basic conditions of service and obligations to the International Organization (IO).

First and foremost, the IO identifies the functions that have to be performed. Secondly, officials who are going to perform these functions are sourced with proper job descriptions and job classifications. Thirdly, these international public officials are given a clear mandate regarding their role. They have to be developed and motivated by the IO in order to fulfil their respective roles. Lastly, it is clarified whether an official is going to be involved in international affairs of the IO (Auriacombe et al 2000). [1]

## 2. TERMS AND CONDITIONS OF SERVICE FOR INTERNATIONAL CIVIL SERVANTS

Conditions of service emanate from recruitment as terms and conditions of service are drawn up as soon as this exercise is complete and selection is done.

### 2.1 Recruitment:

Recruitment is the process of attracting individuals to apply for the job that is vacant. The goal is to attract qualified candidates and the IO does this by posting vacancies on their website or international journals in order to attract candidates.

### 2.2 Internal recruiting:

With internal recruiting, the IO considers existing internal candidates who are interested in improving their lot by way of promotion. This helps to build up morale and keeps high-quality employees from leaving the IO either to a different international agency or an outside organization.

One disadvantage of internal recruiting is the "ripple effect". When a present employee moves to a different post, someone else must be found to move up. It also increases training costs and other problems associated with inexperienced incumbents. (Griffin 1984 ). [2]

### 2.3 External recruiting:

External recruiting means that the IO looks for candidates from outside the IO. Networking is one way of sourcing people from outside. The other is advertising using different media, for example advertising in newspapers internationally or the IO's website. This is because newspaper advertisements reach a wide audience and thus allow minorities equal opportunity to apply for job openings. Employee referral by present employees is another channel of sourcing potential

employees. Employment agencies, contacts with universities, technical colleges, and schools are also used to source candidates for new employment. Professional and technical associations are other avenues used to source candidates. Databases are kept of applicants who apply for jobs or submit curricula vitae (Bennett 1995). [3]

Through recruitment, the IO ensures that the greatest number of suitably qualified candidates apply for vacant positions. Through selection, the most suitable candidates are identified and offered available positions. Once an application is received and it impresses the recruitment department, the applicant is invited for interview. Before attending the interview, the applicant will be advised to fill in a history form which he can download from the IO's website. A background check will be done by going through the form and contacting the people whose names appear on the form as referees. Information required on the form include full names, dependants, age, marital status, schools and universities attended, qualifications, years of experience and the desired area of employment. References are usually checked via telephone. All information received is cross-checked to ensure that negative opinion is work-related and not based on personal bias (UN Website).[4]

### 3. INTERVIEWS

The aim of the interview is to determine an applicant's degree of suitability for a job with the IO by matching the information given by the applicant to the job requirement. The reason for conducting interviews is to obtain precise job related information about an applicant and this can be obtained through a structured interview. The objective is to establish a feeling of confidence and trust or rapport between the candidate and the interviewer. For this, genuine interest has to be shown in the applicant and the interviewer must be supportive and helpful. The interview takes place before a panel. Panelists complement each other, ensuring that they cover all areas. They are also able to discuss and confer, thereby ensuring that they consider all factors and that all bias is removed. (UN Website) [5]

Questions may include those related to duties the applicant performed in his/her previous job and whether the applicant has ever worked with people from diverse backgrounds. What experience he/she has gained by working in this kind of a situation. The planned interview begins where the interviewer bases his questions on relevant subjects like previous work experience and qualifications. The interviewer probes for clues from the discussion that will suggest potential success or failure in the work situation. The applicant is also supplied with sufficient information about the IO and the position so that he/she can make a decision as regards accepting it. At times, interviewers may use patterned interviews that are structured in a questionnaire.

Sometimes, a stress interview is used as this creates a situation for the applicant by being very strict and aggressive. The idea is to see how the applicant would react in stressful situations. But a word of caution here - these types of interviews need to be handled carefully as they can make a prospective employee lose interest in the position (UN Handbook). [6]

Interviews are most valuable for assessing an applicant's intelligence, level of motivation, and interpersonal skills and the applicant's fit into the IO. Applicants for senior management positions typically undergo dozens of interviews with personnel officers and other senior members of the interview panel (Swanepoel et al 2000) [7].

### 4. TESTS

Tests are designed to measure potential of an employee. Tests of ability, skill, aptitude or knowledge that is relevant to the particular job are done to predict a candidate's ability. The tests are validated and scored in a consistent fashion. Candidates are given the same directions and allowed the same amount of time (Sherman et al 1988). [8].

#### **Preparation and job description:**

Before meeting the applicant, an official of the IO would review the applicant's application form and resume. Also, at this stage, the job description and job specification of the position for which the applicant is being interviewed, is done. A job description is a written statement of what a job holder does, how it is done, and why it is done. Job analysis develops a detailed job description of the tasks involved in a job, determining the relationship of a given job to other jobs, and ascertaining the knowledge, skills and abilities necessary for an employee to perform the job successfully. Job specification states the minimum acceptable qualifications that an employee must possess to perform a given job successfully (Swanepoel 2000). [9].

As soon as determination is made that the applicant is suitable and will be hired, specification of the skills required is made. The specification of the various job components is referred to as job analysis. Factors such as knowledge,

experience, skills, abilities, aptitudes, initiative and leadership are found in job description. Job description aims at indicating the various requirements for the given job.

The basic components of a job description are a job title or occupational classification, a job summary or a condensed statement of key functions and a statement of the work to be performed. A job description, therefore, indicates the entire spectrum of activities and expectations of a given job, but in a brief manner. (Swanepoel 2000). [10].

For a managerial or senior position, the job description is divided into three major sections covering functions, duties and responsibilities, and authority. (Waweru 1984) [11].

Having job descriptions and specifications available enhances the processes of employee training and management development. Performance appraisal ensures that there are standards against which job performance can be measured (Waweru 1984).

Safety and health hazards and risks are dealt with in a job analysis. Job analysis gathers information about a job and produces a job description and specification so that an employee, when hired, knows what he is supposed to do and what his span of authority is (Tessitore 1984).[12]

## 5. SELECTION

The intent of the selection process is to gather information from applicants that will predict their job success and then to hire the candidate that is found to be the most successful. Selection is looked at by the IO as an aim of establishing the best fit between the IO, the job and the applicant. The applicant also has a say in making a decision about joining the IO and the suitability of the job. When both parties are given relevant information, the chances of fitting the applicant in the right job in the IO increases.

Selection includes the preliminary interview, the applicant filling in an application form, selection tests, main employment interview, selection interview with the hire manager or supervisor, medical examination, induction, and probation (Swanepoel 2000).

### **Preliminary Interview:**

The preliminary interview informs applicants about existing vacancies and getting information from them. After this first interview, the two parties decide if they want to proceed.

### **Application form:**

An application form gathers written information from candidates. This is used to assess the applicant's suitability for the opening.

### **Selection tests:**

Tests are designed to measure potential. This is followed by the main interview.

### **Selection and Placement:**

Selection and placement of an individual into an existing opening within the IO is the start of an on-going process of learning for the employee. He/she comes in with some skills that enable him/her to be selected. These skills would need to be improved upon if the employee has to perform to the expected standard. This means that as soon as an individual is placed into his/her job, he/she must find out what training courses are available by browsing the IO's website or asking his/her supervisor. There is also a set policy towards this end regarding manpower development (Waweru 1984).

### **Performance Appraisal:**

Performance appraisal is vital in the foreign service because operating far away from headquarters and in relative isolation requires frequent evaluation. Since a higher standard of responsibility falls on all the officials – not just the heads of mission – headquarters needs to know at all times the level, quantity and quality of service(s) each official delivers in order to estimate how much should be done operationally so as to keep pace with the world at large.

There is an evaluation performance that is done on a yearly basis to ensure that the employee performs to the expected standard. In the first year, the new employee is placed on a probationary period of between three to six months during which time the supervisor watches closely the progress of the new employee. If during this period any of the information

provided by the employee in the application form is found to be unreliable or if the employee's performance is below standard, his/her services are terminated (UN Website).[13]

Using the tools of motivation and reward, plus additional local training where it is appropriate, it is possible to derive better value from personnel, and this too is an aspect of the overall HR policy that is pursued for optimizing performance.

### **Professionalism and Specialisation:**

Professionalism is the key to building stronger credibility in the foreign service vis-à-vis the performance of officials both at home and abroad. One functional activity that all IPOs need to master is information and media-related work. Modern and effective diplomacy is closely linked to information and communication skills. Hence, it is vital for IPOs to access and reach out to media practitioners covering daily and periodic publications, as well as TV and radio. They must constantly interact with news media practitioners, and use the contacts for the furtherance of national diplomatic objectives. It is specialised work that has now become integral to mainstream diplomacy, in the same way as economics (Auriacombe 2000).

## **6. PASSPORTS AND GOVERNMENT VISAS**

For one to work internationally, the first item to acquire before even applying for an international job is to get a national passport that would allow one to travel outside one's own country. Once given a letter of offer, the official is issued with a passport together with a Government visa known as Government visa, or GIV visa (UN Handbook).

## **7. CODE OF CONDUCT**

The Code of Conduct drawn up by the IO outlines the guidelines for staff conduct. It provides guidance on how to exercise good judgement in ethical matters. The code is also posted on the internal website of the IO for easy reference. Any new employee is given a copy of this code of conduct document and signs that he/she understands what is expected of him/her.

The Code expands upon a number of rules and defines clearly the obligations of staff as international civil servants with regard to conduct both at work and elsewhere.

The basic standard of conduct includes the following principles:

### **Integrity:**

Whereby an employee is expected to act with integrity in his/her official activities and avoid any behaviour that would reflect adversely on him/her or the IO. Here, an employee is expected to be honest and loyal.

### **Impartiality:**

The employee's personal views and convictions should not compromise the performance of his/her official duties.

### **Discretion:**

The employee is expected to refrain from participating in any activities that are in conflict with the interests of the IO. He/she must respect and safeguard the confidentiality of information which is available to him/her by reason of official functions.

### **Courtesy and Respect:**

An employee is expected to treat his/her colleagues, whether supervisors, peers or subordinates, with courtesy and respect.

### **Diversity:**

An employee is expected to act with tolerance, sensitivity, respect, and impartiality towards other people's cultures and backgrounds.

### **Accountability:**

An employee is accountable for tasks he/she delegates to others and is expected to exercise control and supervision over matters for which he/she is responsible.

An employee has the responsibility to ensure that the IO's resources are used for official business of the IO and an employee is expected to devote his/her time and efforts during working hours to official activities of the IO.

#### **Conflict Resolution:**

Managers avail themselves to staff members who may wish to raise concerns in confidence and to deal with such situations in an impartial and sensitive manner.

#### **Political Activities:**

A staff member needs permission to engage in political activities, except for activities such as voting and participating at the local, grass roots, or community level.

A staff member, who accepts a political appointment, must resign from the position he/she holds with the IO.

### **8. MEDICAL EXAMINATION**

Medical examination is one of the later steps in the selection process because it can be costly.

A medical examination is given to assure that the health of an applicant is adequate to meet the job requirements. It also gives a baseline against which subsequent medical examinations may be compared and interpreted.

The objective is to determine the work-related disabilities under workers' compensation law. (Sherman et al 1988).[13]

### **9. INDUCTION AND PROBATION**

Induction and probation processes are integrated into the selection process to ensure that employees are properly placed. Employees are placed on temporary or contract basis for a period of three to six months and if they prove their worth during this period, they are offered contracts on fixed term. When one completes the fixed term successfully, he/she may be offered a regular or permanent staff position.

The more time and effort is spent in helping a new employee to feel welcome, the more likely he/she will become a loyal and better adjusted employee. To this end the IO has put into place effective orientation programs which are characterized by careful planning, a continuous process, and a follow-up and evaluation. In essence, it means that the IO keeps up-dating even the old employees with any new changes that are taking place so that the old employees do not find themselves in embarrassing situations of being unaware of activities that new employees are being advised of. All employees are continually reorientated to changing conditions (UN Handbook).

Orientation is the process of familiarizing new employees to the Organization, their job, and the work unit. Orientation provides a new employee with an understanding of how job performance contributes to the success of the Organization and how the services of the Organization contribute to society at large. Through properly conducted orientation programs, new employees become socialized. Through socialization, new employees at the IO acquire knowledge, technical skills, interpersonal skills, and attitudes towards diversity which could be a new phenomenon to many. It is a given that any new employee is very anxious to succeed in his/her new job and desires to fit into the IO and specifically the work unit. It is here that orientation programs really play a great role by being effective socialization procedures. If orientation is not done properly and result in ineffective and inefficient socialization of the new employee, this could lead to the employee rejecting his new position (Bennett 1995).[14]

The new recruit is given a sheet explaining the following:

His/her specific duties and responsibilities

When and how his/her salary will be paid plus any deductions

Possibilities for promotion

Attendance regulations, working hours and attendance registers

Dress rules and general appearance

Recreational facilities

Important matters that are discussed with the new employee include:

His accommodation arrangements

Transport facilities to and from the office

Since the new employee is new to town or city, whether he has friends or relatives locally.

If the new employee has no contacts in his new environment, suggestions are made about a congregation he could join.

If the new recruit takes part in organized sport, the names of relevant people could be given to him so that he could join a sports club or sporting group.

The next step is for the new employee to be introduced to all his co-workers and then he is taken to his work station. (Botes 1984).[15].

leave and pension privileges

merit assessment and promotion opportunities

language and training courses available

misconduct and procedures in case of grievances

medical aid schemes

group insurance schemes (Botes 1984).

## 10. OCCUPATIONAL SAFETY AND HEALTH STANDARDS

The occupational safety and health Act mandates the provision of safe working conditions. This Act requires employers to provide employees with a place of employment which is free from hazards that are likely to cause death or serious physical harm. Occupational health standards are concerned with preventing occupational disease due to long-term exposure to hazards such as excessive noise, chemicals or other contaminants.

### Maternity protection:

There is a minimum of maternity leave of 12 weeks. Leave is also provided in case of maternity related illnesses or complications. Women are entitled to daily breaks for breast feeding. (Report of the Director General 2000). [16]

## 11. REMUNERATION AND EMPLOYEE BENEFITS

Salary and wages, retirement benefits, medical aid, education assistance, employee loans, fall under this category. Remuneration is the financial and non-financial extrinsic rewards provided by the IO to the employee for the time, skills and effort made available by the employee in fulfilling job requirements aimed at achieving organizational objectives. Remuneration is an income. In determining the rate to be paid for performing a job, the relative worth of the job is one of the most important factors. This worth is based upon what the job demands of an employee in terms of skills, effort, and responsibility, as well as the conditions and hazards under which the work is performed. (Sherman et al 1988).[17].

Once jobs have been graded by means of job evaluation, the next step in the development of a remuneration system is the determination of a pay rate for the grades. The tool used to set the monetary worth of jobs or grades is the pay survey. A pay survey provides information on how other agencies within the same environment compensate similar jobs and skills. So other agencies must survey across the board to ensure that whichever agency is hiring a person, a reasonable pay structure is followed.

A raise is usually given on an annual basis, so it gets divided up in twelve parts. The merit approach relates to pay increases as regards performance but if a person is performing less than desired, the merit pay approach recommends no increase. This is expected to send the employee a message.(Swanepoel 2000).[18]

Benefits are outlined to a new staff member during orientation by an IO official and the following are covered in the lecture:

A Personal Data Form is given to the employee and this has to be completed and returned to Staff Benefits Division;

Short-term Medical Insurance is arranged for the new employee until a long-term one is done;

The Staff retirement Plan is explained to the new employee;

Other benefits include salary advance to enable the new employee buy house furniture and settle into his/her new environment.

For the employee's family, there is information on education for his/her children that can be accessed from the Staff Benefits Division, Family Career Transition Program is explained; Work family Program, Dependent Care Resource Program; Work authorization for the spouse is explained; social security card, and repatriation.

Other services and facilities that are offered by the IO to its new officials are Legal Consultancy; Housing Consultancy; Health Services, and a Fitness Center.

There is also an installation allowance that is given to a new staff member.

#### **Salary advance:**

Salary advance for urgent personal reasons may be provided in emergency situations arising from circumstances beyond a staff member's control. Advance up to six months' salary is given interest free and repayable over a maximum of 6 years.

#### **Education allowance:**

Another benefit is education expenses being met by the IO for the employee who is interested in furthering his/her studies and his children up to the age of 24 years. This means that even the children's university education would be funded by the IO so long as the age does not go beyond 24 years.

Children of a staff member studying outside the duty station have school fees paid for by the IO. The cost of books and board and lodging is also paid by the IO. The children are allowed two round trips in any academic year.

#### **Home leave and allowance:**

Staff on regular appointments on fixed term of two or more years are eligible for home leave and allowance. Spouse and children of the staff members also get an allowance and entitlements include a direct round trip air travel, one class below first class plus an allowance given according to his or her grade and half that amount for each dependent.

#### **Career counselling:**

This is given to staff who wish to seek alternative employment.

Compensatory leave is earned after mission travel.

Emergency leave of up to three working days is granted upon death of a staff member's spouse, child or parent or spouse's parent.

**Medical plan:** full coverage – eligible to staff, spouse, children plus two qualifying other dependents, namely parents or parents-in-law.

**Maternity or adoption leave** – up to 12 weeks of maternity leave and up to 8 weeks of adoption leave is approved with a combined maximum of three occasions during a career.

#### **Retirement Benefits:**

Within the IO, measures have been taken with a view to ensure that there is a framework for a gradual transition from working life to freedom of activity. Retirement is at age 60. Older workers who have completed a prescribed qualifying period are entitled to receive a long-service benefit.

Retirement preparation programmes are implemented during the years preceding the end of working life. Such programmes enable the employees concerned to make plans for their retirement and get information on income, in particular, the old-age benefit they can expect to receive and the related advantages available to them, such as medical care. They also receive information on opportunities and conditions for continuing on occupational activity, particularly on a part-time basis and on the possibility of establishing themselves as self-employed. They also receive information on

the ageing process and measures to take in order to reduce it, such as medical examinations, physical exercises and proper diet. They are advised on how to utilize their leisure time (UN Handbook).

Benefits are linked to employment rather than to performance and these are an indirect form of compensation that is mainly intended to improve the quality of life for the IO's employee as an international public servant.

Another benefit is repatriation for the employee and his family back to his/her home country on completion of his service as an International civil servant. The employee is usually given a container of 20 feet or 40 feet depending on his seniority, to carry all his household effects plus any cars or other items that he managed to purchase during his stay in the foreign land. All expenses including the clearing agency fees from the bonded warehouse at the port of entry is paid for fully by the IO.

## 12. TRAINING AND DEVELOPMENT

New employees need some training in order to keep abreast of new technologies. Training also prepares employees for promotion or transfer. Training motivates employees to work more efficiently, and become more confident in their performance.

### Technical skills:

Most training is directed at upgrading and improving an employee's technical skills. Technical training has become increasingly important today for two reasons:

- (a) new technology, and
- (b) new structural design.

Technical training becomes increasingly important because of changes in Organization design (Robbins 2001) [19].

Providing training is critical to maintaining a high calibre staff, raising job satisfaction and reducing performance problems resulting from skill deficiencies. However one problem is that there are constraints on the time that staff can devote to training. Another problem is the lack of support by supervisors. Often, immediate work pressures take precedence.

With adequate provision of budgetary resources, there is need for technology training.

## 13. CAREER DEVELOPMENT

A strong career development program is critical for an international organization. Within the IO, there is the aspect of mobility which promotes versatility and cross-fertilization of ideas and increase job satisfaction by exposing staff members to various assignments. Career development from the IO's standpoint involves tracking career patterns. This includes planning and career management. Whereby the focus is on plans and activities of the IO in relation to career development (Robbins 2001).[20]

### Sabbatical or Extended Leave Of Absence:

A sabbatical for a senior staff enhances career development through attendance of relevant conferences, reading and accepting teaching assignments at educational institutions. Sabbaticals alleviate stagnation and educate lower-level officers.

## 14. PERFORMANCE APPRAISAL AND FEEDBACK

When employees are trained and settled into their jobs, one of the next concerns is performance appraisal.

One reason for evaluating employee performance is to assess the impact of training programs. A second reason is administrative – to aid in making decisions about pay raises, promotions, and training. Another reason is to provide feedback to employees to help them improve their present performance and plan future careers. Because performance evaluations often help determine wages and promotions, they should be fair and non-discriminatory. (Robbins 2001: 207).



### 15. AFFIRMATIVE ACTION

Affirmative action is an intervention designed to achieve equal employment opportunity without lowering standards. Affirmative action starts at the selection and recruitment stage. Thereafter, all people in the IO are developed and promoted according to workforce, succession and career plans developed with due consideration to past disparities. Managers and supervisors are trained in people management skills and appraised on their performance in developing their subordinates. (Schwella, et al 1999).[21]

Affirmative action is needed to enhance representativity especially in cases where discrimination has created barriers to mobility within the IO. Such a management approach is linked to human resource development policies and practices. For successful implementation of affirmative action to be realised, there must be a creation of a reservoir of incumbents available for development. The recommended process of affirmative action demands an affirmative action audit, communicating and implementing the strategic goals, objectives and plans, and monitoring and evaluating the process.

### 16. EQUAL EMPLOYMENT OPPORTUNITY

Human rights is the most significant policy in the management of human resources within the IO. This policy influences every human resource decision from recruiting, performance evaluation and labour relations. There is not a single decision in human resource management that is not affected by equal employment opportunity. Equal employment opportunity programs are operated by the IO to prevent employment discrimination in the work place. Some of the employment discriminations prohibited include race discrimination in hiring, placement, and continuation of employment, sex differences in pay for equal work, age discrimination against those between 40 – 60 years, discrimination based on, colour, religion or nation origin, and discrimination against the disabled (UN Handbook).

### 17. OLDER WORKERS AND EQUALITY OF OPPORTUNITY

Older workers without discrimination by reason of their age, do enjoy equality of opportunity and treatment with other workers, in particular to:

- access to vocational guidance and placement services;
- access to vocational training facilities, in particular further training and retraining;
- Promotion and eligibility for distribution of tasks. (International Labour Organization convention 1995).[22]

### 18. GRIEVANCE PROCEDURE AND THE OMBUDSPERSON

The grievance procedure is the means by which contract is enforced. Most of what is in a contract concerns how management will treat employees, so when employees feel that they have not been treated fairly under the contract, they file a grievance to correct the problem (Griffin 1984).[23].

The first step in a grievance procedure is for the aggrieved employee to discuss the alleged contract violation with her or his immediate supervisor. Often, the grievance is resolved at this stage. However, if the employee still believes that he/she is being mistreated, the grievance can be appealed to the next higher level management. If the decision at this level is also unsatisfactory to the employee, additional appeals to the next higher management level are made until finally all steps are exhausted. Within IO circles, the final person for the aggrieved person to see is the Ombudsperson who is always impartial. The Ombudsperson is an independent employee of the IO. The Ombudsperson cannot report the information confided to him/her by an employee without the consent of this employee. Nor can he/she give the employee's name unless the employee consents. If the Ombudsperson can use the information gathered discretely, he/she may be able to reach some kind of a solution to the problem. The Ombudsperson would give information to management in a general manner without giving names or revealing details that might identify individuals. The Ombudsperson can suggest a solution to a problem. In most cases, compromises are highly the possibility and the two sides would feel satisfied with the outcome.

## 19. IMMUNITIES AND PRIVILEGES

Personal immunities and privileges of the international public servant are intermixed with the immunities relating to his/her work or the premises of his/her mission. Indeed, the immunities of an international public servant, whether they be for his person or related to his work, office, or residence, are all calculated to enable him/her to discharge his/her duties effectively.

### Immunities from Taxation:

Financial immunities which an international public servant enjoys falls under two categories, namely

- (a) exemption from payment of taxes on his/her personal emoluments, and
- (b) Exemption from customs duties in regard to importation of personal effects.

As an international public servant is not considered to be subject to the territorial supremacy of the host country, he is exempt from all direct personal taxes and therefore need not pay income tax or any other direct tax. But levy of local rates by municipal or other authorities' stands on a different footing as they represent charges for water, electricity, sewerage and house rent. Since the international public servant derives benefit from these services, it is only fair for him/her to pay the rates though in some countries, he/she may be exempted from payment of these charges as a matter of courtesy.

The international public servant is liable to pay dues and taxes such as income tax or super tax on private income which he may derive from sources in the host country, and capital taxes on investments made in commercial undertakings including his/her holding of stocks and shares. This is because the international public servant does not derive such income by reason of his status, nor does he/she make the gain in the course of his official functions. If he were to engage in business of his own for his own purposes (and considering that his contract allows this) or practices some profession, his/her income from such sources would be liable to tax by the host country.

The international public servant must also pay registration, mortgage dues and stamp duties in respect of his immovable property.

## 20. EXEMPTION FROM PAYMENT OF CUSTOMS DUTIES

It is general practice that when an international public servant of the IO, upon termination of his contract, he/she is allowed to take with him/her personal belongings including money in the bank. This means that arrangements would have to be made regarding provision of foreign exchange for the amount due to him.

Personal effects that are exempted from customs duty include household goods that the international public servant was using. In most cases, he would be required to ensure that if there are any new items, they must be at least six months old as completely new and unused items would attract customs duty. Personal luggage of an international public servant is generally regarded as exempt from customs inspection. However, there may be exceptional cases where U.S. Immigration may be justified in opening the baggage and examining the same. This would include suspicions that the baggage may contain articles the import of which is prohibited by law of the United States. Motor vehicles for personal use of the international public servant are admitted duty free.

When the international public servant is reporting for duty to the United States of America, the privilege of free entry is extended to the baggage and other effects. For instance applications for free entry of baggage are to be made to the Department of State, but in the absence of special authorization from the State Department prior to the arrival of the international public servant, the Collector of Customs may accord his/her the privileges.

## 21. SOCIAL SECURITY LEGISLATION

An international public servant together with his or her family are exempt from the operation of the social security legislations of the United States provided they are neither nationals nor permanent residents of that country. For compulsory social security schemes such as old age pensions, national health schemes, provident fund, and disability insurances, the international public servant should have provision for these by making contributions or participating in

such schemes whilst in the United States but sending his contributions to his/her home country. Otherwise, by reason of their frequent transfers from position to position or country to country, they would not obtain full benefits under social security system in any country.

#### **INVIOABILITY:**

Inviolability comes into effect as soon as the international public servant sets foot at his duty station in the United States. It extends over the period occupied by him on his/her arrival, sojourn, and departure within a reasonable time after the termination of his/her contract. It is expected that an international public servant shall pay due regard to the laws and regulations for the maintenance of public order and safety in the United States. The best guarantee of the international public servant's immunity is the correctness of his own behaviour.

The International Court of Justice recognizes that the observance of the principle of inviolability does not mean that an international public servant, caught in the act of committing a crime, an assault or other offence, may not on occasion be briefly arrested by police or other authorities in order to prevent the commission of the particular crime. However, if the period of detention is prolonged or the alleged offence is not serious to cause imminent danger, the arrest and detention of the international public servant may be considered unlawful. If there is violation of his immunity, the international public servant can complain to the U.S. Foreign Office and failing redress, he/she will turn to his/her home country.

## **22. REPATRIATION OF AN INTERNATIONAL PUBLIC SERVANT**

When an international public servant has completed his term of service internationally, he/she would be repatriated back home to take up another assignment. When the international public servant retires, or the contract expires, he/she follows up with Staff Benefits Division to arrange for his/her repatriation. He/she is given a 20 ft, or 40 ft container, depending on seniority, to carry his/her household effects back to his/her home country. Included is insurance cover for the items to be shipped, all paid for by the IO.

#### **Recall of an international public servant:**

If an international public servant is sent to the United States of America or any other country by the IO of Foreign Affairs, he/she may be recalled if the IO is dissatisfied with his/her performance, his/her conduct, or may be recalled to avoid embarrassment. An international public servant may get involved in a situation where it may be embarrassing for him to continue working for the IO of Foreign Affairs in the United States. In this case, it is usual for him/her to be recalled. Such situations may arise if he/she has been sued for a debt he owes or a breach of promise of marriage, or if he/she is found to have formed embarrassing associations. This recall may lead to dismissal from his position once he/she gets back home. Mainly, a recall of an international public servant may be because of his/her involvement in internal affairs of a host country.

Another reason for recall may be as a result of an outbreak of war in the host country where the international public servant is based. This would mean immediate evacuation as it recently happened in Egypt and Libya.

## **23. RECOMMENDATIONS**

The IO should make efforts to promote occupational safety and health. A code of practice on ambient factors at the work place lays down provisions which should be considered as the basis for eliminating or controlling exposure to hazardous ambient factors at the workplace.

Having done research on what the international public servant goes through from being hired to repatriation, I would recommend that international public servants be treated uniformly.

#### **Disparities:**

International public servants at the IO's Embassy face disparities in that those who fall in Job Group N - S tend to be favoured more than those who are below these Job Groups. These disparities should be ironed out by trying to make international public servants being accorded similar treatment.

The governing body of the International Labour Organization should bring salary scales of all Embassies and High Commissions in line with those of the United Nations Organization. Working conditions of international public servants should be uniformly and universally applied.

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