

**THE GENERAL SECRETARIAT**

**EXECUTIVE ORDER No. 23-01**

**SUBJECT: PARENTAL LEAVE**

**THE SECRETARY GENERAL,**

Under the authority granted to him by Articles 109 and 113 of the Charter of the Organization of American States (OAS) and Articles 4, 8, 12, and 14 of the General Standards to Govern the Operations of the General Secretariat of the OAS (General Standards), and

**CONSIDERING:**

That the length of leave under the current Maternity Leave Staff Rule and Parental (and Adoption) Leave Staff Rule is up to 12 weeks and 4 weeks, respectively, with no reference to the possibility of becoming a legal parent through surrogacy;

That since January 2023 the United Nations common system has a new parental leave framework, established by the International Civil Service Commission and approved by the UN General Assembly in its resolution 77/256, replacing the maternity leave of 16 weeks and the paternity leave of 4 weeks adopted in 1979 with extended paid time off to both parents of 16 weeks and an additional period of 10 weeks to birth mothers to meet the specific pre- and post-natal needs;

That in line with the *Inter-American Model Law on Care* of the Inter-American Commission of Women published in 2022 and the Gender Parity Plan approved in 2022 by the Secretary General through Executive Order 22-05, the General Secretariat is committed to contributing to equity and gender parity and to ensuring an inclusive, enabling, and empowering work environment that allows women and men to have equitable career opportunities by allowing both parents to share childcare responsibilities;

That in awareness of the fact that parental leave benefits are an important part of a compensation package, to help the Organization attract and retain the best talent it is necessary for the General Secretariat to incorporate in its legal framework the best practices of international organizations, as an employer of choice; and

That to reflect the values of the Organization and taking into account the aforementioned developments, it is crucial to update and formally adopt a parental leave policy for the General Secretariat that provides extended paid time off to parents, regardless of gender, as they welcome a child into their lives, allowing staff members flexibility and time to adjust to the new family situation while balancing professional obligations,

**RESOLVES:**

1. To adopt effective as of the date of this Executive Order Staff Rule 106.6 "Parental Leave" and Staff Rule 106.7 "Flexible Parental Leave Option" attached hereto as Annex A.
2. To amend Staff Rule 106.2 (i) as reflected in Annex B attached hereto.
3. To repeal all present norms, regulations, and practices to the contrary.

4. Staff members on maternity or parental leave as of the date of this Executive Order and staff members who have taken maternity or parental leave for a child born within one (1) year from the date of this Executive Order are eligible for Parental Leave and the flexible Parental Leave Option as per the Staff Rules adopted through this Executive Order. The length of maternity or parental leave used under the previous Maternity Leave Staff Rule or Parental (and Adoption) Leave Staff Rule will count towards the total leave entitlement established in Section (b) of Staff Rule 106.6, provided these staff members fulfill the eligibility requirements established under Section (a) of Staff Rule 106.6.



Luis Almagro  
Secretary General

Date: August 28, 2023  
Original: English

## ANNEX A

### **Staff Rule 106.6 “Parental Leave” and Staff Rule 106.7 “Flexible Parental Leave Option”**

#### Rule 106.6 Parental Leave

(a) A staff member who is a career staff member, has a continuing contract, a fixed-term contract or is an appointee to a position of trust, shall be entitled to Parental Leave for the birth, adoption, or birth through surrogacy, of their child that takes place during their employment with the General Secretariat.

(b) Through Parental Leave:

(i) Staff members shall be entitled to absence from duty for sixteen (16) weeks upon the birth, adoption, or birth through surrogacy, of their child.

(ii) Staff members who give birth shall be entitled to absence from duty for an additional four (4) weeks, bringing their total duration of leave to twenty (20) weeks.

(iii) Staff members shall receive Parental Leave on full pay for the entire duration of their absence in accordance with (i) and (ii), above.

(c) The applicable Parental Leave shall be used as follows:

(i) May be initiated two (2) weeks prior to the expected date of the birth, adoption or birth through surrogacy, unless otherwise approved by the Department of Human Resources. In cases of adoption or surrogacy, relevant documentation must be reviewed and accepted by the Department of Human Resources prior to the use of Parental Leave.

(ii) A staff member that gives birth who wishes to continue to work until the birth of their child must present a medical certificate stating that they are fit for duty. The certificate must be submitted no later than two weeks before the expected date of delivery.

(iii) For a staff member that gives birth, Parental Leave must be initiated no later than the date of the birth of the child. For a staff member that does not give birth, Parental Leave must be initiated within 6 months from the date of the birth, adoption, or birth through surrogacy, of the child.

(iv) The applicable Parental Leave must be used as an uninterrupted period of absence unless the Flexible Parental Leave Option is taken pursuant to Rule 106.7. Prior to initiating Parental Leave, the staff member must inform their supervisor in writing whether they wish to take the whole Parental Leave as an uninterrupted period of absence or if they intend to submit a request for the Flexible Parental Leave Option per Rule 106.7.

(v) When a staff member’s parental leave has started prior to the expiration or termination of their appointment but has not been completed during the appointment, the appointment shall be extended to cover the full duration of the parental leave entitlement, to be taken in one continuous period.

(vi) Any unused Parental Leave that is not taken within the one (1) year period from the child's birth, adoption, or birth through surrogacy, will be forfeited. There will be no payment of any kind made for unused Parental Leave.

(d) Other types of leave shall be applied as follows while on Parental leave:

(i) Sick leave shall not normally be granted except in the event of serious complications requiring a longer absence than that provided by Parental Leave.

(ii) Annual leave shall accrue during the period of Parental Leave provided that the staff member returns to service for at least six months after the completion of their Parental Leave.

(iii) When a staff member makes use of special leave with partial pay or without pay, or is suspended from duty without pay, they shall not lose the right to Parental Leave.

#### Rule 106.7 Flexible Parental Leave Option

(a) Flexible Parental Leave Option is an alternative which allows the staff member to use the applicable Parental Leave over the course of one (1) year from the date of birth, adoption, or birth through surrogacy, of their child provided the conditions set forth in Staff Rule 106.6 (a) are met.

(b) A staff member will be eligible for the Flexible Parental Leave Option provided the following conditions are met:

(i) The staff member must use ten (10) weeks of the applicable Parental Leave as an uninterrupted period of absence.

(ii) The staff member must submit their request to their supervisor/s through the "Flexible Parental Leave Work-Schedule" form.

### **ANNEX B Amendment to Staff Rule 106.2 (i)**

#### Staff Rule 106.2 Special Leave

(i) Staff members shall not accrue service credits towards sick, annual, and home leave, seniority, continuing contract eligibility, annual step increases, termination indemnity or repatriation grant during periods of special leave, whether with or without pay. However, periods of less than one full month of such leave shall not affect the ordinary rates of accrual. Continuity of service shall not be considered broken by periods of special leave, and persons on special leave shall continue to participate in the Secretariat's health insurance plans and pension plans, in accordance with the pertinent rules.