

OFFICE OF THE JOINT OMBUDSPERSON
UNDP/UNFPA/UNICEF/UNOPS

Report on the work of the Office for the period
1 January – 31 December 2007

Working together to find solutions

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Introduction

The Office of the Joint Ombudsperson (OJO) began the period 1 January 2007 to 31 December 2007 looking forward with enthusiasm to consolidating the past years' experiences and to a number of changes that would contribute to improving its services worldwide.

The Office welcomed new challenges anticipated from the reform of the internal justice system in pursuance of General Assembly resolution 61/261, the creation of a single integrated office in the context of the reform, and an enhanced role for the informal system as a consequence. The prospect of a unified office evoked not only expectations about improved coverage and access but also the need to examine closely the ramifications of joint-office jurisdictions and responsibilities. This would be particularly important with more joint-agency ventures emerging and in cases where staff holding contracts with one organization would be working in another. Cases of this kind have already been brought to the attention of the Office.

Efforts were made to build on the sensitization work done in mediation in 2006 and the Office actively took advantage of some opportunities to provide mediation services in specific situations of conflict. These opportunities also created advantageous conditions to link the formal and informal systems and to find mutually acceptable solutions, thereby pre-empting and avoiding the escalation of issues to litigation. With these positive experiences and the creation of the Mediation Office, more efforts will be made to raise awareness and to encourage mediation as an option for conflict resolution.

Change management processes are an integral part of the work place in all the agencies covered by the Office of the Joint Ombudsperson. The Office therefore sought ways to be more proactive in helping to examine options for those staff facing the challenge of managing transitions and change; for example, a workshop was given by a professor from the Organizational Studies Center for Justice and Peace-building in the Eastern Mennonite University at Harrisonburg. A highly experienced authority in organizational transformation, he opened up new avenues for the practical application of effective theory. As a consequence, the Office is exploring ways to extend similar briefings to staff representatives and managers in the four organizations. The goal will be to provide information to help to anticipate and identify pitfalls and challenges linked to change and to offer them tools to deal more aptly with issues emerging from change, especially in relation to human resources management.

Many offices seem to be attempting to manage change by introducing new processes as well as additional rules and procedures when change processes are already advanced. This creates chaotic effects and difficulties when the concerned offices are faced with emerging issues and new consequences. For example, some offices have announced change management exercises, agreed on specific terms, then introduced additional rules or procedures after having established an initial set of rules and procedures. The credibility of an organization is often put into question in such circumstances. The Office has also observed and dealt with situations where staff have resisted efforts to bring about change even when it is inevitable and necessary.

Transitions and changes across the organizations require more effective and tested approaches. The Office has successfully worked with some staff representation to consider potential challenges and to develop viable strategies at the inception of major change efforts. Where staff representatives and management have taken a pre-emptive approach and worked constructively together, it has helped to produce positive results that were mutually acceptable. The Office will explore ways to give greater impetus to this kind of initiative. In particular, the Office hopes that more positive approaches to change will be fostered across organizations in 2008 as a way of pre-empting issues or conflict rather than reacting to them.

A major concern of the Office of the Joint Ombudsperson and of other ombudsman offices in the United Nations system has been the need to strengthen field support in order to better manage informal conflict resolution in the work place. In September a first inter-agency pilot project conducted in Ghana brought staff together from UNHCR, WFP, and UNICEF in a training session conducted for respectful workplace advisors. These staff members, who are selected through a rigorous participatory process, are to become a first-level support in the field offices. This will have added significance in the integrated office and has already been discussed in the strategic planning segments of the annual meetings of the ombudsmen and mediators of the United Nations and other related organizations (UNARIO).

The Office of the Joint Ombudsperson had to deal with a number of cases during the reporting period in which the lack of financial and business support services caused unnecessary hardship and stress to staff members and their beneficiaries in pursuit of their entitlements, sometimes resulting in financial loss. Often, it is not clear to staff where to seek support to bring about a resolution of the problem and they approach OJO to gain this information and examine options for ways forward.

While the OJO team dealt effectively with various professional challenges during the year, managing the demands of the Office with sharply reduced human resources was a major concern. The recruitment process, managed by central services of the organizations, lies outside the authority of the Office itself. It is pointed out with regret that the position of Joint Ombudsperson, vacated since March 2007, remains vacant even at the time of writing the present report. In addition, the position of Case Manager, also long vacated, was not filled until September 2007. The lack of succession planning for the Office of the Joint Ombudsperson and the lengthy vacancy of such pivotal functions seriously challenged and threatened to compromise the customary effectiveness of the Office, the proactive role the Office is accustomed to playing and its ability to make the services provided by the Office more accessible to staff outside of headquarters. At times it was also difficult to maintain the discipline of effectively addressing urgent short-term issues and strategic issues simultaneously.

Once again, the Office of the Joint Ombudsperson must emphasize that there is still not enough attention paid to the recommendations of the annual report by all organizations despite the fact that two of them did conduct a review of the last report with senior staff. UNDP senior staff initiated a highly useful process of periodic review of the recommendations and specific work of the Office of the Ombudsperson with the Office of Human Resources (OHR). The effort of OHR is commended and appreciated and should be more systematically continued during the year 2008. However, it must also be noted that not all the issues discussed by the report of the Ombudsperson pertain specifically to the domain of human resources; further follow-up will be required by entities other than human resource units.

For all the reasons mentioned in the preceding paragraphs, the Office is seriously concerned that staff may lose hope in the informal system at a time when recourse to it is being encouraged in the reform process of the internal justice system, a high priority for the Member States, as witnessed through the adoption of several General Assembly resolutions. Disregard of informal resources for conflict resolution, including the recommendations of the Ombudsperson, allows abusive managers to ignore possibilities for informal solutions to problems, brings the organizations into disrepute and exposes them to potentially costly litigation in the formal system. Such disregard may also encourage staff to seek other forms of recourse in their attempts to be heard that could ultimately be detrimental to the organizations. In keeping with the recommendations presented in the report of the Redesign Panel, welcomed by the General Assembly, future reports of the Funds and Programmes Ombudsman will be submitted in the first instance to the respective executive boards and thereafter to the General Assembly in a consolidated report of the integrated office. This will in turn provide an opportunity for organizations to indicate to the boards how they have responded to the recommendations presented in the report of the Ombudsman.

I. Overview of the work of the office from 1 January to 31 December 2007

A. Overview of cases

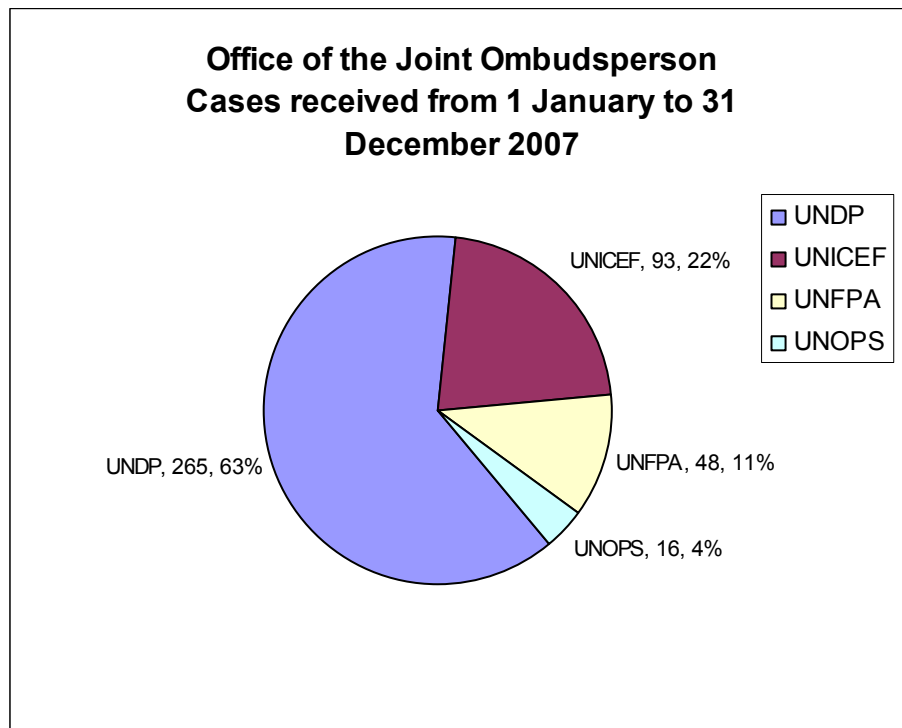


Chart 1. Cases received from 1 January to 31 December 2007
[This chart does not represent time or resources spent on cases]

1. The Office of the Ombudsperson handled a total of 422 cases in the period under review (see chart 1). A detailed breakdown by agency is provided in the annex to the present report.

2. The Office of the Joint Ombudsperson has harmonized its reporting categories with those established by the International Ombudsman Association. As a result, the new main categories are as follows:

- Compensation and benefits
- Evaluative relationships (conflict between supervisors and supervisees)
- Peer and colleague relationships (conflict involving peers)
- Career progression and development
- Financial, legal and disciplinary
- Safety, well-being and physical environment
- Services/administrative issues (complaints or issues about offices that exist to provide specific services to staff members)
- Harassment and abuse of authority
- Organizational, strategic and mission-related issues
- Organizational values, ethics and standards

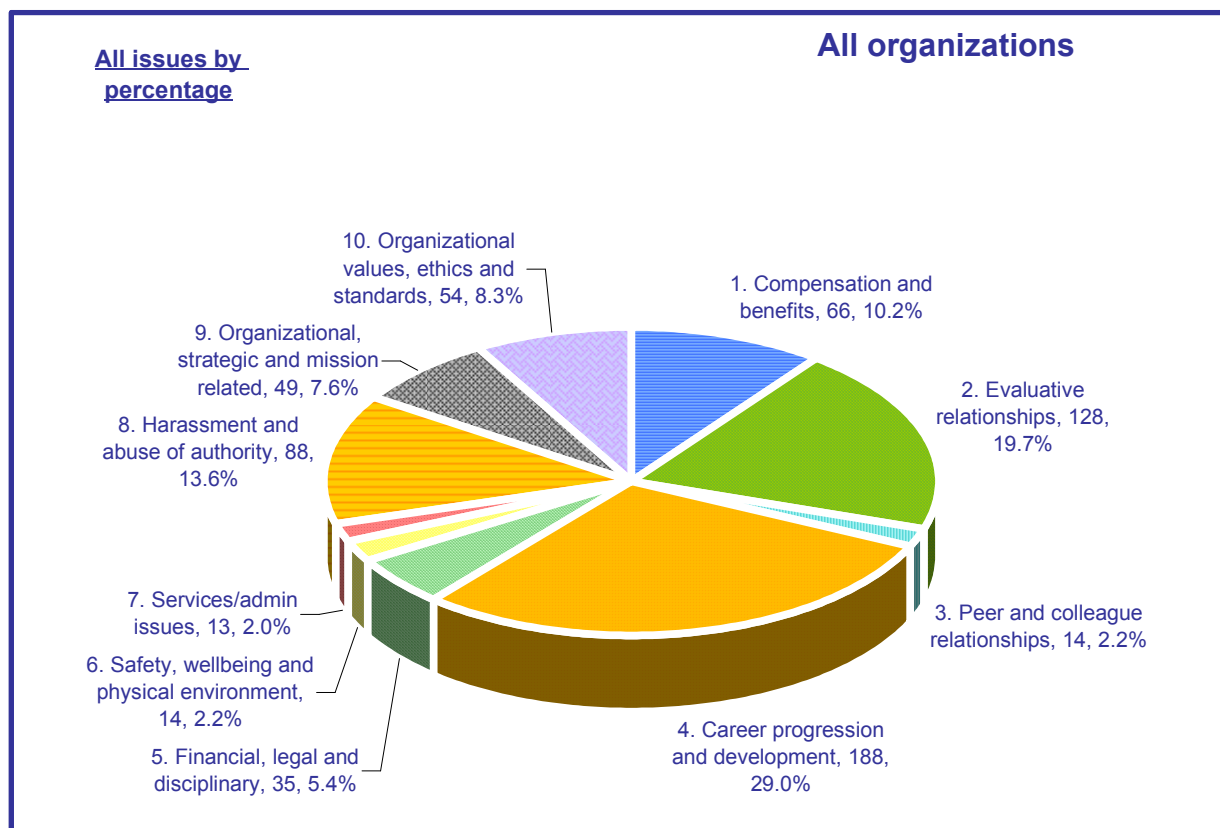


Chart 2. Overview of all issues by percentage, all organizations

3. Many visitors bring complex grievances to the Ombudsperson and, therefore, many individual cases involve more than one issue. In the period under review, three main categories accounted for a large part of the issues brought to the attention of the Ombudsperson: career progression and development-29 per cent; evaluative relationships-19.7 per cent; and harassment and abuse of authority-13.6 per cent (see chart 2). It is important to note that these three categories are closely linked and have a bearing on the underlying issues of organizational and human resources management, discussed in detail in the present report. In addition, the 10 main categories of issues have been subdivided into sub-issues. This provides a considerably higher level of trend analysis, as shown in the present report.

B. Field visits

4. The Ombudsperson visited a total of seven country offices during the reporting period. It is essential for the Ombudsperson to visit a representative number of countries in each region, not only in response to crisis, but to maintain the principle of accessibility. Regrettably, partly because of the understaffing of the Office of the Joint Ombudsperson, noted elsewhere, and partly because of the need to address strategic issues relating to the system-wide reform process, it was not possible to visit more country offices during the reporting period. This has resulted in a decrease of cases reported from the field compared to previous years (see chart 3). Given the complexity of the problems and the number of staff involved, a team of two or three ombudspersons was despatched to office locations in order to ensure that as many staff as possible would have the chance to consult an ombudsperson. In view of the limited time a team is able to stay in one location and taking into account the reduced human resources during the reporting period and the exigencies of the global service, this arrangement proved effective for both the staff members and the Office of the Joint Ombudsperson. The establishment of regional ombudsman

offices will enhance accessibility in all geographical regions in the long term but in the immediate and short term, the office will continue to make every effort to maintain an adequate level of access for all staff to ombuds services.

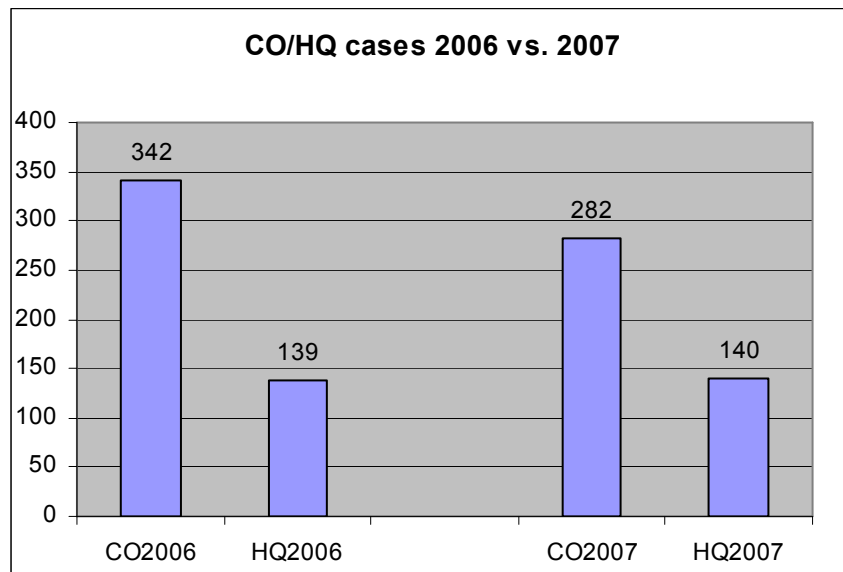


Chart 3. CO/HQ cases 2006 vs. 2007

5. During visits to country offices, the ombudspersons often find that staff members wish to consult them on issues that have been left unaddressed for a long time. Many times, it is possible for the ombudspersons to bring clarity to a situation very quickly and effectively and staff members find a resolution to problems involving entitlements, promotion, classification and contractual status. While the Ombudsperson is pleased that the Office helps to bring resolution, staff are strongly encouraged not to wait for a visit but rather to address problems, as soon as they arise, with management or by contacting the Ombudsperson. Nevertheless, experience has shown that when an Ombudsperson visits a country office, staff members at all levels feel empowered to come forward with grievances, many of which are long-standing and none of which are frivolous. The resolution of these cases helps to build trust and restore harmony and efficiency in an office.

6. It was clear during the visits that local staff associations can play a very effective role in helping to resolve conflict in the workplace. Sometimes, however, they hardly participate in helping to establish and maintain a harmonious workplace and may even play a disturbingly disruptive role, one that can block the way forward to ensuring fairness for all while dealing with the realities of the modern workplace, especially in the context of One UN. The Ombudspersons were able in several instances to work with parties concerned towards implementing the best option to move ahead and respond to the mandate of the country office. In doing so, they witnessed the impressive work of several local staff associations, their cooperative spirit, their problem-solving skills and their willingness to engage in effective dialogue with management in situations where difficult managers became aware of the need to change and engage all staff in more egalitarian and thus productive ways. In those situations where the staff associations proved a hindrance to constructive dialogue, it was very difficult for the ombudspersons to work with all parties to address the conflict in a collegial manner. In those country offices where the staff association has lapsed or is less than optimally effective, or where it is evident that the staff association is not representative of the views of staff, the Ombudsperson encourages all staff members, national and international and at every level, to take active steps to re-establish a vibrant and representative staff association and to engage in constructive interaction.

7. A constitutionally established staff association with regular elections to ensure maximum diversity of participation in continuous dialogue is a powerful means of addressing change and helping to fulfil the noble goals of the United Nations in the current fast-changing environment. The Ombudsperson recommends that staff seek out ways of participating and that managers bear the responsibility of leading by example in becoming active members of the associations, making arrangements for the officers to attend meetings and in ensuring that forums are held regularly.

C. A single integrated and decentralized Office of the Ombudsman

8. In its resolution 61/261, the General Assembly decided to “create a single integrated and decentralized Office of the Ombudsman for the United Nations Secretariat, funds and programmes, and to establish the office as of 1 January 2008”. In line with the recommendations of the Redesign Panel, this resolution marks the beginning of an important new era for the internal justice system of the United Nations.

9. The Redesign Panel found that the former system of justice was no longer relevant, that the system should be overhauled, and that a new system should not only protect the rights of staff members and management but ensure accountability of managers and staff members. In addition to possibilities of charting a new course and thoroughly revamping the formal justice system, this resolution also provides a unique opportunity in the informal system to maximize ways of ensuring justice for staff members and to promote more effective management within the organizations served.

10. Alongside the establishment of a new two-tiered formal system of justice comprising the (decentralized) United Nations Dispute Tribunal and the United Nations Appeals Tribunal, the Redesign Panel proposed an integrated Office of the Ombudsman to combine informal dispute resolution and mediation services.

11. The blueprint proffered by the Redesign Panel provides the basis for the development of a shared vision for the future clearly articulating the role of the Office as an intermediary. It builds on the principles of integrity, neutrality and independence to address unfair or outdated practices and policies that have impeded rendering justice to staff and management. In addition, a single integrated office with dedicated ombudsman services for the United Nations and for the funds and programmes will draw on the experiences and best practices of the individual offices. There is an expectation noted in the report of the Redesign Panel, on the part of the administration, management and staff, that the reporting lines for the Ombudsman for the funds and programmes will be maintained directly to the Executive Heads of the organizations while the Ombudsman for the Secretariat will continue to report to the Secretary-General. In looking to the future and establishing new approaches, it is important to build on the effective services provided, for example, by the Office of the Joint Ombudsperson in the five years since its establishment and to draw on other good practices of other offices.

12. In this context and with regard to inter-agency activities, the Office of the Joint Ombudsperson has played a leading role in ensuring collaboration and cooperation among the organizations of the United Nations system and Bretton Woods institutions since the inception of the Office. The Office is pleased to report that cooperation in ombuds matters has been strengthened at the level of the United Nations and other related international organizations (UNARIO). In the annual meetings, a great deal of useful information on common issues, strategies to deal with them and training issues are shared among the members. In addition, the Office has participated for several years in a working group on harmonizing the reporting categories for grievances brought to the attention of the Ombudsperson. The model that the Office currently uses, which is based on the categories developed under the umbrella of the International Ombudsman Association, has been shared with other key organizations of the United Nations system. It is

hoped that this model will help to bring about greater harmony in reporting procedures at the same time as allowing various ombudsman offices to compare trends. This has enabled cross-fertilization of ideas and forward-looking strategies for increased professional excellence and effectiveness. The strengthening of inter-agency ties at the system level is particularly important as the unified office comes into being.

13. To guarantee the effectiveness of the unified office, a concerted effort should be made at the highest levels of management in the United Nations system to safeguard and to reinforce the principle of independence of the office, especially in the exercise of the function by all ombudsmen. This strategic support from the inception will help the office to play its vital role in building effective bridges between management and staff at regional levels and in headquarters. The support should be evident from the inception in communication and information sent to staff concerning the changes. One essential form the support could take is to communicate the changes that are taking place to all staff throughout the world.

14. Regional offices will offer a prospect of improved geographical access to staff members and will uphold the principle of accessibility that is a linchpin of the terms of reference of the unified office. To minimize disruption in services, staff for the regional offices will possess new competencies such as mediation skills, which will enhance the range of service available to clientele. In addition, as part of work plans, well-structured induction programmes for newly recruited ombudsmen will ensure the effectiveness of regional offices and uniformity in the application of standards and procedures.

15. In regional offices, procedures will differ from headquarters only to the extent that the ombudsmen will provide services to a broad range of staff from a number of organizations. However, the standards and procedures employed in those offices will permit them to identify and report cases brought up at the regional level, feeding into the process of uniform case monitoring and reporting that is already being established globally. Regional specificities may require minor adaptations in work methods, but through valuing differences and learning from them, a common standard of excellence will guide the work of all offices.

16. The unified office will strengthen the function of the ombudsmen and enrich professional experience through continuous interface. The reports to the Executive Boards will highlight the issues at the level of the individual organization while the consolidated report will give the General Assembly a broad overview of the effectiveness of the informal system and of the recommendations made by the ombudsmen to mitigate conflict in the workplace.

17. At the time of writing the present report, the investments made by the Office of the Joint Ombudsperson in time, talent and professional strategy are coming to fruition as the General Assembly resolutions are implemented. Those investments were made in a collegial manner with the offices of other ombudsmen and mediators of the United Nations system and Bretton Woods institutions in the hope that the informal system of justice, particularly alternate dispute resolution, exemplified in the work of the Office, will help to bring fairness and equality of treatment to all those who bring their skills to the service of the United Nations. In turn, the United Nations will be an even better place in which to work, one that can continue to attract and retain the very best in all professional spheres.

II. Observations and recommendations concerning the major causes of conflict in the workplace reported to the Ombudsperson

A. Abuse of authority

18. In previous annual reports, the Office of the Joint Ombudsperson has tried to bring to the attention of the Executive Heads the finding that abuse of authority is widespread in the organizations and that very large numbers of staff do not have confidence that the organizations are genuinely committed to

taking appropriate action to address this problem. It is regrettable that, in the reporting period 2007, once again, it is necessary to reiterate that abuse of authority continues to be serious and pervasive and that there seem to be no adequate mechanisms for dealing with it. The discussions held during the annual meeting of the ombudspersons and mediators of the United Nations and related international organizations (UNARIO) highlighted that abuse of authority exists throughout the system. It is manifested in many ways, from less to more serious. It includes arbitrary decisions, favouritism, discrimination, authoritarian behaviour, withholding of information, lack of communication, shouting, screaming and swearing, humiliating staff in front of others, intimidation, an atmosphere of fear, inability of staff to voice opinions without fear of recrimination and harassment (see chart 4).

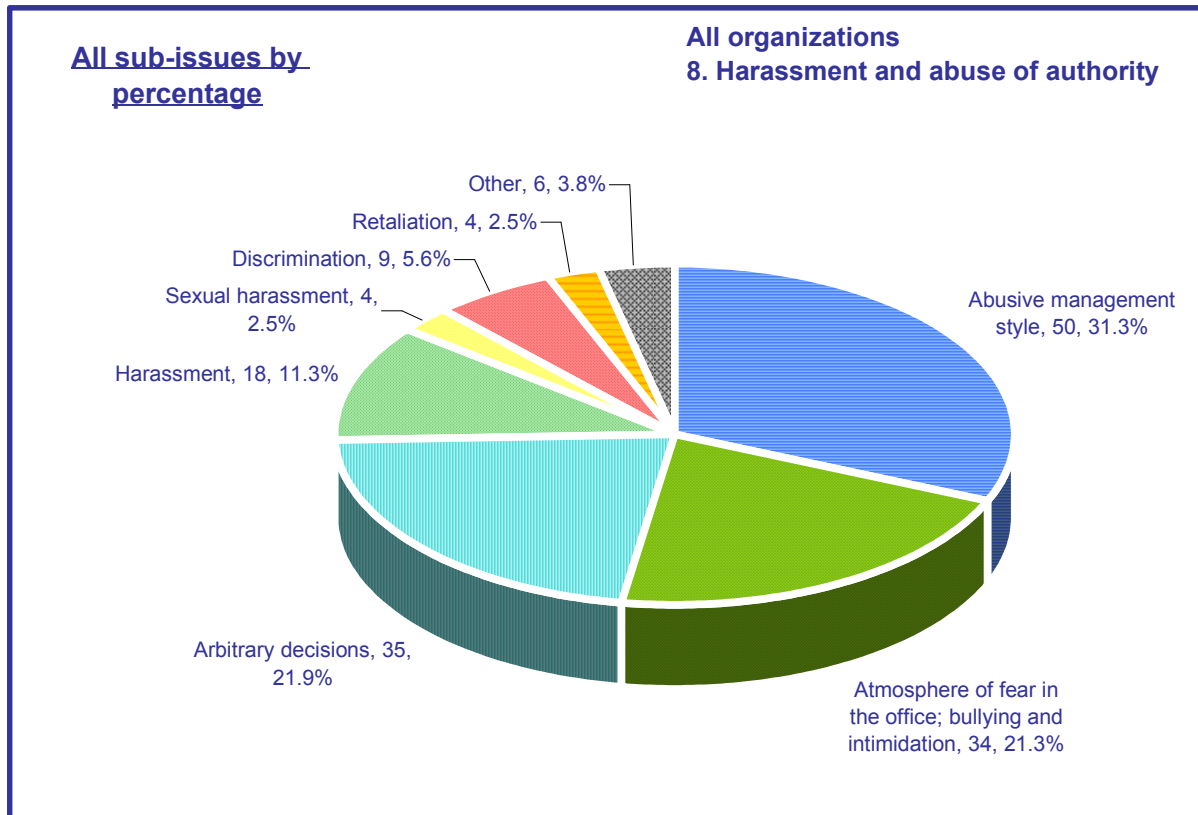


Chart 4. Harassment and abuse of authority, all organizations, 2007

19. Abuse of authority is a betrayal of trust and undermines everyone’s faith in the United Nations. For the Office of the Joint Ombudsperson, it is the most intractable of problems with which it deals. The Ombudsperson frequently and repeatedly draws the attention of senior management in some organizations to this issue, both at the level of individual offices and as a generic issue that needs to be addressed. UNFPA has introduced management reviews and coaching in an effort to address managerial style while UNICEF has been responsive in engaging managers against whom allegations have been lodged. The Ombudsperson acknowledges these efforts but the fact that the problem persists and affects staff at all levels suggests that a concerted attempt needs to be made to address root causes more directly since fully satisfactory solutions have yet to be found. Currently, the problem is very often resolved by moving the abuser – and in general the timing is at the choosing of the abuser. Few abusive managers have been removed prematurely even when it is widely agreed that their behaviour is unacceptable. If there is any response, it is ad hoc, it is usually too mild, too late and it is sometimes contradictory: if managers are removed, they are often appointed to other posts or are allowed to leave with full honours and letters of commendation for their services.

20. When the Office draws the attention of senior management to a problem of abuse of authority, it is essential that management take immediate action to set in train a process that will seriously address the problem. It is not appropriate for senior management to instantly challenge or even reprimand the abuser on the basis of a conversation with the Ombudsperson. The Ombudsperson does not have powers of investigation and therefore information provided through the OJO cannot serve as the sole basis for managerial decisions. The most appropriate action in these circumstances is that a management review team be sent to investigate. On the basis of such an investigation, formal disciplinary action can be taken. Management reviews may also help to identify core causes on the basis of actual cases. The Office has made this recommendation in the past yet no attempt has been made to implement it. It may be necessary for the alleged abuser of authority to be put on special leave with full pay during the review and subsequent disciplinary process since there are offices where the presence of the alleged abuser may undermine an objective investigation, for example by tyrannizing staff into remaining silent. Speedy investigation of abusive management is essential in order to ensure that there is a credible strategy for addressing this issue. In order to mitigate the financial implications of this recommendation and help in implementing it, management might wish to concede the option of engaging well-regarded managers in each of the organizations and in all geographical regions so that they could be deployed quickly and in a cost-effective manner. It would then be necessary for human resource offices to develop a roster of consultants – consisting of retired managers with excellent managerial records – who could form such management review teams.

21. There have been instances where senior management at headquarters is aware of the abusive behaviour of certain managers, indeed where such behaviour has been known about for many years, something to which the Ombudsperson has alerted UNDP in previous annual reports. This situation should not be allowed to continue. The failure to act decisively to bring such behaviour to an end condones or even rewards such behaviour. Furthermore, it creates a sense of despair on the part of staff who experience continuing abuse and who become cynical about the commitment of the organizations to the United Nations Charter and to the standards of conduct for the international civil service.

22. The Ombudsperson does indeed acknowledge that some organizations are making efforts to strengthen leadership and management skills of senior-level managers in the United Nations system. The courses offered at the United Nations Staff College in Turin are a good example and should be borne in mind. Also of note is the mandatory inter-agency online harassment training course, which has been made available to all staff. The scope of the problem suggests that more concerted and intense efforts of this kind are required to bring a critical mass of managers up to a common level of essential knowledge and skills and enable them to contribute to an enhanced leadership culture.

23. The Ombudsperson has suggested in the past that abuse of authority be linked to three areas that need to be revisited: appointments and selection; training; and accountability and monitoring. First, it is necessary to review the appointments process, including the resident coordinator selection process. In previous annual reports, attention has been drawn to problems with the resident coordinator selection process. It is essential to re-examine appointments procedures for managerial posts to ensure that in selecting people for leadership roles, the organizations are not overlooking signs of overconfidence, arrogance, absence of doubt, unwillingness to ask questions and inability to listen. It is necessary to seek managerial capacity directly, rather than appointing or promoting people based on their technical or substantive skills. This point has been made repeatedly by staff members who suffer on a daily basis under the supervision of managers who may once have been technically competent but who lack even the most basic managerial or leadership skills. While both men and women displayed authoritarian attitudes as supervisor, there were notable complaints from women in junior, middle and senior management positions about authoritarian supervisors who were male. Perhaps the underlying factor here is not so

much a question of gender but the problem of too much power vested in senior managers, as discussed in more detail in paragraph 26.

24. Second, the training of managers continues to need special attention. The Ombudsperson has underlined the importance of requiring demonstrated successful management skills in prospective appointees. In addition, it is of paramount importance that management skills be incrementally upgraded to match increasing responsibilities entrusted to those who play leadership roles in the organizations. This should be a mandatory element of individual development plans and should be reflected in performance evaluation.

25. Third, accountability and monitoring offer much ground for improvement because with delegated authority, senior managers in country offices have wide-ranging powers of decision-making and there is sometimes very little risk that anyone in headquarters will question their decisions – indeed, headquarters may not always be aware of the management style that has brought otherwise apparently satisfactory results. It is essential to have some means of assessing the performance and accountability of managers in their capacity as managers of people, which some organizations have introduced. In some cases, this has been reflected in ensuing policies. However, attention must now be paid to addressing the issue of managerial assessment. Whatever measures are introduced, there should be consistency of application in all the organizations.

26. Many factors may facilitate or contribute directly to the widespread nature of abuse of authority, particularly in a hierarchical setting such as the United Nations, where perhaps some senior managers have too much power and perhaps selection processes have appointed too many managers who abuse this power. There has been a decentralization of authority and what seems on occasion to be an abdication of authority by headquarters so that there is at times no serious oversight of what is happening in country offices or even headquarters units. The effects of this on performance and on efficiency are massive and should be cause for great concern. This is quite apart from the negative effects of abuse of authority on the reputation of the organizations. It is paradoxical that such conditions continue to persist at a time when the organizations are striving towards establishing team approaches within the context of One UN, a fact that the Ombudsperson has noted across the board and wishes to commend.

27. The line between abuse of authority and harassment is a very thin one and although there are cases where harassment occurs in situations not involving abuse of authority, this is very rare, as it is the power relationship that enables the harasser to engage in unacceptable behaviour with impunity. The reason why people tolerate harassment is usually fear, and the fear is generally related to issues such as posts, contracts and performance assessment. This fear is very real and unfortunately the Office of the Joint Ombudsperson must confirm that it is well founded.

28. In cases where staff members do have the courage and the confidence to bring formal harassment charges, this is by no means a solution to their problems and may even make things worse. The first problem is the inordinate delay. For staff who are experiencing harassment, information is not easily accessible nor is it clear how to proceed. There is often poor responsiveness from offices that could help to clarify options other than bringing a formal case since few staff members feel able to report harassment through the formal channel. The Office has frequently indicated to staff members who are contemplating bringing a formal harassment case that the process does take a long time. However, the delays encountered are far longer than anticipated and it is difficult to understand why the process takes so long.

29. The second problem is that very little information is provided to the staff member who brings the case; no explanation is given for the delay; no indication of what the process consists of; no indication of why it takes so many months even to decide whether or not there will be a formal investigation; and in cases where it is decided not to proceed to a formal investigation, no information is provided to the

plaintiff on why this decision has been taken. The third problem is that no concrete procedures are established to protect staff members who bring harassment cases, particularly with regard to performance assessment or contract renewals. The Office of the Joint Ombudsperson has discovered that some staff members have been subjected to continued harassment as a result of bringing a formal case. There are no measures of protection in place for staff who introduce formal harassment charges.

30. During the formal process, it is essential that the rights of both the plaintiff and the alleged harasser be respected and that the accused be treated as innocent until proved guilty. However, in attempting to ensure that staff members' right to submit a case to the formal process is respected, that they should be kept informed, and that no discrimination against them should be tolerated during the process, it has appeared to some in authority that the Office of the Joint Ombudsperson has been acting as an advocate for the staff member bringing the case and has therefore failed to remain neutral. Because of the many flaws in the formal process, the Ombudsperson finds that there is a continuing need for the Ombudsperson's informal involvement to ensure that staff members are informed, that the process proceeds, that both the complainant and the accused are protected, and that no-one is victimized for exercising the right to seek justice.

31. The sole intention of the Office is to ensure that staff rights are protected and that no-one is punished for daring to complain. It is also the view of the Ombudsperson that staff members who bring a harassment case should be kept informed; often the only source of information on what is happening, the Ombudsperson is sometimes put in the difficult position of having to decide what information to share with a staff member. The process should not unfold in this way: staff members who bring a harassment case should not be kept totally uninformed about what is happening. In addition, there should be no possible room for the suspicion that the major goal of the process is the protection of management rather than a thorough and objective investigation of allegations of harassment and the punishment of those found to have engaged in harassment.

32. A further disturbing trend has been observed, one that takes on the appearance of tacit or overt collusion when issues of harassment are present and not treated promptly. For example, some managers have engaged in a process of humiliation and harassment against a staff member while other colleagues or managers, by their own lack of action, or failure to voice an opinion appropriately, appear to be in collusion with the alleged harassers. It needs to be re-emphasized that harassment is totally unacceptable and will not be tolerated and that management at all levels is committed to creating a working environment of mutual respect in every office.

RECOMMENDATIONS

- 1. It is recommended, once again, that senior managers in all four organizations continue to convey a clear message that harassment and abuse of authority are not acceptable and that more visible and speedy action will be taken when cases of abuse and harassment are reported. This will demonstrate that the intent to stop abuse and harassment is sincere.*
- 2. An investigation team should be fielded as quickly as possible to gauge the situation when the Ombudsperson or other parties report that there is prima facie evidence of abuse of authority.*
- 3. A roster of consultants should be developed, consisting of retired managers with an excellent managerial record who are available at short notice for management review missions. They should receive appropriate training before being requested to conduct investigations.*

4. *The alleged abuser of authority should be placed on leave pending the investigation and disciplinary processes, as appropriate.*
5. *Appointments processes should be reviewed – including the resident coordinator selection process – to ensure that the selection of people for leadership positions is based on managerial capacity, and that the appropriate qualities are being sought.*
6. *Management training should be mandatory for all newly appointed managers.*
7. *Performance assessment of managers should include assessment of their management performance.*
8. *Reforms should be undertaken to make the process of reporting and dealing with harassment more effective:*
 - a. *Steps must be taken with some urgency to reduce the inordinate delays;*
 - b. *Confidentiality must be respected during the entire process;*
 - c. *The process should be reviewed to ensure that its objective at all stages is to investigate and punish harassment, rather than to protect management;*
 - d. *Both the plaintiff and the accused should be kept informed throughout the process. All reports should be made available to plaintiffs as well as to persons accused of harassment;*
 - e. *Concrete measures should be undertaken to protect the plaintiff from further harassment during the process, in particular in terms of contract renewal and performance assessment.*
9. *Counselling services should be made available when abuse of authority or harassment have taken place in order to help re-establish a healthy working environment and to enable the unit to re-create normal functioning as soon as possible.*
10. *The mandatory inter-agency harassment training should be made readily accessible to all staff, preferably online.*

B. Change management and reprofiling

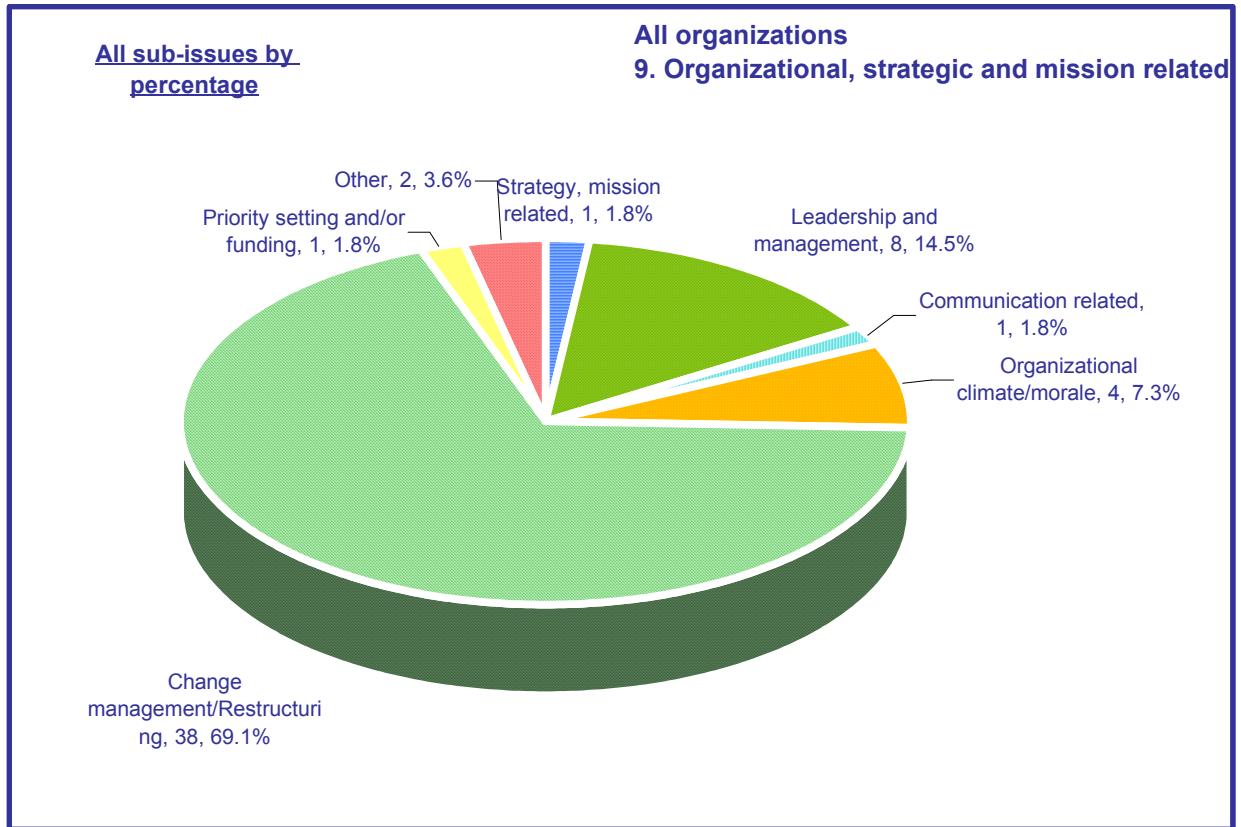


Chart 5. Organizational, strategic and mission related issues, all organizations, 2007

33. Reprofileing or restructuring is a particularly pervasive phenomenon in the organizations. All have some form of change management process in place although practices and terminology vary from organization to organization. In UNICEF and UNOPS, the Ombudsperson has noticed efforts to facilitate active communication and close monitoring of change processes by staff representatives and management. In UNDP, however, managers seem to be able to undertake reprofiling whenever they choose, despite the upheaval and costs. Furthermore, there is little evidence that any link exists between reprofiling and corporate strategies, that reprofiling leads to greater efficiency and effectiveness or that the gains in effectiveness are greater than the costs of the process. Some offices in UNDP have been subject to reprofiling three times during the past five years – whether or not there had been any substantive need for a fundamental change in staffing – simply because the managers were newly appointed. The needs for staffing do not change so dramatically that they cannot be met by retraining. If there are financial targets to be met that involve a loss of posts, there are more efficient ways of meeting them than by reprofiling an entire office. Aside from the ability to decide upon when reprofiling should take place, managers in UNDP seem to have unbridled authority during the process of reprofiling. It is essential, therefore, that boundaries be set concerning the way in which the process is conducted.

34. The Ombudsperson welcomes the recent policy directives that address some of these reprofiling issues, particularly since during the reporting period, the process in UNDP has seemed to be arbitrary in all its aspects. There were no standard rules, no clarity on reasonable periodicity of reprofiling, no uniformity, no central guidelines, and no organization-wide checklists for staff, not even uniformity of language to describe the process. It is therefore not surprising that many staff came to the view that

managers could basically ‘do what they like’ and ‘make up the rules as they go along’, without any accountability. It was also a cause for concern that there was no mechanism for ensuring that the process of reprofiling was not subject to abuse in view of the extent of abuse of authority in the organization brought to the attention of the Ombudsperson (see section II.A of the present report). The Office of the Joint Ombudsperson has been contacted by large numbers of staff members involved in reprofiling and enough information has been provided to indicate that serious abuse has occurred in this context (see chart 5). Particular staff members appeared to be targeted and there may have been deliberate lack of clarity about the rules, job descriptions, levels of posts, procedures, in fact about all aspects of the process. There appeared to be no mechanism at all in headquarters to follow up on allegations of abuse during reprofiling.

RECOMMENDATIONS

1. *A review of reprofiling should be undertaken to examine the full costs of reprofiling and assess the outcome in selected countries that have recently gone through the process. The review should also consider alternatives to reprofiling in conditions of changes in staffing needs and of reduced financial resources.*
2. *A set of rules and procedures should be prepared, including a checklist for staff and a mechanism for rapid response to any allegation of abuse when the organization considers that there are circumstances in which reprofiling is appropriate. The circumstances in which reprofiling is or is not appropriate should be identified and a time period established within which reprofiling will not normally be repeated, perhaps five years. A team should be constituted at headquarters to monitor all reprofiling practices.*
3. *Alternatives to reprofiling, such as retraining, should first be thoroughly assessed and costed, and a comparison made with the full costs of reprofiling before a manager is able to carry out a reprofiling exercise. The decision to proceed should be made in consultation with headquarters and the justification must be clearly linked to the overall strategy of the organization.*

C. Recruitment processes

35. The Ombudspersons have noted and welcomed the positive amendments made early in the year with regard to UNDP quarry procedures. This improvement represents an encouraging sign of an evolving, self-correcting organization that draws on experience and feedback.

36. The Ombudspersons, however, have been made aware of the ongoing problem of the displacement of a number of UNDP staff members holding permanent contracts. This phenomenon has also been observed in other organizations. Most of these individuals believed that the contractual terms subscribed to were not respected by the organization. It is of concern to the Ombudsperson that some of these staff members applied to several available positions in the organization and were not recruited. It is difficult to understand how, out of various available responsibilities, a long-serving, well-performing staff member is not deemed to fit at least one profile, albeit with minimal training and adjustments.

37. In this connection, the Ombudsperson has noted a non-implementation of specific guidelines on the issue of priority given to qualified, long-serving staff members for recruitment to positions in the organization. Several of these staff members have pointed out that less qualified, external applicants have been appointed to positions while they remain displaced. Of most concern to the Ombudsperson is the fact that, in some cases, these staff members indicated that they were not even short-listed to be

interviewed. The Ombudsperson wishes to acknowledge the work of the UNDP Career Transition Unit for its efforts to assist displaced staff.

RECOMMENDATION

All organizations should respect the provisions for retention of long-serving staff, particularly those with permanent contracts, and should take proactive measures to ensure that they are treated in accordance with the United Nations Staff Regulations and Rules; every measure should be taken to include them in strategic human resource planning in their units.

D. Performance management and feedback

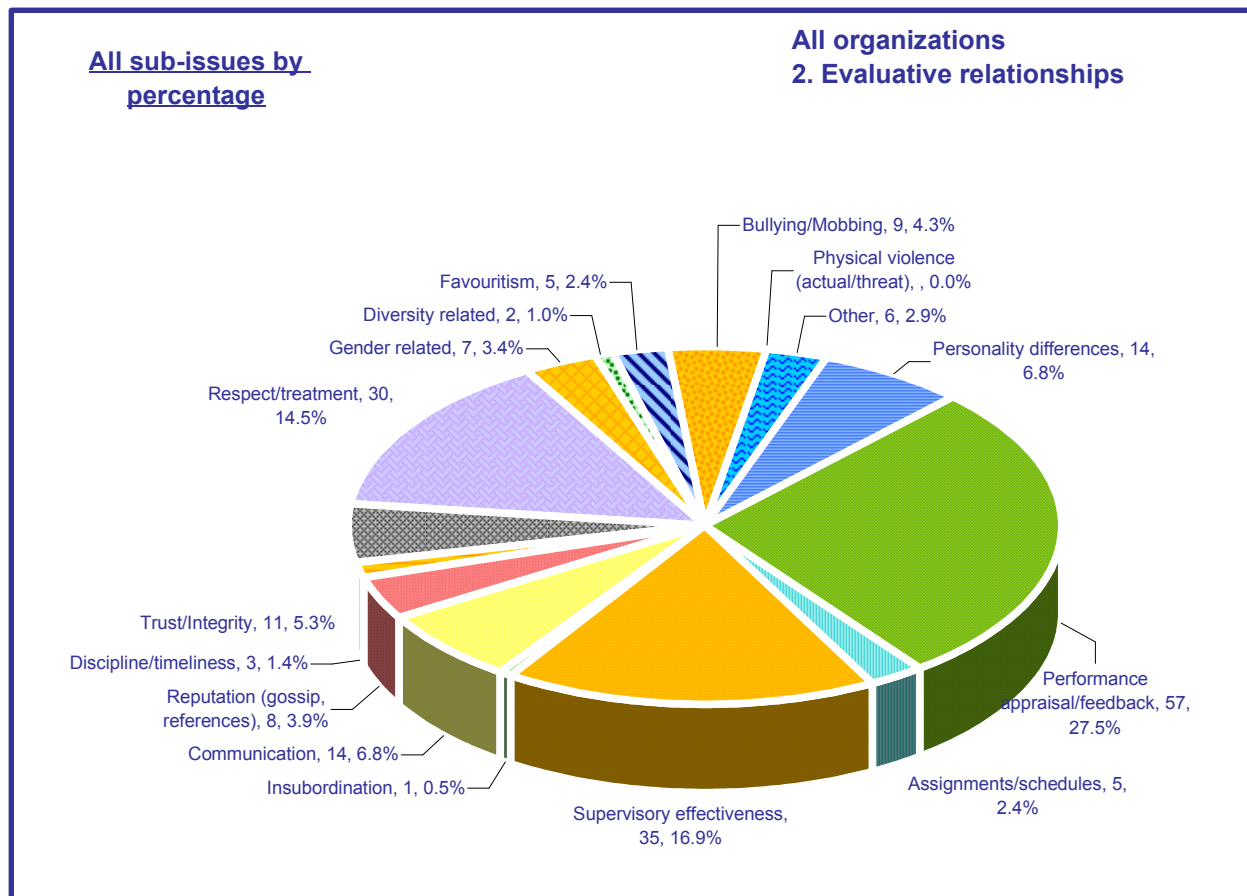


Chart 6. Evaluative relationships, all organizations, 2007

38. Effective performance management is an important tool for the organizations covered by the Office of the Joint Ombudsperson. Properly carried out, it ensures that staff members are aware of how their job performance is viewed by the organization and helps them to plan for orderly career development and progression. It can also identify training needs and areas where skills need strengthening. Performance management involves most frequently an annual performance review for each staff member. The details and terminology vary among the four organizations; for the purposes of the present discussion, therefore, the term annual performance review will be used.

39. During the reporting period, the Office continued to see neglect and at times a cavalier attitude towards performance management. Most unfortunately, the same issues continue to be raised as in

previous annual reports dating from when the Office was first established. These include late reviews; negative reviews that come as a complete surprise to the staff member largely because of the lack of interim or mid-term reviews as specified in the guidelines; unwillingness of the manager to discuss details of the review; and inconsistency in the review by the senior management group that reviews all assessments and signs off on the final version, which goes to the staff member's file. All too often, as reported previously and as discussed in detail below, the supervisor focuses on the negative even when the staff member may have performed well overall during the year. Thus, instead of being a powerful tool to encourage improved performance, the review demoralizes and demotivates staff members. An additional problem seen during the reporting year is the lack of a timely mechanism to deal with disagreements over the content and ratings in the annual performance review. Supervisors have the responsibility to provide timely, objective feedback and management performance in an effective manner; failure to fulfil that responsibility is a major source of conflict in evaluative relationships, as shown in chart 6.

40. The Office has witnessed serious shortcomings linked to poor performance management in cases of termination and/or non-renewal of contracts. In the course of dealing with cases of staff members whose contracts are terminated or allowed to lapse, the discussion usually turns to the results of an assessment. The latter can often help in determining whether the staff member has a viable case where the Office might provide some informal assistance. Very often, however, there has been no assessment and there seems to be an assumption that the staff member will simply leave without any assessment having been completed. This is not only bad management but an action that leaves staff members at a distinct disadvantage. They will have a gap in employment history and further, if unfair treatment was involved, there is no mechanism for them to record their side of the story through an official rebuttal. Several cases were reported to the Office in 2007 where an Ombudsperson had to intervene to ensure that the assessment was completed before the staff member left (see also section III.D).

41. As in past years also, the Office continued to find that mid-term reviews were not completed in a timely fashion. Often, the relevant box is just checked as having been done at the same time that the assessment is completed. Mid-term reviews can be useful as a means of coaching and facilitating genuine improvement in staff performance and should not be regarded or used as a punitive measure. Completion of mid-term reviews contributes towards ensuring that staff members feel appreciated and avoids the negative surprises often found when only a final assessment is done. The mid-term review also provides an opportunity for revising expected outputs in the case of changing priorities. Staff members will then be assessed fairly on what was accomplished rather than on earlier expectations that may have been unrealistic.

42. During the reporting period, there have been some encouraging signs in UNDP, where there have been efforts to revise and improve the results competency assessment form and guidelines. There was a long discussion during the year on the Management Practice Network in UNDP. The level of participation and the numerous constructive suggestions and criticisms show that performance management is an area where staff and management can make positive contributions to maintaining a viable organizational tool. Many comments validated the types of cases that came to the Office during the reporting period. They highlighted problems of transparency, fairness and objectivity and emphasized most of all the need for a more just performance management system that supports and promotes good performance and has its underpinnings in a process of constructive dialogue and in an environment that is conducive to productive work.

43. In some of the organizations served by the Office, the Ombudsperson has also observed that recourse procedures are inadequate. If a staff member is dissatisfied with the content of an assessment or with the integrity of the process, mechanisms for rebutting are ineffective. In nearly all cases involving rebuttals brought to the attention of the Office, the process took an inordinate time to be completed. Staff

members often contact the Office after months have passed and no results have been communicated to them. Whether the results of the rebuttal process are heeded or ignored by senior management, staff members should at the very least have the satisfaction of an official record of their self-assessment and appreciation of their own efforts. Improper performance management and the handling of recourse procedures continue to have an unfortunate impact on performance and staff morale in all the organizations. Sometimes, dissatisfaction with the rebuttal can lead to formal action or other steps.

RECOMMENDATIONS

- 1. Performance reviews should be carried out and completed in a timely fashion. Managers who are late in completing reviews should be penalized in their own reviews.*
- 2. A performance review should be carried out as a matter of course in the case of termination or non-renewal of contract; enough time should be allotted for the staff member to rebut if necessary.*
- 3. Mid-term reviews should always be carried out at the appropriate time in order to inform the staff member about the quality of performance.*
- 4. The content and process of assessment should be constantly reviewed and evaluated with changes being made as necessary. Managers should receive periodic training in the evaluation process and use of the instrument.*
- 5. Any rebuttal process should be fair and transparent and the staff member should expect completion within a set time period. Organizations that are not practicing a fair and transparent rebuttal system should consider the introduction of sound processes.*

E. Retention of staff

44. As mentioned in the last annual report, management, leadership and the training of managers globally remains a preoccupation. During the year, several young people expressed their concern about becoming de-skilled in the United Nations organizations in the absence of solid coaching and mentoring frames of reference. The Office noted with regret that staff members complained about problems experienced in their genuine quest for career development and progression at a time when surviving in the workplace requires polyvalence and multiple skills. Some staff members complained that they were not allowed to take advantage of training and other development opportunities because of the exigencies of service.

45. During the reporting period, a number of highly skilled staff from UNDP, UNFPA and UNICEF who contacted the Office chose to leave senior positions and opted for other career opportunities. While this may simply be a sign of changing times, all the organizations should find it helpful to obtain more systematic information on departures and reasons for departure. It should be standard practice to request exit interviews from all staff that choose to leave the organizations, as this provides an extremely important source of information that may be more objective when the respondent is no longer an 'insider' and may give the organizations a realistic assessment of their ability to attract and retain high calibre staff.

RECOMMENDATIONS

- 1. An appropriate balance should be made by managers between the demands of productivity and human resource development.*

2. *All staff choosing to leave the organizations should be requested to complete an exit interview, based on a standardized form.*

F. Gender issues

46. There were some notable elements in management cases regarding specific gender issues brought to the attention of the Office of the Joint Ombudsperson during the year. A general review of major issues affecting men and women in all organizations indicates that harassment and abuse, relationships with supervisors or evaluative relationships and career progression and development as well as problems relating to contract renewal affect both male and female staff almost equally. However, more disaggregated analyses show that in regard to career progression and development, more male staff had issues with job selection and recruitment than female staff while more female staff had problems with career progression than male staff. Transparency in recruitment continues to be a concern; however, it is not evident that there is a link with the effort to reach gender parity and recruitment issues. (See charts 7a and 7b.)

47. In examining concerns brought to the Office by several women in senior positions, it was evident that in addition to issues emanating from the workplace, many faced additional and at times multiple challenges inherent in their roles as spouses, parents and children of elderly parents. These ranged from concerns about spouse employment, time to attend to critical milestones or emergency demands from their families, and recognition that the burden of such responsibilities often makes them liable to be highly stressed as they also meet workplace challenges in a professional manner.

48. The Office notes that generally in relation to gender, policy focus has been almost exclusively on “reaching gender parity by 2010” as indicated, for example, in the UNDP report on gender parity. However, other issues that support women functioning effectively in the workplace also need to be considered equally with gender parity, which aims to hire more women into the workplace. For example, issues of replacement for maternity, double incumbency costs, flexible hours for women in managerial positions, mentoring and coaching are modern-day considerations that should be an integral part of policies on gender parity.

49. Practical arrangements that should be put in place and enforced to ensure the full participation of women in the workplace include breastfeeding arrangements, eligibility or entitlement to maternity leave, replacement during maternity leave and double-incumbency arrangements. Some female staff members faced challenges in regard to job security and performance assessment during maternity leave. All these factors suggest a greater need for policies that support the realities of female involvement in the workplace. The Office wishes to acknowledge the inclusion of entitlement to maternity leave irrespective of local practice in the recently updated policy for holders of service contracts. Such policy changes begin to give recognition to the integrality of female participation in the workplace.

RECOMMENDATION

All organizations should adopt and enforce policies that, building on gender parity, ensure the integrality of women in the workplace.

All sub-issues by percentage

All organizations
4. Career progression and development

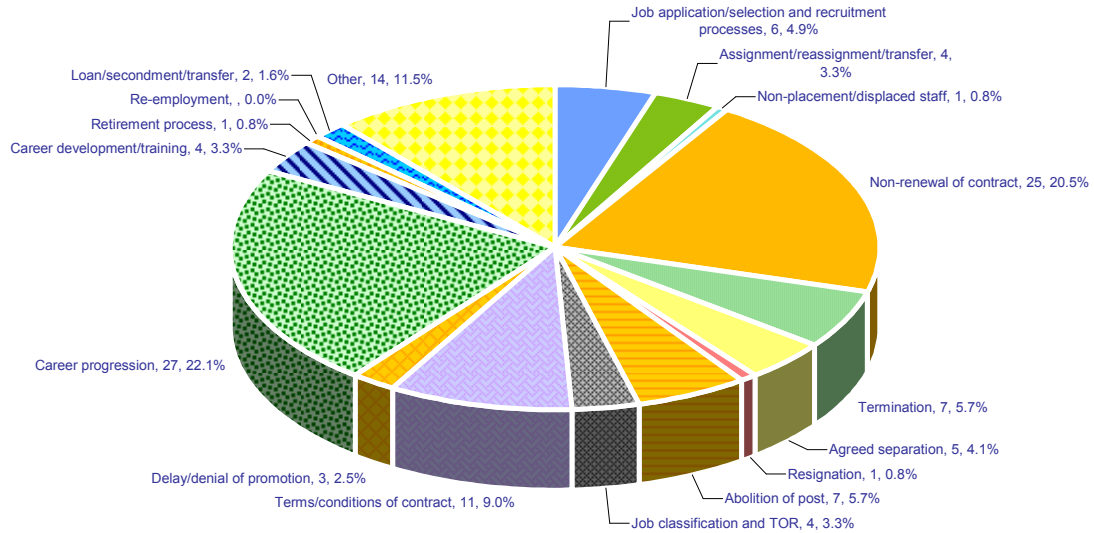


Chart 7.a. Career progression and development, women, all agencies, 2007

All sub-issues by percentage

All organizations
4. Career progression and development

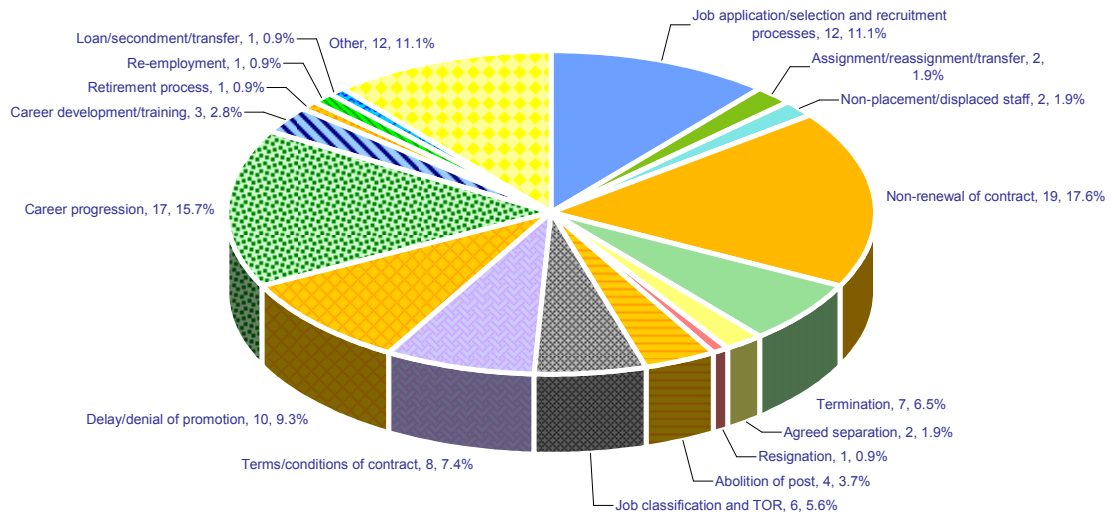


Chart 7.b. Career progression and development, men, all agencies, 2007

G. The Global Staff Survey

50. The Global Staff Survey (GSS) is thought to provide UNDP with significant information about the health of the organization. By giving an opportunity to staff to express their views anonymously on many aspects of the organization and its management, it is assumed that the information will be honest and accurate and that it could contribute to major organizational improvements, as well as to the performance review of senior managers, especially in country offices.

51. The Office of the Joint Ombudsperson is also provided with much information, including views of staff on the GSS. This information cannot be neatly tabulated and analysed in quite the same way but it may shed light on how the GSS is seen by many staff and therefore may cast some doubt on the validity of the results. Although the GSS is anonymous and although serious measures have been taken to protect the anonymity of participants, there is a problem about perceptions. Many staff do not believe that the survey is indeed anonymous and assume that senior managers can find out who said what.

52. Furthermore, in small offices, once respondents have been divided into categories such as male/female, professional/support, international/national, the numbers in each category may be very small indeed and people fear that they will be identifiable. For the survey as a whole, if fewer than six responses are received, the results are not analysed. In small offices, however, some of the above categories contain perhaps two or three respondents. There have been instances brought to the attention of the Ombudsperson of staff being hounded to find out 'who said what', when one of the above categories contained only two respondents.

53. In some offices where there is high turnover of staff, the GSS may not reflect fully the views of staff since those who have left may be ineligible to complete the survey. This is a further reason for emphasizing the importance of systematic exit interviews as a supplementary source of information.

54. In offices experiencing serious abuse of authority, it is not evident that honesty in the GSS is the wisest approach. If a significant proportion of respondents report abuse of authority in their office, and subsequently no action is taken, the staff may find themselves worse off since the abusive manager may take punitive action against those who are believed to have given negative ratings. In the view of the Ombudsperson, this is such a serious outcome of the GSS that it requires rapid, pro-active and constructive follow-up otherwise its validity will continue to be seriously undermined. It is not enough for the Head of the Bureau to "have a word with" senior managers who are thought to be abusing their authority if there are no real consequences. The absence of serious follow-up also leads to a degree of cynicism that the purpose of the GSS is window-dressing and public relations rather than a desire to discover how the organization is really seen by its staff and to take action to address problems that emerge.

55. On the other hand, there are offices where anonymity has provided a cloak for malicious allegations, which, when investigated, have turned out to be unfounded. Unfortunately, in such instances, an entire office can be destabilized and seeds of suspicion sown among colleagues.

56. The Global Staff Survey is, nevertheless, a tool that can help to determine perceptions and to obtain useful feedback on leadership, conflict and workload management in country offices and at headquarters. As increasing reliance is placed on the GSS to provide feedback, the questions themselves should be adequately revised to avoid mechanical, repetitious answers and to retain a measure of dynamism. At the same time, adequate checks and balances are required to ensure that the feedback received is neither inordinately complimentary nor maliciously critical. If administered appropriately, it can provide invaluable information that can improve the functioning of the organization. Its use should be reviewed by organizations that have not adopted this kind of practical tool.

RECOMMENDATIONS

1. *Follow-up should always be undertaken to the UNDP Global Staff Survey when there are indications of abuse of authority.*
2. *Increased measures should be taken to demonstrate to staff members that their responses are reliably anonymous.*
3. *Measures should be taken to avoid very small categories of respondents that expose staff to the possibility of being identified.*
4. *Senior management should indicate more explicitly how the results of the UNDP Global Staff Survey are used and what action will be taken if the results show that there may be serious abuse of authority in an office.*
5. *The UNDP Global Staff Survey should be supplemented by other indicators, e.g., systematic exit interviews, which provide a voice to supervisees, if it is to be used as an input into the performance assessment of senior managers. Such interviews can provide useful information, in particular in offices where there are abusive managers, since the responses are no longer influenced by fear of the consequences.*
6. *The UNDP Global Staff Survey, which can be a useful tool for obtaining feedback on leadership, management, conflict management and office effectiveness, should be closely reviewed by the other organizations served by the Office of the Joint Ombudsperson as a possible harmonized approach to improving effectiveness.*

H. Contracts management

57. In previous annual reports, the Ombudsperson has also addressed issues arising from the various contractual modalities in use by the funds and programmes. Recommendations to improve on practices were made to Executive Heads in these reports; nevertheless, a recurrence of some old practices as well as the emergence of some new trends was observed in cases brought to the attention of the Office in 2007, as illustrated in chart 7.a and chart 7.b.

58. As the Office of the Joint Ombudsperson reported last year, the ombudspersons continued to see that many staff members are being subjected to bait-and-switch techniques: once they are hired, their terms of employment seem to be different from those indicated to them when they were called to interviews and were actively sought to fill a vacant position. This practice constitutes a serious breach of the standards of conduct for the international civil service with regard to ethical hiring and recruitment practices. The Ombudsperson is deeply concerned by the continued failure of a number of managers to respect fully the standards of conduct, which form the basis of policies and actions in the United Nations.

59. The widespread practice of allowing contracts of both long-serving and recently recruited staff members to expire with little or no notice continues unabated. The Ombudsperson is alarmed at this practice and concerned that all of the organizations the Office serves may be diluting their institutional memory at the expense of a more mobile, less committed, less skilled work force. Senior management may want to consider more seriously the long-term impact of this practice and the consequences of a weakened workforce for the future. In addition, the Ombudsperson believes that the practice of hiring new personnel and then separating them for no clearly defensible reason after only a short time in the United Nations is not in keeping with the ethical standards of the Organization.

60. Much distress is caused when this inappropriate management of contracts takes place. For example, contracts have been terminated or allowed to lapse even when there is evidence of satisfactory performance. This tends to occur in the case of shorter-term contracts, e.g., of one or two years' duration but even staff with longer-term periods of service have found themselves in this situation. OJO recognizes that there is a greater use of short-term contracts for specific purposes and that the United Nations in general is not promoting indefinite employment. However, this does not seem to be communicated effectively to staff when they are recruited. Often people are subjected to a highly competitive process and appointed after being selected from a large pool of well-qualified candidates. Indications are given that the assignment may be of a long-term nature and indeed managers or human resource offices often convey this impression at the time of recruitment. Then, as noted in the preceding paragraph, contracts are terminated or simply allowed to lapse without any notice. Apart from the depletion of a viable work force, this practice makes it difficult to recruit quality staff once it becomes well known that such practices are common. It may also prove to be inefficient for the organizations since there is inevitably some investment in training even for staff with contracts of one or two years. It may also be a means by which abusive managers ensure a docile and compliant work force, i.e., staff members who challenge the authority of the manager find that their contracts are not renewed.

61. There are cases of people who misunderstand the implications of working at a United Nations organization and who take at face value such statements as "contract renewal depends on satisfactory performance". When hiring arrangements are finalized, not everything may be clear to new appointees. They may interpret what they hear wrongly. This could lead to great misunderstanding if there is no scrupulous attempt made by the hiring unit and human resources offices or sections to clarify, at the recruitment stage, the real likelihood that the recruitment in progress may not result in longer-term employment with the organization.

62. The non-renewal or termination of some contracts has conveyed a distinct form of abusive management or harassment. In some instances when staff members were confronted with the prospects of termination or lapse of contracts, they were encouraged to resign and were given a promise that the office would provide assistance in finding another position. The promise was not fulfilled. As discussed in the performance assessment section (II.D), annual reviews or other assessments may not be completed at a time when a contract ends precipitately, leaving the staff member with a gap in the evaluation and employment record. There is therefore real fear that this gap will follow the aggrieved staff member and jeopardize future employment opportunities.

63. Under the circumstances described earlier, it is sometimes very difficult for staff members to accept any proposal from the Ombudsperson to exercise the option of moving on with their careers and putting the experience behind them, often because they feel a genuine sense of grievance. It is also difficult for some staff members to accept that there may be valid reasons such as inadequate performance, new priorities for the unit or financial constraints, especially if there have been problematic issues with the manager or supervisor. Some staff members have subsequently proceeded to file harassment charges, which are often hard to prove when linked with termination or non-renewal of contract.

64. Staff members request an administrative review when they believe they are the victims of unjust or discriminatory managerial decisions in the workplace, such as the termination or lapse of contract under the circumstances reviewed above. They do so only after exhaustion of the informal process and with the firm conviction that the regulations and rules were not followed correctly and that the management's decision regarding the staff member were not taken properly. Thus, the administrative review is a tool of recourse and gives a chance to staff members to request a remedy to correct the management's perceived wrongdoing or mistake. In many instances, the process could have been avoided

if management had observed the regulations and rules in a more effective, timely and accurate manner or had shown some willingness to reconsider actions through the informal process. It should be remembered that implementing an administrative review is costly to the organization. It should also be pointed out, however, that administrative reviews are designed to assess decisions made by management strictly on the basis of their legality. This means that decisions which reflect poor or even abusive management may be found to be entirely legal.

65. The other problem in this connection concerns the time limit for applying the administrative review. There have been cases brought to the attention of the Ombudsperson where applications for administrative review at the conclusion of the informal process were rejected on the grounds that the two-month time limit from the date of management's written notice to the staff member had expired. In such cases, the Ombudsperson notes that timely reference of the matter to the Ombudsperson suspends the two-month time limit specified in the Staff Rules for filing a formal request for review. It is important for staff and management to bear this provision for "stopping the clock" in mind.

66. There also continues to be abuse in the application of the special service agreements (SSA) and service-contract modalities. Sometimes the problem has been with the policy and sometimes with the practice. The holders of SSAs and service contracts are clearly categorized as non-staff. Although there is little specific information given to SSA and service-contract holders about their right to seek assistance from the Office of the Joint Ombudsperson, the Office does not turn away anyone who seeks guidance. There is still evidence that holders of SSAs and service contracts have been deployed to core functions. Performance assessment is not standardized for these contract holders. There have been complaints that either no assessment was carried out at the end of an assignment or that it was prepared by someone who had little or no knowledge of the work being done. Such practices can lead to lack of cohesiveness and lack of commitment and will eventually contribute to a less productive workforce. They also harm both the contract holder and the organization.

67. The use of the 300 series or contracts for activities of limited duration (ALD) continues to generate grievances in spite of repeated recommendations in previous annual reports of the Ombudsperson. As in the case of SSAs and service contracts, ALD contracts are often used to take the place of regular posts. During the reporting year, the Office of the Joint Ombudsperson has seen cases of ALD recruitment at the wrong level, discounting of previous experience and lack of understanding of the process of calculation for salaries, benefits and entitlements for ALDs by the local staff, resulting in contracts with errors. In particular, the area of entitlements has led to several cases that involved months of intervention by OJO until they were resolved. Several ALD contract holders endured real hardship until issues were clarified and corrective action was taken. This was sometimes a result of the difficulties of applying equitably the provisions of a complicated hiring modality. Country office staff with little experience in administering ALD contracts are reluctant to take corrective action and it may be difficult to identify someone at headquarters with the authority and willingness to act. This can result in long periods of delay when trying to resolve issues.

RECOMMENDATIONS

- 1. Clear expectations should be established when hiring takes place to ensure that people's concerns are heard not only at the end of a contract but at the time of hiring. These expectations should include an indication of the time horizon involved so that staff are able to make decisions about their personal lives based on a realistic assessment of the duration of their assignment. A checklist should be developed for new staff members.*
- 2. More training should be provided for human resources staff in country offices on policies for the various contractual modalities.*

3. *All assessment documents should be completed before a contract is terminated or allowed to lapse.*
4. *All contract holders should have an opportunity to file a rebuttal in the case of disagreement.*
5. *Clearer organizational policies should be established for the management of contracts.*
6. *Clear lines of responsibility should be established for settling errors in contracts and/or entitlements.*
7. *A fair assessment tool should be developed for the holders of special service agreements and service contracts. Non-compliance by managers should be reflected in their own assessment.*
8. *Arbitrary ways of terminating contracts should cease since they contribute to the formation of a transitory workforce that has little vested interest in making long-term contributions.*
9. *Organizations should be discouraged from agreeing to the establishment of hybrid entities which use the United Nations umbrella, but which do not accept United Nations systems of functional or managerial accountability and monitoring.*

I. Human resources services

68. The Office of the Joint Ombudsperson continues to be called upon to look into problems concerning miscalculation of indemnities. Staff members responsible for the administration and application of human resources rules and policies in offices globally do not seem to be equally informed or equipped in this regard. Many junior staff members may not have received adequate training before being left alone with the task. Sometimes the human resources unit is considered to be responsible when other managers may have taken the decision. This suggests that there may be confusion concerning management roles and the ultimate responsibility for the human resources function and fair application of human resources rules and policies. It also suggests that human resources units may need to strengthen the number of staff with a solid understanding of entitlements and to provide some just-in-time training to ensure adequate knowledge and equal application of human resources rules across organizations and globally.

69. Another important negative trend affecting human resource services continues to occur from hybrid arrangements. This trend has also been reported in previous annual reports. There are a number of hybrid entities in which staff have United Nations contracts but where management and accountability structures do not follow a normal United Nations pattern. Many grievances have been brought to the Office of the Joint Ombudsperson by staff members in such hybrid entities but it has been difficult for the Office to seek solutions because of the absence of any functional or managerial reporting to the United Nations. It is clear from the experience of the Ombudsperson that such hybrid arrangements are likely to generate multiple problems and that new entities should either be entirely within the United Nations system or entirely outside it. It should not be possible to use a 'United Nations umbrella' without complying with the accountability mechanisms of the United Nations itself.

70. In response to the One UN approach, the impetus and necessity for merging and working more closely together among organizations seems to be increasing. However, the requisite reforms of processes and procedures to ensure common management and human resources practices have not taken place with equal rapidity. The Office far too often continues to witness staff members hired by one agency who are

governed by the policies and procedures of another and who thereby become vulnerable and exposed to unjustified sanctions and costs because of incompatible or differing policy application. The credibility of the organizations is seriously put into question by such practices.

RECOMMENDATIONS

- 1. Increased attention should be given to training needs and resources to strengthen human resource functions in all the organizations. An inter-agency effort should be undertaken that would include a more systematic approach to central policies of the United Nations.*
- 2. A more concerted effort should be made to harmonize certain core policies across organizations to better facilitate uniform human resources management.*

J. Other issues

1. Directories of personnel

71. The Office of the Joint Ombudsman has frequently been obstructed in its attempts to locate staff with whom it may be necessary to hold confidential conversations. It is not possible, for example, merely to call an office where such a person may be located since numbers and voices may be recognized and speculation as to the reason for a call from the Ombudsperson may arise. The printed directories, of course, cannot always be up to date but it is difficult to understand why the electronic listing of personnel in an office is so very frequently inaccurate. There are cases where even very senior staff members are wrongly listed (for example, because they have moved to another office or have left the organization) and there are cases where OJO has noticed that even resident representatives are listed in two places simultaneously. It should be the responsibility of each office to ensure that the staff listing is accurate, particularly at a time when decentralization means that such errors may very well not be detected at headquarters.

RECOMMENDATION

Each office in all the organizations should ensure that the electronic staff listing is accurate and up to date.

2. Administrative services

72. There are moments in a staff member's life when certain bureaucratic requirements must be observed. When a person is hired in an organization of the United Nations, for example, there are certain formalities that must be taken care of, the same is true when someone transfers or is seconded from one organization to another, or has a contract from one organization but actually performs work for another, or when someone retires from an organization. In such circumstances, the steps required on the part of the person concerned are not always clearly spelled out and it can be extremely difficult, time-consuming and stressful to try to discover exactly what is required and what the implications are. Even before entering the organization, successful candidates may feel themselves to be in limbo because the organization has not followed up formally on a verbal indication that they have been successful and can expect to be employed. It is very difficult for someone in this predicament to know what to do. Regrettably, too, a poor, uncaring impression is created by the organization from the very beginning. In the case of transfers and secondments, it seems that the onus is on the staff member yet the administrative service providers are the ones with the knowledge; unfortunately, in the experience of the Office of the Ombudsperson, they are extremely difficult to contact either by telephone or email. In the case of retirees, the Ombudsperson is pleased to report that there has been a decrease in the number of cases dealing with the

length of time that former staff members have to wait for their pension to be paid. Nevertheless, other issues arise, such as the provisions and requirements for after-service health care and arrangements for some staff members to settle income-tax obligations; the seemingly labyrinthine system, involving a number of offices, can cause serious stress for someone simply trying to understand and put in motion the new system and who has to deal with the United Nations, the care-givers and the insurance companies. It may be even more difficult for someone who is ill and has to rely on persons not familiar with the United Nations system to find this information.

RECOMMENDATION

All the organizations should increase their efforts to clarify proactively the administrative requirements that govern staff in the major career transitions of their professional life in the United Nations.

III. Looking ahead

A. Local Respectful Workplace Advisor network

73. In 2007, the Office of the Joint Ombudsperson played a major role in piloting an important project targeting unethical behaviour, disrespect for diversity, and abusive authority. In the spirit of inter-agency collaboration to a more proactive approach to conflict management, the Office of the UNHCR Mediator, the Office of the Joint Ombudsperson and the Office of the WFP Ombudsman set out to train and support selected staff in offices around the world. These staff members will be responsible for scanning the work environment for threats to, and opportunities for, ensuring a respectful work environment. The feedback obtained from these members of staff would be included in ombuds recommendations to top management for systemic improvement. Called Respectful Workplace Advisors (RWAs), these individuals will also be on hand to guide staff members through the informal resolution of their conflicts with colleagues and/or the organization, not by mediating but by empowering staff with the tools to make informed choices through an understanding of all options and avenues at hand in difficult situations.

74. The pilot was launched with participants from offices in the West African nations of Sierra Leone, Liberia and Ghana. During a five-day training workshop held from 09 - 13 September 2007 in the Ghanaian capital, Accra, the workshop drew 28 participants from WFP, UNHCR and UNICEF, including a staff counselor from each agency. The RWAs from the pilot countries were all nominated by colleagues in their respective offices.

75. Facilitated by two retired World Bank Human Resource Officers, the workshop equipped RWAs with the knowledge and skill sets needed to fulfil their roles and responsibilities of guiding staff to identify their interests in any conflict situation, as opposed to their position, and to take steps to resolve conflicts involving those interests. Using role-play, group exercises, focused discussions, and scenario studies, the workshop explored the key challenges RWAs are likely to face in the field and helped them to work out techniques for overcoming them. The original RWA concept was initiated in 1993 at the World Bank to deal with sexual harassment issues. Given strong endorsement and support by the World Bank senior management, the network was then extended worldwide to the World Bank country offices in 1997 and the RWA network has evolved as an integral part of the World Bank Group's informal conflict-resolution system.

76. The Office of the Joint Ombudsperson has taken a leading role in the development and adaptation of the RWA training material, initially elaborated by the World Bank, for use within a United Nations

inter-agency group. The work consisted in compiling and harmonizing often differing policies from the participating agencies in various areas ranging from harassment to ethics.

77. One of the most important elements for the success of the World Bank RWA network has been the endorsement and support of a senior manager who championed the programme. A network of local conflict resolution can only be effective if such a network is also supported and respected by management. This level of cooperation will not only ensure adequate funding for training RWAs, it also ensures administrative and policy support for the work of the RWAs locally for them to be allowed to allocate the needed time, albeit minimal, to carry out their duties.

Challenges in setting up a multi-agency RWA programme

78. The selection process of RWAs is one of the main challenges in implementing the network. A transparent, independent nomination process is crucial for the programme to be credible and trustworthy. For this pilot workshop, it was possible to conduct new confidential nominations in most cases. In the case of UNICEF, where a local ombudsperson system has been in use for several years, the staff-nominated local “ombudspersons” were selected to attend the RWA training at office staff retreats.

79. Many RWAs were nominated by their colleagues because of the advocacy and advisory roles they had played in their respective offices. These roles differed in many aspects from the role of the RWA, which is geared towards being a neutral, informed party. It is therefore a challenge to communicate clearly and frame this new role with its important principles of neutrality and confidentiality. New RWAs voiced their concern at the pilot training workshop that their colleagues in the office could have doubts about the effectiveness of this new role. It was particularly important, for this reason, that participants fully recognize the value of helping colleagues by empowering them to address their issues independently through various mechanisms available in their respective organizations. As RWAs are not protected by the independence mandated to an organizational ombudsperson, there is a real need to protect them from retaliation that could result from direct intervention or the mediation of cases.

80. Another area of discussion and identified challenge focused on the perception of overlapping roles between RWAs and Peer Support Volunteers (PSVs). RWAs are different from PSVs in several ways. First, RWAs focus on conflict prevention and resolution only, with support from ombudspersons or mediators while PSVs focus on psychological support in close contact with staff counselors. Second, an RWA, as a primary level of conflict-resolution intervention, listens to the concern of a staff member and guides him/her towards possible options he/she could consider and choose from to resolve the issue while a PSV can and may advise as well as intervene with parties involved in the issue. In this regard, it is essential that, prior to launching any network, the organizations provide clear guidelines for staff to understand the roles of the resources available to them locally.

81. The RWA system will be managed and monitored at headquarters. The respective ombuds/mediator offices must provide case, information and policy support to the RWAs as needed and follow up on progress continuously in order to ensure the proper functioning of the new RWA network. With this in view, the Office of the Joint Ombudsperson has established an email distribution list for the inter-agency RWAs as a platform for RWA networking and information-sharing. A new RWA webpage has also been developed and two articles have been posted so far.

Taking the RWA pilot forward

82. The Office of the Joint Ombudsperson and United Nations organizations are reviewing the experience with a view to developing a strategy to identify and train RWA facilitators for future workshops. The upcoming UNARIO meeting in the spring of 2008 in Washington, D.C. will discuss this

strategy and perhaps even identify new trainers. OJO envisages further coordination with participating organizations on the possibility of conducting a training-of-trainers session in 2008 followed by a second RWA training workshop in a region to be identified.

83. In bringing this programme forward, however, management and staff support are of essence and OJO is encouraged by signs of interest already shown. An investment in the prevention of conflicts in the workplace through developing programmes on respectful behaviour and against harassment in any form could bear, in the Ombudsperson's view, an excellent return by solving issues locally and at the earliest stage.

84. OJO also believes that the upcoming establishment of regional Ombudsman offices could greatly benefit from the RWA networks in their region, enabling them to monitor and resolve conflict more closely and effectively. An RWA network at the country level would further extend the accessibility of conflict resolution services as envisaged by the Redesign Panel and in the framework of current judicial reform in general.

B. Crystal Ball

85. The Ombudsman has a unique picture of the organization based on the information furnished by staff at all levels that are able to speak without fear of retaliation and with the guarantee of confidentiality. It is a principal responsibility of the Ombudsperson to use this information to identify trends, detect emerging issues and provide informal support for responsible system change. At the annual meetings of the International Ombudsman Association, the wider ombuds community looks carefully at the work of the preceding year and offers an outlook for the work of the coming year, especially in emerging areas. This process is mirrored by the ombuds community of the United Nations and related international organizations (UNARIO).

86. In looking to the future, members of UNARIO recognized the importance of the ombuds mechanism in the new system of the administration of justice in the United Nations. There will be many opportunities to benefit from the cumulative experience of present offices and best practices throughout the system; at the same time, it will be necessary to further strengthen and professionalize ombuds offices and their staff at all levels. The specific challenges for the Office of the Joint Ombudsperson as it becomes a part of the integrated, unified office have been spelled out in section I.C of the present report.

87. In identifying general challenges throughout the United Nations system for the immediate future, UNARIO participants looked into their "crystal ball" and predicted that one of the major focuses of work would lie in change management processes. Thanks to the unique perspective and role of the ombudsmen, there would be an increased need to be proactive, preventative and productive, ensuring that the values and ethics focus on the respect and dignity of the individual throughout. In order to do this, ombudsmen need to strengthen relations with management, keep themselves informed of all stages of the change management process and ensure that ethics and values are communicated and management held accountable.

88. The notes struck at the Tunis meeting were ones of renewed commitment for cooperation and the realization that the reform of the internal justice system of the United Nations brings with it the potential and the challenge to serve the needs of all those who work for the Organization. It will be particularly important to ensure that those who work in the country offices will find increasingly effective access to the services of the regional ombudsmen. That is a challenge the entire staff of the Office accepts wholeheartedly while looking forward with confidence to serving the needs of all its constituents.

Annex

Statistical analysis of issues by organization brought to the attention of the Office from 1 January to 31 December 2007.

UNDP

During the period January to December 2007, a total of 265 UNDP staff members and contract holders contacted the Office of the Joint Ombudsperson, of whom 138 were women and 127 were men. Of the total, 59 were located in headquarters and 206 in country offices. In discussing the issues raised by these visitors to the office, it is important to explain that many visitors bring very complex grievances to the Ombudsperson and that therefore many individual cases involve more than one issue. Thus there are many more issues than there are cases, and in most of the analysis that follows it is the issues that are examined in detail.

For UNDP staff, in order of the reporting categories (see section I.A), 10 per cent of issues were concerned with compensation and benefits, 19 per cent with evaluative relationships (mostly supervisor/supervisee, including the performance review process), 1 per cent involved peer and colleague relationships, 27 per cent career progression and development, 5 per cent financial, legal and disciplinary matters, 2 per cent safety, well-being and the physical environment, 2 per cent services and administrative matters, 15 per cent harassment and abuse of authority, 10 per cent of issues concerned organizational and strategic matters, and 9 per cent organizational values, ethics and standards. Thus, the most frequently raised issues, in order of importance, were career progression and development, evaluative relationships, and harassment and abuse of authority. These three categories accounted for a total of 61 per cent of all issues brought to the attention of the Ombudsperson by visitors from UNDP.

Some differences emerge if the issues are examined by gender. For men who consulted the Ombudsperson, 30 per cent of the issues raised were concerned with career progression and development, 16 per cent with evaluative relationships, 14 per cent with harassment and abuse of authority, 9 per cent with compensation and benefits, 9 per cent with financial, legal and disciplinary matters, and 9 per cent with strategic and mission-related matters. In contrast, for women, 22 per cent of issues were concerned with career progression and development, 20 per cent with evaluative relationships, 17 per cent with harassment and abuse of authority, 11 per cent with compensation and benefits, 11 per cent with organizational values, ethics and standards, and 11 per cent with strategic and mission-related matters.

Further differences arise if the issues are examined according to the status of the visitor. For visitors in the international professional category, 28 per cent of issues raised were concerned with career progression and development, 17 per cent with evaluative relationships, 14 per cent with organizational values, ethics and standards, 12 per cent with harassment and abuse of authority, and 11 per cent with compensation and benefits. On the other hand, for visitors in the support staff category, including trades and crafts, 26 per cent of the issues raised were concerned with career progression and development, 18 per cent with harassment and abuse of authority, 18 per cent with evaluative relationships, 14 per cent with strategic and mission-related matters, and 11 per cent with compensation and benefits.

It is also interesting to examine the differences in issues raised according to the type of contract held by the visitor. For the 179 issues raised by visitors with 100 series contracts, 26 per cent of issues raised were concerned with career progression and development, 23 per cent were concerned with evaluative relationships, and 12 per cent with strategic and mission-related matters. For the 43 issues raised by visitors with 200 series contracts, the breakdown was as follows: 25 per cent were concerned with career progression and development, 19 per cent with evaluative relationships, 14 per cent with harassment and abuse of authority, and 14 per cent with organizational values, ethics and standards. For visitors with 300 series contracts, 49 issues were raised, with a breakdown as follows: 28 per cent were concerned with career progression and development, 22 per cent with evaluative relationships, 16 per cent with compensation and benefits, and 14 per cent with harassment and abuse of authority. Of the 75 issues raised by visitors with permanent contracts, 35 per cent were concerned with harassment and abuse of authority, 22 per cent with career progression and development, 13 per cent with strategic and mission-related matters, and 12 per cent with financial, legal and disciplinary matters. For holders of service contracts, 18 issues were raised, of which 44 per cent were concerned with career progression and development, 17 with harassment and abuse of authority and 17 per cent with strategic and mission-related matters. Of the 25 issues raised by SSA contract holders, 20 per cent were concerned with compensation and benefits, a further 20 per cent with career progression and development, 16 per cent with evaluative relationships, 12 per cent with harassment and abuse of authority, and 12 per cent with organizational values, ethics and standards.

A further breakdown of issues can be made according to the party involved in the dispute or grievance. The most striking features of this breakdown are as follows: most grievances involve either a senior manager (294 issues) or the direct supervisor of the visitor (168 issues); the largest category of grievances involving senior managers is harassment and abuse of authority (89 issues), secondly career progression and development (75 issues), and thirdly evaluative relationships (44 issues). The largest category of grievances involving direct supervisors is evaluative relationships (82 issues), secondly harassment and abuse of authority (30 issues), and career progression and development (30 issues).

Finally it is possible to indicate the status of the 265 cases involving UNDP contract holders: 44 per cent of cases were closed because the case was resolved informally; 25 per cent of cases brought to the Office during 2007 were still ongoing at the end of December 2007; 19 per cent of cases were closed because the visitor did not wish to proceed with the case; 9 per cent of cases were submitted to the appropriate formal channel; and 3 per cent of cases were referred to the relevant department.

UNFPA

A total of 48 UNFPA staff and contract holders contacted the Office of the Joint Ombudsperson during January to December 2007. Of these visitors, 32 were women and 16 were men; 32 were from country offices and 16 were from headquarters. As explained in the discussion above, it is necessary to distinguish between the number of visitors and the number of issues raised, because many visitors bring complex grievances to the Ombudsperson involving more than one issue. For

UNFPA staff, 30 per cent of the issues were concerned with career progression and development; 23 per cent with evaluative relationships (mostly supervisor/supervisee); 19 per cent with harassment and abuse of authority; 11 per cent with organizational values, ethics and standards; 7 per cent with compensation and benefits; 7 per cent with financial, legal and disciplinary matters; and 1 per cent each with peer and colleague relationships, organizational, strategic and mission related matters, and services/administrative matters. Thus, for UNFPA visitors to the Ombudsperson, the three most important categories of issue raised were career progression and development, evaluative relationships, and harassment and abuse of authority. These three categories accounted for 72 per cent of all issues brought to the attention of the Ombudsperson.

If the issues are examined according to gender, the following pattern emerges: for men, 25 issues were raised, of which 7 (28 per cent) were concerned with career progression and development, 5 (20 per cent) with evaluative relationships, 4 (16 per cent) with compensation and benefits, 3 (12 per cent) with financial, legal and disciplinary matters, 2 (8 per cent) with values, ethics and standards, 2 (8 per cent) with harassment and abuse of authority, 1 (4 per cent) with services/administrative matters and 1 (4 per cent) with organizational, strategic and mission-related matters. In contrast, women raised a total of 47 issues, of which 14 (30 per cent) were concerned with career progression and development, 12 (26 per cent) with harassment and abuse of authority, 6 (13 per cent) with values, ethics and standards, 2 (4 per cent) with financial, legal and disciplinary matters, 1 (2 per cent) with compensation and benefits and 1 (2 per cent) with peer and colleague relationships.

Differences also arise if the issues are analysed according to the category of staff: of the 34 issues raised by international professional staff, 11 were concerned with evaluative relationships, 7 with career progression and development, 6 with harassment and abuse of authority, 5 with values, ethics and standards, 2 with compensation and benefits, 2 with financial, legal and disciplinary matters and 1 with peer and colleague relationships. For visitors in the support staff category, including trades and crafts, 28 issues were raised, of which 10 were concerned with career progression and development, 5 with harassment and abuse of authority, 4 with evaluative relationships, 3 with compensation and benefits, 3 with values, ethics and standards, 2 with financial, legal and disciplinary matters, and 1 with services/administrative issues.

The issues can also be examined according to the type of contract of the visitor. The most striking features of this analysis are as follows. Holders of 100 series contracts raised 42 issues, of which 12 were concerned with career progression and development, 10 with evaluative relationships and 9 with harassment and abuse of authority. Holders of 200 series contracts raised 9 issues, of which 4 were concerned with career progression and development and 2 with values, ethics and standards. Holders of permanent contract raised 10 issues, of which 3 were concerned with evaluative relationships, 2 with harassment and abuse of authority and 2 with career progression and development. 5 issues were raised by service contract holders, of which 2 were concerned with career progression and development.

As in the case of UNDP, the analysis of issues according to the party involved in the dispute indicates that most grievances brought to the Ombudsperson are with senior managers and with direct supervisors, with significant numbers of visitors also citing OHR. Some of the main

features of this analysis are as follows: of the 59 issues involving senior managers as a party, 19 were concerned with evaluative relationships (for example the performance review process), 17 with harassment and abuse of authority, and 15 with career progression and development. Of the 45 issues involving the direct supervisor, 19 were concerned with evaluative relationships, 14 with harassment and abuse of authority, and 7 with career progression and development. Of the 16 issues involving OHR as a party in the dispute, 6 were concerned with career progression and development, and 5 with values, ethics and standards.

Finally for UNFPA cases brought to the Ombudsperson during 2007, the status at the end of the year was as follows: 44 per cent were resolved informally, 31 per cent were still ongoing, 15 per cent were closed because the visitor did not wish to proceed with the case, 8 per cent were closed because the case was submitted to the appropriate formal channel, and 2 per cent were referred to the relevant department.

UNICEF

A total of 93 UNICEF staff and contract holders contacted the Office of the Joint Ombudsperson during January to December 2007. Of these 93 visitors, 53 were women and 40 were men; 57 were in headquarters and 36 in country offices. As indicated in the discussions above, it is necessary to distinguish between the number of visitors/cases, and the number of issues, since many grievances brought to the Ombudsperson are complex and involve more than one issue. In UNICEF, the breakdown of these issues was as follows; 37 per cent of issues were concerned with career progression and development, 25 per cent with evaluative relationships, 9 per cent with compensation and benefits, 7 per cent with values, ethics and standards, 6 per cent with harassment and abuse of authority, 5 per cent with organizational, strategic and mission-related matters, 4 per cent with peer and colleague relationships, 4 per cent with financial, legal and disciplinary matters, 2 per cent with safety, well-being and the physical environment, and 1 per cent with services/administrative matters. Thus, the most important issues raised by visitors from UNICEF were career progression and development, and evaluative relationships (supervisor/supervisee); these two categories accounted for 62 per cent of all issues brought to the attention of the Ombudsperson.

If the issues are examined by gender, the following differences emerge: for men, 35 per cent of the issues were concerned with career progression and development, 21 per cent with evaluative relationships, 12 per cent with compensation and benefits, 7 per cent with harassment and abuse of authority, 7 per cent with organizational, strategic and mission-related matters, 5 per cent with values, ethics and standards, 3 per cent with peer and colleague relationships, 2 per cent with safety, well-being and the physical environment, and 2 per cent with services/administrative matters. For women, 38 per cent of issues were concerned with career progression and development, 29 per cent with evaluative relationships, 8 per cent with values, ethics and standards, 7 per cent with compensation and benefits, 5 per cent with harassment and abuse of authority, 5 per cent with peer and colleague relationships, 4 per cent with organizational, strategic and mission-related matters, 3 per cent with financial, legal and disciplinary matters, and 3 per cent with safety, well-being and the physical environment.

Differences also arise if the issues are examined by category of staff: for international professionals, 40 per cent of the issues raised were concerned with career progression and development, 16 per cent with evaluative relationships, 8 per cent with compensation and benefits, 8 per cent with values, ethics and standards, 8 per cent with peer and colleague relationships, 8 per cent with financial, legal and disciplinary matters, 6 per cent with organizational, strategic and mission-related matters, 3 per cent with harassment and abuse of authority, and 1 per cent each with safety, well-being and the physical environment, and services/administrative matters. In contrast for support staff, 38 per cent of issues raised were concerned with evaluative relationships, 33 per cent with career progression and development, 10 per cent with harassment and abuse of authority, 9 per cent with compensation and benefits, 3 per cent with safety, well-being and the physical environment, 3 per cent with organizational, strategic and mission-related matters, 2 per cent with peer relationships and 2 per cent with values, ethics and standards.

If issues are analysed in terms of type of contract, the following features emerge: of the 106 issues raised by holders of 100 series contracts, 37 were concerned with career progression and development, 28 with evaluative relationships, 10 with compensation and benefits, 10 with values, ethics and standards, and 8 with harassment and abuse of authority. For holders of 200 series contracts, 7 issues were raised, of which 4 were concerned with career progression and development. Holders of permanent contract raised 10 issues, of which 4 were concerned with evaluative relationships and 3 with career progression and development. TFT contract holders raised 8 issues, of which 5 were concerned with career progression and development.

In examining the party involved in the grievance, UNCEF visitors mostly cited their direct supervisor (68 issues), a senior manager (54 issues), DHR (35 issues) or a co-worker (15 issues). The main features of this analysis are as follows: for issues where the party cited was the direct supervisor, the most important category of issues concerned evaluative relationships (including performance reviews), followed by career progression and development; where the party cited was a senior managers, the most important issues were career progression and development, harassment and abuse of authority, and evaluative relationships. For issues where DHR was cited as a party to the dispute, the most important categories of issue were career progression and development, and compensation and benefits.

Finally the status of the 93 cases brought to the Ombudsperson during 2007 was as follows: by the end of the year 52 per cent of cases were still ongoing; 32 per cent of cases were resolved informally; 13 per cent of cases were closed because the visitor did not wish to proceed with the case; 2 per cent of cases were referred to the relevant department; and 1 per cent of cases were submitted to the appropriate formal process.

UNOPS

During the year January to December 2007, a total of 16 UNOPS staff and contract-holders contacted the Office of the Joint Ombudsperson, of whom 6 were women and 10 were men; 8 were from headquarters and 8 from country offices. The issues brought by UNOPS visitors could be broken down into the following categories: 8 were concerned with career progression and development; 4 with compensation and benefits; 3 with financial, legal and disciplinary matters,

2 with evaluative relationships, 2 with strategic and mission-related matters, and 1 each with values, ethics and standards; peer and colleague relationships; safety, well-being and the physical environment; harassment and abuse of authority; and services/administrative issues. It is necessary to distinguish between the number of visitors and the number of issues raised, because many visitors bring complex grievances to the Ombudsperson involving more than one issue.

If the issues are examined by gender, the following differences emerge. Of the issues raised by men, around one quarter were concerned with compensation and benefits and a further quarter with career progression and development; 15 per cent were concerned with financial, legal and disciplinary matters and 15 per cent with strategic and mission-related matters. For women, almost half of issues raised were concerned with career progression and development, with 9 per cent concerned with compensation and benefits, 9 per cent with evaluative relationships, 9 per cent with financial, legal and disciplinary matters, 9 per cent with safety, well-being and the physical environment, 9 per cent with harassment and abuse of authority, and 9 per cent with values, ethics and standards.

The issues can also be analysed in terms of category of visitor: for international professionals, one third of issues were concerned with career progression and development, 14 per cent with compensation and benefits, and 14 per cent with financial, legal and disciplinary matters. For support staff, half of the issues were concerned with career progression and development, and half with compensation and benefits. In examining the issues raised by type of contract, the main features are as follows: for holders of 100 series and SSA contracts the most important issues were concerned with career progression and development. For holders of 200 series contracts, the most important issues were concerned with financial, legal and disciplinary matters.

In terms of the party cited by visitors, most frequently this was the senior manager, followed in order of importance by DHRM, the direct supervisor, the legal system, the policy framework, a supervisee, and a co-worker.

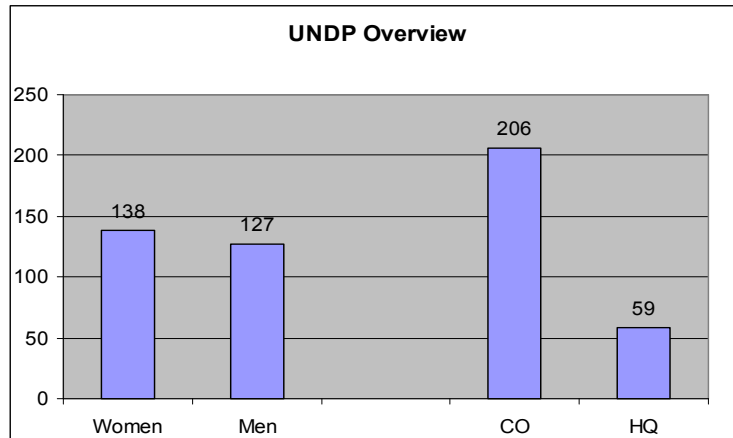
Finally the status of cases can be examined. At the end of 2007, 63 per cent of UNOPS cases were still ongoing, 25 per cent had been resolved informally, 6 per cent were closed because the visitor did not wish to proceed with the case, and 6 per cent were submitted to the appropriate formal process.

Breakdown of issues by agency

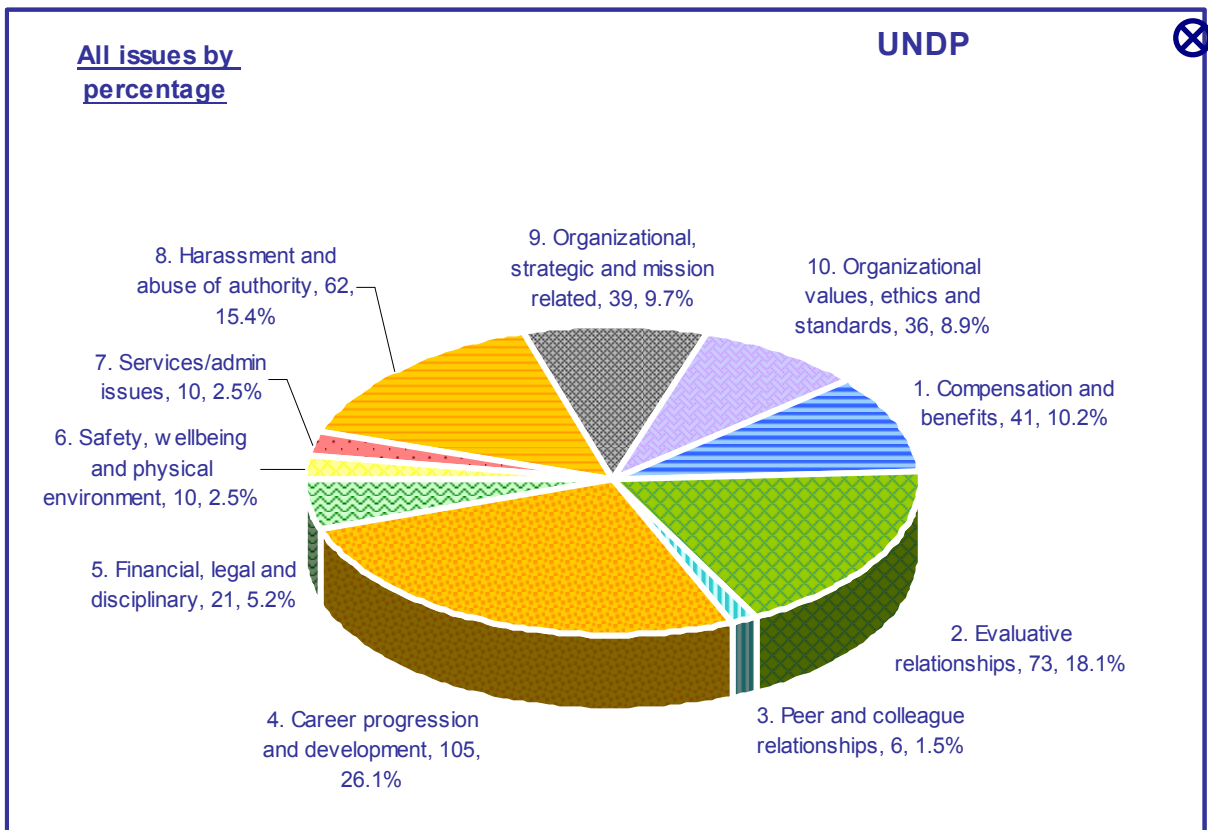
A. UNDP issues

(NB. The numbers of issues do not correspond to the number of cases as a case may contain several issues.)

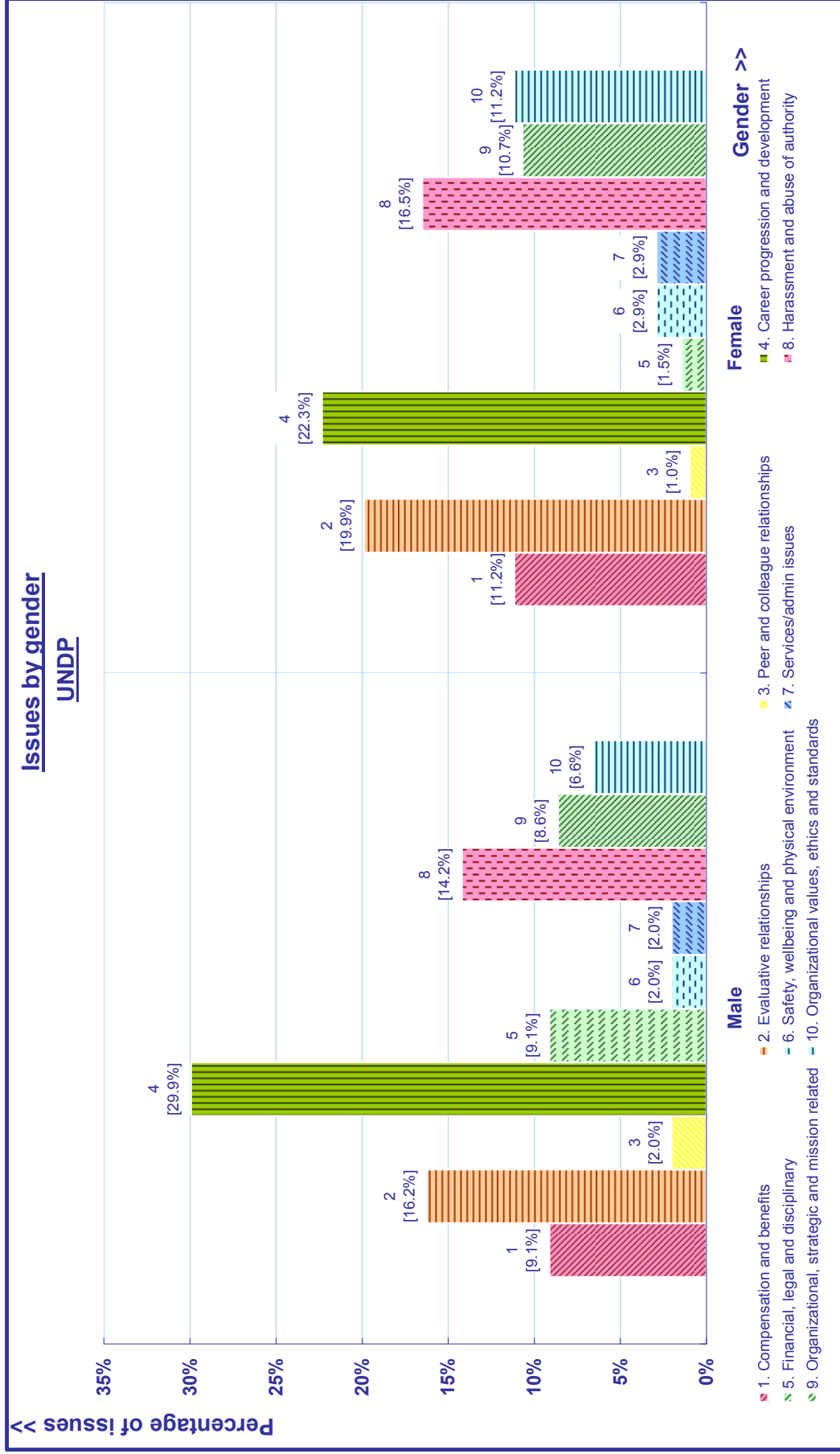
a. Overview



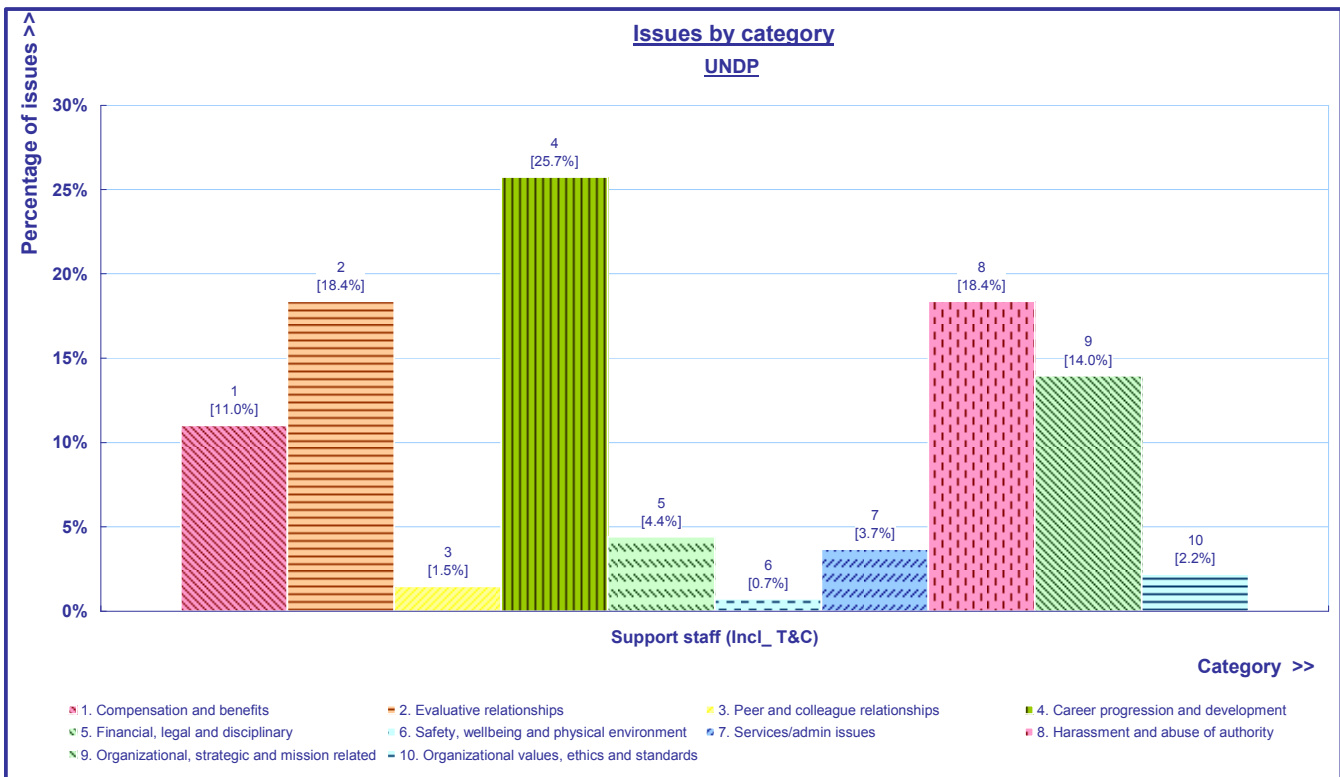
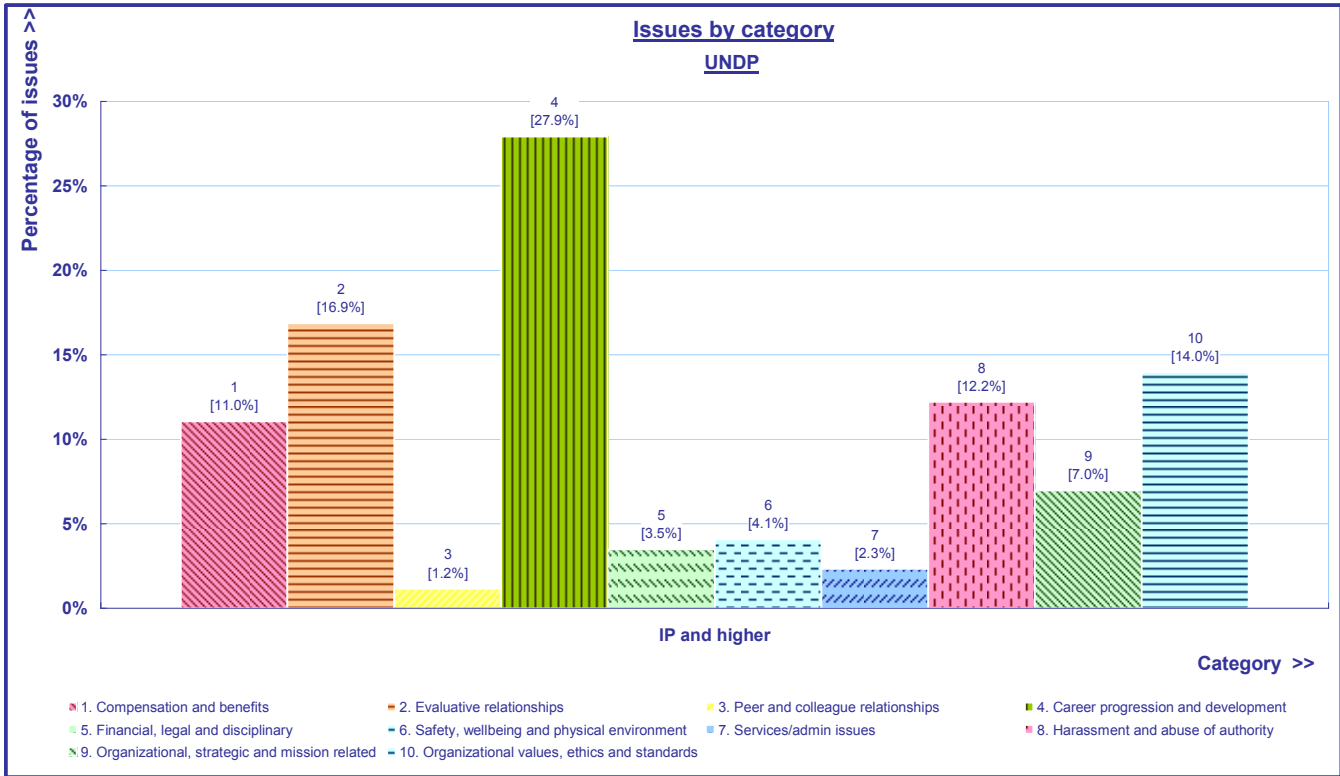
NB. The above chart shows the raw figures of staff who contacted the office in 2007 and does not provide an analysis on conflict in relation to gender or location.



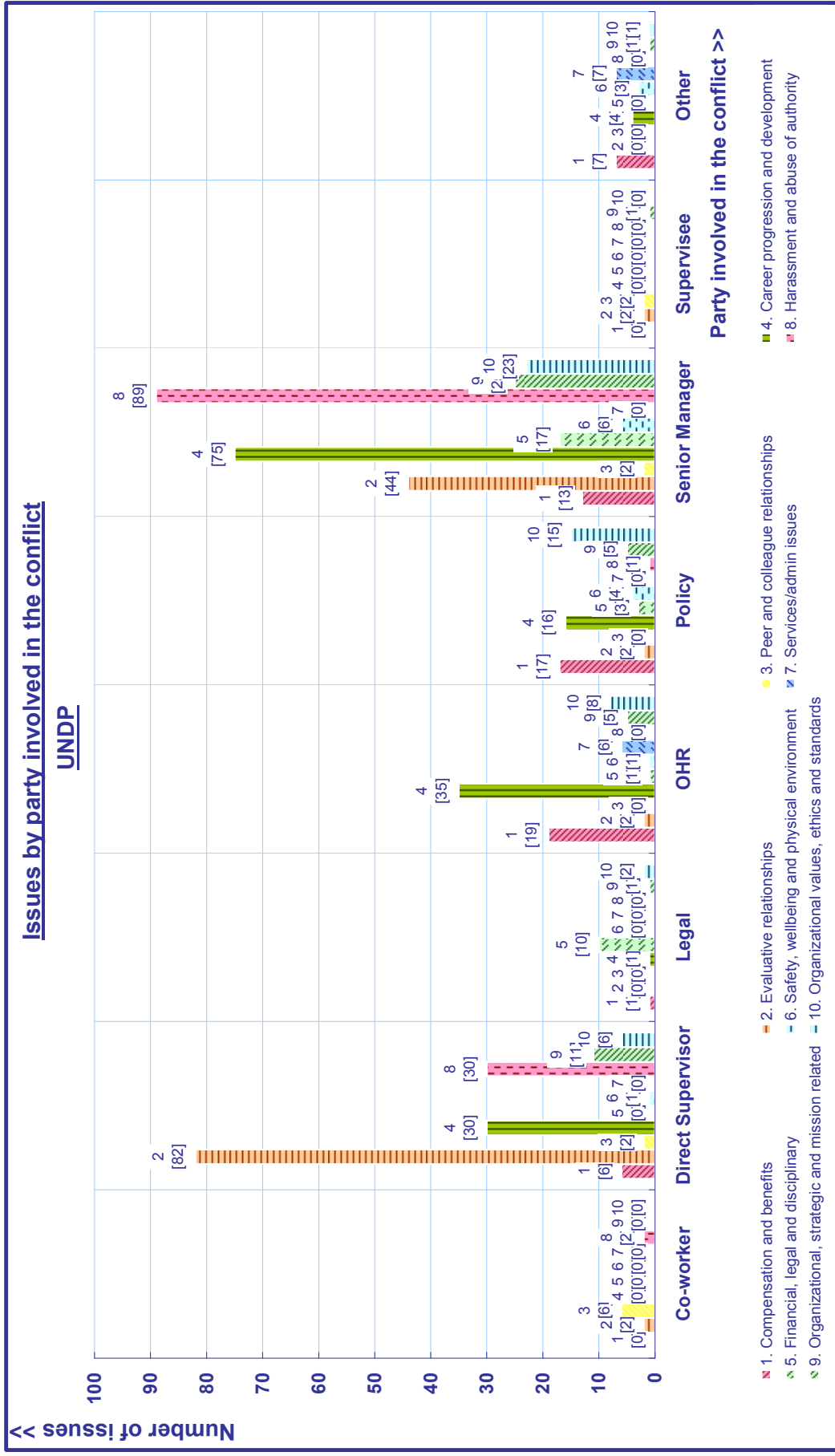
b. Issues by gender



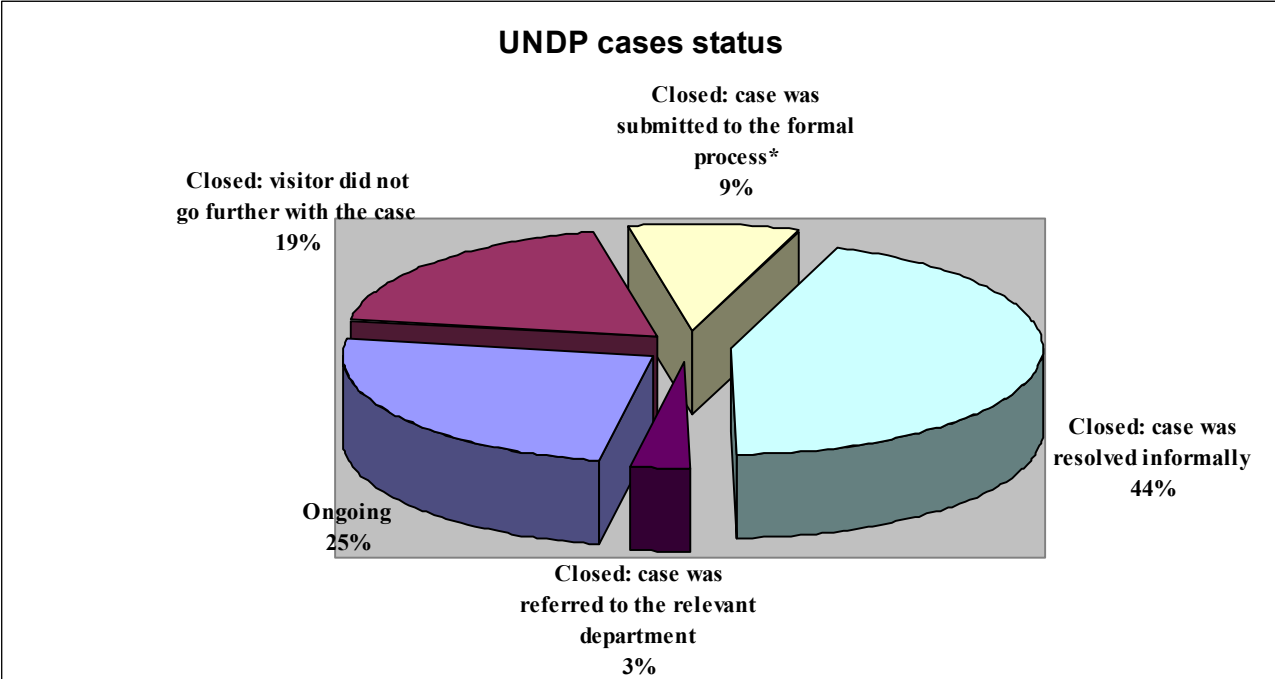
c. Issues by category



e. Issues by party involved in the conflict



f. Status of UNDP cases

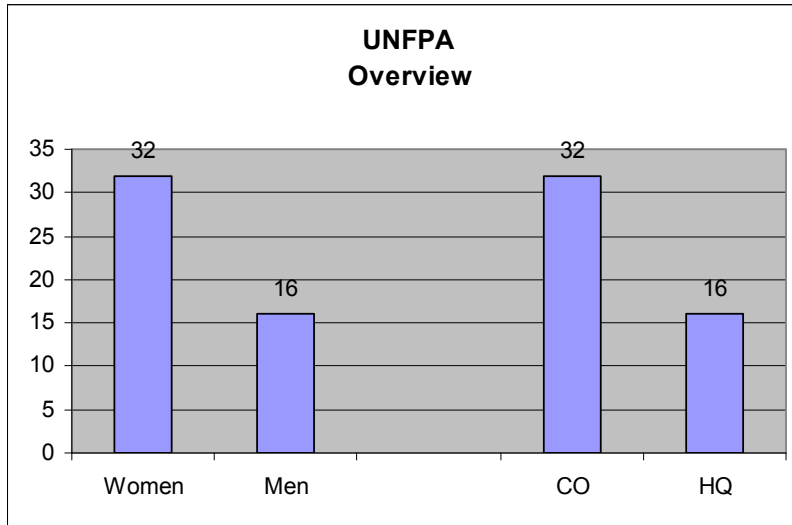


*Formal channels: Panel of counsel, Joint Appeals Board, Administrative Tribunal; other formal channels include investigations and audits, performance appraisal rebuttal procedures and sexual harassment investigations.

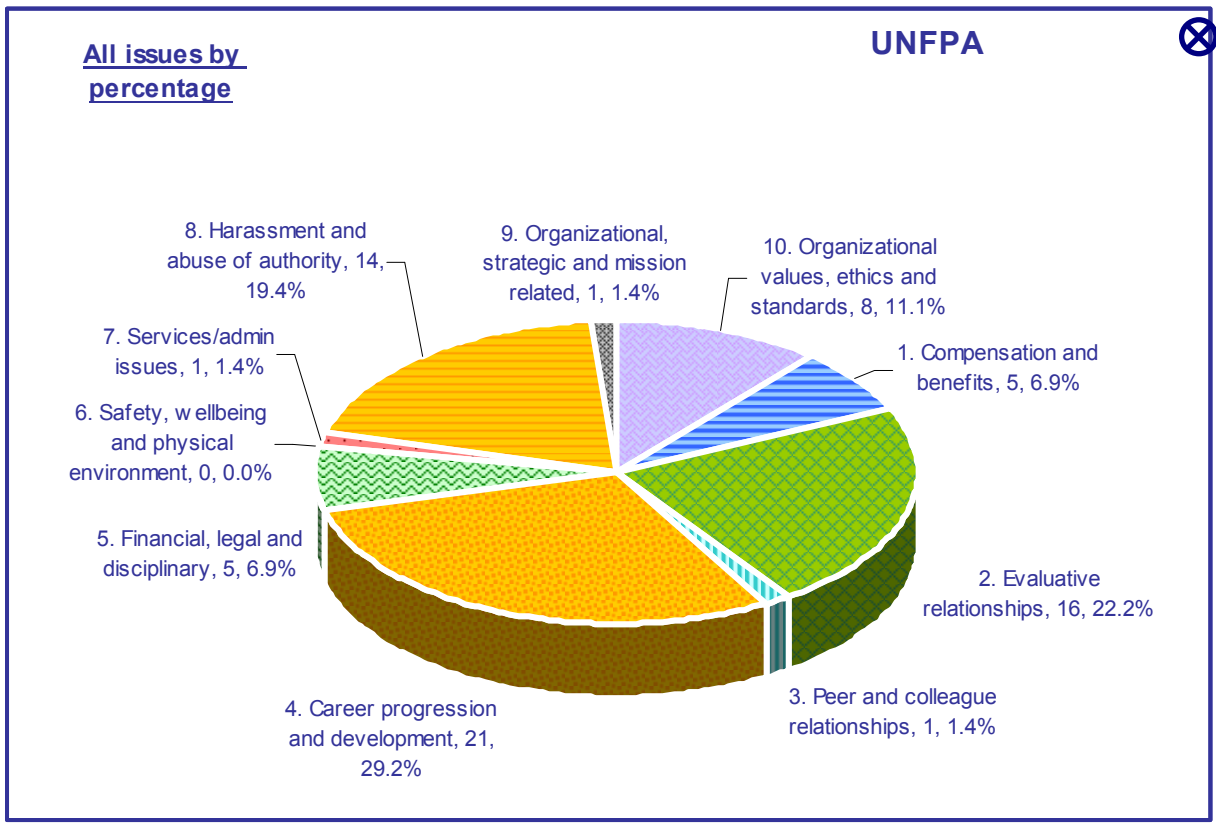
B. UNFPA issues

(NB. The numbers of issues do not correspond to the number of cases as a case may contain several issues.)

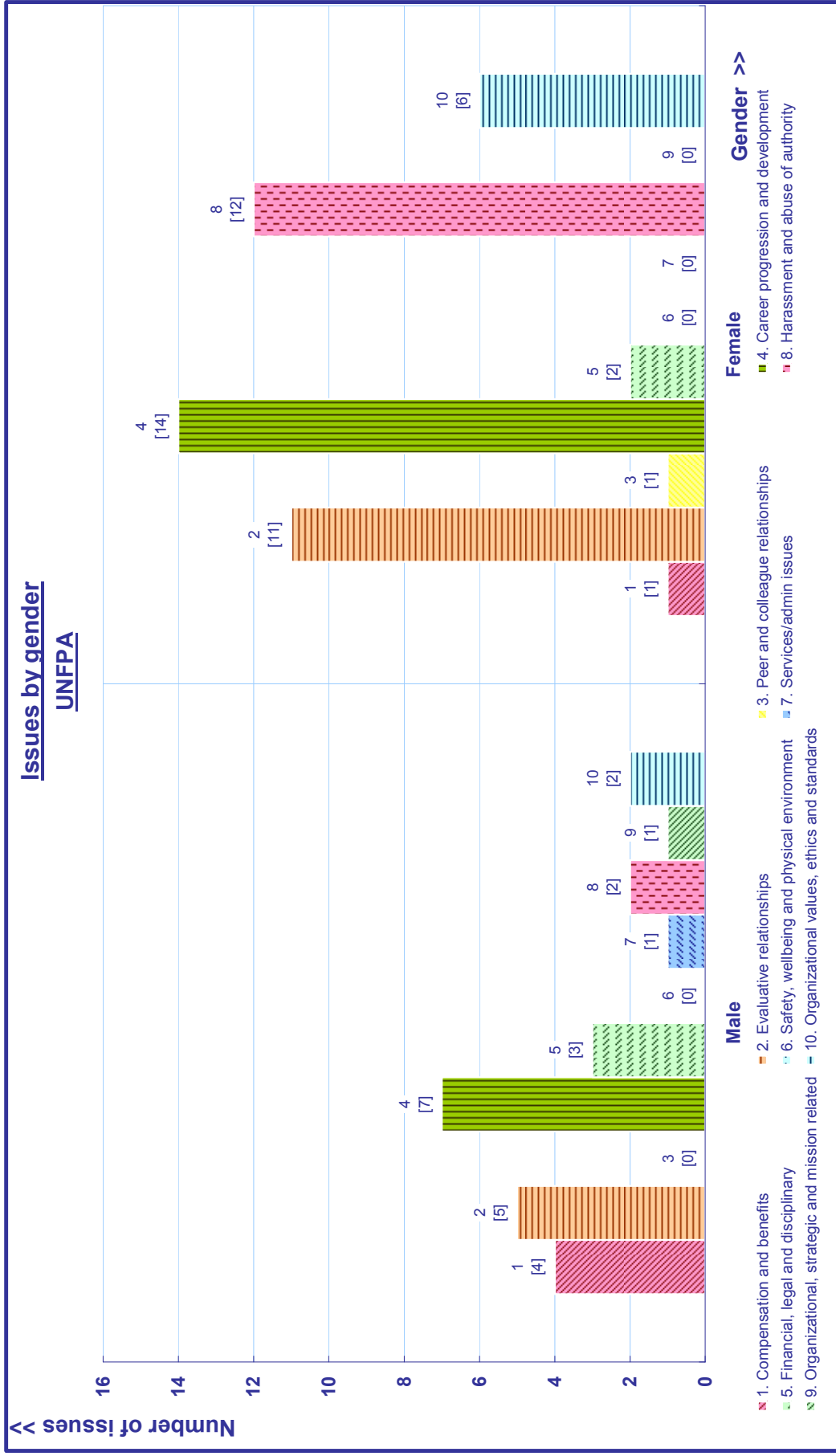
a. Overview



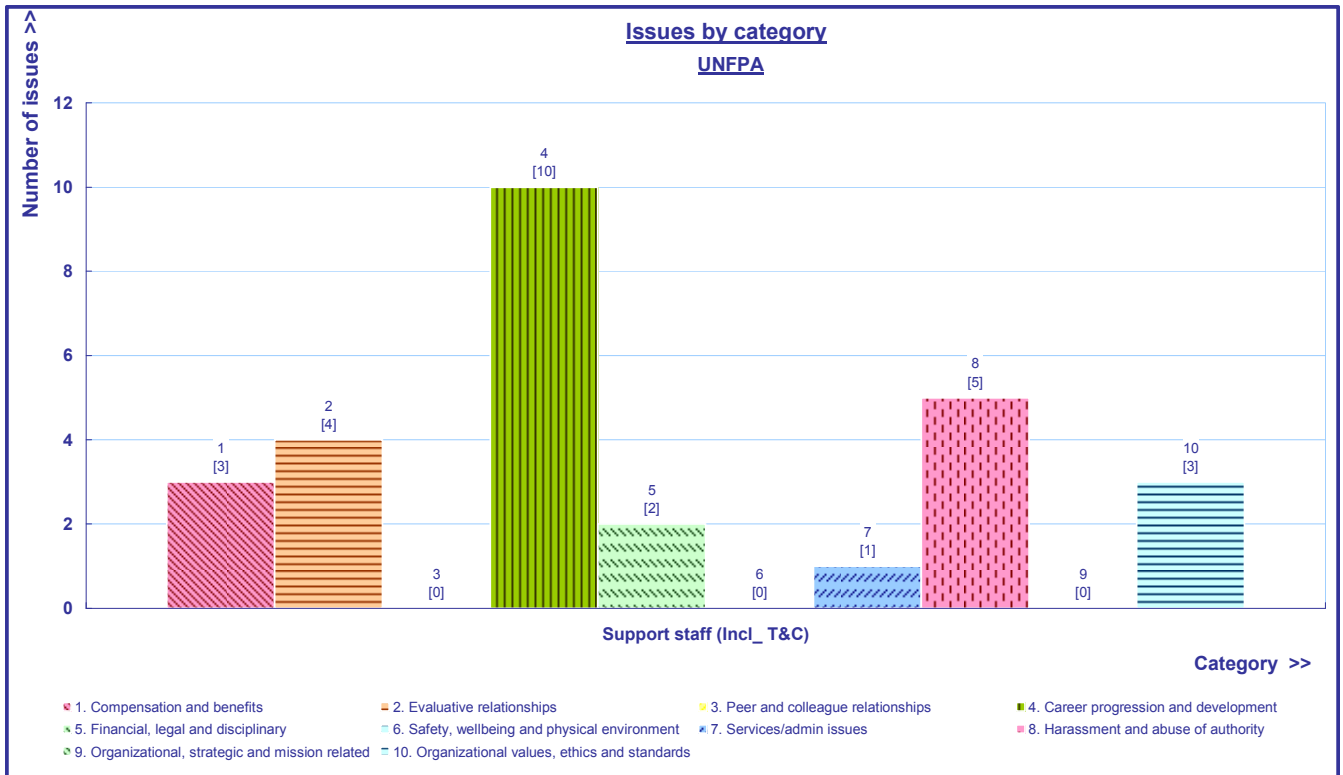
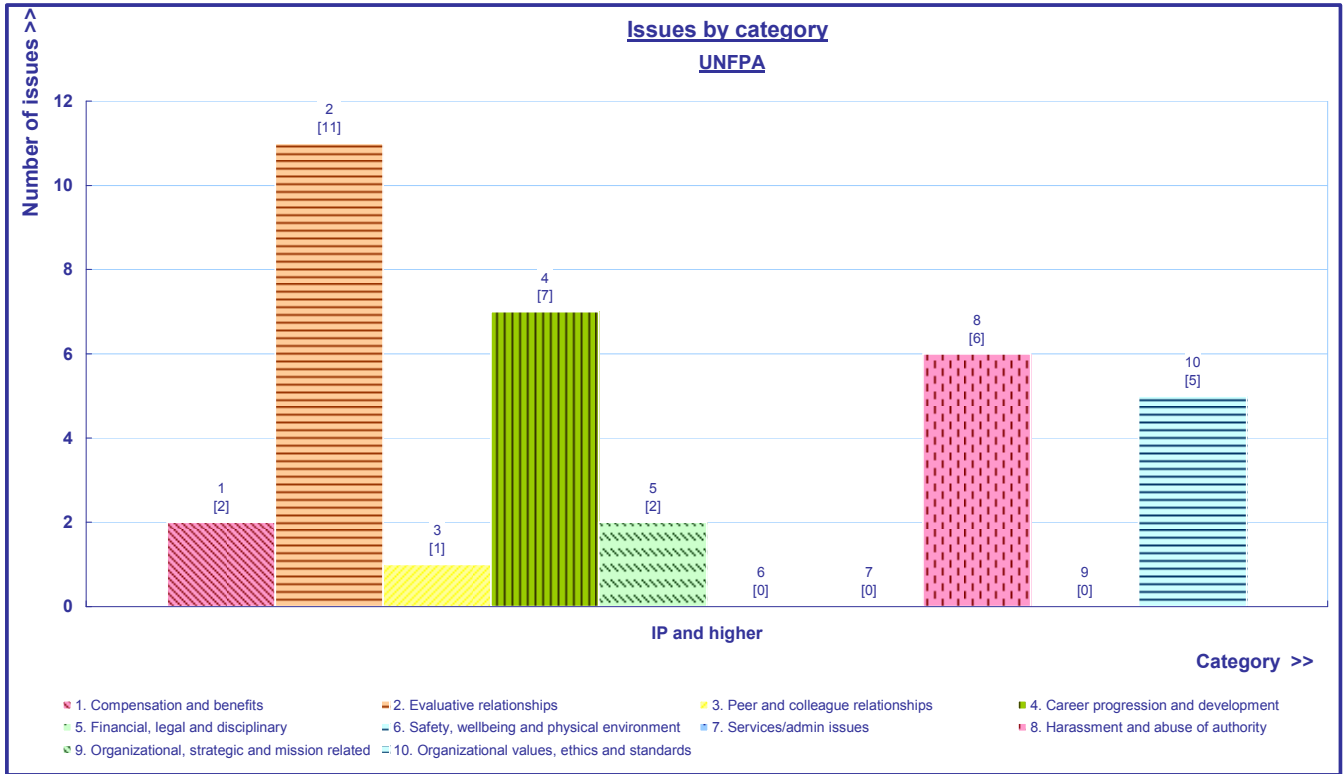
NB. The above chart shows the raw figures of staff who contacted the office in 2007 and does not provide an analysis on conflict in relation to gender or location.



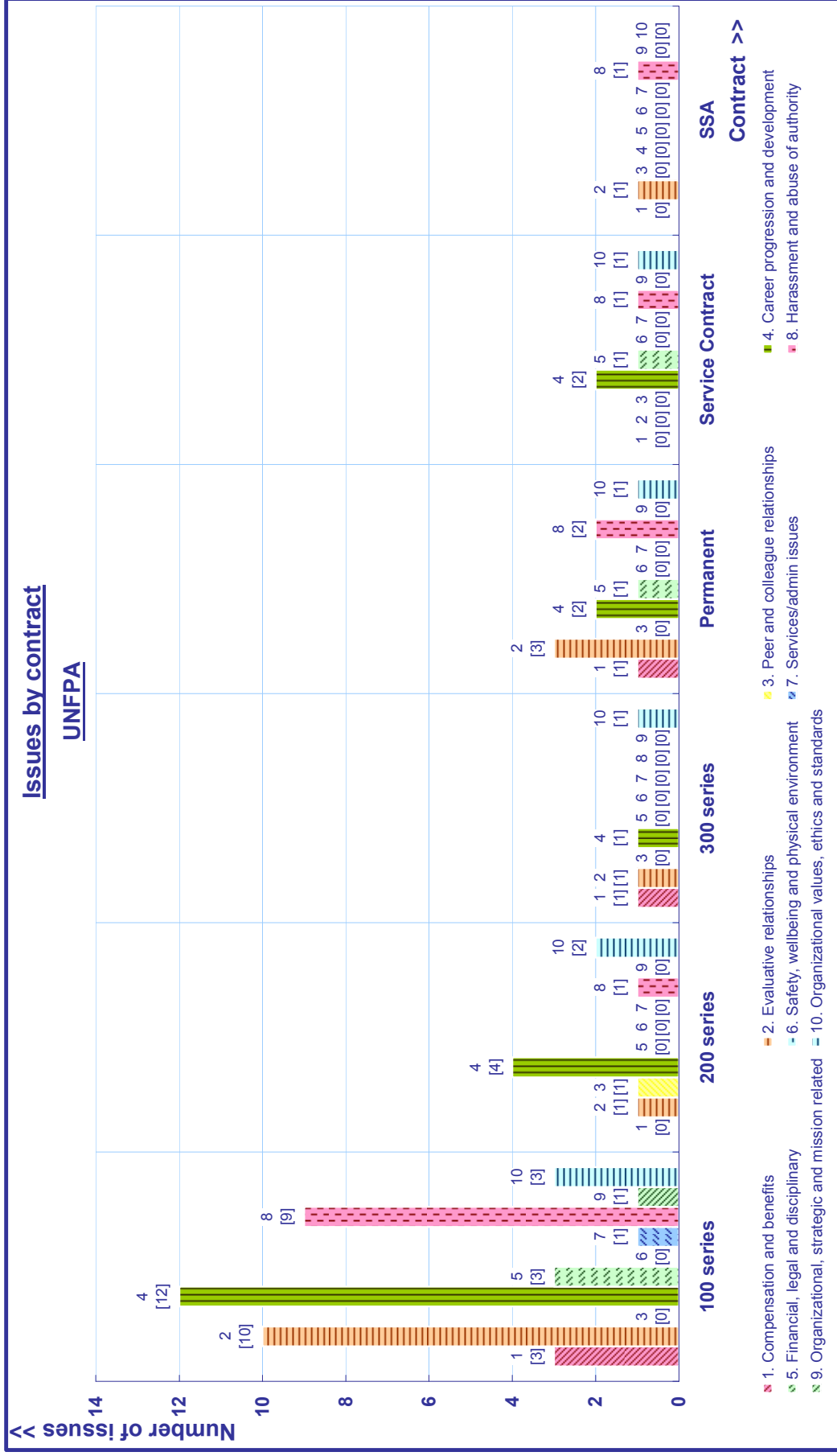
b. Issues by gender



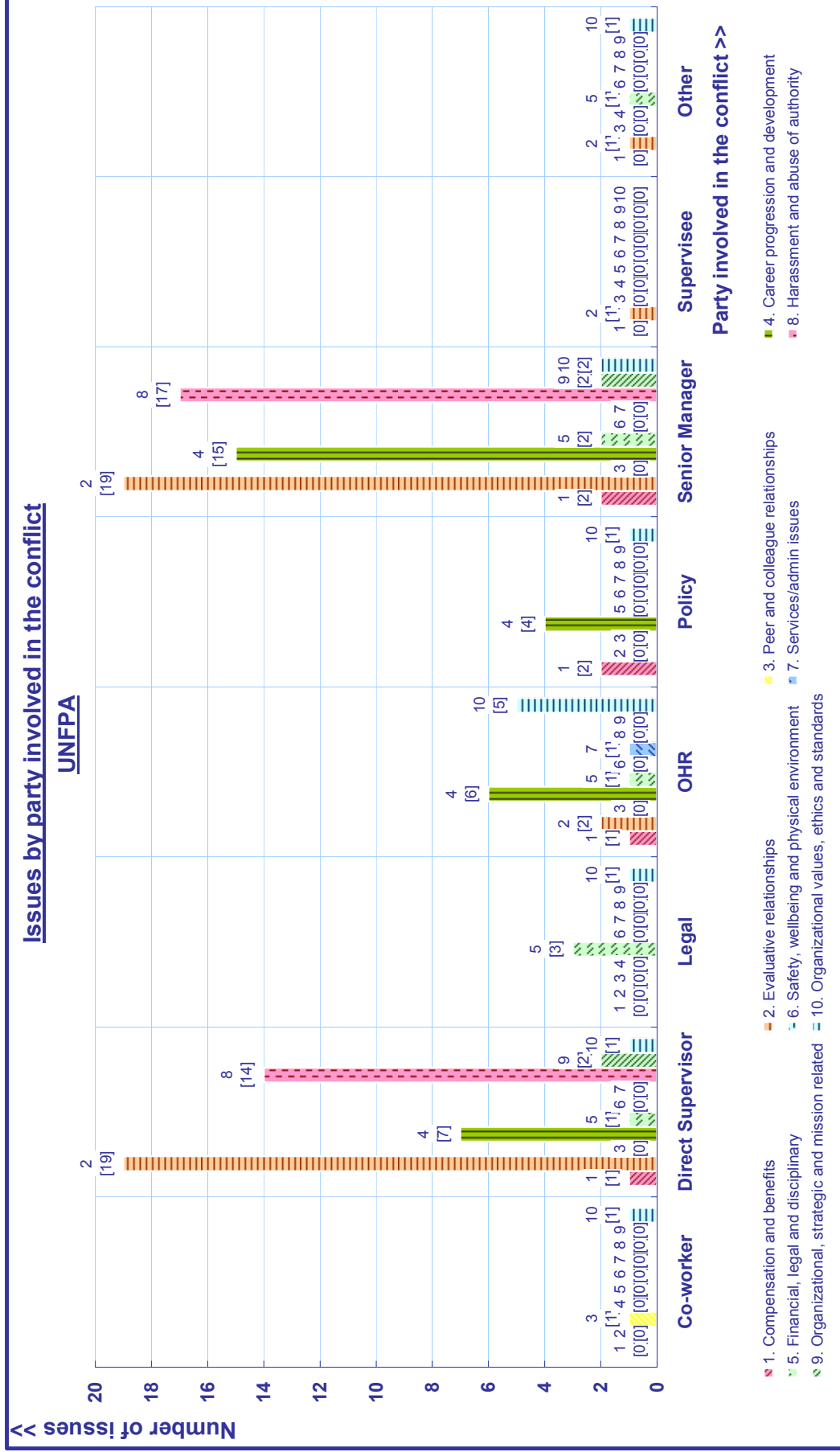
c. Issues by category



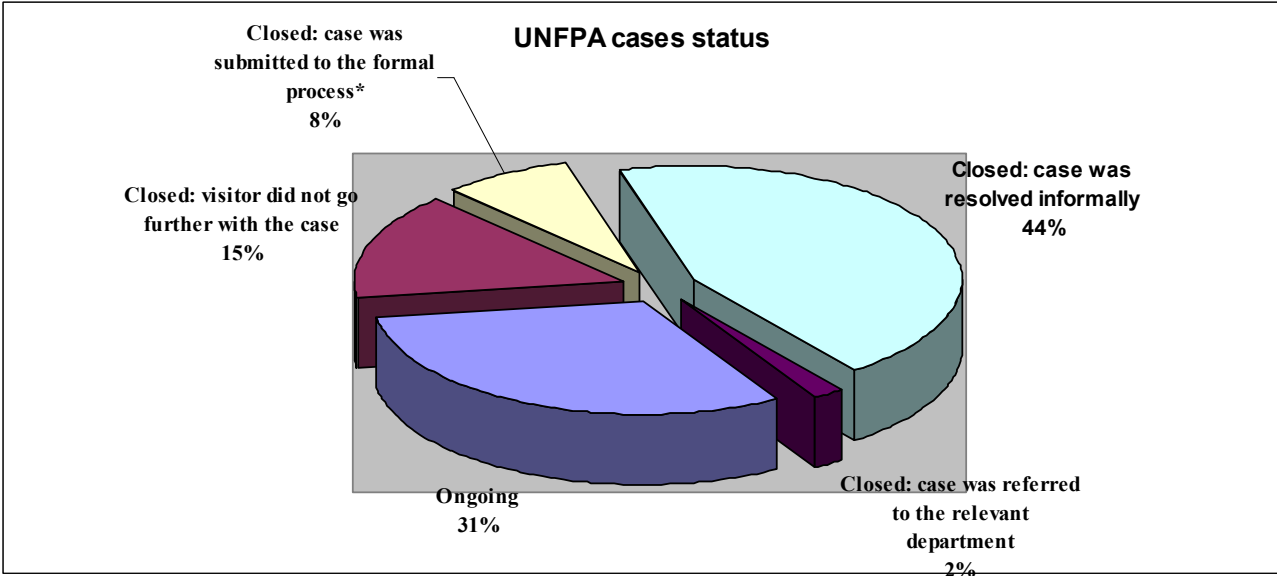
d. issues by contract type



e. Issues by party involved in the conflict



f. Status of UNFPA cases

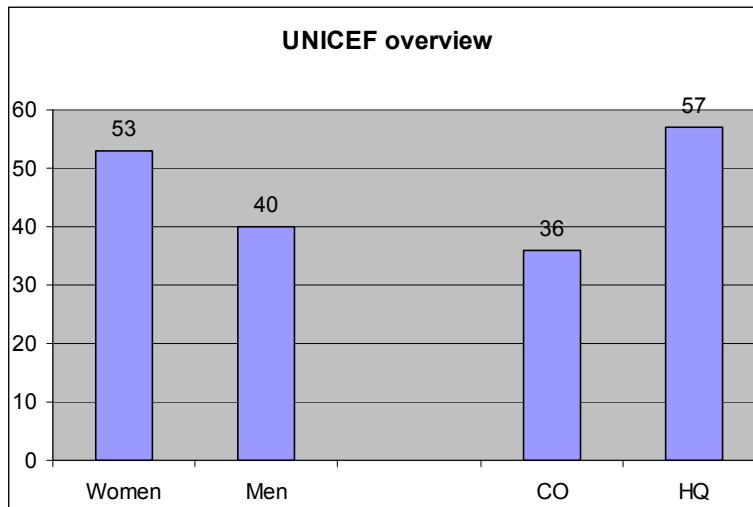


*Formal channels: Panel of counsel, Joint Appeals Board, Administrative Tribunal; other formal channels include investigations and audits, performance appraisal rebuttal procedures and sexual harassment investigations.

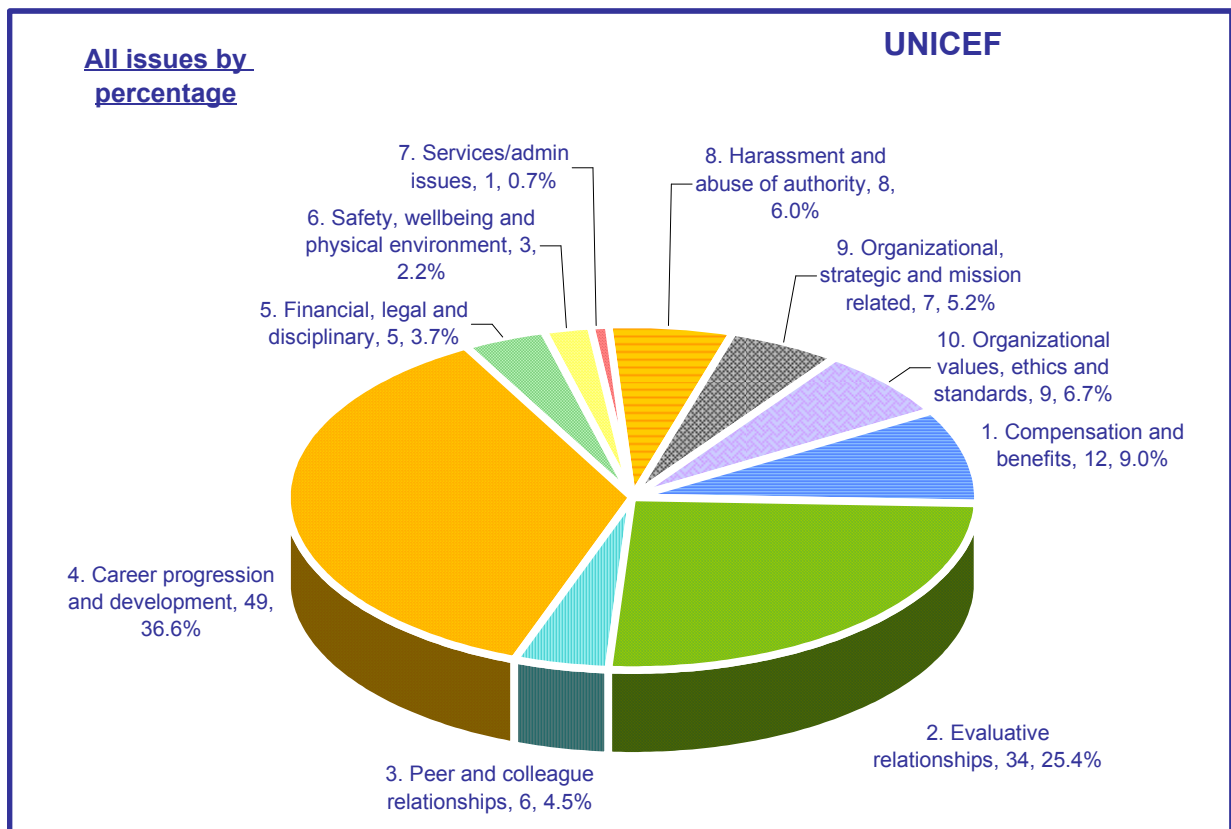
C. UNICEF issues

(NB. The numbers of issues do not correspond to the number of cases as a case may contain several issues.)

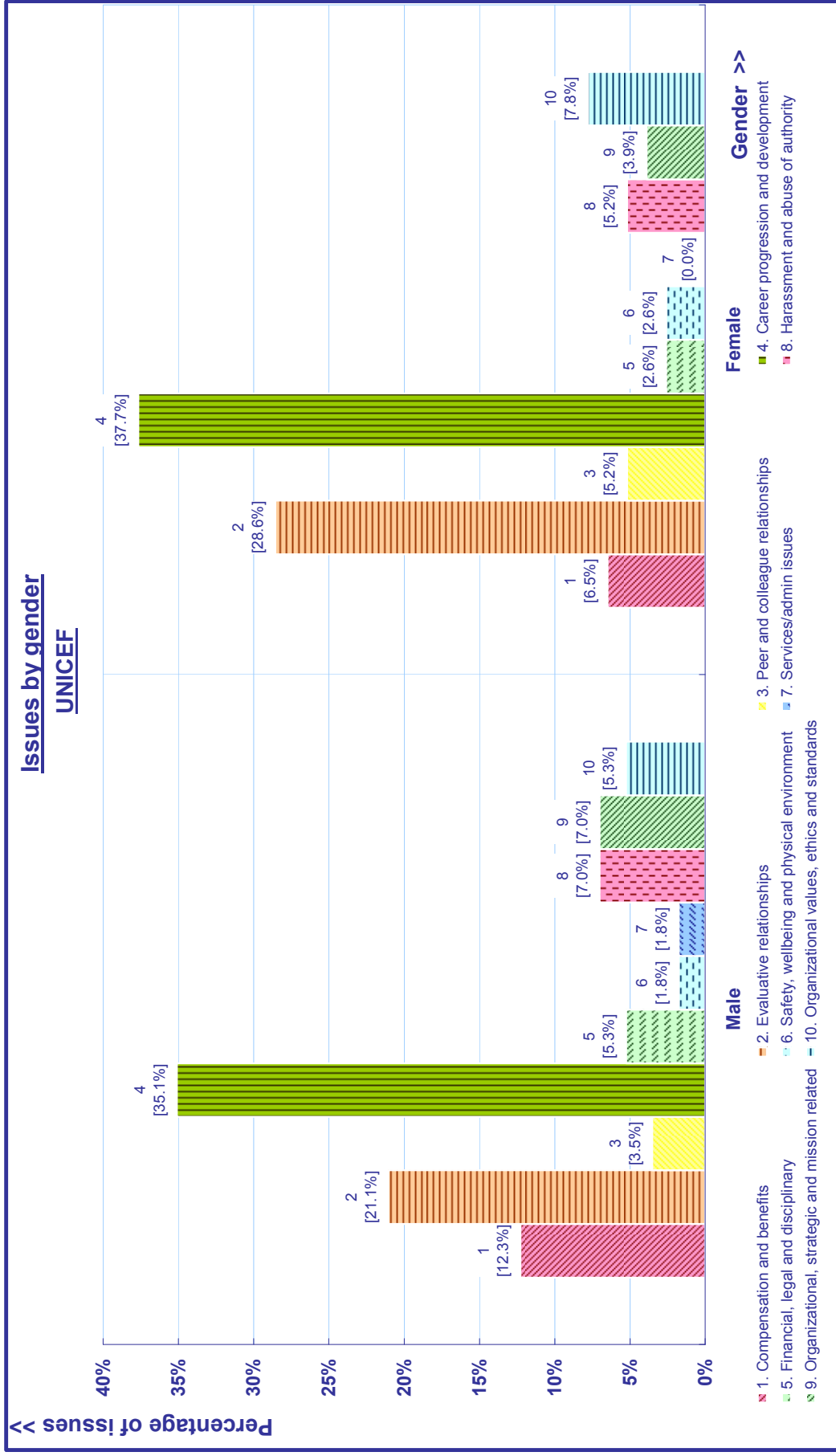
a. Overview



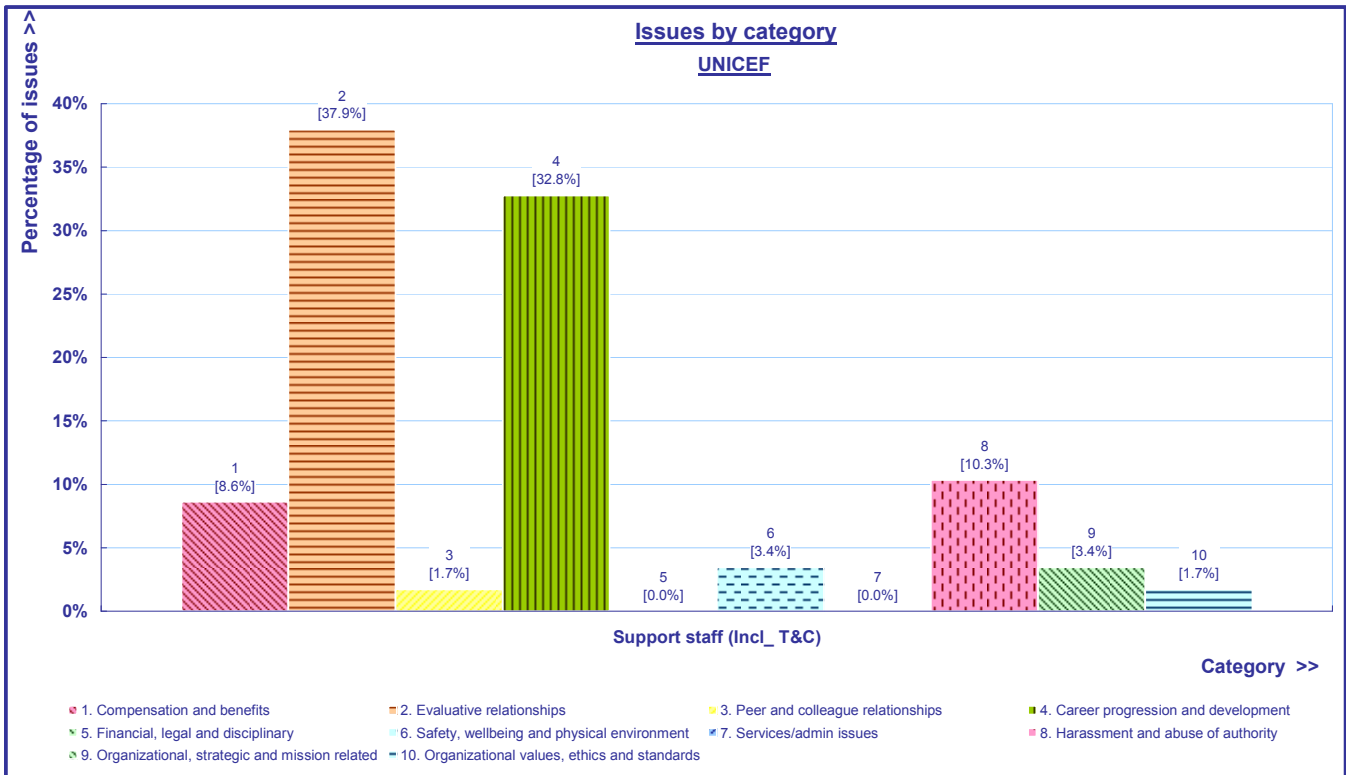
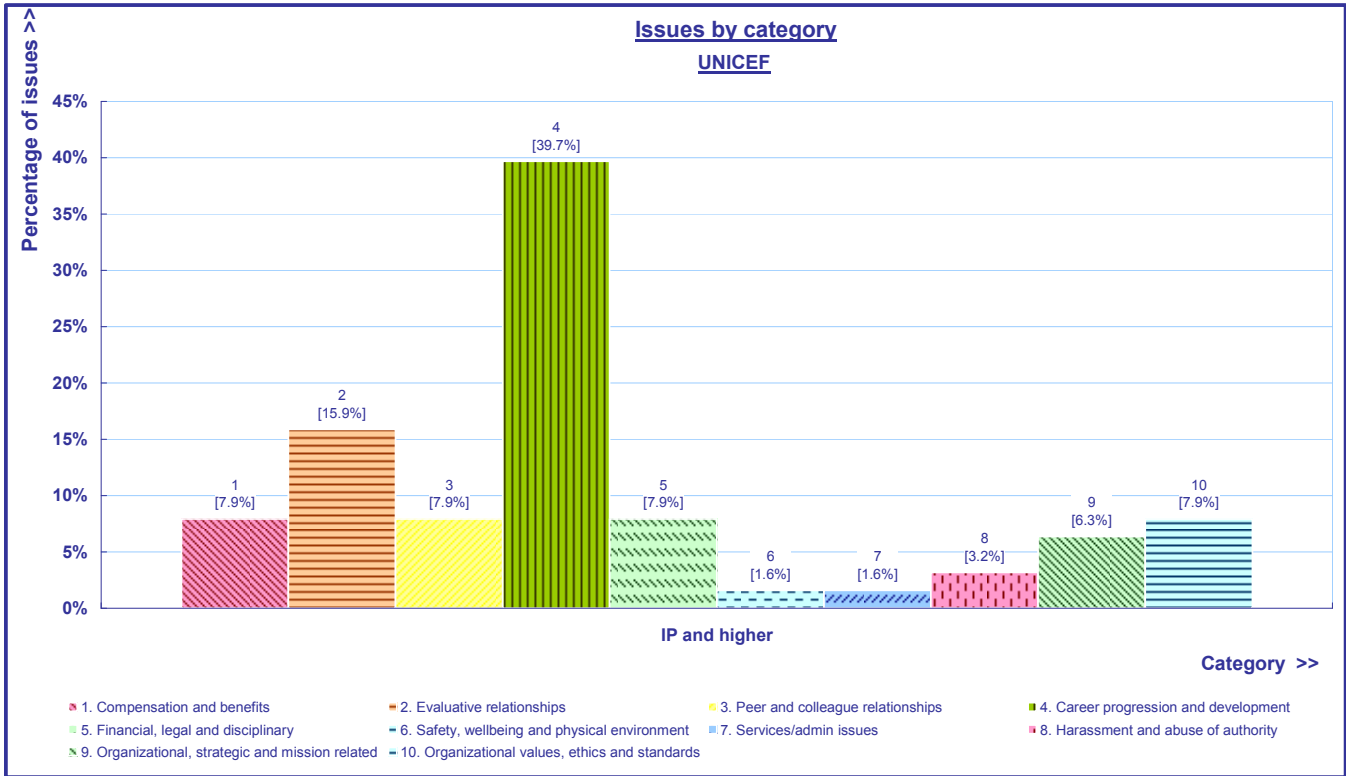
NB. The above chart shows the raw figures of staff who contacted the office in 2007 and does not provide an analysis on conflict in relation to gender or location.



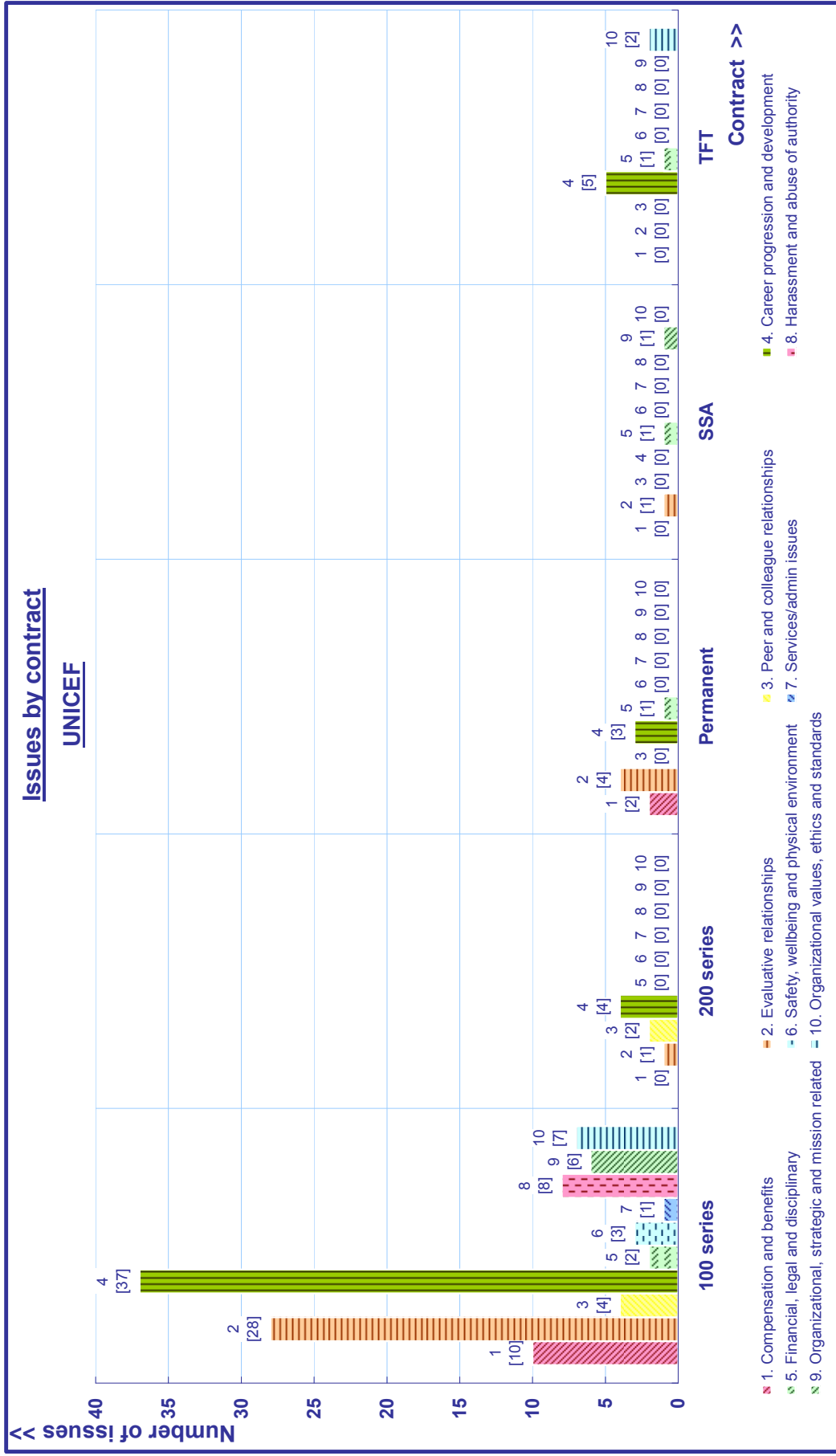
b. Issues by gender



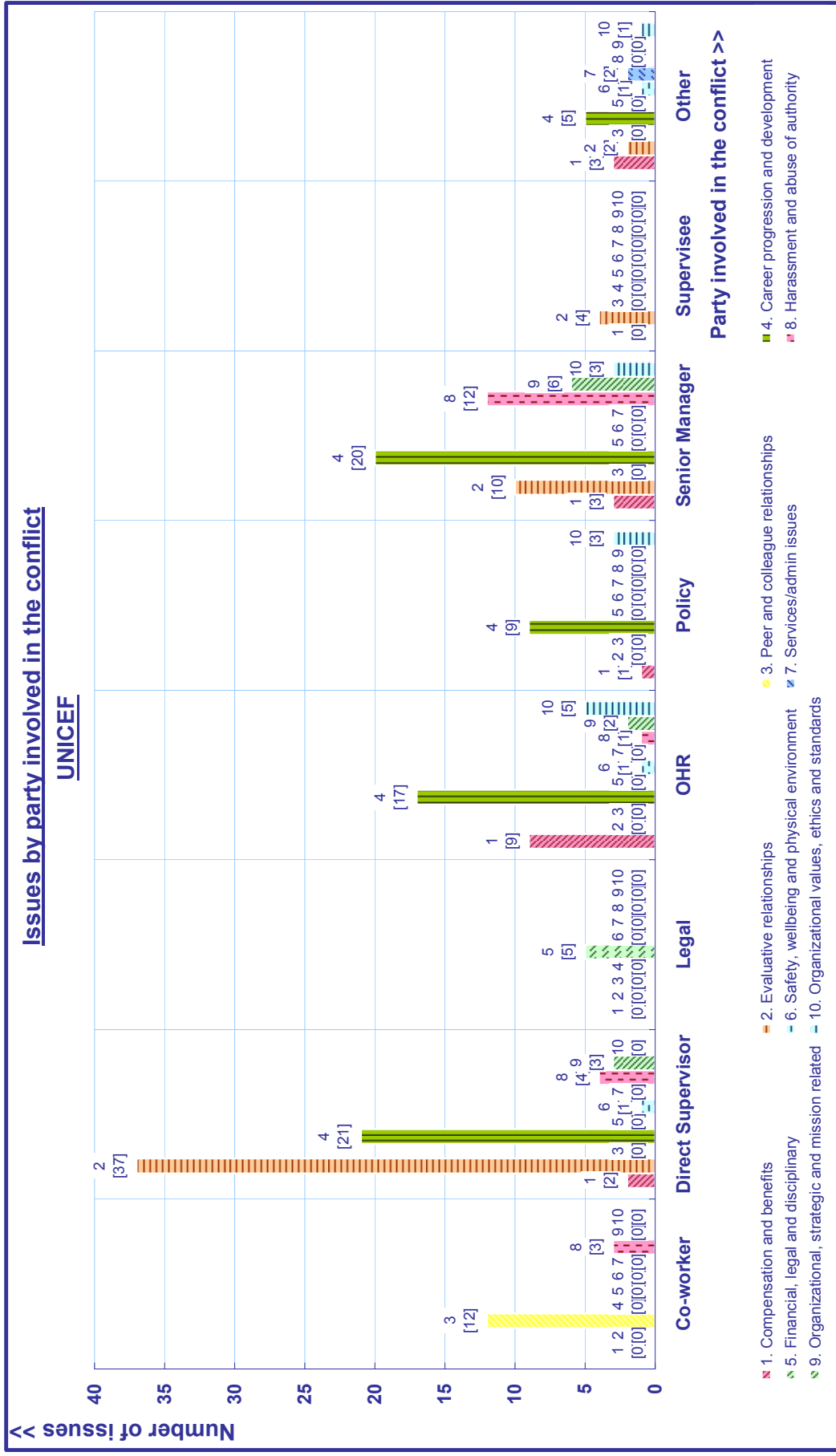
c. Issues by category



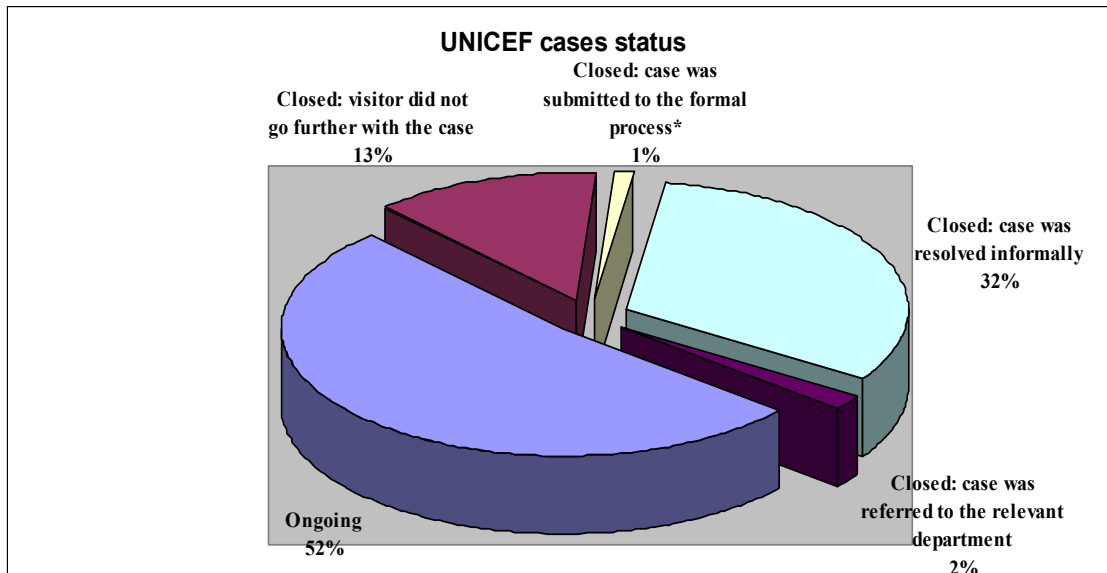
d. Issues by contract type



e. Issues by party involved in the conflict



f. Status of UNICEF cases

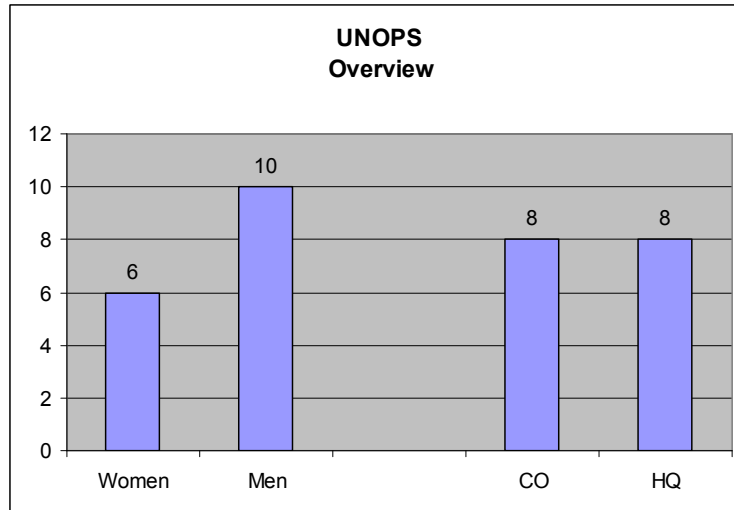


*Formal channels: Panel of counsel, Joint Appeals Board, Administrative Tribunal; other formal channels include investigations and audits, performance appraisal rebuttal procedures and sexual harassment investigations.

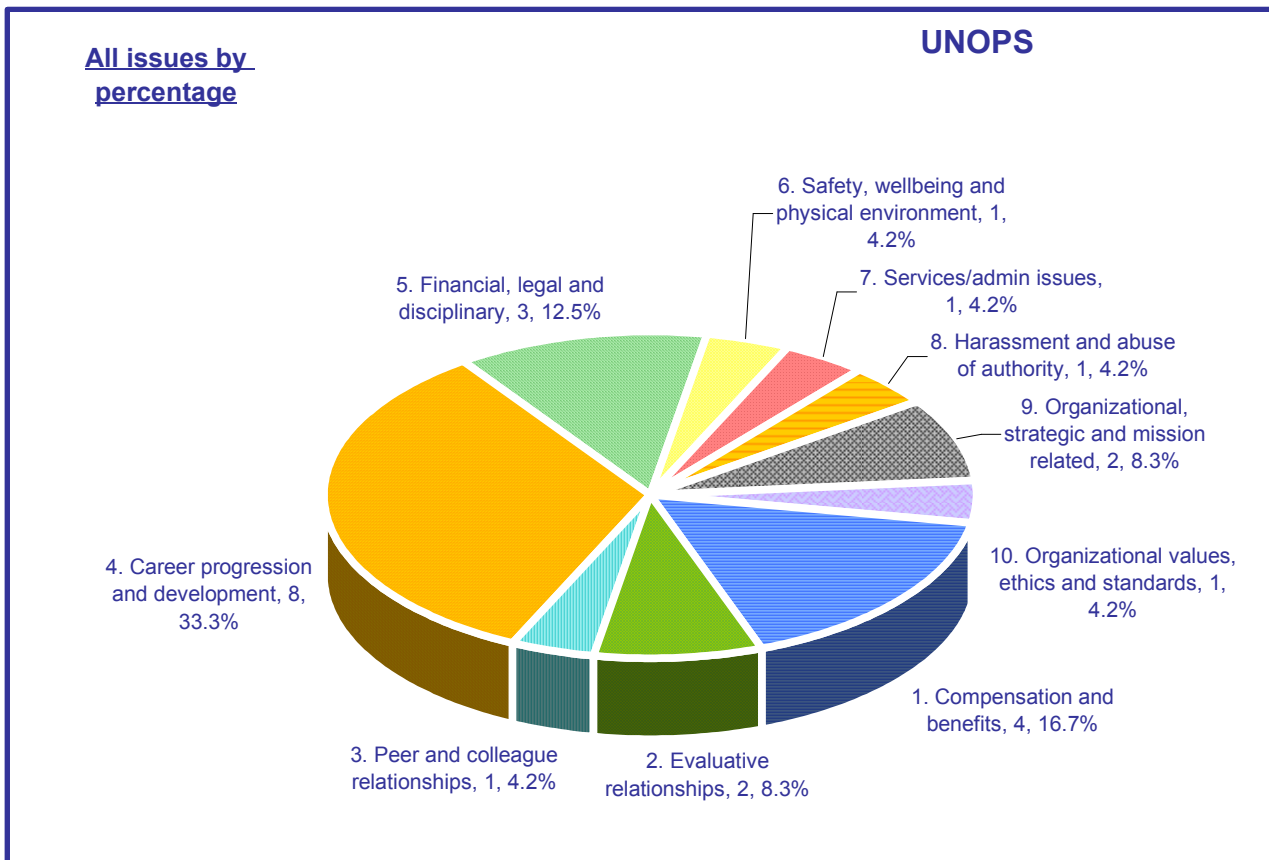
D. UNOPS issues

(NB. The numbers of issues do not correspond to the number of cases as a case may contain several issues.)

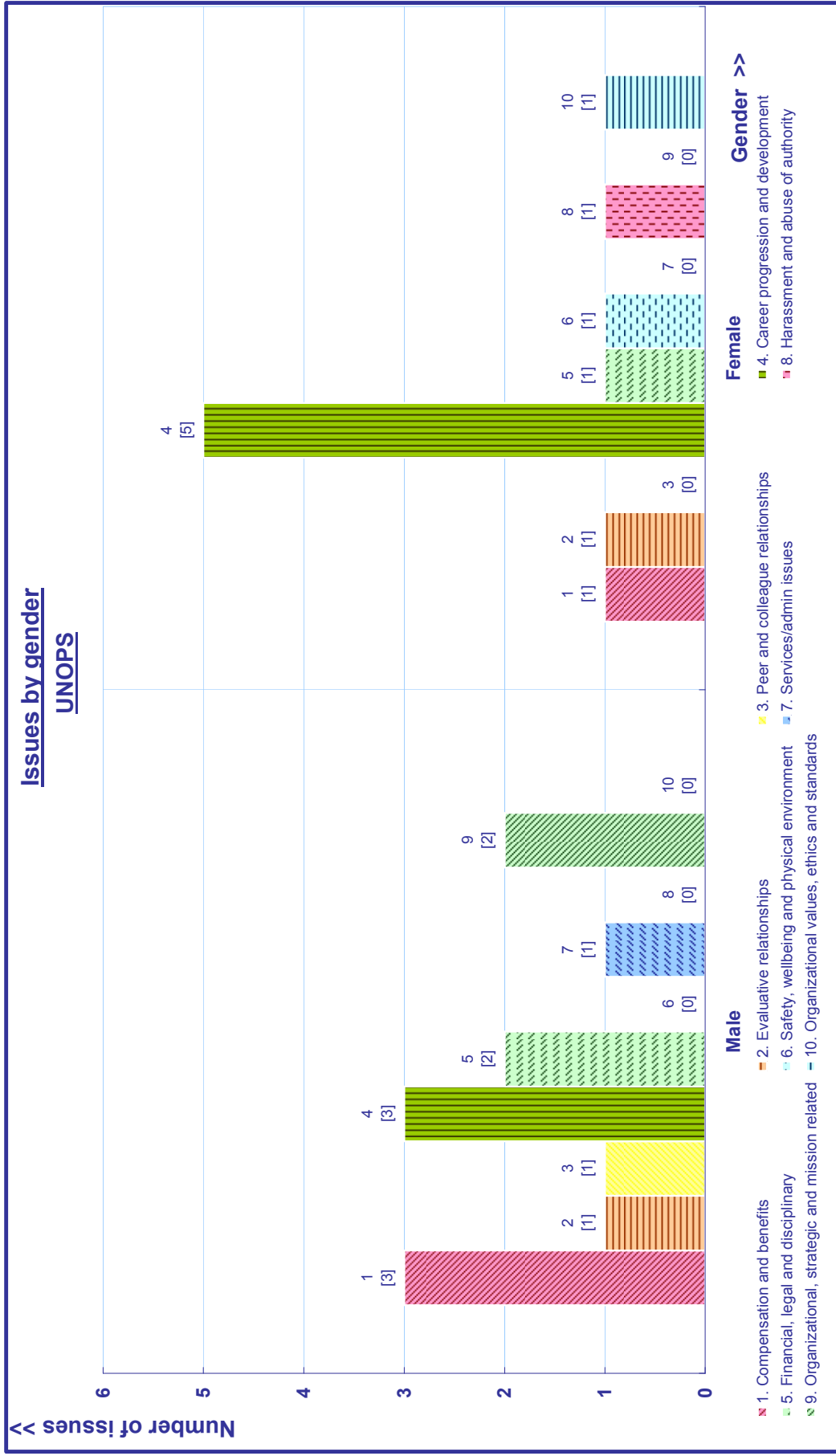
a. Overview



NB. The above chart shows the raw figures of staff who contacted the office in 2007 and does not provide an analysis on conflict in relation to gender or location.



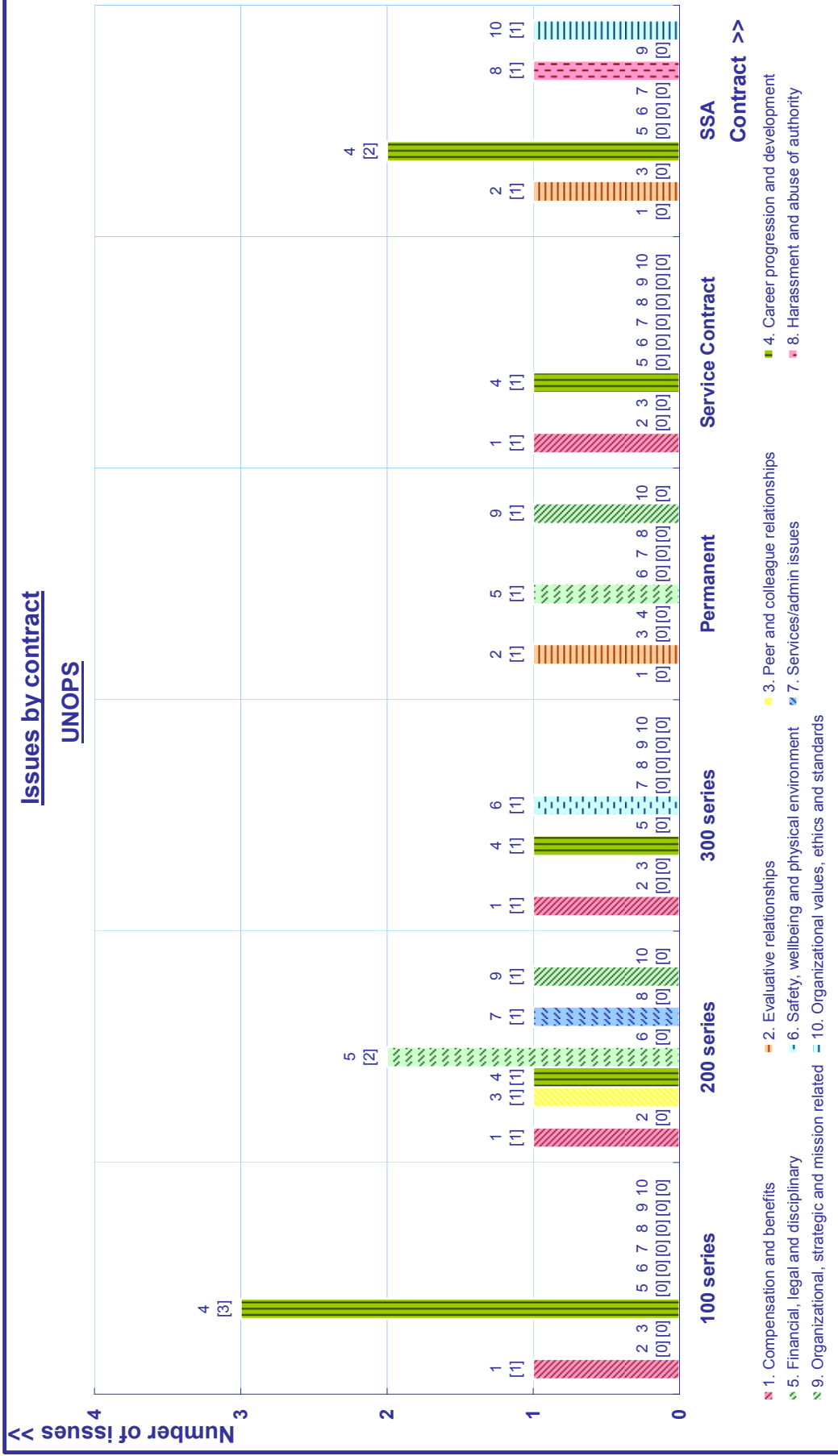
b. Issues by gender



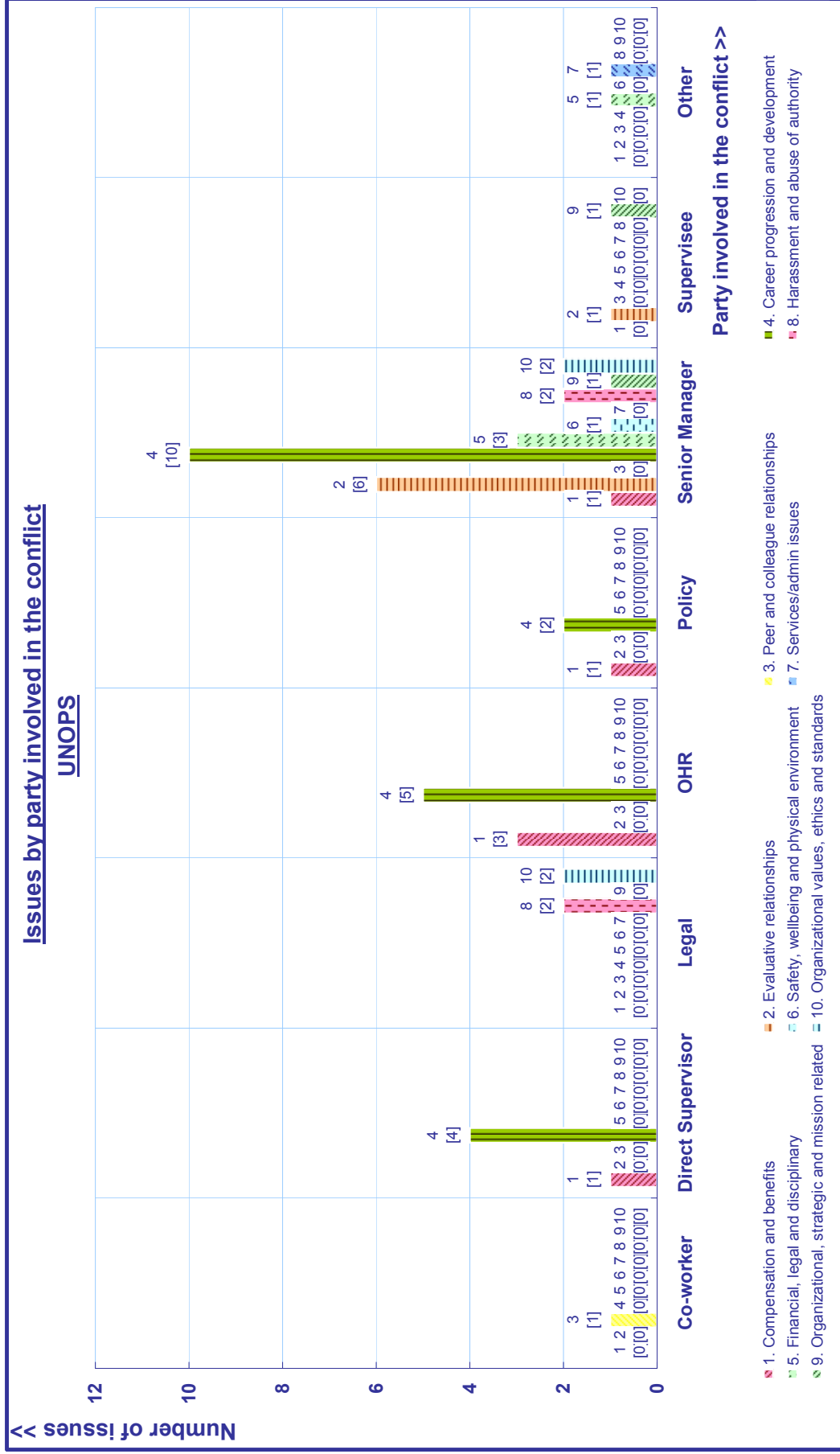
c. Issues by category



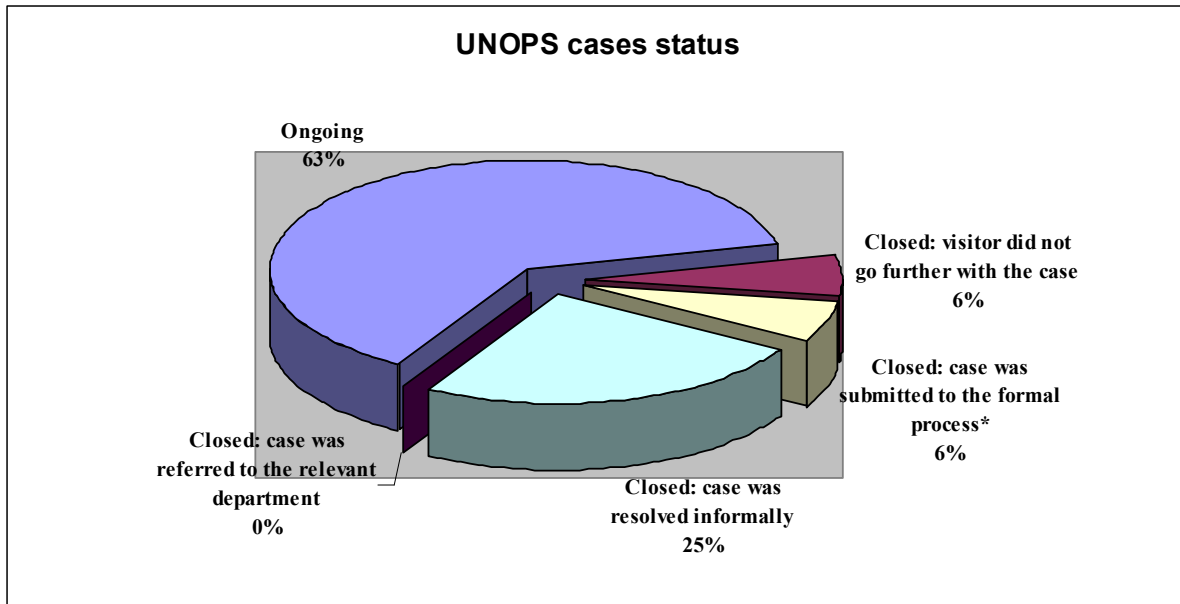
d. Issues by contract type



e. Issues by party involved in the conflict



g. Status of UNOPS cases



*Formal channels: Panel of counsel, Joint Appeals Board, Administrative Tribunal; other formal channels include investigations and audits, performance appraisal rebuttal procedures and sexual harassment investigations.