



UNJSPF

United Nations Joint
Staff Pension Fund



DISABILITY BENEFIT

Disability Benefit

The United Nations Joint Staff Pension Fund (UNJSPF) Regulations and Rules govern the conditions of participation and the determination of entitlements.

The rules are numerous and complex: the purpose of this booklet is to assist the reader in understanding a benefit that is available in case the need arises.

Disclaimer: The information is made available for the convenient use of the UNJSPF's participants and former participants. If there is an ambiguity, inconsistency or conflict between the information provided and the UNJSPF Regulations and Rules, any decisions will be based on the Regulations and Rules, and not on the information contained in this booklet.

Contents

- What is a disability benefit?
- Consideration for a disability benefit
- When is a disability benefit payable?
- Is the benefit subject to periodic review?
- What happens if I recover from the disability?
- Eligibility
- Regulations & Rules

Introduction

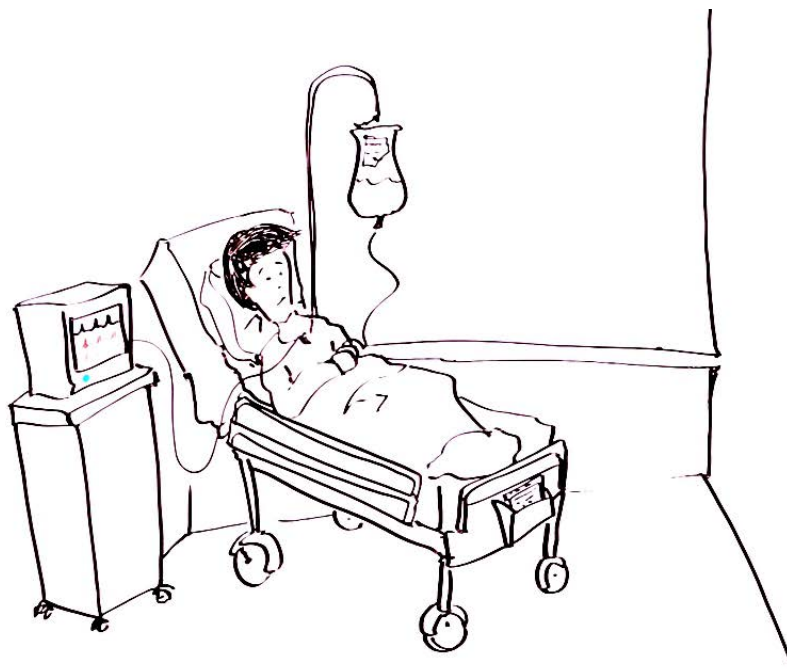
Once you are close to exhausting your sick leave entitlements, your HR Office will liaise with the Medical Services or your employing organization to determine if you should be considered for a disability benefit. In order to be considered for the a disability benefit, you will be required to provide your treating physician's detailed medical report to your employing organization's Medical Services and they will provide a recommendation to the Staff Pension Committee, which will award the benefit if they are satisfied that there is sufficient medical evidence to establish that your illness or injury qualifies you for the benefit. For more information, check out our comprehensive Disability Benefits page or continue reading.

What is a disability benefit?

A disability benefit is payable to a staff member employed by a member organization of the Fund, who is determined by the Staff Pension Committee of his/her member organization to be incapacitated for further service in a member organization in a position reasonably compatible with his/her abilities, and if the illness or injury is likely to be permanent or of long duration.

How much is a disability benefit?

The amount of the benefit is roughly equivalent to the retirement benefit you would have received if you had continued working until your normal retirement age at the same level and step when the disability benefit is granted.



Consideration for a disability benefit

What is the process to be considered for a disability benefit?

Once you are close to exhausting your sick leave entitlements, your HR Office will liaise with the Medical Services or your employing organization to determine if you should be considered for a disability benefit. If you do not agree with the decision to submit your case for consideration for a disability benefit, you may be required to undergo an independent medical evaluation or a medical board may be convened to determine your medical status. If a decision is made by Medical Services that you do not meet the conditions for a disability benefit you may request an independent medical evaluation or that a medical board be convened to consider your case.

What do I have to do?

In order to be considered for a disability benefit, you will be required to provide your treating physician's detailed medical report to your employing organi-

zation's Medical Services and they will provide a recommendation to the Staff Pension Committee, which will award the benefit if they are satisfied that there is sufficient medical evidence to establish that your illness or injury qualifies you for the benefit.

What if I have separated from service and I believe I should have been considered for a disability benefit?

If you have been separated from service but you believe that you should have been considered for a disability benefit but your former employing organization never explored the possibility, you may submit a request directly to the secretary of the Staff Pension Committee of your former employing organization. A request for a disability benefit must be submitted no later than four months after the date of separation or commencement of leave without pay. A late submission may be accepted by the Staff Pension Committee, but only if exceptional circumstances justify it.

When is a disability benefit payable?

A disability payment starts after you have separated from service of your organization, or, if your organization agrees to retain you on leave without pay, after all your paid leave entitlements (sick leave on full pay and half pay and annual leave) have been exhausted.

Is a disability benefit paid in a lump sum?

No, a disability benefit cannot be commuted into a lump sum, either in whole or in part. If you are awarded a disability benefit, you forfeit the right to an early retirement benefit at if your disability continues beyond that age. This means you cannot elect to take a partial lump sum commutation at any time. Therefore, if you are at an age when you would normally be eligible for an early retirement benefit or normal retirement benefit, and have at least five years of contributory service, you may wish to take a retirement or early retirement benefit (in which case you might be entitled to a lump sum commutation), rather than be considered for a disability benefit.

How long does a disability benefit last?

A disability benefit is paid for as long as you remain incapacitated within the meaning of the Pension Fund's Regulations. After you reach the age at which you would have normally have been entitled to receive an early retirement benefit, the disability will be deemed permanent and the benefit will be paid for the rest of your life. There is no possibility for the benefit to be converted to a retirement benefit once you reach what would have been your normal retirement age.

Is the benefit subject to periodic review?

Once a disability benefit has been awarded, you will be required to undergo to a medical examination from time to time to prove that your incapacity continues to warrant payment of the benefit. Your case will be reviewed for a last time once you reach the age at which you would normally have been eligible to receive

an early retirement benefit at which time if there is sufficient evidence, the disability will be deemed permanent and the benefit will be payable for the rest of your life. The review is undertaken by the Staff Pension Committee of your former employing organization that awarded you the benefit. You will be required to submit a medical report to the Medical Services of your former employing organization for purposes of the review, If you fail to undergo the required periodic medical examination, payment of the benefit may be suspended until you do so. If the results of the examination are found to be inconclusive, payment may be suspended until further evidence of incapacity is received.

Can I appeal the decision to award or deny me a disability benefit?

Yes, in accordance with Section K of the Fund's Administrative Rules, you can request the Staff Pension Committee that considered your case to review its decision. If they uphold their previous decision, you can appeal the decision to the Standing Committee of the United Nations Joint Staff Pension Board and thereafter to the United Nations Appeals Tribunal.

What happens if I recover from the disability?

If there is sufficient medical evidence that you have recovered from your disability, you should submit a medical report to the Medical Services of your former employing organization. A recommendation for discontinuance of the benefit will be submitted to the Staff Pension Committee of your former employing organization, which will make decision to discontinued the benefit. If you are re-employed by a member organization of the Fund, you will be treated as if you never received the benefit and your contributory service will be restored and you will re-enter the Fund as a participant. If you are not re-employed by a member organization of the Pension Fund, you can choose to receive either (a) a deferred retirement benefit –if your contributory service was 5 years or more – or (b) a withdrawal settlement.

Eligibility



Does my disabled child qualify for a benefit?

If the child of a former participant who has passed away or who is in receipt of a retirement or early retirement pension is disabled, a benefit may be payable to a child aged 21 or older at time of separation from service provided that the child was reported to the Fund as disabled the time of the participant's separation from service and meets the requirements of Article 36(b) of the Fund's Regulations.. A medical report will have to be submitted to the Medical

Services of the former participant's employing organization. It must be established that the child is incapable of substantial gainful employment. The Staff Pension Committee of your former employing organization also decides on child disability cases. The UNJSPF Regulations allow for the commencement of the payment of a disabled child's benefit at the same time as an early retirement benefit. For a child who is under the age of 21 at the time of the staff member's separation from service and for whom regular child benefit is payable, provided the child has been reported to the Fund as disabled at the time of separation from service, the child's eligibility to receive a disability benefit will be considered by the Staff Pension Committee of the former participant's employing organization when the child turns 21.

Who else can qualify for a disability benefit?

If you are the surviving brother or sister and the secondary dependent of a Pension Fund participant, who has passed away and leaves no spouse or child who is entitled to or has received at any time a benefit, you might in exceptional circumstances be entitled to a disability benefit that is the equivalent of a child's benefit.

Regulations & Rules



Article 33: DISABILITY BENEFIT

(a) A disability benefit shall, subject to article 41, be payable to a participant who is found by the Board to be incapacitated for further service in a member or organization reasonably compatible with his or her abilities, due to injury or illness constituting an impairment to health which is likely to be permanent or of long duration.

(b) The benefit shall commence on separation or, if earlier, on the expiration of the paid leave due to the participant and shall continue for as long as the participant remains incapacitated, provided that incapacity shall be deemed to be permanent once the former participant reaches an age seven years less than that

when he or she would have been entitled to receive a normal retirement benefit, except in cases where the normal retirement age is 60, in which case the period shall be five years less than the normal retirement age.

(c) The benefit shall, if the age of the participant on entitlement is the normal retirement age or more, be payable at the standard or the minimum annual rate for a retirement benefit as the case may be; if the age of the participant is less than the normal retirement age, the benefit shall be payable at the rate of the retirement benefit which would have been payable had the participant remained in service until the normal retirement age and had the final average remuneration remained unchanged.

(d) The annual rate of the benefit shall, notwithstanding (c) above, not be less, when no other benefit is payable on account of the participant under these Regulations, than the smaller of 500 dollars [increased to 2,741.04 dollars effective 1 April 2014] subject to subsequent adjustments in accordance with the movement of the United States CPI under the Pension Adjustment System or the final average remuneration of the participant.

(e) A benefit which is discontinued shall, if a participant who has been separated <https://www.unjspf.org/regulations-and-rules-of-the-unjspf/#memorandum-on-current-flat-rates-benefits> does not upon such discontinuance again become a participant, be converted at his or her option to a deferred retirement benefit or a withdrawal settlement, calculated as at the date of commencement of the disability benefit.

(f) The Board may prescribe the extent to which and the circumstances in which a disability benefit may be reduced when the beneficiary, although remaining incapacitated within the meaning of this article, is nevertheless in paid employment.

Article 36: CHILD'S BENEFIT

(a) A child's benefit shall, subject to (b) and (c) below, be payable for each child of a participant who is entitled to a retirement, early retirement or disability benefit or who has died in service, while the child remains under the age of 21.

(b) A benefit shall be payable for a child who is over the age of 21 if the child is found by the Board to have been incapacitated by illness or injury for substantial gainful employment:

(i) On reaching the age of 21, if immediately prior thereto a child's benefit was payable; or

(ii) At the time of the death in service or entitlement to a benefit of the participant.

A benefit payable as above shall continue for as long as the child remains incapacitated.

(c) A child's benefit shall, notwithstanding (a) above, not become payable, if the participant has chosen an early retirement benefit, until the participant dies or reaches the normal retirement age, except to a child under the age of 21 found by the Board to be disabled.

(d) The benefit shall, during the continuance of any periodic benefit resulting

from retirement, early retirement, disability or death in service, but subject to (e) and (f) below, be payable at the annual rate of one third of the benefit payable to the participant or, if the participant died in service, one third of the retirement or disability benefit which would have been payable if the participant had become entitled thereto at the date of death, subject to a minimum of 300 dollars per annum [increased to 1,727.52 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2014] subject to subsequent adjustments in accordance with the movement of the United States CPI under the Pension Adjustment System and a maximum of 600 dollars [increased to 3,436.32 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2014] subject to subsequent adjustments in accordance with the movement of the United States CPI under the Pension Adjustment System.

(e) The benefit, if no other periodic benefit is payable and there is no surviving parent able, in the opinion of the Board, to support the child, or if the other periodic benefit payable is to a surviving spouse who is not a natural or adoptive parent and does not have custody of the child, and further subject to (f) below, shall be payable at the rate in (d) above increased by the greater of:

(i) 300 dollars [increased to 1,727.52 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2014] subject to subsequent adjustments in accordance with the movement of the United States CPI under the Pension Adjustment System or one quarter of the retirement, early retirement or disability benefit from which it is derived, if one child's benefit is payable; and

(ii) 600 dollars [increased to 3,436.32 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2014] subject to subsequent adjustments in accordance with the movement of the United States CPI under the Pension Adjustment System or half the retirement, early retirement or disability benefit from which it is derived, and divided by the number of eligible children, if more than one such benefit is payable.

(f) The total benefits payable under (d) above shall nevertheless not exceed an annual rate of 1,800 dollars [increased to 10,349.64 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2014] subject to subsequent adjustments in accordance with the movement of the United States CPI under the Pension Adjustment System nor shall the total benefits under (d) or (e) above, added to any retirement benefit payable under article 28(b), (c), (d) or (e), early retirement benefit under article 29(b), disability, widow's or widower's benefit exceed the final average remuneration of the participant added to the total annual children's allowances that were payable by the member organization at the time the participant was separated.

(g) Benefits payable under this article shall be recalculated as may be required to achieve the purposes of (e) and (f) above.

Article 33 Section H of the Administrative Rules Disability benefits

H.3

A request for a determination by the staff pension committee under article 33(a) of the Regulations shall be made by the organization:

a) Whenever during, or on the expiry of, the appointment of a participant there is reason to believe that he or she may be incapacitated within the meaning of article 33(a); or

b) Whenever a participant is placed, or is proposed to be placed, on leave without pay for reasons of health; (c) Whenever the appointment of a participant is terminated, or is proposed to be terminated, for reasons of health...

H.5

a. The request shall be in writing, addressed to the secretary of the committee, and in the case of a participant shall be made not later than four months after the date of separation or commencement of leave without pay, unless in the opinion of the committee there are exceptional circumstances justifying submission of the request at a later date.

b. The request shall state the material facts on which the organization or the participant relies and the conclusions which are deduced therefrom, and shall be accompanied where practicable by a report from the medical officer of the organization, or a medical practitioner retained by the participant, as the case may be.

c. The organization or the participant submitting the request, may be required by the committee to provide further evidence or information thereon prior to a determination being reached.

H.6

a. A determination that a participant is incapacitated within the meaning of article 33(a) shall, until the participant reaches age fifty-five, be reviewed by the committee from time to time for the purpose of establishing the participant's continued eligibility for a disability benefit, in accordance with article 33(b). Article 33 Section H of the Administrative Rules Disability benefits:

b. The date for each such review shall be set by the committee, having regard to the opinion of the medical officer of the organization on the prospects for the participant's recovery, and in such manner that the interval between reviews does not normally exceed three years; the committee may nevertheless review a determination at an earlier date than that set for the review if there is reason to believe that the participant is no longer incapacitated.

c. The participant shall be informed in writing by the secretary of the committee of the date or interval set for the review in each case and shall, as and when required, submit to a medical examination by the medical officer, or a medical practitioner designated by the medical officer, for the purpose of providing evidence enabling the committee to reach a further determination on the continuance or otherwise of the participant's incapacity.

d. Upon review, the committee shall continue a disability benefit if it determines that the participant remains incapacitated; it may suspend or discontinue a benefit if the participant has failed to submit to a medical examination when required to do so, or if the results of a medical examination are inconclusive; it may impose on the participant the fulfillment of a condition precedent to the continuation of a benefit or the removal of a suspension; and it shall discontinue a benefit when the evidence before it shows beyond reasonable doubt that the participant is no longer incapacitated, provided that a benefit so discontinued may be re-instated by the committee if it is satisfied, upon further evidence, that the participant was in fact incapacitated.

H.7

a. A disability benefit which is suspended or discontinued shall cease to be paid at the end of the third complete month after the month in which the decision was taken.

b. A disability benefit which is re-instated after suspension or discontinuance

shall re-commence from the date on which it ceased to be paid, unless the committee, after a review of the circumstances of the case, decides that it shall re-commence from a later date.

H.8

DISABLED CHILDREN'S (AND BROTHER'S OR SISTER'S) BENEFITS [ARTICLE 36(B) AND (C)]

A determination under article 36(b) or (c) of the Regulations shall be made by the staff pension committee whenever the child, or the brother or sister, of a participant, eligible in other respects for a child's or secondary dependant's benefit, claims, or is claimed, to be incapacitated by illness or injury for substantial gainful employment:

- a. Upon reaching the age of 21, if immediately prior thereto a child's or a secondary dependant's benefit was payable, as the case may be;
- b. Upon the death in service or entitlement to a retirement or disability benefit of the participant, if the child is then over the age of 21;
- c. Upon the entitlement of the participant to an early retirement benefit. However, a child under the age of 21 shall be considered to be disabled only if the child would have been considered to be such had he or she been 21 years of age on the date of the participant's separation;
- d. Upon the death of a participant entitled to a retirement, early retirement, or disability benefit, if a brother or sister is then over the age of 21 and is claimed to have been incapacitated at the date of the participant's separation.

e. ..

(i) A staff pension committee may accept a request for a disabled child's benefit under Article 36(b) or secondary dependant's benefit under Article 37(c) (ii) that is made more than two years but less than five years after separation from service. In such case, if the benefit is awarded regardless of the reasons for the delayed request or other circumstance of the case, payment of the benefit shall commence on the day after the date of the staff pension committee's decision, with no retroactive payment.

(ii) A staff pension committee shall not consider a request for a disabled child's benefit under Article 36(b) or a secondary dependant's benefit under Article 37 (c) (ii) that is made more than five years from a) the date that the participant became eligible to receive a retirement, early retirement or disability benefit from the Fund and no child or secondary dependant's benefit was previously in payment; or b) the participant's death in service. Nevertheless, a staff pension committee may consider such a request where the Medical Consultant concludes that the medical condition was in existence at the time of the participant's separation from service but could not have been diagnosed prior to the time of the request.

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You can contact the Fund through the website – go to **CONTACT US** and fill out the form. The secretariat of the Staff Pension Committee will assist participants from member organisations.



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