



HFSP BYLAWS

SECTION H. Relating to the Secretariat

Introduction and background

HFSP is a non-profit association established and registered in the Département du Bas-Rhin, France. Employment of staff and their conditions and allowances must accord with French law.

Previously, the Bylaws of the Board of Trustees required that they “be established basically referring to the OECD’s general practices”, as published in the *Regulations on Salaries and Allowances of the International Service for Remuneration and Pensions, OECD, for Coordinated Organisations*. Because HFSP is a small and scientific organization and is not formally an international organization established through an international agreement, these Regulations, which apply to organizations such as NATO or the Council of Europe, are not directly and fully applicable.

As of 2017, the Board of Trustees decided to move further from the use of the *Regulations for Coordinated Organisations* to progressively define its own rules, more appropriate to the size and purpose of HFSP, and to ensure compliance with requirements of the French *Code du travail*.

The following discretionary allowances previously applied by HFSP based on the *Regulations for Coordinated Organisations* are not provided for in these revised Bylaws; household allowance, an additional dependents’ allowance and an additional allowance for a handicapped child¹.

Salaries

1. Salaries are set according to an internal scale approved by the Board of Trustees.
2. Scales should be reviewed annually, taking into account the financial situation of HFSP.
3. The Secretary-General shall each year make a proposal to the President for salaries of the following year. The President will seek advice from the Steering Committee, in making his/her decision.
4. Initial appointments will normally be made at the lowest step on each rung of the scale but may be varied with the approval of the President if circumstances require.
5. Increases in salary will be dependent on satisfactory performance as assessed in regular performance appraisal sessions.

¹ There are allowances for dependents and for handicapped children under French laws and the *Code du travail*.

Allowances, benefits and subsidies

Internal regulations shall be maintained for allowances and are subject to approval by the Board of Trustees.

Compulsory

1. As required under French law as applied to Bas-Rhin and the *Code du travail*, staff members receive the following benefits (unless covered under an alternative scheme which leads to his/her exemption from the French Social Security scheme):
 - a. Social security coverage for health and accidents in the workplace,
 - b. Social security coverage for unemployment,
 - c. Social security coverage for retirement,
 - d. Sick leave,
 - e. Transportation subsidy for staff members who use public transport to travel to work,
 - f. Meal subsidy,
 - g. Life insurance in the case of death and disability for Grade A staff ('cadre') only,
 - h. Training, and
 - i. Any other benefits as required by French law.

Potential additional

2. The following benefits may accrue to staff members by decision of the Secretary-General:
 - a. Dependent child allowance up to OECD limit,²
 - b. Additional insurance to cover extended sick leave from day 45 to day 90³,
 - c. Supplementary pension scheme⁴,
 - d. Life insurance in the case of death and disability for Grade B staff,
 - e. 'Pont days': the Secretary-General will decide each year on 'pont days' that may be taken when public holidays fall on a Tuesday or Thursday,
 - a. "Treizième mois" salary supplement for Grade B staff.

Additional allowances for expatriate staff

1. All staff working at the HFSPo Office in Strasbourg shall be expected to establish their prime place of residence in Strasbourg or within commuting distance of the HFSPo Office.
2. Where the recruitment of the staff member therefore necessitates a move of their place of residence in order to live in Strasbourg or nearby, and they incur additional costs as a result, they may be paid the following allowances by negotiation, to a maximum as set by the International Service for Remuneration and Pensions for Co-ordinated Organisations, OECD:
 - a. Expatriation allowance: Available for up to 3 years, renewable once for a further three years and only when family members remain in the country of origin and a family residence is maintained.

² Guidelines issued by the International Service for Remuneration and Pensions for Co-ordinated Organisations, OECD as the upper limit.

³ Note compulsory sick leave covers the period 1-45 days and from 90 days on (conditions apply)

⁴ As allowed Under the *Code général des impôts, Article 83*.

- b. Installation allowance: This shall be allowable in order to cover the necessary cost of establishing a new residency, to cover the cost of installing utilities and similar necessities and for modest furnishings that are needed for the new residency and were not including in the removal costs.
 - c. Moving Expenses (on taking up and leaving a position at HFSP0):
 - i. Reimbursement of expenses actually incurred for the removal of his/her personal effects (a personal motor vehicle is not included), following Secretary-General prior approval of the costs.
 - ii. A limit on total expenditure shall be agreed prior to the applicant accepting the position. The Secretary-General shall base his/her decision on internal limits.
 - iii. In the case of the Secretary-General, decisions will be made by the President, receiving advice from the Deputy Secretary-General.
 - iv. Before signing a contract with a removal company, the staff member must present HFSP0 with three quotes for removal expenses (including insurance) from their home to Strasbourg or from Strasbourg to their home.
 - d. Education allowance: Staff may be eligible for an allowance for the education of their dependent children if additional costs are incurred by the staff members' move (e.g. a student remains in the home country, or language classes are required) or if another reasonable explanation is provided to the Secretary-General that proves that the staff member has been adversely affected by the move of residence to Strasbourg. An upper limit shall be set each year. Invoices must be supplied.
 - e. Home leave: Staff members, who are entitled to the expatriation allowance, may be entitled to home leave, once every two years for the purpose of visiting their family and homes, reimbursable at economy class rate for flights and second-class rail fares. Any other expenses (such as being asked to undertake HFSP0 business during part of a period of home leave) must be approved in advance by the Secretary-General. Home leave may be taken not earlier than 6 months before and not later than 12 months after the date on which it accrues. No home leave shall be granted within 6 months of expiration of the appointment.
3. All offers of allowances to expatriate individuals shall be authorized in advance by the President.

Travel in relation to business of HFSP0

HFSP0's travel guidelines for staff are based on the following principles and will accord in general with URSSAF⁵ guidelines:

1. Travel expenses may be incurred only as a required activity for HFSP0 business.
2. HFSP0's aim is to minimize the total cost of the entire journey, compatible with reasonable expectations upon the health and safety and effectiveness of staff.
3. Taking staff health and safety into account means that staff should be able to take reasonable rest⁶, safe airlines will be used, hotel accommodation shall be in safer neighbourhoods, and any staff disabilities or illnesses will be taken into account.

⁵ URSSAF: *Unions de Recouvrement des Cotisations de Sécurité Sociale et d'Allocations Familiales*.

⁶ Explanation: HFSP0's international membership can require staff members to travel long distances on HFSP0 business, sometimes well in excess of 24 hours. On a case by case basis, travellers may be granted an additional night of accommodation before a meeting. As well, HFSP0 will take into account disabilities of travellers.

4. It may be necessary to minimize the risks of the cost of cancellations for some senior staff when the duration or timing of appointments may not be known precisely prior to travel, or when additional appointments may be required. In these cases, low cost but flexible fares may be warranted.
5. Prior approval must be sought from the Secretary-General or his delegate (currently the Deputy Secretary-General). Staff must not make travel commitments until approval has been sought and gained. HFSPo will monitor travel practices of other research funding bodies to ensure that our policies are consistent with broadly comparable organizations.
6. HFSPo will make details of its travel guidelines for staff available for the scrutiny of the Board of Trustees.

Work Conditions

1. Work conditions in all cases shall be in accord with the laws of France. Regulations will be varied in accord with any changes made to those laws.
2. The normal working week shall be thirty-five hours. HFSPo does not encourage or support overtime and in all cases, any overtime must be authorized by the Secretary-General. If overtime is required, it is unpaid but compensated by additional leave.
3. The normal working hours shall be seven hours a day, Monday to Friday.
4. The Secretary-General may, within limits, provide for some flexibility in operating hours.
5. The public holidays to be observed by HFSPo shall conform to the customs in Alsace, France.
6. Staff members shall be entitled to annual leave at the rate of 2.5 working days for each month of service completed (up to 30 days a year).
7. Annual leave entitlements must be taken each year.
8. Staff members must take a minimum of 10 successive days (2 weeks of annual leave) between 1 May and 31 October each year, the period stipulated for French annual holidays. Total leave during this period shall not exceed 20 working days (four weeks of annual leave).
9. The remaining two weeks of annual leave must be taken outside this period and before the 1 June of the following year.
10. Given the international nature of HFSPo staff, the Secretary-General may authorize variations, after consulting all staff affected by the granting of such leave.
11. Annual Leave may be taken in the first year of appointment, if approved by a Director and the Secretary-General or his delegate, but only after the first three months of service.
12. The Secretary-General may grant special paid leave up to a maximum of eight days a year for urgent private matters or compassionate reasons if considerable travel times are obligated (e.g. travel internationally for marriage or the birth of a child within the family, the funeral of a family member).
13. The Secretary-General must establish regulations and guidelines to prevent and deal with sexual and moral harassment, in accordance with French law (see Section I. *Harassment*).
14. Staff members shall periodically, and at least annually, be subject to a work performance review under agreed conditions established by the Secretary-General. The Secretary-General's performance shall be evaluated annually by the President.
15. The Secretary-General shall establish internal regulations, as appropriate, for dealing with day to day work in HFSPo's Strasbourg office, such as security, environment safety.

Recruitment, Appointments, Posting and Termination

General

1. The Secretary-General shall be appointed by the President upon approval of the Board of Trustees, as set out in HFSP0 Statutes and in Bylaw K.
2. The Secretary-General selects, appoints and dismisses senior staff members and all other permanent staff members, as set out in the Statutes.
3. In the event that the Secretary-General is not able to perform these duties (because of incapacitation or other similar reason), the Deputy Secretary-General, upon approval of the President, shall take over.
4. In recruiting staff members, the Secretary-General shall give primary consideration to the necessity to obtain staff of the highest standards of competence and integrity, without regard to sex, age, race or religion. Opportunities are open to all qualified candidates, with consideration given to diversity (nationality, gender, etc.) in recognition of the benefits that derive from different experiences and cultures and in accord with HFSP0's international membership.
5. When possible and appropriate, the Secretary-General will provide the opportunity for Secretariat staff at a variety of levels to interact with final candidates for positions so they can provide complementary information in the decision-making process.
6. The Secretary-General will sign the offer of an employment contract, following approval by the President. An employee cannot take up office before both parties have signed the employment contract.
7. The duration of appointments and appointment procedures shall be consistent with French laws. There shall be a probation period for all new employees, consistent with French law (*Code de travail*). At the end of this period, the Secretary-General shall decide whether or not the staff member's appointment shall be confirmed.
8. As an internationally supported Association, with many countries contributing from around the world, the Board of Trustees wishes there to be reasonable involvement of nationals of HFSP0 Members in the work of the Secretariat, over time.
9. A salary increase (except the Secretary-General) may be considered, subject to satisfactory performance as assessed in regular performance appraisal sessions. Promotion to a higher position shall take place only when a position requires more responsibility. The decision for promotion shall be made by the Secretary-General, with the approval of the President, taking into account the staff member's competence, efficiency and personal conduct.
10. Recommendations for promotion may be submitted to the Secretary-General by a Director.
11. The resignation of a staff member should accord with French law.
12. The expenses incurred by a candidate invited to interview will be covered.

Appointment Procedures

Secretary-General

1. Procedures regarding the appointment of the Secretary-General are set out in a separate Bylaw Section K.

Directors and Deputy Secretary-General⁷

2. The Secretary-General shall inform the Board of Trustees and the Council of Scientists of the impending vacancy of these posts.
3. The Board of Trustees may identify candidates whose nominations shall be sent to the Secretary-General. The Secretary-General may also nominate candidates.
4. The position shall be advertised internationally.
5. The Secretary-General, after interviews if necessary, prepares a short-list of candidates who are considered suitable for appointment to the post, and the list is submitted to the Board of Trustees for its approval.
6. Once the list is approved by the Board of Trustees, the Secretary-General decides and informs the Board of Trustees of his/her selection.

Other Staff Members

7. The Secretary-General shall inform the Board of Trustees and the Council of Scientists of the impending vacancy of the post.
8. The position shall be advertised.
9. The Director of the Division concerned, in consultation with the Secretary-General, prepares a short-list of candidates who are considered suitable for appointment to the post.
10. According to the list, the candidates are interviewed.
11. The Secretary-General, in consultation with the Director of the Division concerned, decides and informs the Board of Trustees of his selection.

Honorary Emeritus appointments

- Directors leaving HFSP0 employment may be offered appointment as Emeritus Director by the Board of Trustees, on the basis of exceptional service to the HFSP0.
- The Secretary-General should make the nomination to the President who, after consulting with the Steering Committee, decides whether to propose the appointment to the Board of Trustees for its decision.
- Appointment as Emeritus Director is explicitly honorary in nature and provides no further benefits or privileges to the recipient. This appointment does not confer any obligation by the HFSP0 to the holder of the title.
- Data protection policies will be observed, in line with HFSP0's IT Security Policy relating to non-employees

An honorary Emeritus appointment is for two years, renewable.

Confidentiality

HFSP0 will maintain a policy on confidentiality regarding all aspects of the work of the Secretariat. Staff must respect the requirements of this policy, including that confidentiality must be maintained indefinitely for certain matters, such as personnel matters and scientific contents of applications.

⁷ There has been a Deputy Secretary-General since HFSP0's inception. The most important role is to act during periods of the Secretary-General's leave, ill health or other indisposition.

Signed:

Date:

Date of Board approval	Version	POC	Edits
12-07-2018	Version 0	Olaf Kelm	Initial document
06-01-2020	Version 1	Olaf Kelm	Revision regarding staff salaries
15-05-2020	Version 2	Olaf Kelm	Revision on confidentiality
02-09-2020	Version 3	Olaf Kelm	Revision to include emeritus appointments