

03 General Obligations of Staff Members

03.00 Office of Ethics and Business Conduct (EBC)

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SECTION I - PURPOSE AND APPLICATION

1.01 This Directive, Staff Rule 3.00, "Office of Ethics and Business Conduct (EBC)," (hereinafter "Rule") defines the functions of the Office of Ethics and Business Conduct (EBC).

1.02 A commitment to core values and high ethical standards is important to the success of the World Bank Group ("Bank Group"). EBC promotes the development and application of the highest ethical standards by staff members in the performance of their duties with respect to the Bank Group.

1.03 This Rule applies to all staff members, as defined in Staff Rule 1.01, "General Provisions," and Staff Rule 4.01, "Appointment." This Rule shall also apply to former staff members.

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SECTION II - DEFINITIONS

1.04 Capitalized terms in this Rule have the meanings ascribed to them in Staff Rule 1.01, "General Provisions."

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SECTION III - SCOPE

02. The Vice President and Chief Ethics Officer; Office of Ethics and Business Conduct

2.01 The Vice President and Chief Ethics Officer, EBC, of the Bank Group reports directly to the President or his/her designee and may be removed from office, for cause and through a fair process, only by the President or his/her designee and in consultation with representative members of the staff selected by the World Bank Group Staff Association.

2.02 The Vice President and Chief Ethics Officer, EBC, shall be appointed by the President or his/her designee, for a period of five years. This appointment maybe renewed by the President, or his/her designee, for one additional five year term.

2.03 In carrying out its functions under this Rule, EBC shall be free from improper interference, by any official or staff member of the Bank Group. For purposes of this Rule, any control, limitation or penalty, imposed for retaliatory purposes, shall be considered interference. In carrying out its functions, EBC staff shall adhere to the Principles of Staff Employment, Staff Rules, Administrative Manual, Code of Conduct, and other applicable Bank Group policies.

03. Outreach, Communications and Training

3.01 EBC shall conduct outreach, communications and training activities designed to foster awareness of and adherence to ethical obligations of Bank Group staff members.

04. Reporting and Assistance with Policy Improvement

4.01 EBC shall submit periodic reports to the Office of the President providing overviews of EBC's activities and information on issues and trends relating to the ethics and business conduct functions, including on matters such as concerns raised by staff members, lessons learned in addressing those issues, and the functioning of EBC's case management system. Such reports may be based on aggregate data and shall maintain any confidentiality protections provided to individuals by EBC, whether in the course of their seeking advice and guidance, of their participating in connection with the resolution of matters under review by EBC, or otherwise.

05. Advice and Guidance

5.01 EBC shall advise staff members on issues and questions regarding the Principles of Staff Employment, Staff Rules, Administrative Manual, Code of Conduct, and other Bank Group policies, including regarding those matters set forth in paragraph 6.01 of this Rule. EBC may refer staff members to other units within the Bank Group for further advice and guidance.

Contacting EBC

5.02 Staff members seeking advice regarding issues or questions may contact EBC. Staff members are required to contact EBC regarding the resolution of financial conflicts of interest, as provided in Staff Rule 3.03, "Financial Interest and Disclosure," Section 3, "Disclosure and Resolution of Conflicts of Interest."

06. Allegations of Misconduct Addressed by EBC

Scope of Allegations Addressed by EBC

6.01 Subject to the exclusions provided in paragraphs 6.02 and 6.03 of this Rule, EBC shall review and assist in the resolution of allegations of misconduct. Misconduct does not require malice or guilty purpose, and it includes failure to observe the Principles of Staff Employment, Staff Rules, Administrative Manual, Code of Conduct, other Bank Group policies, and other duties of employment, including the following acts and omissions:

- a. Failure to observe obligations relating to health and safety, personnel information, disclosure of non-public information, information security, and the unauthorized use of Bank Group offices, equipment, computer resources or staff; abuse of authority; absence from duty without justifiable cause; or abuse or misuse of Bank Group funds related to travel, benefits, allowances (including tax allowances), P-Card, petty cash, or property;
- b. Reckless failure to identify, or failure to observe, generally applicable norms of prudent professional conduct; failure to perform assigned duties; gross negligence in the performance of assigned duties; performance of assigned duties in an improper or reckless manner; failure to supervise a staff member; or failure to know, and observe, the legal, policy, budgetary, and administrative standards and restrictions imposed by the Bank Group; undertaking an activity where authority to do so has been denied; or willful misrepresentation of facts intended to be relied upon;
- c. Acts or omissions in conflict with the general obligations of staff members set forth in

- Principle 3, "General Obligations of Staff Members," of the Principles of Staff Employment and Staff Rule 3.01, "Standards of Professional Conduct" through Staff Rule 3.06, "Family Obligations – Spouse and (or) Child Support Obligations and Divorce." Omissions may include failure to file a timely, complete and accurate financial disclosure form;
- d. Conviction for acts that are criminal in nature, including theft, forgery, fraud, corrupt practices, use of or possession of illegal drugs, physical assault, or domestic abuse;
 - e. Harassment; contributing to a hostile work environment; or wrongful discrimination, including on the basis of age, race, color, sex, sexual orientation, national origin, religion or creed;
 - f. Failure to meet personal legal obligations as required by Bank Group policies, including payment of court-ordered spousal and child support; and
 - g. Retaliation by a staff member against any person who provides information regarding suspected misconduct or who cooperates or provides information in connection with an investigation or review of allegations of misconduct, review or fact finding, or who uses the Conflict Resolution System, including retaliation with respect to reports of misconduct to which Staff Rule 8.02, "Protections and Procedures for Reporting Misconduct (Whistleblowing)" applies.

Limitation Based on Subject Matter

6.02 Except in circumstances in which EBC has been expressly designated to review a matter under the provisions of Staff Rule 8.01, "Disciplinary Proceedings," paragraphs 4.02 and 4.04, EBC will not conduct reviews of allegations of misconduct involving:

- a. Misuse of Bank Group funds or other public funds (e.g. donor trust funds) for personal gain of oneself or another in connection with Bank Group operations, corporate procurement, or Bank Group administrative budgets (except for travel, benefits, allowances (including tax allowances), P-Card, petty cash or Bank Group property), loans, credits, or grant funds;
- b. Abuse of position in the Bank Group for the personal gain of oneself or another in connection with Bank Group operations, corporate procurement, or Bank Group administrative budgets (except for travel, benefits, allowances (including tax allowances), P-Card, petty cash or Bank Group property), loans, credits, or grant or donor trust funds; or
- c. Fraud, corruption, coercion, collusion, or offering, receiving or soliciting bribes, kickbacks or other (e.g., in-kind) personal benefits involving Bank Group financed/supported operations or corporate procurements; embezzlement of funds from Bank Group administrative budgets, loans, credits or grant funds.

Such matters shall be handled by the Integrity Vice Presidency (INT), or otherwise in accordance with the provisions of Staff Rule 8.01, "Disciplinary Proceedings," and any other applicable rules and policies. If at any time the Vice President and Chief Ethics Officer, EBC, or the Vice President, INT, determines that there is a question as to whether all or any portion of a matter falls within the scope of authority of EBC or that of INT, the Vice President and Chief Ethics Officer, EBC, and the Vice President, INT, shall consult with each other to resolve the question.

Other Limitations

6.03 Except where the President or his/her designee, or the World Bank Group Human Resources Vice President, determines that an alternative reviewer should be designated, EBC shall address matters raised under this Rule. An alternative reviewer may be any person outside of EBC, including an external reviewer from outside of the Bank Group. If the Vice President and Chief Ethics Officer, EBC, determines that EBC has a conflict of interest in addressing a matter under this Rule, EBC shall refer to the World Bank Group Human Resources Vice President, the determination as to whether an alternative reviewer should be designated to handle the matter. Where a staff member has grounds to believe that reporting suspected misconduct to line management and EBC would subject the staff member to retaliation or create a likelihood that evidence relating to the suspected misconduct will be concealed or destroyed, the staff member may report suspected misconduct directly to the World Bank Group Human Resources Vice President, with a request that an alternative reviewer outside of EBC be designated to review the report of suspected misconduct. With respect to reports of suspected misconduct that may threaten the operations or governance of the Bank Group, the provisions of Staff Rule 8.02, "Protections and Procedures for Reporting Misconduct (Whistleblowing)" shall apply.

07. Reporting of Allegations and Concerns Regarding Suspected Misconduct

Reporting Channels

7.01 Staff members are encouraged to report suspected staff misconduct that falls within the scope of matters addressed by EBC, as set forth in Section 6, "Allegations of Misconduct Addressed by EBC," of this Rule, to EBC or to line management, but are not required to do so. A manager who suspects or receives a report of suspected staff misconduct, however, has an obligation to report it either to EBC or, as provided in this Rule, to INT. As provided in Staff Rule 8.01, "Disciplinary Proceedings," paragraph 2.02, a staff member has a duty to report suspected fraud or corruption in Bank Group financed projects or in the administration of Bank Group business to his/her line management or to INT, and a manager who suspects or receives a report of suspected fraud or corruption has an obligation to report it to INT. With respect to reports of suspected misconduct that may threaten the operations or governance of the Bank Group, the provisions of Staff Rule 8.02, "Protections and Procedures for Reporting Misconduct (Whistleblowing)" shall apply. Reports of suspected misconduct involving Board Officials should be submitted to the Ethics Committee of the Board as provided in the Code of Conduct for Board Officials.

Timing of Reporting

7.02 To facilitate effective review and resolution regarding allegations and concerns, staff members are encouraged to report misconduct in a timely manner after becoming aware of such conduct.

Confidentiality of Reporting

7.03 The identity of a staff member who brings a concern or allegation to EBC will be confidential. Confidentiality means that a staff member provides his/her name, but EBC will reveal the source of the allegations outside of EBC only on a need-to-know basis, unless:

- a. the staff member consents to disclosure, or
- b. the Vice President and Chief Ethics Officer, EBC, determines that:
 - i. the staff member made allegations that were knowingly false or made with reckless disregard as to whether they were true or false, or
 - ii. there appears to be a risk of imminent danger or serious harm to individuals or the Bank Group, or
 - iii. the Bank Group is requested to disclose such information by a competent judicial authority within a member government and agrees to comply with such request.

Anonymous Reporting

7.04 A staff member who brings a concern or allegation to EBC may choose to remain anonymous. Anonymity means that a staff member does not provide EBC with his/her name. A staff member who chooses to report on an anonymous basis must provide in a timely manner enough information concerning the basis of the allegations and sufficient detail or supporting factual basis that the matter can be pursued responsibly. Otherwise, the matter usually cannot be pursued further. Even where anonymous allegations are sufficiently detailed or supported to permit responsible further actions to resolve the matter as provided in this Rule, no final finding of misconduct will be made based solely on the anonymous allegations without corroboration. Providing information to EBC on a confidential or anonymous basis does not in any way restrict the Bank Group's authority to address the matters raised, including possible misconduct by the staff member providing the report. Staff members are encouraged to report in a manner that will facilitate effective fact finding and resolution, which in general will mean confidential, rather than anonymous, reporting.

Knowingly False or Reckless Allegations

7.05 Staff members shall not bring allegations under this Rule that are knowingly false or made with reckless disregard as to whether they are true or false. Doing so shall subject the staff member making such allegations to proceedings under this Rule.

Prohibition of Retaliation

7.06 Retaliation by a staff member against any person who provides information regarding suspected misconduct, who cooperates or provides information in connection with a preliminary inquiry or investigation conducted under Staff Rule 8.01, "Disciplinary Proceedings," or in connection with an initial review or subsequent procedures set forth in Sections 8 through 10 of this Rule, or who uses the Conflict Resolution System, is expressly prohibited and shall result in proceedings under this Rule. This prohibition against retaliation extends also to retaliation against any person because such person was believed to be about to report misconduct or believed to have reported misconduct, even if such belief is mistaken.

08. Reviews of Allegations of Misconduct

Preliminary Enquiries

8.01 If EBC receives an allegation within the scope of Section 6, "Allegations of Misconduct Addressed by EBC," of this Rule, or if the basis for any such allegation otherwise comes to EBC's attention, EBC shall undertake an initial review. Alternatively, EBC may request that line management (at the level of the manager of the supervisor of the staff member whose conduct is at issue or above) conduct the initial review. Based on the initial review, EBC may conduct a further review of the matter by:

- a. Assisting the parties concerned in reaching a resolution of the matter acceptable to all parties concerned, in accordance with paragraph 9.01 of this Rule;
- b. facilitating a process whereby a staff member whose conduct is at issue may voluntarily agree to a resolution of the matter in accordance with paragraph 9.02 of this Rule; or
- c. conducting a fact finding in accordance with Section 10, "Fact Finding," of this Rule.

Alternatively, EBC may request that line management (at the level of the manager of the supervisor of the staff member whose conduct is at issue or above) conduct the procedures provided for in Section 9, "Closing Cases by Agreement," and Section 10, "Fact Findings," of this Rule. EBC may at any time determine that an initial or further review will be conducted by the Vice President and Chief Ethics Officer, EBC, or a designated EBC official. The Vice President and Chief Ethics Officer, EBC, or a designated EBC official, may at any time decline to consider a matter further if it is determined that there is insufficient factual basis to warrant further consideration.

Notice and Right to Respond

8.02 A staff member whose conduct is at issue will be notified in writing of the allegations against him/her, and of the staff member's rights and obligations, at the onset of any of the procedures set forth in clauses (a), (b), or (c) of Section 8.01 of this Rule. A staff member has a right to respond to the allegations made against him/her, either orally or in writing, or both, and may be required to do so within a reasonable period of time. The amount of time allowed a staff member to respond in writing will take into account the complexity and seriousness of the matter, but will not be less than 10 business days.

Gathering of Information

8.03 The person conducting the preliminary enquiry or further review may at any time obtain information believed to be relevant to allegations made under this Rule, including personnel information and other records and documents, and may consult with persons who are believed to have knowledge or information that may assist in the resolution of the issues and questions raised.

Cooperation

8.04 A staff member who is the subject of a preliminary enquiry or a further review has a duty to cooperate with the person conducting the review. A staff member believed to have knowledge relevant to a preliminary enquiry or a further review also has a duty to cooperate, unless the staff member shows a sufficient reason to justify failure to cooperate, as determined by the Vice President and Chief Ethics Officer, EBC, or a designated EBC official. Cooperation includes providing the person conducting the review with any information or materials in the staff member's possession

that would support a belief that misconduct alleged under this Rule has occurred, and staff members reporting alleged misconduct are encouraged to provide such information in their reports. Failure or refusal to cooperate may constitute a violation of this Rule and may subject the staff member to proceedings under this Rule.

Administrative Leave

8.05 The World Bank Group Human Resources Vice President may, pursuant to Staff Rule 6.06, "Leave," Section 9, "Administrative Leave," place a staff member on Administrative Leave pending completion of a preliminary enquiry or further review. Administrative Leave can last up to six months, and can be extended when the World Bank Group Human Resources Vice President determines that additional time is needed to complete such preliminary enquiry or further review. A staff member will be notified in writing of the decision to place him/her on Administrative Leave, the reason for the decision, and the duration of the administrative leave.

Referral of Matters for Law Enforcement Purposes and Disclosure of Information to Member Countries and Public International Organizations

8.06 The Bank Group may disclose information obtained in the course of a review of alleged misconduct to local or national authorities for law enforcement purposes in accordance with Staff Rule 2.01, "Confidentiality of Personnel Information," paragraph 5.01 (o), in accordance with the procedures set forth in Staff Rule 8.01, "Disciplinary Proceedings," paragraph 6.01. The Bank Group may also disclose information obtained in the course of a review of alleged misconduct to governmental bodies of member countries and to public international organizations in accordance with Staff Rule 2.01, "Confidentiality of Personnel Information," paragraph 5.01 (p), in accordance with the procedures set forth in Staff Rule 8.01, "Disciplinary Proceedings," paragraph 7.01.

09. Closing Cases by Agreement

Closing Cases with No Further Action

9.01 The Vice President and Chief Ethics Officer, EBC, or a designated EBC official, and the staff member raising a concern, any staff member whose conduct is at issue, and any other concerned parties as identified by EBC, may mutually agree to attempt to address the matter informally. If EBC and the parties concerned reach an understanding of the matter at issue and mutually agree that no further action by EBC is necessary, EBC shall document that fact and shall not take any further action on the matter at that time. Alternatively, a line manager who has been requested by EBC to perform this function, and the staff member raising a concern, any staff member whose conduct is at issue, and any other concerned parties as identified by EBC, may mutually agree to attempt to address the matter informally. If the line manager and the parties concerned reach an understanding of the matter at issue and mutually agree that no further action by EBC or the line manager is necessary, and if EBC concurs, EBC shall document that fact and neither EBC nor the line manager shall take any further action on the matter at that time. Alternatively, EBC may refer to other resources cases that may benefit from the involvement of a third party.

Closing Cases with Binding Resolution

9.02 If the Vice President and Chief Ethics Officer, EBC, or a designated EBC official, determines that a matter could be effectively resolved through an agreement with a staff member whose conduct is at issue, EBC may offer this option to the staff member. Alternatively, if a line manager who has been requested by EBC to perform this function determines that a matter could be effectively resolved through an agreement with a staff member whose conduct is at issue, the line manager may, subject to EBC's concurrence, offer this option to the staff member. Any such agreement shall require the agreement of the staff member's manager at the Director level or above and the concurrence of the World Bank Group Human Resources Vice President or his/her designee. Such an agreement may include factual findings, and may require the staff member to participate in performance management measures or may subject the staff member to disciplinary measures. Any such agreement shall be recorded in writing and shall be binding. The factual findings contained in such an agreement may be used in consideration of future performance management or disciplinary

actions, provided that such measures or disciplinary proceedings are not based wholly on facts set forth in such agreement.

10. Fact Findings

Decision to Conduct a Fact Finding

10.01 If the Vice President and Chief Ethics Officer, EBC, or a designated EBC official, determines that there is a sufficient basis to believe that facts may develop that would effectively be addressed through performance management measures or disciplinary measures, or that a fact finding may otherwise be useful in understanding and resolving the matter, EBC, or a line manager requested by EBC to perform this function, may conduct a fact finding to determine further information regarding the substance and circumstances of the matter.

Assistance During a Fact Finding

10.02 A staff member against whom the allegations at issue have been made may be accompanied at interviews in the course of a fact finding by another staff member who is reasonably available, who is not connected to the matter under review, and who is approved in advance by the Vice President and Chief Ethics Officer, EBC. The presence of such a person will not relieve a staff member of the obligation to respond personally in the matter under review. Members of any Legal Vice Presidency or Legal Department of the Bank Group may not represent, advise or otherwise assist a staff member in connection with fact findings under this Rule.

Summary of Findings

10.03 If at the end of the fact finding process the person conducting the fact finding determines to recommend that the allegations be addressed through performance management measures or disciplinary measures, a written summary of factual findings and recommendations will be prepared. If the person who conducted the fact finding was a line manager requested to do so by EBC, the recommendations included in the written summary shall be subject to EBC's concurrence.

Performance Management Recommendations, Decisions and Notifications

10.04 If the Vice President and Chief Ethics Officer, EBC, or a designated EBC official, recommends that the matter be further addressed through performance management actions, EBC will consult with the staff member, the staff member's manager, and the responsible Manager, Human Resources Team /HR Regional Head , to determine appropriate measures to address the concerns. Alternatively, if a line manager whom EBC has requested perform this function recommends that the matter be further addressed through performance management actions, the line manager will consult with the staff member, the staff member's manager, and the relevant Manager, Human Resources Team /HR Regional Head , to determine, subject to EBC's concurrence, appropriate measures to address the concerns. The staff member's manager shall confirm the outcome of the consultation in a memorandum to the staff member, with a copy provided to the Manager, Human Resources Team /HR Regional Head and to EBC for filing in the Limited Access Section of the staff member's Staff Records.

Disciplinary Measures Recommendations

10.05 If the person conducting the fact finding recommends that the matter be addressed through the imposition of one or more disciplinary measures, the staff member whose conduct is at issue shall be provided with a written summary of factual findings and recommendations. This staff member shall be given an opportunity to comment on the findings, and these comments shall be reviewed to determine whether they warrant any modification to the recommendations on the matter. The amount of time allowed a staff member to comment will take into account the complexity and seriousness of the matter, but will not be less than 10 business days. The summary, along with the staff member's comments and a response from the person conducting the fact finding, will be submitted to the World Bank Group Human Resources Vice President for a decision. Alternatively, if the fact finding has been conducted by a line manager, the line manager will

determine whether misconduct has occurred and, if so, may censure the staff member either orally or in writing, subject to the concurrence of EBC. If the line manager believes the discipline should be something other than oral or written censure, the line manager will, subject to the concurrence of EBC, make a recommendation to the World Bank Group Human Resources Vice President, regarding a decision on the finding of misconduct and the discipline to be imposed.

Disciplinary Measures

10.06 Depending on the circumstances of the matter, one or more of the following disciplinary measures may be taken by the Bank Group when misconduct is determined to have occurred, provided the determination is made within three years from the date that the misconduct on which the disciplinary measure is based is discovered, except that no time limitation will apply to a determination of misconduct for which mandatory termination is to be imposed:

- a. Oral or written censure;
- b. Suspension from duty with pay, with reduced pay, or without pay;
- c. Restrictions on access to the Bank Group's premises;
- d. Restitution, compensation or forfeiture payable to the Bank Group from a staff member's pay or benefits, or through a reduction or elimination of a salary increase in respect of a prior year in which it is later determined misconduct occurred, either to penalize a staff member or to pay the Bank Group for losses attributable to misconduct;
- e. Removal of privileges or benefits, whether permanently or for a specified period of time;
- f. Reassignment;
- g. Assignment to a lower level position;
- h. Demotion without assignment to a lower level position;
- i. Reduction in future pay, including the withholding of future pay increases;
- j. Ineligibility for promotion, whether permanently or for a specified period;
- k. Termination of appointment;
- l. Loss of future employment and contractual opportunities with the Bank Group; and
- m. When the financial disclosure form that is submitted pursuant to the requirements set forth in Staff Rule 3.03, "Financial Interest and Disclosure," is not timely, complete or accurate, in addition to the disciplines described above, a fine to the staff member in accordance with Staff Rule 3.03, "Financial Interest and Disclosure," paragraph 3.06.

Suspension of Payment of Benefits Due Upon Termination

10.07 If a staff member terminates from service while a misconduct review is ongoing, the World Bank Group Human Resources Vice President may suspend payment of all benefits due to the staff member upon termination, except for benefits due under the Staff Retirement Plan, until a decision on misconduct is made provided that:

- a. there is a reasonable basis to believe that the staff member may be required to pay restitution or to otherwise compensate the Bank Group for financial losses attributable to the staff member's actions;
- b. the suspended funds will earn interest at the savings account rate offered by the Bank Fund Credit Union during the period of the suspension, if posted in Headquarters, and the local savings account rate determined by the head of the country office, if posted in a country office;
- c. suspension of payment is unlikely to cause undue hardship for the staff member;
- d. the staff member is notified of the decision to suspend payment of benefits, the reasons for the suspension, and of the right to appeal the decision directly to the Administrative Tribunal; and
- e. payment of benefits shall not be suspended for longer than one year, except where the World Bank Group Human Resources Vice President determines that additional time is needed to complete an investigation.

10.08 If the staff member is determined to owe funds to the Bank Group when a decision on misconduct is made, those funds may be deducted in full from any benefits suspended under paragraph 10.07 of this Rule. If the staff member is determined not to owe funds to the Bank Group, the benefits shall be paid to the staff member in full, plus interest, within 30 days from the

date that the decision on misconduct is made.

Imposition of Disciplinary Measures

10.09 Upon a finding of misconduct, disciplinary measures, if any, imposed by the Bank Group on a staff member will be determined on a case-by-case basis. Any decision on disciplinary measures will take into account such factors as the seriousness of the matter, any extenuating circumstances, the situation of the staff member, the interests of the Bank Group, and the frequency of conduct for which disciplinary measures, as provided in paragraph 10.06 of this Rule may be imposed. Subject to the provisions of paragraph 10.10 of this Rule, termination of service will be mandatory, where it is determined that any of the following misconduct has occurred:

- a. Misuse of Bank Group funds or other public funds for the personal gain of oneself or another in connection with Bank Group activities or employment, or abuse of position in the Bank Group for the personal gain of oneself or another;
- b. Conviction of a felonious criminal offense; or
- c. Refusal by the staff member to file a timely, complete and accurate financial disclosure form without reasonable justification acceptable to EBC.

Review of Mandatory Termination of Service

10.10 Where termination is mandatory under this Rule, the President or his/her designee appointed to review the case, retains full and sole discretion to determine otherwise based on particular circumstances – i.e., where an act is a felony in one jurisdiction but not in most others, or where there has been a manifest lack of due process in the relevant case.

Disciplinary Measures Decision

10.11 The World Bank Group Human Resources Vice President, will decide, after consultation with the staff member's manager and based on EBC's findings, whether conduct warranting the imposition of disciplinary measures on a staff member occurred and what, disciplinary measures should be imposed. Where there is conflict of interest for the World Bank Group Human Resources Vice President, a Managing Director, or the President or his/her designee shall make the decision.

Notification of Disciplinary Measures Decision

10.12 The staff member whose conduct is at issue will be notified of the decision, the disciplinary measures, the reasons for their imposition, and the right to appeal. Except where the measure is oral censure, the notification will be in writing.

11. Special Provision for Disciplinary and Decision Making Process in Matters Involving Failure to Comply with Financial Disclosure Requirements

Application

11.01 This Section sets forth special provisions regarding failure to comply with financial disclosure requirements as described in Staff Rule 3.03, "Financial Interest and Disclosure," and supersedes, for these matters, the procedures described in Sections 6 through 10.04 of this Rule.

Special Provision

11.02 EBC shall notify a staff member in writing if the staff member fails to file a financial disclosure form by the annual filing deadline set by EBC, or if the staff member fails to provide requested additional information by the due date. EBC shall have the authority to impose fines, in accordance with Staff Rule 3.03, "Financial Interest and Disclosure," paragraph 3.06. In addition, after EBC notifies the staff member in writing of his/her failure to submit a timely, complete, and accurate financial disclosure form or provide additional information as requested, EBC will submit to the World Bank Group Human Resources Vice President, the record of EBC's communications with a staff

member whenever, without a justification acceptable to EBC, a staff member does not submit a timely, complete, and accurate financial disclosure form or does not provide additional information as requested, as required by Staff Rule 3.03, "Financial Interest and Disclosure." The World Bank Group Human Resources Vice President, will decide, based on the record, whether the staff member's noncompliance constitutes misconduct and, if so, what other disciplinary measures to impose in addition to fines imposed by EBC.

12. Special Provision for Disciplinary and Decision Making Process in Matters Involving Failure to Meet Personal Legal Obligations as Required by Bank Group Policies

Application

12.01 This section sets forth special provisions for the disciplinary and decision making process in matters involving a staff member's failure to meet personal legal obligations as required by Bank Group policies, including (a) payment of court-ordered spouse and/or child support, and (b) income tax levies or liens, except those tax levies or liens involving tax years for which the staff member was paid an allowance by the Bank Group, in which case Sections 6 through 10 of this Rule shall apply. For all other personal legal obligations, this Section 12 supersedes the procedures set forth in Sections 6 through 10.04 of this Rule.

Special Provision

12.02 EBC shall notify a staff member in writing if the staff member fails to demonstrate compliance with his/her personal legal obligations as required by Bank Group policies and as set forth in paragraph 12.01 of this Rule. After EBC notifies the staff member in writing of his/her failure to demonstrate that compliance, EBC will submit to the World Bank Group Human Resources Vice President, the record of EBC's communications with a staff member whenever, without a justification acceptable to EBC, a staff member failed to demonstrate compliance with his/her personal legal obligations as set forth in paragraph 12.01 of this Rule. The World Bank Group Human Resources Vice President, will decide, based on the record, whether the staff member's noncompliance constitutes misconduct and, if so, what disciplinary measures, from Section 10 of this Rule, to impose.

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SECTION IV - EXCEPTION

None

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SECTION V - WAIVER

The Issuer may waive any provision of this Rule, with advice from the Vice President and Chief Ethics Officer, EBC.

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None

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None

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SECTION VIII - EFFECTIVE DATE

This Rule is effective as of the date on its cover page.

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The Issuer of this Rule is the President, IBRD/IDA, IFC and MIGA, EXC

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SECTION X - SPONSOR

The Sponsor(s) of this Rule are:

Vice President and Chief Ethics Officer, EBC

IFC Executive Vice President and CEO, CEXVP

MIGA Executive Vice President and CEO, MIGEX

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SECTION XI - RELATED DOCUMENTS

Directive/Procedure, "Conduct of Disciplinary Proceedings for EBC Investigations"

Staff Rule 2.01, "Confidentiality of Personnel Information"

Staff Rule 8.01, "Disciplinary Proceedings"

Directive/Procedure, "Conduct of Disciplinary Proceedings for INT Investigations"

Staff Rule 8.02, "Protections and Procedures for Reporting Misconduct (Whistleblowing)"

AMS 6.20, "Information Security" – Annex A: "Information Security Policy for Information Users"

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ANNEX(ES)

None

Attention:

Questions regarding this Rule should be addressed to the Vice President and Chief Ethics Officer, EBC.

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03 General Obligations of Staff Members

03.01 Standards of Professional Conduct

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SECTION I - PURPOSE AND APPLICATION

1.01 This Directive, Staff Rule 3.01, "Standards of Professional Conduct," (hereinafter "Rule") sets forth provisions specifying the standards of professional conduct required of staff members. This Rule was most recently amended on September 19, 2016.

1.02 The purpose of this Rule is to ensure that staff members adhere to the high standards of professional conduct expected of international civil servants. Staff members who have questions about the application of ethical rules in particular circumstances should seek advice from the Office of Ethics and Business Conduct (EBC).

1.03 This Rule applies to all staff members except where otherwise specified. It also applies, where specified, to former staff members and immediate family members (as defined in Staff Rule 1.01, "General Provisions").

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SECTION II - DEFINITIONS

1.04 Capitalized terms in this Rule have the meanings ascribed to them in Staff Rule 1.01, "General Provisions," and as follows:

a. **Close Relatives:** Family members as defined in Staff Rule 4.01, "Appointment," paragraph 5.03, "Close Relatives," and includes both Category I and Category II Relatives.

b. **Work-Related Gift:** Any personal benefit of value such as gifts, free or discounted services, favors, entertainment or hospitality (meals or accommodations) by organizations, officials or members of the public with whom a Bank Group staff member is in contact through his or her employment with the Bank Group.

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SECTION III - SCOPE

02. Compliance

2.01 Upon appointment, each staff member shall file with the Manager, HR Operations, a statement representing that s/he has read and will comply with Principle 3, "General Obligations of Staff Members," under the "Principles of Staff Employment," and Staff Rules 3.01 to 3.06 ("General Obligations of Staff Members") inclusive.

2.02 Each staff member may be required to complete periodic training regarding the requirements of Principle 3, "General Obligations of Staff Members," under the "Principles of Staff Employment," and Staff Rules 3.01 to 3.06 ("General Obligations of Staff Members") inclusive. The Office of Ethics and Business Conduct (EBC) is

responsible for conducting this training. To facilitate compliance with this Rule and to complement such training, this Rule will be communicated periodically to all staff members.

2.03 Where this Rule affects the interests and activities of a member or members of a staff member's immediate family or requires disclosures pertaining to them, the staff member shall use his best efforts to be informed as to those activities and interests, to secure compliance with this Rule and to make disclosures to the best of his/her knowledge.

03. Duty of Care

3.01 Staff members must comply with the obligations embodied in the "Principles of Staff Employment," the "Staff Rules," and all other policies and procedures of the Bank Group, as applicable.

3.02 In complying with such obligations, including, as applicable, fiduciary obligations for overseeing the use of internal and external funds, staff members shall carry out their duties with care and honesty. Staff members will be held accountable for failure to do so and will be subject to disciplinary action under either Staff Rule 3.00, "Office of Ethics and Business Conduct (EBC)," or Staff Rule 8.01, "Disciplinary Proceedings," whichever is applicable if they are found to have:

- i. committed an ethical breach;
- ii. administered funds for purposes other than those intended (as provided for in written documents addressing the use and administration of the funds) without written authorization from their managers (as defined in Staff Rule 1.01, "General Provisions");
- iii. administered funds with reckless disregard for economy and efficiency; or
- iv. engaged in fraudulent or corrupt acts.

04. Supervisory Relationships

4.01 Supervisors shall at all times treat staff in a fair and unbiased manner. Treatment of staff shall not be influenced by personal ties between the supervisor and the staff member, nor shall it be influenced by the race, nationality, sex, religion, political opinions, or sexual orientation of the supervisor or staff member.

4.02 A sexual relationship between a staff member and his/her direct report, or direct or indirect manager or supervisor is considered a de facto conflict of interest. The manager/supervisor shall be responsible for seeking a resolution of the conflict of interest, if need be in consultation with management, who will take measures to resolve the conflict of interest. Failure to promptly resolve the conflict of interest may result in a finding of misconduct.

05. Disclosure and Use of Non-Public Information

5.01 Staff members and former staff members in possession of non-public information obtained in the course of Bank Group employment shall not, without written authorization from a senior manager, disclose to any third party for any reason or otherwise use such information in furtherance of a private interest or the private interest of any other person or entity. These obligations continue after separation from Bank Group service. "Non-public information" is defined as information generated by the Bank Group that has not been approved for release outside the Bank Group in accordance with the Bank Group's Rules.

5.02 Staff members may be required to sign agreements with governments, and other entities or persons, for the protection of the secrecy of proprietary information made known to them by reason of their Bank Group employment.

5.03 Qualified external reports of suspected misconduct that are made by staff members in accordance with Staff Rule 8.02, "Protections and Procedures for Reporting Misconduct (Whistleblowing)," paragraph 4.02, and consistent with any confidentiality obligations to concerned third parties pursuant to paragraph 5.02 of this Rule, shall not be considered as a breach of staff members' obligations with regard to the disclosure and use of non-public information under paragraph 5.01 of this Rule.

06. Instructions and Remuneration from Outside Sources

6.01 Except as otherwise required to perform Bank Group assignments involving service to other entities, staff members owe their duty entirely to the Bank Group and to no other authority. Accordingly, staff members may not accept instructions relating to the performance of their duties with the Bank Group from any governments or other external entities or persons except where performing duties for others pursuant to:

- a. the terms of an Executive Director's Advisor Appointment;
- b. an External Service Assignment;
- c. during Leave Without Pay; or
- d. the provisions of Staff Rule 3.04, "Bank Group Endorsed Activities with External Entities."

6.02 Except when holding Special Assignment Appointments, or if the staff member is on External Service without Pay or on Leave without Pay in order to accompany a spouse on a Bank assignment, staff members may not accept any remuneration from governments or other external entities or persons in connection with their appointment to or service with the Bank Group.

07. Appearances before Legislatures of Member Countries and Public Statements

7.01 Except as provided in this Rule, Staff members may not testify in person or in writing before national or other legislatures without written authorization from the staff member's Vice President, in consultation with the General Counsel of the applicable Bank Group organization and the Vice President, External Affairs. Such authorization may be granted in exceptional circumstances of institutional significance, but only so long as the testimony concerns factual matters based on the Bank Group's work, is not compulsory, is permissible under the Bank Group organization's disclosure policy, and has been requested or endorsed by the executive branch of the government concerned. The authorization may limit the manner or scope of testimony.

7.02 Public statements, other than testimony before national or other legislatures, on issues which concern Bank Group policies and activities or which may generally affect the Bank Group's public image or relationship with member governments must be cleared in accordance with the procedures set out in Administrative Manual Statement 14.20, "Public Statements of Staff Members."

08. Political Activity

8.01 It is recognized that staff members have a legitimate interest in the civic and political affairs of the country of which they are citizens. However, the degree to which they become actively involved in politics must necessarily be limited by their status as international civil servants. In particular, staff members shall not identify themselves as World Bank staff members when engaging in any political activity. Provided these activities are carried out in an entirely private capacity, permissible political activities include, but are not limited to:

- a. belonging to national political parties;
- b. making legal political contributions;
- c. voting;
- d. contacting elected representatives;
- e. participating in local community affairs;
- f. participating in peaceful demonstrations.

8.02 Staff members present in the course of their Bank Group employment in a country, where they are not citizens, may not belong to a political party or engage in any overt partisan political activity, but may

- a. participate in local community affairs;
- b. participate in peaceful demonstrations; provided these activities are carried out in an entirely private capacity and without identifying themselves as World Bank Group staff members.

09. Public Office

9.01 A staff member who evidences intent or undertakes by conduct or stated decision to become a candidate for or accept an appointment to national public office shall resign from the service of the Bank Group.

9.02 Except with the prior approval of the Outside Interests Committee, a staff member may not be a candidate for, or accept appointment to, any other public office. Any activity in pursuit of such other public office or its duties shall take place outside Bank Group office hours or while the staff member is on leave and shall not make use of Bank Group services, supplies or facilities.

10. Benefits, Favors, Gifts

10.01 Official duties will bring Bank Group staff into contact with organizations and officials or members of the public who may wish to offer gifts, favors, entertainment, hospitality (meals or accommodations) or transportation. While such contact is a necessary part of conducting the Bank Group's business, it is essential that Bank Group

staff and their Close Relatives be and be seen to be, free from any form of undue influence, bribery or corruption. The offering, to a Bank Group staff member or a Close Relative of a Bank Group staff member of any Work-Related Gifts may be or be seen to be an attempt to improperly influence a work decision of such staff member and, therefore, Work-Related Gifts must not be accepted by any Bank Group staff member, except to the extent permitted in this Rule.

10.02 A staff member may not accept Work-Related Gifts, regardless of value, that could reasonably be perceived to be intended to improperly influence the staff member's work decisions or could be reasonably expected to cause reputational harm to the Bank Group.

10.03 A staff member may accept a Work-Related Gift that is not in contravention of paragraph 10.02 of this Rule if:

- a. the cumulative value of all Work-Related Gifts received from the same entity (or from individuals working on behalf of the entity) during the prior period of 12 consecutive months, in combination with the value of such proposed Work-Related Gift does not exceed USD \$100; or
- b. refusal of the Work-Related Gift would cause offence; or
- c. the Work-Related Gift is offered in a public forum where refusal would cause embarrassment; or
- d. the Work-Related Gift is directly associated with the demands of work (for example working meals or work-related travel or attendance at representational functions to meet and discuss business). When such Work-Related Gift takes the form of accommodation, it is desirable that the scope and cost remain in line with the standards provided by the Bank Group to its staff.

10.04 In cases where a Work-Related Gift has a value in excess of USD \$100 is accepted for reasons provided in paragraph 10.03 b) and c) of this Rule, the item must either be promptly (i) diplomatically returned to the gift-giver or (ii) surrendered to the Asset Management Unit, General Services Department and must not be regarded as the personal property of the staff member. Surrendered Work-Related Gifts may be purchased by the staff member based on the value of the item as determined by an independent appraisal arranged by Asset Management Unit. Otherwise, disposition of the Work-Related Gift shall be determined by the Bank Group.

10.05 Staff shall not solicit Work-Related Gifts except when the solicitation is (i) part of a sponsorship program initiated by the Bank Group and duly approved by a Vice President or, (ii) is intended to support a charitable organization or event, cannot reasonably be perceived to be mandatory or to have any bearing on any staff member's work opportunities, evaluation or prospects and is approved by the Manager of Conflicts of Interest in EBC, or (iii) is a solicitation permitted pursuant to paragraph 10.09 of this Rule.

10.06 A staff member may offer, whether or not paid by the Bank Group, gifts, favors, entertainment, hospitality (meals or accommodations) or transportation to organizations, officials, members of the public or other Bank Group staff members, in connection with conducting the Bank Group's business, only if such gift cannot reasonably be perceived to be intended to (i) improperly influence the recipient's work decisions or (ii) obtain personal favors for such Bank Group staff member. A gift paid for by the Bank Group must be reasonably associated with the demands of work (such as working meals, work-related travel or attendance at representational functions to meet and discuss business, promotional item offered to everyone within the audience of a Bank Group event or token of gratitude for active participation in an event) and be consistent with instructions received from the staff member's senior managers in this regard.

10.07 Staff may accept and retain promotional items that are offered by an outside organization to everyone within a given audience (e.g., conference participants). When receiving items that are offered to an individual through his/her random selection from among participants in an event that is not organized by the Bank Group, staff should contact the Manager of Conflicts of Interest in EBC, who will assess, on the basis of the probability of win and the value of the gift, whether the gift should be surrendered.

10.08 Staff may not organize raffles within the Bank Group without the prior approval of the Manager of Conflicts of Interest in EBC. These will normally not be allowed unless they have primarily a charitable purpose and the total monetary contributions of participants is expected to exceed the total value of the raffled items.

10.09 Staff may request or accept non-scheduled (i.e. private or chartered) transportation to be provided by a government body, an outside organization or a private individual to facilitate **official** travel of staff that is necessary for the conduct of the Bank Group's business provided that (i) it is customary for the government body or outside organization to provide transportation or (ii) there are business and efficiency benefits for both parties to arrange travel in such a way (e.g., travel time will be used as meeting opportunity) or (iii) staff join a journey that was already planned and do not generate additional costs in doing so or offer to reimburse additional costs, or (iv) there are safety, security or transport availability concerns for such official travel, or (v) transport is provided without prior notice and refusal might cause offense. It is desirable that the scope and cost of transportation remain in line with

the standards provided by the Bank Group to its staff.

10.10 A staff member may not request and, unless refusal would cause offense, may not accept transportation provided by a government body or an outside organization for the staff member's **private** travel (i.e. for the conduct of personal business or leisure), or the private travels of the staff member's Close Relatives, if the offer arose from the staff member's professional relationships or is otherwise connected with his or her Bank Group work duties.

10.11 Staff involved in any procurement activity on behalf of the Bank Group have a particular responsibility to be and be seen to be impartial and free from any improper influences in reaching their decisions. Such staff:

- a. shall not, during the conduct of any Bank Group procurement of goods, works or services, solicit or accept any money, gratuity, or other thing of value from any officer, employee, representative, agent or consultant of a competing vendor;
- b. shall not, during the conduct of any Bank Group procurement of goods, works or services, solicit or accept, directly or indirectly, any promise of future employment or favors from, or engage, directly or indirectly, in any discussion of future employment or favors with any officer, employee, representative, agent or consultant of a competing vendor.
- c. shall not solicit or accept, directly or indirectly, any favor including any promise of future employment (for the staff member or the staff member's Close Relatives) from any vendor contributing to a Bank Group activity which the staff member is personally and substantially involved in.

10.12 Staff members may not solicit or accept directly or indirectly, any favor including any promise of future employment (for the staff member or the staff member's Close Relatives) from any beneficiary of a Bank Group activity which the staff member is personally and substantially involved in.

11. Medals, Decorations, Honors

11.01 Staff members may not accept medals, decorations or similar honors from any external source for service to the Bank Group while they remain staff. Staff members may accept such honors for service not connected with Bank Group employment with the approval of the Outside Interests Committee established under Staff Rule 3.05, "Outside Interest Committee," (the "Committee").

12. Use of Bank Group Services, Supplies or Facilities

12.01 Staff members shall not use Bank Group services, supplies or facilities for private gain or permit other persons to do so. With the approval of their manager, staff members may make individual solicitations on Bank Group premises to colleagues for donations of money or purchase of goods for the benefit of a charitable, religious or educational organization. A staff member may not, however, otherwise use Bank Group services, supplies or facilities on behalf of such an organization without the written permission of the Director, General Services Department, or an official designated to act for the Director.

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SECTION IV - EXCEPTION

None

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SECTION V - WAIVER

The Issuers may waive any provision of this Rule, with respect to their staff members, with advice from the World Bank Group Human Resources Vice President, HRDVP, and the Vice President and Chief Ethics Officer, EBC.

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SECTION VI - OTHER PROVISIONS

The Vice President and Chief Ethics Officer, EBC, is responsible for issuing Procedures and Guidances consistent with this Rule.

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SECTION VII - TEMPORARY PROVISIONS

None

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SECTION VIII - EFFECTIVE DATE

This Rule is effective as of the date on its cover page.

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SECTION IX - ISSUER

The Issuers(s) of this Rule are:

World Bank Group Human Resources Vice President, HRDVP

IFC Executive Vice President and CEO, CEXVP;

MIGA Executive Vice President and CEO, MIGEX

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SECTION X - SPONSOR

The Sponsor(s) of this Rule are:

Vice President and Chief Ethics Officer, EBC

Director IFC Human Resource Department, CHRDR

General Counsel, MIGLC

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03 General Obligations of Staff Members

03.02 Employment Outside the Bank Group

SECTION I - PURPOSE AND APPLICATION

SECTION II - DEFINITIONS

SECTION III - SCOPE

SECTION IV - EXCEPTION

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SECTION VI - OTHER PROVISIONS

SECTION VII - TEMPORARY PROVISIONS

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SECTION IX - ISSUER

SECTION X - SPONSOR

SECTION I - PURPOSE AND APPLICATION

1.01 This Directive, Staff Rule 3.02, "Employment Outside the Bank Group," (hereinafter "Rule") sets forth provisions governing the conduct of certain personal and professional activities of staff members which may be impacted by their Bank Group employment. This Rule was most recently amended on September 19, 2016.

1.02 The purpose of this Rule is to provide guidance to staff members in certain activities they initiate outside the Bank Group to ensure that such activities do not conflict with their Bank Group employment.

1.03 This Rule applies to all staff members except where otherwise specified. It also applies, where specified, to former staff members and immediate family members (as defined in Staff Rule 1.01, "General Provisions").

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SECTION II - DEFINITIONS

1.04 Capitalized terms in this Rule have the meaning ascribed to them in Staff Rule 1.01, "General Provisions."

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SECTION III - SCOPE

02. Dealings with Former Employers

2.01 For five years after entering Bank Group employment, a staff member shall not:

- a. exercise any responsibility with respect to a Bank Group activity involving the selection or compensation of a former employer as
 - i. a recipient or beneficiary of Bank Group financing or guarantees;
 - ii. a guarantor of such financing; or
 - iii. a supplier of goods and services to the Bank Group.
- b. work on specific matters with which s/he was substantially and personally involved while working for the former employer, except as specifically authorized by his/her senior manager (as defined in Staff Rule 1.01, "General Provisions"). Any such authorization shall be sent to the Outside Interests Committee ("Committee") established under Staff Rule 3.05, "Outside Interest Committee."

03. Concurrent Employment and Self-Employment

General Provisions Applicable to all Staff

3.01 Staff members are restricted in the degree to which they may accept paid employment or otherwise provide services for another organization, whether as an employee, director, partner or otherwise, during their Bank Group employment. The staff member is responsible for ensuring that any such employment or service allowable under this Rule is compatible with Principle 3, "General Obligations of Staff Members," under the "Principles of Staff Employment," and is permitted under local law. If a staff member has any doubt whether these requirements are met, s/he shall seek the advice of the Office of Ethics and Business Conduct (EBC) and, where required, the approval of the Outside Interests Committee (the "Committee.")

3.02 Staff on G4 visas should note that **U.S immigration law prohibits G4 staff from engaging in employment in the U.S. outside of their employment by the World Bank Group.** This means that such staff may not accept honoraria or other compensation for any form of employment or for academic, cultural or artistic pursuits such as lecturing or publishing in the U.S. performed while they are on a G4 visa even if such activities are allowed under this Rule. G4 staff may accept reimbursement for reasonable actual expenses.

3.03 Any activity allowable under this Rule, or preparation for such activity, undertaken in a private capacity must take place outside Bank Group office hours or while the staff member is on leave, must not make use of Bank Group services, supplies or facilities, or of information not publicly available and must not interfere with the performance of the staff member's Bank Group duties. If any activity allowable under this Rule, or preparation therefore, is undertaken in an official capacity, a staff member may not accept honoraria or compensation, and may not accept reimbursement for expenses unless so authorized by his or her manager.

Employment activities for which permission is not required

3.04 A staff member may, if permissible under applicable law (including immigration law), engage in the following activities without the authorization of either her/his manager or the Committee as long as the staff member's Bank Group duties take precedence over such activities and, in particular, the activity is compatible with the Bank Group work requirements:

- a. Teaching, lecturing, writing and contributing to academic research or to the design of academic courses as long as the content of the teaching, lecturing or writing does not refer or relate to Bank Group activities or policies and does not affect the relations of the Bank Group with the public or member countries. Any teaching, lecturing writing, academic research or course design that refers or relates to Bank Group activities or policies or that may affect the relations of the Bank Group with the public or member countries must be approved as provided in existing rules and directives, including Administrative Manual Statement 14.20, "Public Statements of Staff Members."
- b. Accepting or serving in a non-compensated position in a not-for-profit corporation unless (i) the organization has or intends to have any business or fund raising activities with the Bank Group or (ii) the organization is a political party or is supporting one or several candidates in an election or (iii) the values or goals of the organization are incompatible with the obligations of Bank Group staff members.
- c. Fulfilling jury, military, or other national or local service obligations. While not requiring Bank Group authorization, staff are expected to provide their managers reasonable notice of such obligations. Absences for jury duty are treated as administrative leave. Staff are required to take annual leave or leave without pay to cover periods of military, or other voluntary national or local service.
- d. Producing or selling own works of art (e.g., paintings, sculptures) or own craft (e.g., woodcarving, pottery) and organizing or contributing to live performance or recording of own artistic performance. However, unless authorized by EBC, no such transaction can take place between the staff member and individuals or organizations when the staff member can be expected to know that these individuals or organizations have or intend to have business or fund raising activities with the Bank Group.
- e. Contributing to activities of local public interest other than public office (e.g. helping in the school library, coaching and involvement in sports teams, sports training, joining a volunteer firefighter team, etc.), even for a nominal fee.

3.05 Staff members holding a Short Term Consultant or Short Term Temporary ("STC/STT") appointment may hold concurrent assignments from other public and private employers, subject to the following:

- a. They may not be employed by or contract with member governments or other entities to work on Bank Group-financed projects during their period of Bank Group employment if the Bank Group-financed project and the concurrent work involve the same country.
- b. They cannot be an employee of another public entity, including but not limited to governments and other international organizations, unless that entity has approved its employee working at the Bank Group.
- c. They cannot provide services to the Bank Group through a vendor.
- d. They must inform each of their Bank Group managers of all other concurrent assignments, including other Bank Group assignments.

Employment activities requiring managerial approval

3.06 Staff at grade GE or below, Extended Term Temporaries and Extended Term Consultants at level EC1, and staff who are on leave without pay to accompany a spouse or domestic partner who is assigned outside the staff member's duty station and is (a) on a Bank Group or IMF assignment, or (b) on External Service with Pay, may perform duties for an outside entity or engage in self-employment for profit with the written approval of her/his senior manager (Note: Staff holding a G4 visa, see paragraph 3.02 of this Rule). The senior manager's review shall consider whether the employment would be compatible with the Bank Group work requirements and with Principle 3, "General Obligations of Staff Members," under the "Principles of Staff Employment." Considering the Bank Group's status as an international organization, permission will generally not be granted to work for a governmental agency. The senior manager's approval shall be included in the staff member's career record and copied to the Committee.

3.07 **External Service.** Working for another entity on External Service must be approved by the staff member's manager as specified in Staff Rule 5.02, "External Service and Service for a Wholly Owned Subsidiary." Staff on External Service may not work for an entity other than the one to which they have been assigned without prior authorization.

3.08 **Special Leave.** A staff member on special leave in accordance with the provisions of Staff Rule 7.01, "Ending Employment," may accept outside employment only to the extent agreed by the Manager, HR Operations.

Employment activities requiring Committee approval

3.09 Except as otherwise provided in paragraphs 3.01-3.08 of this Rule, any other type of self-employment or the performance of services for any other entity requires Committee approval. The Committee will generally not approve a request to engage in self-employment for profit or to perform any paid services for any outside private entity, whether as employee, director, partner or otherwise, of a staff member holding an appointment at grade GF or above, or an ungraded position, or Extended Term Consultants at level EC2 or above who is providing full-time service to the Bank Group.

Honoraria

3.10 A staff member may accept honoraria or compensation for an activity allowable under this Rule that is undertaken in a private capacity to the extent allowed by local law (note: G4 staff see paragraph 3.02 of this Rule). If any such activity is authorized as official duty, a staff member may not retain honoraria or other compensation except that the staff member's manager or the head of the country office may permit the staff member's expenses to be paid by the outside entity or person. Any other compensation received must be turned over to the Bank Group.

04. Dealing with Future Employers and Employment after Separation

4.01 A staff member at grade GF or above or Extended Term Consultants who enters into discussions about employment (whether as an employee or independent contractor) with a prospective future employer that, to the staff member's knowledge, is engaged or is negotiating to engage in business with or perform services for the Bank Group in the area of the staff member's responsibility, shall so inform his/her senior manager and shall remove him/herself from any responsibility for Bank Group work involving that future employer.

4.02 Within two years after separation from Bank Group employment, former staff members may not perform services for any other entity or person related to an activity in which the Bank Group has an interest or is a party and in which they participated personally and substantially during their employment with the Bank Group, unless:

- a. nominated by the Bank Group to serve on its behalf or otherwise acting pursuant to Staff Rule 3.04, "Bank Group Endorsed Activities with External Entities," or
- b. their senior manager, in consultation with the Office of Ethics and Business Conduct, grants authorization. If the staff member is a senior manager, the World Bank Group Human Resources Vice President may grant authorization. A copy of any such authorization shall be sent to the Office of Ethics and Business Conduct.

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SECTION IV - EXCEPTION

No exception to this Rule may be granted.

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SECTION V - WAIVER

The Issuers may waive any provision of this Rule, with respect to their staff members, with advice from the World Bank Group Human Resources Vice President, HRDVP, and the Vice President and Chief Ethics Officer, EBC.

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SECTION VI - OTHER PROVISIONS

None

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SECTION VII - TEMPORARY PROVISIONS

None

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SECTION VIII - EFFECTIVE DATE

This Rule is effective as of the date on its cover page.

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SECTION IX - ISSUER

The Issuers(s) of this Rule are:

World Bank Group Human Resources Vice President, HRDVP

IFC Executive Vice President and CEO, CEXVP

MIGA Executive Vice President and CEO, MIGEX

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SECTION X - SPONSOR

The Sponsor(s) of this Rule are:

Vice President and Chief Ethics Officer, EBC

Director IFC Human Resource Department, CHRDR

General Counsel, MIGLC

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03 General Obligations of Staff Members

03.03 Financial Interest and Disclosure

[01. Subject, Policy Rationale and Applicability](#)

[02. Financial Interests](#)

[03. Disclosure and Resolution of Conflicts of Interest](#)

[04. Miscellaneous](#)

01. Subject, Policy Rationale and Applicability

Subject

1.01 This Rule sets forth provisions governing the conduct of staff members' personal financial affairs as it may be impacted by their Bank Group employment. This Rule was most recently amended on July 1, 2014.

Policy Rationale

1.02 The purpose of this Rule is to enable the Bank Group and staff members to identify, address and resolve real, potential or apparent conflicts of interest between a staff member's personal financial dealings, outside interests and activities, and their Bank Group duties.

Applicability

1.03 This Rule applies to all staff members. It also applies, where specified, to former staff members and immediate family members (as defined in [Staff Rule 1.01, "General Provisions"](#)).

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02. Financial Interests

Financial Interests Generally

2.01 Except as permitted under paragraph 2.03 of this Rule, staff members and their immediate family members may not accept a financial interest in a Bank Group transaction whether by way of compensation, commission, favorable buying or selling arrangements, gift or otherwise. A staff member and his/her immediate family members may not purchase or have a participation in any form in a loan, equity or quasi-equity financing of the Bank, MIGA or IFC, whether for her/his own account or for the account of others.

Specific Prohibitions

2.02 Staff Members and their immediate family members shall not:

- a. Possess securities (including country funds):
 - i. which the staff member's department advised about or participated substantially in creating for two years following completion of the staff member's assignment in that department;
 - ii. which to the staff member's knowledge, are or were to be added to or deleted from any indices maintained by the staff member's department while the staff member is or was assigned to it, until at least 48 hours following public announcement of any such addition or deletion;
 - iii. related to a company known by the staff member to be an actual or prospective recipient of Bank Group financing, investment or guarantee with respect to which the staff member or the staff member's department participated substantially; unless an exception is granted by EBC on the

grounds that:

- A. the Bank Group financing, investment or guarantee has no material impact on the price of the said securities as quoted on international securities markets;
 - B. the information received by the staff member is not such that it could be the basis for an unfair advantage compared to shareholders who do not have access to this information;
 - C. the staff member is not producing, contributing to or publishing information or analyses that could potentially have an impact on the market; and
 - D. the staff member confirms to EBC's satisfaction that he/she does not have an incentive to divulge non-public WBG information to the company, to create an uncompetitive advantage for the company; or
- iv. related to a company or similar entity upon whose board of directors or trustees the staff member serves or served as part of his/her duties as a member of the Bank Group, except with respect to the qualifying shares as required by law or the articles of such company.
- b. Enter into any financial transaction or business relationship with an entity (or its directors, key executives or affiliates) known to be an actual or prospective recipient of Bank Group financing, investment or guarantee with respect to which the staff member or the staff member's department participated substantially.
 - c. Engage in short-term trading for speculative purposes in currencies of borrowing member countries of the Bank Group or in financial instruments denominated in the currencies of such member countries. In this paragraph, the term 'financial instruments' includes, without limitation, debt instruments, financial futures and options on financial futures; 'short-term trading' means any combination of buying and selling of such currencies or financial instruments by a staff member or an immediate family member within six months; and 'speculative purposes' means any such transaction entered into for profit.
 - d. Engage in short-term trading in bonds issued by the Bank or IFC. In this paragraph, 'short-term trading' means any combination of buying and selling of these bonds by a staff member or an immediate family member within six months. The buying or selling of a right of obligation to buy or sell these bonds shall be considered as buying or selling the bonds.

2.03 Staff Members and their immediate family members may:

- a. Possess securities held by trusts, estates, investment funds or similar investment vehicles, provided that neither the staff member nor his/her immediate family has the right to exercise investment discretion over investments made by such investment vehicles.
- b. Invest in bonds issued by the Bank or IFC, subject to paragraph 2.02(d), above.

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03. Disclosure and Resolution of Conflicts of Interest

3.01 A staff member in possession of, or whose family member is in possession of, any securities set out above in paragraph 2.02(a) shall bring this to the attention of her/his senior manager (as defined in [Staff Rule 1.01](#)) and the Program Manager, Financial Disclosure, EBC (Financial Disclosure Program Manager). A staff member has the obligation to divest if requested to do so by EBC.

3.02 Each staff member shall disclose any financial interest or business relationship of his/her own or of an immediate family member that, in addition to the prohibited transactions set out in the preceding paragraphs in Staff Rule 3.03, might reasonably be considered to reflect unfavorably on or cause embarrassment to the Bank Group, or be in real, potential or apparent conflict with the staff member's Bank Group duties, and shall abstain from exercising any related responsibility, except as otherwise instructed by her/his senior manager with the concurrence of EBC. Disclosure shall be made promptly and in writing to the staff member's senior manager and the Financial Disclosure Program Manager. Instructions to the staff member by the senior manager and the Financial Disclosure Program Manager, to proceed with, modify or abstain from the exercise of responsibility, shall be in writing and copies shall be provided to the Financial Disclosure Program Manager. Managers shall consult with the Financial Disclosure Program Manager **before** taking action on a disclosure made under this rule.

3.03 Staff members who hold grades at level GH or above, and such other staff members as the President may designate from time to time, shall file annually with EBC, and no later than a date as determined annually in writing by EBC, a complete and accurate financial disclosure form in a manner prescribed by EBC. Staff required to file an annual financial disclosure form must include financial interests of members of their immediate family (defined in [Staff Rule 1.01, "General Provisions"](#)). If called upon to do so, the staff member shall timely provide additional information and/or documents supporting his or her financial disclosure form.

3.04 Each year, EBC shall prepare a summary of the information reported in the financial disclosure form filed by:

- i. the President,
- ii. each Managing Director,
- iii. the Chief Financial Officer,
- iv. each Executive Vice President,
- v. each Senior Vice President,
- vi. each Vice President,
- vii. the Director General, Independent Evaluation,
- viii. the Compliance Advisor/Ombudsman, IFC, and
- ix. the Chief Executive Officer, GEF.

Each filer shall sign a declaration of accuracy of the summary prepared by EBC, and the summary shall be published on the Bank Group's external website. On an annual basis, the President may exempt a filer from public disclosure based upon special circumstances.

3.05 The financial disclosure form submitted by staff shall be retained by EBC for a period of seven (7) years counted from the year of submission, then destroyed. A financial disclosure form and its supporting documents and information may be provided by EBC to other Bank Group officials or persons who the Chief Ethics Officer, EBC, determines have a legitimate business need, including an official or person conducting an initial review or further review under [Staff Rule 3.00 "Office of Ethics and Business Conduct"](#), if the financial disclosure form and supporting documents and information would be probative to the inquiry or review.

3.06 All staff members are required to consult with the Bank Group's "Entities Lists" as maintained by EBC and accessible through the EBC website prior to the purchase or trade of any security, stock, bond or other equity investment and to comply with rules (if any) restricting staff trading in restricted securities that EBC may issue from time to time. If a staff member has a question regarding the appropriateness of any trade or purchase of any security, stock, bond or equity investment, he/she should consult with EBC for specific guidance.

3.07 EBC shall notify a staff member in writing if the staff member:

- a. fails to file a financial disclosure form by the filing deadline of the reporting period. In this case, the notice from EBC shall inform the staff member that failure to file a financial disclosure form by the deadline will result in a \$200 fine to the staff member, or another amount as established annually by EBC, and additional fines may be levied and/or other disciplinary measures may be imposed, as described in [Staff Rule 3.00, Section 11](#), thereafter until such time as the staff member files a financial disclosure form, unless the staff member provides a reasonable justification acceptable to EBC; or
- b. fails to provide requested additional information by the due date. In this case, the notice from EBC shall inform the staff member that failure to provide requested additional information by the due date will result in a fine of \$200 to the staff member, or another amount as established annually by EBC, and the staff member may face additional fines and/or other disciplinary measures as outlined in [Staff Rule 3.00, Section 11](#) should s/he remain in non-compliance; or
- c. refuses to file a financial disclosure form, after being requested to do so by EBC, without reasonable justification acceptable to EBC. In this case the notice from EBC shall inform the staff member that failure to file a financial disclosure form will result in the staff member being subject to mandatory termination as provided in [Staff Rule 3.00 Section 11](#).

[Staff Rule 3.00, Section 11 \("Special Provision for Disciplinary and Decision Making Process in matters Involving Failure to Comply with Financial Disclosure Requirements"\)](#) sets forth special provisions for imposing disciplinary measures and the decision making process in matters involving failure to comply with financial disclosure requirements.

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04. Miscellaneous

4.01 Additional written rules consistent with this Rule requiring some or all staff members in an organizational unit to avoid specified kinds of financial interests and activities because of the nature of the unit or the staff member's duties may be recommended by the vice president responsible for the unit, in consultation with EBC and to be issued in accordance with the Policy & Procedure Framework guidelines.

4.02 Periodically upon request from EBC, all staff members must certify that they have read Staff Rule 3.03 and

are in compliance with it. Staff members unsure about compliance must provide explanation as provided for on the certification form. These certifications shall be submitted to EBC.

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03 General Obligations of Staff Members**03.04 Bank Group - Endorsed External Activities**[01. Subject, Policy Rationale, Applicability, Definitions](#)[02. Staff Exchange Program](#)[03. Spin-Offs](#)[04. Outsourcing](#)[05. Other](#)**01. Subject, Policy Rationale, Applicability, Definitions****Subject**

1.01 This Rule sets forth provisions governing the conduct of staff members as it may be impacted by their participation in certain activities with external entities on behalf of or with the endorsement of the Bank Group. This Rule was most recently amended on September 3, 2010.

Policy Rationale

1.02 The purpose of this Rule is to provide guidance to staff members in addressing conflicts of interest that may arise from their participation in endorsed activities with external entities.

Applicability

1.03 This Rule applies to all staff members and former staff members.

Definitions

1.04 "Global Secondment Program" (GSP) means the program established by the Bank Group under which staff from partner companies or organizations join the staff of the Bank group under a Special Assignment appointment.

1.05 "Partnership" means an agreement between a member of the Bank Group and a private sector entity to work together, for a common purpose, with the parties committing resources (financial, technical or personnel) to agreed activities, to be implemented by the parties in accordance with the terms of the agreement.

1.06 "Spin-Off" means an activity originally nurtured within the Bank Group, the ownership and/or operation of which subsequently has been transferred to an independent entity.

1.07 "Outsourcing" means contractual arrangements under which an outside supplier is to be responsible, on an ongoing basis, for managing and delivering a service which has been or could be provided by Bank Group staff. It does not cover relationships with individual consultants, labor contracts or one-time assignments given to other firms.

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02. Staff Exchange Program

2.01 All Bank Group staff on assignment under the GSP, are subject to the obligations imposed by by

[Principle 3 under the Principles of Staff Employment](#), and the Staff Rules. Particularly, such staff members:

- a. shall avoid situations or activities that might reflect adversely on the Bank Group or compromise its operations or interests;
- b. may not use non-public information related to the business of the Bank Group or acquired during the course of employment with the Bank Group to serve the interests of, or for the benefit of, partner companies or organizations; "Non-public information" is defined as information generated by the Bank Group that has not been approved for release outside the Bank Group in accordance with the Bank Group's rules;
- c. may not use the association or employment with the Bank Group to gain special favors or benefits for the partner company or organization ;
- d. may not attempt to influence Bank Group officials on behalf of the partner company or organization;
- e. may not participate in any transaction of the partner company or organization that involves a project or entity in which they or their companies or organizations were, or are, involved; and
- f. may not participate in business solicitation activities from entities to which the Bank Group has provided, or is considering providing, financing.

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03. Spin-Offs

3.01 In consideration of the Bank Group's interest in its success, for the initial three years of the existence of a Spin-Off staff members or former staff members may assume directorships or take other positions in it on terms and conditions agreed between the Bank Group and the Spin-Off. This exemption from the provisions of [Staff Rule 3.02, Section 4](#) relating to dealings with future employers and employment after separation shall lapse after the three year period. All other applicable provisions of the Principles of Staff Employment and Staff Rules shall continue to apply.

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04. Outsourcing

4.01 Staff members affected by an outsourcing arrangement entered into between the Bank Group and a vendor may, depending on the terms and conditions of the arrangement and provisions of local law, undertake employment with the vendor, notwithstanding the provisions of [Staff Rule 3.02, Section 4](#) relating to dealings with future employers and employment after separation.

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05. Other

5.01 Staff members assigned from the Bank Group to outside entities under arrangements other than the above-mentioned, including External Service, are likewise subject to the obligations imposed by [Principle 3 under the Principles of Staff Employment](#) and the Staff Rules, including the provisions of [paragraph 2.01 of this Rule](#).

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03 General Obligations of Staff Members

03.05 Outside Interest Committee

[01. Subject, Policy Rationale and Applicability](#)

[02. Membership](#)

[03. Terms](#)

[04. Proceedings](#)

[05. Other Duties](#)

[06. Legal Counsel](#)

[Annex A: Membership of the Outside Interests Committee](#)

01. Subject, Policy Rationale and Applicability

Subject

1.01 This Rule establishes an Outside Interests Committee (the "Committee") to consider outside interest matters as provided for by [Staff Rules 3.01-3.04](#). This Rule was most recently amended on July 1, 2014.

Policy Rationale

1.02 The purpose of this Rule is to provide a forum and a process for deciding on requests by staff to undertake outside activities in a personal capacity, and for staff to appeal such decisions.

Applicability

1.03 This Rule applies to all staff members.

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02. Membership

2.01. The Committee shall consist of seven current staff members appointed by the Vice President, Human Resources as follows:

- a. Program Manager, Financial Disclosure and Conflicts of Interest (Chair);
- b. a member from Human Resources;
- c. a member from the Legal Department of the Bank, IFC or MIGA;
- d. a member from the staff at large of the Bank, IFC or MIGA;
- e. two members nominated by the World Bank Group Staff Association; and
- f. the Manager HR Employment Policy.

The members noted in subsections (a) - (e) above shall have an alternate to act in his or her absence, appointed in the same manner as the member, except that the alternate need not be a member of the same Bank Group organization as the member. The Committee may, at the discretion of the Chair, request the non-voting participation of any other HR Manager deemed appropriate.

2.02. Committee members and their alternates shall be appointed for a term of two years or until the appointment

of their successors, whichever is earlier. Members and alternates may be reappointed.

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03. Terms

3.01 Requests by staff for approval to undertake outside activities in a personal capacity, as required in [Staff Rules 3.01-3.04](#), shall be decided by the Committee.

3.02 Where [Staff Rules 3.01-3.04](#) provide for approval of the Committee, the staff member must first submit the request to his or her manager indicating in writing the nature of the proposed activity, its expected duration and the remuneration expected, if any. The staff member's manager shall refer the request to the Chair of the Committee, along with his or her opinion as to whether granting the request would be consistent with paragraph 3.1 of the Principles of Staff Employment and the applicable Rule and whether he or she supports the request. A staff member whose immediate supervisor is the President may submit a request directly to the Committee.

3.03 The Committee shall endeavor to reach a decision by consensus, but may decide by vote. The Chair of the Committee, shall convey the Committee's decision and the reasons therefore to the staff member in writing. The President may overrule or modify the Committee's decision in the overriding interest of the Bank Group. The Chair of the Committee, and the staff member requesting approval shall be promptly advised in writing of the President's reason for doing so.

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04. Proceedings

4.01 The Committee members shall be impartial and shall not let themselves to be improperly influenced by anyone in the discharge of their responsibilities. The Committee members shall disqualify themselves from addressing requests about matters:

- a. with respect to which they have dealt administratively; or
- b. involving a staff member with whom they have or have had a personal relationship; or
- c. for any other reason they believe would affect their impartiality. A staff member may challenge the impartiality of a Committee member by written statement conveyed to the Chair of the Committee, before the Committee acts upon an approval or request for review by a staff member.

4.02 In the event the Chair of the Committee, disqualifies himself or herself, the request for approval shall be directed to the Alternate Chair. A Committee member who disqualifies himself or herself from advising on a request shall be replaced by his or her alternate.

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05. Other Duties

5.01 Where [Staff Rules 3.01-3.04](#) provide for the Committee's approval, a staff member may appeal a decision of the Committee arising from the application of these Rules to the Vice President, Human Resources within 90 calendar days following written notice of the decision. The Vice President may extend the time limit. The staff member shall set forth the decision being appealed and the reasons for contesting it, and shall append any pertinent documents. Before proceeding to the Vice President, however, the staff member will, upon request, be afforded a hearing with the Committee.

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06. Legal Counsel

6.01 The Chair of the Committee, shall review [Staff Rules 3.01-3.05](#) periodically and recommend changes he or she deems appropriate to the Vice President, Human Resources. The Chair of the Committee, shall also review additional rules for organizational units pursuant to [Staff Rule 3.03, paragraph 6.01](#). The Chair of the Committee, may also recommend measures to ensure that staff members are aware of the provisions of [Staff Rules 3.01-3.05](#).

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Annex A: Membership of the Outside Interests Committee

The membership of the Committee as of January 15, 2014 is as follows:

Office of Ethics and Business Conduct

Bertrand Rossert, Chair
Karl Bach (Alternate)

Legal

David Rivero
Wolfram Fischer (IFC) (Alternate)

Human Resources

Alphonsus Marcelis
Alternate (vacant)

HRS Policy

Susan Hetrick

Staff Association

Diana Corbin
Richelieu Lomax
Guiliano Caloia (IFC) (Alternate)
Rosalie D'Souza-Magee (Alternate)

Staff at Large

Jesse Ang (IFC)
Alternate (vacant)

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03 General Obligations of Staff Members

03.06 Family Obligations - Spouse and (or) Child Support Obligations and Divorce

[01. Subject, Policy Rationale and Applicability](#)

[02. Spouse and \(or\) Child Support Obligations, Criteria, Procedure, Divorce](#)

[03. Disciplinary Proceedings](#)

[04. 'Pendente Lite' Spouse and/or Child Support Orders and Spouse and/or Child Support Orders Included within Protection Orders](#)

[05. Challenged Court Orders or Requests](#)

01. Subject, Policy Rationale and Applicability

Subject

1.01 This Rule sets forth the procedures adopted by the Bank Group to ensure compliance by staff members with their personal legal obligations regarding spouse and child support and divorce. This Rule was most recently amended on October 28, 2013.

Policy Rationale

1.02 The purpose of this Rule is to ensure that the Bank Group's privileges and immunities are not used to shield staff members from their personal legal obligations or from the due observance of the law for those obligations involving financial support to family members through spouse and/or child support.

Applicability

1.03 This Rule applies to all staff members. This Rule does not apply to deductions from pensions to satisfy court ordered support obligations to a former spouse or separated spouse, as this would be governed by the terms of the Staff Retirement Plan and Trust.

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02. Spouse and (or) Child Support Obligations, Criteria, Procedure, Divorce

Spouse and/or Child Support Obligations

2.01 Staff members must comply with their personal legal obligations and observe applicable law, including all obligations involving financial support to family members through spouse and/or child support.

Criteria

2.02 The Bank Group may commence deductions from a staff member's salary for spouse and/or child support if all the following criteria are met:

- a. the Bank Group receives an original, copy or certified copy of a court order or request from a judicial or administrative authority that:
 - i. evidences a legal obligation of a staff member to make payment of a readily ascertainable amount or percentage of salary; and
 - ii. orders a staff member to make payments for spouse and/or child support, or evidences the staff member's underlying obligation or failure to make those payments; and

- b. the staff member fails to furnish to the Bank Group, through its Office of Ethics and Business Conduct (EBC), evidence that he/she has complied with his/her personal legal obligations as set forth in that court order or request after being contacted by EBC in accordance with this Rule.

Procedure

Receipt of Court Orders and Requests

2.03 The Bank Group may initiate the Procedure set forth in this Rule upon receipt of a copy or original of the court order or request from a judicial or administrative authority regarding spouse and/or child support obligation(s) of a staff member. However, upon receipt of a copy or original of that court order or request the Bank Group:

- a. reserves the right to request additional information and documentation from the sender, including proof of service of the court order or request to the other party, before the Bank Group initiates the Procedure set forth in this Rule;
- b. in cases where the Bank Group receives a copy of the court order or request, the Bank Group may:
 - i. confirm with the sender his/her commitment to send the original or certified copy of the court order or request to the Bank Group within a reasonable time; and
 - ii. neither initiate nor conclude the Procedure unless and until the original or certified copy of that court order or request is received by the Bank Group within a reasonable time.

For the purpose of this Rule, a certified copy means a copy stamped or otherwise certified by a competent authority who can verify and attest that the copy is the same as the original.

2.04 Upon receipt of a court order or request from a judicial or administrative authority regarding spouse and/or child support obligation(s) of a staff member pursuant to paragraph 2.03 of this Rule, the Bank Group will respond to the sender of that court order or request and, when no additional information and documentation is required from the sender, forward the matter to EBC. EBC will contact the staff member concerned and advise him/her of the need to comply with his/her personal legal obligations as set forth in the court order or request. If, within five (5) business days of such contact with the staff member, the staff member has not furnished EBC with evidence establishing compliance with the court order or request, EBC:

- a. may authorize deductions of the amounts for spousal and/or child support from the staff member's salary in accordance with the court order or request, provided, however, that the court order or request meets the criteria described in paragraph 2.02 (a) of this Rule; or
- b. if, however, the staff member's salary is not processed through payroll (i.e., STCs and STTs) EBC (i) shall notify the staff member in writing of his/her failure to demonstrate that compliance and (ii) will submit to the Vice President, Human Resources, the record of EBC's communications with a staff member pursuant to [Staff Rule 3.00 Office of Ethics and Business Conduct, Section 12](#). The Vice President, Human Resources, will decide, based on the record, whether the staff member's noncompliance constitutes misconduct and, if so, what disciplinary measures from [Staff Rule 3.00 Section 10](#) to impose.

Repeater Submissions of Court Orders or Requests

2.05 In cases where the Bank Group receives a subsequent court order or request regarding the same staff member and spouse and/or child support obligation(s), or receives a complaint about a late or partial payment for an already ordered spouse and/or child support obligation(s), together with the court order or request, EBC shall notify the staff member concerned in writing. The staff member has three (3) business days from the date of that written notification to demonstrate to the satisfaction of EBC that he/she has made satisfactory electronic payment arrangements for the amounts due. If the staff member fails to make those payment arrangements, EBC may authorize deductions of the amounts for spousal and/or child support from the staff member's salary in accordance with the court order or request, provided, however, that the court order or request meets the criteria described in paragraph 2.02 (a) of this Rule.

Commencement of Salary Deductions

2.06 Deductions from a staff member's salary, in accordance with this Rule, will commence as of the first salary payment, in accordance with [Staff Rule 6.01 \(Compensation\) paragraph 6.02](#), to be made to the staff member following the Bank Group's decision to make such deductions. The amounts deducted shall be directed to the

person or authority named as recipient of those payments by the court order or request received by the Bank Group.

Divorce

2.07 Notwithstanding paragraph 2.08 of this Rule, in order to be accepted by the Bank Group as a court order for purposes of this Rule, Divorce decree(s) (or equivalent) establishing spouse and/or child support obligations of a staff member at the time of divorce must fulfill the criteria set forth in paragraph 2.02(a) of this Rule. If EBC, in consultation with the Legal Department, determines that the Divorce decree (or equivalent) fails to satisfy the criteria set forth in paragraph 2.02(a) of this Rule, the party requesting action by the Bank Group based on that Divorce decree (or equivalent) must furnish to the Bank Group another document that fulfills the criteria set forth in paragraph 2.02(a) of this Rule before the Bank Group commences the Procedure set forth in this Rule.

2.08. When the Bank Group is presented with two (2) or more Divorce decrees (or equivalent) from different jurisdictions regarding the same staff member and spouse, the Manager, Human Resources Service Center, or a designated official, may decide not to take any further action with respect to personnel and compensation matters until the Bank Group receives evidence from a court of competent jurisdiction finally adjudicating the matters in dispute.

2.09. When the Bank Group is presented with a Divorce decree (or equivalent), the Manager, Human Resources Service Center, or a designated official, may notify the other spouse concerned that the Divorce decree was received by the Bank and that the Bank Group will process the Divorce decree accordingly. If the other spouse concerned provides evidence within thirty (30) calendar days of receipt of that notice that the Divorce decree (or equivalent) is being challenged in a court of competent jurisdiction, the Human Resources Service Center may suspend taking any further action with respect to personnel, benefits and compensation matters relating to the divorce until the Bank Group receives evidence from a court of competent jurisdiction finally adjudicating the matters in dispute.

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03. Disciplinary Proceedings

Disciplinary Proceedings

3.01 Staff members will be held accountable for failure to comply with their personal legal obligation(s) by having amounts due pursuant to a court order or request deducted from their salary in accordance with this Rule. Deductions from salary made pursuant to this Rule are not disciplinary measures. However, in addition to deductions from salary pursuant to this Rule, staff members may be subject to disciplinary measures under [Staff Rule 3.00, Office of Ethics and Business Conduct, Section 12](#) for failure to comply with their personal legal obligation(s), including payment of court-ordered spousal and child support.

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04. 'Pendente Lite' Spouse and/or Child Support Orders and Spouse and/or Child Support Orders Included within Protection Orders

4.01 The Bank Group will give effect to *Pendente Lite* spouse and/or child support orders in accordance with this Rule provided those Pendente Lite orders fulfill the legal requirements set forth in paragraph 2.02(a) of this Rule. For purpose of this paragraph, *Pendente Lite* orders mean orders that are issued pending the outcome of litigation.

4.02 The Bank Group will give effect to spouse and/or child support orders included within Protection Orders in accordance with this Rule provided the spouse and/or child support orders fulfill the legal requirements set forth in Paragraph 2.02(a) of this Rule. For the purpose of this paragraph:

- a. Protection Orders include any injunction, restraining order, or any other order issued by a judicial or administrative authority to prohibit violent or threatening acts, sexual violence or harassment against, or contact, communication or physical proximity with, another person.
- b. A spouse and/or child support order included within a Protection Order means an order from a judicial or administrative authority which establishes a spouse and/or child support obligation as part of a Protection Order.

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5.01 The Bank Group may honor the court order or request establishing spouse and/or child support as received by the Bank Group and in accordance with this Rule unless the staff member furnishes to the Bank Group an original or certified copy of a document from a competent authority that supersedes the court order or request as received by the Bank Group.

5.02 If any court order or request is cancelled or changed, the Bank Group will not recover from the payee any amounts paid as specified in paragraph 2.06 of this Rule prior to the cancellation or change to the court order or request. The Bank Group will not reimburse the staff member for any amounts paid prior to the Bank's receipt of the original or certified copy of the court order or request cancelling or changing the prior court order or request.

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