

## **Leave for family reasons**



### **UN-CTSU -**

United Nations Criminal Tribunals  
Staff Union

### **ICTY -**

International Criminal Tribunal for the  
Former Yugoslavia ICTY

# I. Introduction – Available types of leave for family reasons

The reasons and applicable rules are in a nutshell:

- **Maternity leave** (sr 6.3, Sections 5-8 AI);\*
- **Paternity leave** (sr 6.3, Sections 9-11 AI).
- **Adoption leave with full pay** (sr 5.3(a)(iii)(a), Section 3 AI);
- **Parental leave for a newly born/adopted child without pay** (sr 5.3(a)(iii)(b), Section 4 AI);
- **Family leave under the uncertified sick leave entitlement** (sr 6.2, Section 2 AI); and
- **Special leave in cases of death or emergency without pay** (sr 5.3(a)(iii)(c), Section 4.6 AI)

\* Relevant sources: Staff Rules and Regulations of the UN (ST/SGB/2014/1) (in the following “sr”) and Administrative Instruction: Family Leave, Maternity Leave and Paternity Leave (in the following “AI”).

In addition to these reasons, also **other forms of leave/working arrangements** can be used to the benefit of family issues.

E.g.:

- Flexible working arrangements;
- rest and recuperation leave for hardship duty stations; and
- home leave (sr 5.2)

## II. Birth

### 1. **Maternity leave** (sr 6.3, Sections 5-8 AI)

- \* Regularly starting 6 weeks, minimum 2 weeks before expected delivery date;
- \* in total 16 weeks;
- \* **with pay**;
- \* envisaged changes to the rules granting greater leeway to the mothers concerning the starting date.

### 2. **Paternity leave** (sr 6.3, Sections 9-11 AI)

- \* Paying tribute to the changed societal view on father's role who are increasingly accepted as and take on the role as main caretaker;
- \* 4 weeks (up to 8 weeks in non-family duty station or in exceptional circumstances e.g. medical complications);
- \* may be taken continuously or in separate periods within the period of one year after birth;
- \* **with pay**;
- \* may or may not coincide with the mother's maternity leave.

### **3. Parental leave for parents of newly born child (sr 5.3(a)(iii)(b), Section 4 AI)**

- \* up to 2 years (4 years in exceptional circumstances);
- \* right to be reabsorbed into workplace fully protected;
- \* **without pay.**

## III. Adoption

### 1. Adoption leave for newly adopted child (sr 5.3(a)(iii)(a), Section 3 AI)

- \* Paying tribute to the changed societal view on family, possibly involving same-sex couples adopting a child;
- \* up to 8 weeks from the day of the adopted child's arrival;
- \* parental leave of both adoptive parents may be taken concurrently or sequentially;
- \* **with pay.**

### 2. Parental leave for adoptive parents of newly adopted child (sr 5.3(a)(iii)(b), Section 4 AI)

- \* up to 2 years (4 years in exceptional circumstances);
- \* right to be reabsorbed into workplace fully protected;
- \* **without pay.**

## IV. Family emergencies/illness/death

### 1. **Compassionate leave under the uncertified sick leave rule** (sr 6.2(c), Section 2 AI)

- \* Family related emergencies (not sufficient: illness of child);
- \* up to 7 working days;
- \* **with pay.**

### 2. **Special leave in cases of death or emergency without pay** (sr 5.3(a)(iii)(c), Section 4.6 AI);

- \* Death of member of the immediate family of the staff member or in case of serious family emergency;
- \* for a reasonable period, including necessary travel time;
- \* **without pay.**

## **V. Stocktaking – Questions?**