

Report of the Office of the Ombudsman for the United Nations Funds and Programmes (UNDP/UNFPA/UNICEF/UNOPS)

1 January 2010 – 31 December 2010



Working together to find solutions



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Introduction

An independent,
neutral and confidential
office working to resolve
work-related problems
in an informal way.

The new system of the administration of justice in the United Nations took effect on 1 July 2009. In this context, the integrated Office of Ombudsman and Mediation Services (UNOMS) comprises three pillars: the United Nations Ombudsman, the Ombudsmen for the Funds and Programmes and the Ombudsperson of the United Nations High Commissioner for Refugees. The Office

of the Ombudsman for United Nations Funds and Programmes (the Office) plays a key role in the informal prevention and resolution of conflicts in the organizations it serves (UNDP and the associated funds, UNFPA, UNICEF and UNOPS).¹

With a workload independent of the other pillars, the Office continues to provide dedicated services to the Funds and Programmes in accordance with the expressed objectives of their Executive Heads.

The two newly appointed Ombudsmen, Ms. Mame Diagne and Mr. Helmut Buss, assumed their functions in mid-2010 and are working in partnership with a wide range of stakeholders in the Funds and Programmes, including senior management and Staff Associations. The global economic crisis has placed additional pressures on financial resources, resulting in the downsizing of operations and in job insecurity for the workforces the Office serves. The Office has prepared itself to prevent and respond to the changing environment and demands of its constituents.

Outreach activities, such as presentations, meetings and workshops, constitute an important component of the work of the Office of the Ombudsman and form a platform on which to

explain the whole range of services the Office can provide, including its coaching role. They aim at providing employees with conflict-management skills that will help them to prevent conflict and to address badly managed conflict early and effectively. In 2010, such programmes reached more than one thousand colleagues in UNDP and the associated funds, UNFPA, UNICEF and UNOPS.

One important result of these activities is that the senior management of the organizations has contacted the Office more often than before, particularly in regard to change management processes, which are often a source of conflict at work. Similarly, the Ombudsmen observe the overall trend that both supervisors and supervisees contact the Office for assistance.

In the light of this, it is all the more disappointing to continue to receive information from visitors² across the organizations suggesting that some very senior representatives of management continue to dissuade staff from contacting the Ombudsmen and even threaten punitive action should they do so.

While the total number of visitors remained stable in 2010, the caseload increased significantly in the second half of the year. This has continued in the first quarter of 2011 with a 50 per cent increase compared to the same period in 2010. The stable 2010 caseload was largely due to the reduced capacity to address cases during the first half of the year pending the arrival of the new Ombudsmen. Given the pressures at headquarters, it was especially difficult in early 2010 to travel to the country offices and deal with cases on a face-to-face basis, always the most effective means of addressing issues.

The considerable support provided to the newly appointed Ombudsmen by the Executive Heads of the Funds and Programmes, Staff Associations and other stakeholders in informal conflict resolution has strengthened the ability of the Office to respond to potential conflicts in a timely manner. The

¹ Arrangements are currently being established for the Office of the Ombudsman for the Funds and Programmes to provide services to United Nations Women.

² Employees who visit the Office of the Ombudsman.

Ombudsmen have attended regional and cluster meetings, following up on invitations from management and human resources, where they sensitized both leaders and staff in general to the potential of the Office in enabling everyone to tackle the difficult task of managing conflict more effectively.

The Office has introduced some measures to respond to requests for assistance in a timelier manner. I-sight, an online database, has been introduced for more rapid response and more effective case management. The confidential database enables the Office to analyse trends, generate reports and see systemic issues more clearly across the organizations. In this sense, it is a useful analytical tool that helps to measure the effectiveness of interventions by the Office and to obtain case statistics in real time. The duration of case handling, issues and actions is also recorded in the online system to ensure efficiency and effectiveness. In the future, I-sight will enable the Office to compare trends and data on a historical basis and to detect emerging crosscutting and cross-organizational issues.

In 2010, the Office engaged in a higher number of mediations, including mediated discussions, i.e., informal discussions facilitated by an ombudsman. This kind of discussion between parties in conflict, facilitated by the Office of the Ombudsman, has proven to provide a confidential, safe place for the parties to rebuild communication, which had often been absent for weeks, even months.

The process of collaboration within UNOMS has posed some challenges that reduced the ability of the Office to concentrate its resources fully on its constituencies. The newly appointed Ombudsmen continued to advance the finalization of the UNOMS terms of reference and look forward to their submission to the General Assembly in the course of 2011. At the same time, the Ombudsmen trust that agreement can soon be reached on the UNOMS operational guidelines, thus enabling a defined framework for its operations. For their part, the Ombudsmen have repeatedly stated the importance of continuing to comply with the mandate of the Executive Heads to provide dedicated services to the workforce of the United Nations Funds and Programmes by assuming full accountability for their caseload, in complete independence from the other two UNOMS pillars. It is important to note in this context that the prime priority of the Office has continued to be uninterrupted, dedicated service to the Funds and Programmes.

To assess and strengthen its performance, the Office of the Ombudsman plans to introduce a feedback form for its visitors upon case closure. This process, scheduled to start in 2011, will enhance expertise, operational support structures and case-management systems. The Office needs to learn lessons from and build on its experiences, both positive and negative, in order to improve case planning and management, strengthen best practices and better communicate case information and systemic issues. An external and independent review of the Office is planned for 2011.

To begin assessing the impact of its work on the conflict-management culture in the organizations it serves, the Office plans to develop pilots that generate data on the cost of badly managed conflict.

Finally, the Office of the Ombudsman for the Funds and Programmes is keen on continuing to meet all the challenges faced in 2010 to support informal conflict resolution and assist supervisors and supervisees to effectively and proactively manage issues in the organizations it serves. The Ombudsmen sincerely appreciate all the support and collaboration the Office has received from its stakeholders and continue to depend on their continuous collaboration to support a better working environment throughout the Funds and Programmes.

Note: The electronic version of the present report is available online at <http://www.un.org/en/ombudsman/reports.shtml>

The Office of the Ombudsman for United Nations Funds and Programmes plays a key role in the informal prevention and resolution of conflicts.

Overview of the work of the Office from 1 January 2010 to 31 December 2010

A. Overview of cases

The Office of the Ombudsman for the Funds and Programmes dealt with a total of 418 cases in the period under review³.

Figure 1 shows a breakdown by organization while figure 2 portrays the breakdown of cases into gender and category of contract, indicating that there was a fairly even overall split between male and female visitors with some gender imbalance

according to specific category of contract. Figure 3 presents an overview of all issues reported.

Job- and career-related issues continued to account for the largest number of cases, which at 37 per cent of total cases represented a more than 10 per cent increase over the 2009 figure of 26 per cent. The key issues relating to job and career are discussed in detail in chapter II. F.

To gain a comprehensive understanding of workplace conflict during the reporting period, it is vital to examine workplace relationships. The Office collects statistics on issues concerning relationships between supervisors and supervisees – evaluative relationships – and relationships among peers. Conflict concerning relationships in the workplace is the second most frequent issue that brings staff to the Office, accounting for 30 per cent of cases that came to the Office in 2010. More female staff requested assistance on relationship matters than their male counterparts.

Staff often bring to the Office claims of lack of respect and inappropriate treatment. This is usually demonstrated through inappropriate disregard for colleagues or supervisees and lack of strong

Field missions increased the accessibility of the Office and encouraged staff to come forward with different issues.

Figure 1. Cases received from 1 January to 31 December 2010

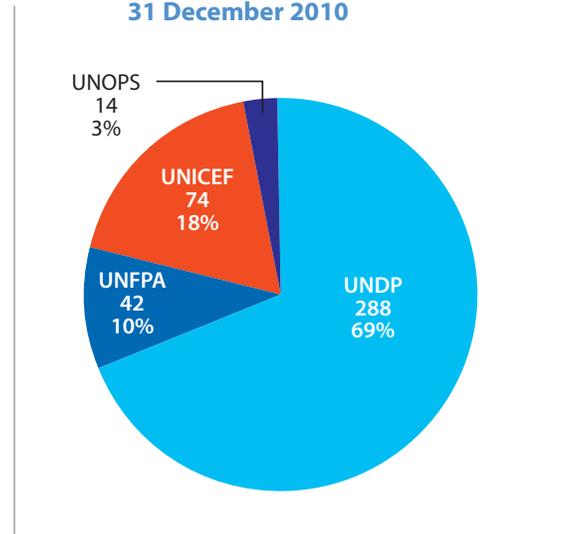
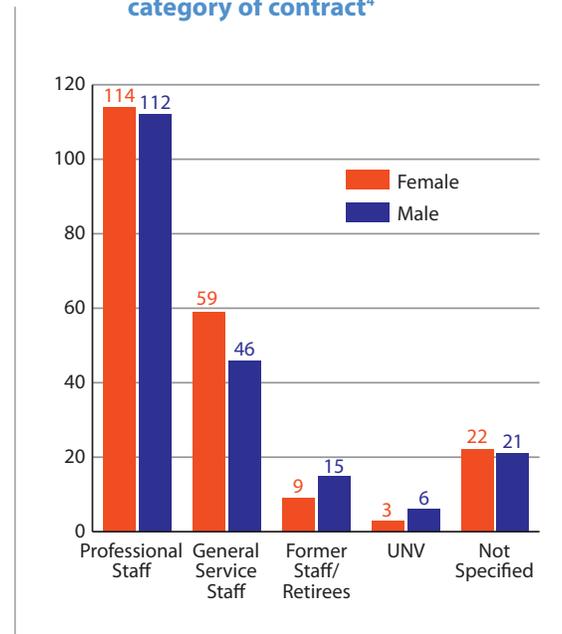


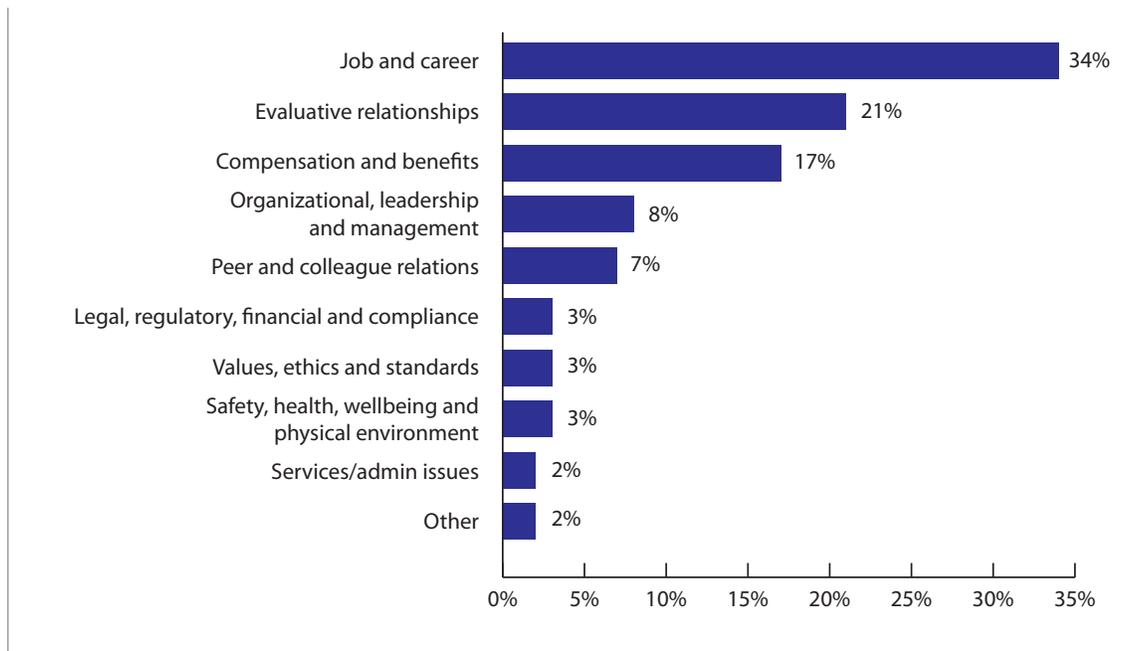
Figure 2. Cases received male vs. female and category of contract⁴



³ As at 31 December 2009 personnel statistics report of the Chief Executive Boards for Coordination – (CEB/2010/HLCM/HR/24) states that the number of staff worldwide for the agencies are as follows: UNDP 5, 916; UNFPA 1 529; UNICEF 6, 379 and UNOPS 669. The Office handled cases from 2.35 per cent of the total number of staff. These numbers do not include the total number of non-staff personnel (consultants, service contract holders, interns, UNVs) whom the Office of the Ombudsman serve and who are included in the number of cases received above. Non-staff account for 25 per cent of cases handled in the reporting period.

⁴ The numbers indicated in the figure do not include 10 group cases (a case containing a multiple of individuals with the same issue) received by the Office. The “not specified” category indicates that the visitor did not state the category of contract.

Figure 3. Overview of all 2010 issues by category and percentage⁵



and supportive communication skills. A major attribute of positive relationships in the workplace is effective communication and fostering consensus-building through communication. Further analysis on this aspect of workplace conflict can be found in chapter II. C.

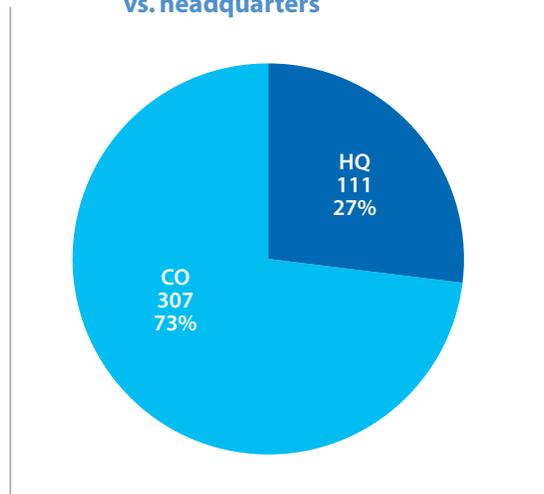
Issues concerning compensation and benefits accounted for 15 per cent of cases that came to the Office in 2010. This could be an indication that there is a continued need for human resource staff in the field to provide accurate information to staff and reduce the consequence of human error when dealing with calculations for salaries and benefits.

B. Field visits

As indicated in figure 4, a total of 73 per cent of the cases addressed during the reporting period were from country offices and 27 per cent from headquarters locations. This is consistent with results from previous years and reflects the field-oriented nature of the organizations.

During the second half of the year, the Ombudsmen conducted five field missions in four regions. This increased the accessibility of the Office and encouraged staff to come forward with different issues. The Ombudsmen participated in three UNDP regional cluster meetings, where they met with management and staff representatives.

Figure 4. All cases, 2010, country offices vs. headquarters



The Ombudsmen were also invited to give a presentation to 300 hundred managers assembled at the UNFPA annual global meeting. Additionally, the Ombudsmen addressed UNICEF security advisors and gave presentations to the UNICEF Division of IT Solutions and Services in their transformative mediation skills workshop. The Ombudsmen also welcomed the opportunity to address newly recruited Resident Coordinators at the leadership and management-training workshop held in New York.

⁵ The Office of the Ombudsman for United Nations Funds and Programmes Services uses the categories agreed by the International Ombudsman Association.

Observations and recommendations concerning the major causes of conflict in the workplace reported to the Ombudsman for the United Nations Funds and Programmes

A. Leadership and conflict management

The issue(s)

Since its creation, the Office of the Ombudsman for the United Nations Funds and Programmes has included in its annual reports recommendations on how to improve people management in the organizations it serves. The Ombudsmen for the Funds

More has to be done to prioritize the importance of good people management.

and Programmes are pleased to note that during the period under review, there were many examples of efforts to strengthen the leadership and management skills of senior-level supervisors. Nonetheless, the Office received cases that

demonstrated inadequate levels of communication between senior-level supervisors and supervisees and among senior-level managers themselves. This caused conflict and misunderstanding, resulting in low staff morale and reflected in less-than-optimal management styles.

Clearly, the Ombudsmen continue to receive complaints about abusive managers and the organizations continue to tolerate abusive managers.

When the Ombudsmen address this issue with senior management, the reaction is often: “We all know that the manager is difficult...” or “there is nothing that can be done if people do not introduce a formal complaint...” Consequently, abusive managers are frequently able to remain in their posts and are sometimes even moved to other locations, again with managerial responsibilities over people, and again causing significant harm to staff and to the reputation of the organizations.

In this regard, the various initiatives undertaken by senior management to improve people management have not yet significantly changed organizational culture. More has to be done, therefore, to prioritize the importance of good people management. Elaborate policies remain dead letter if not applied. Zero-tolerance policies are empty words if not acted upon.

In the overwhelming number of cases that staff bring to the Office, they note that a manager at some level is the other party in the dispute. This underscores the decisive role that management can play in addressing conflict in the workplace. Figure 5 indicates that over 80 per cent of the cases across the organizations show management as the other party involved in the conflict as reported by the visitor.

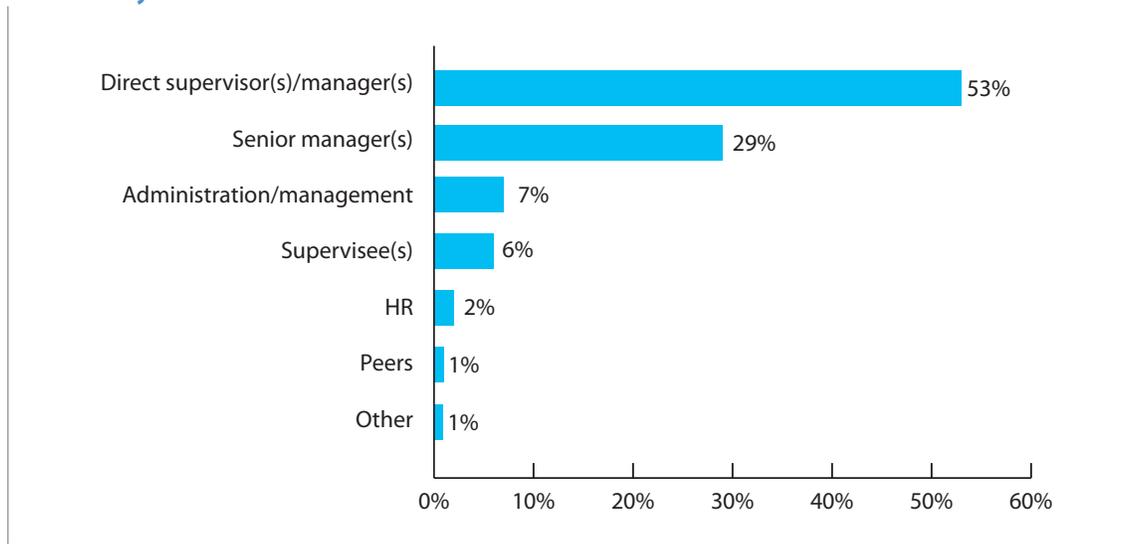
What can the organization do?

Executive Heads and senior managers play an important role in promoting best practices, including strengthening a conflict-management culture in the organization. No management/leadership-training programme can replace their visible actions in pro-actively supporting harmonious workplace environments, work-life balance and respectful communication.

The Ombudsmen recognize that Executive Heads have taken specific steps to promote leadership training and have sent global messages to remind everyone of the need for effective conflict management, including respectful and civil communication.

However, more can be done, and the Ombudsmen would like to make the following observations and recommendations.

Figure 5. Other party or parties involved in conflicts as reported to the Office of the Ombudsman by the visitors



“Walking the talk”, i.e., making actions match words, is a critical step in building trust and confidence and engaging staff at large in supporting respectful communication in the workplace. Staff members keep a close watch on senior managers, including the Executive Heads, in everything they do to check that they uphold this principle.

Managers with good people-management skills should be accorded more visibility and recognition and managers lacking those skills who are unable or unwilling to acquire them should not have a place in the organization. Nevertheless, the Ombudsmen still witness occasions when managers who have demonstrated unacceptable management skills are moved from one position to another, often with a promotion. Staff are aware of the poor reputation of these managers and view their continued presence and promotion as a reflection of the organization’s priorities. This inevitably undermines efforts that the organization may be genuinely making in other areas to bring about management-culture change. More seriously, it risks calling into question the good will of the organization and of those who lead it.

An important aspect of zero tolerance is assuming responsibility to pro-actively prevent and address abusive management. This is possible through candid performance management and appraisal, the pro-active use of data gleaned from global staff surveys or investigations initiated by the organization in situations where staff are too afraid to introduce misconduct claims themselves but

where there have been clear indications of abuse of authority or the lack of civil behaviour.

What can the Ombudsman do?

The Ombudsmen provide coaching services in a strictly confidential environment. Many managers have consulted the Office to be better equipped to address conflict situations, to deal with change-management issues or simply to have someone neutral and impartial with whom to review challenges that confront them.

Ombudsmen can assist organizations to develop frameworks to measure the efficiency of conflict management, providing for gap analysis (i.e., measuring actual performance against objectives) and identifying efficiency gains through proactive conflict management.

B. Harassment and abuse of authority

The issue(s)

As in previous years, claims of harassment and abuse of authority had a bearing on many of the issues that staff brought to the attention of the Office in 2010 – exacerbating situations that were already tense. Affected staff members are often unclear about whether or not the treatment from which they are suffering reaches the level of misconduct. Most importantly, what is clear is that affected staff simply want the unacceptable behaviour to stop; they seem to be less interested in possible disciplinary action.

The failure to act eventually leaves staff no choice other than to lodge a formal complaint.

In some instances, after initial discussions with an ombudsman during which it was possible to examine options for action, staff members who alleged that they were victims of abusive behaviour or witnesses thereof were too afraid to talk to anyone outside the

Office of the Ombudsman, fearing retaliation in one form or another. Staff members reported that they had either experienced retaliation themselves for having voiced allegations or cited examples of retaliation against colleagues for having reported unacceptable behaviour. The Office was obliged to close these individual cases, regrettably precluding the possibility of further informal action.

When staff members did bring allegations formally to the attention of the Administration, they sometimes discovered that the Administration argued that the threshold for misconduct had not been met and thus closed the case. Some staff told the Ombudsmen that they had the impression that the Administration sometimes does not pursue complaints against the abuse of authority or harassment even when complainants introduce them in accordance with established procedures.

Clearly, not every allegation of harassment and abuse of authority meets the threshold of misconduct according to the United Nations Staff Regulations and Rules. In addition, there is often a lack of clarity in the relevant terminology and a consequent ongoing need to define what is acceptable behaviour and what is unacceptable behaviour. It is thus all the more important to ensure that members have access to secure mechanisms through which they have recourse against unacceptable behaviour.

It is in this context that the Ombudsmen have received a disconcerting number of reports that some very senior managers across the organizations strongly deter staff from contacting the Office of the Ombudsman. Staff receive warnings that their careers will suffer if they speak to an ombudsman or they are told that it is pointless to do so any way since there is little the Ombudsmen can do against the wishes of management. It is all the more commendable under these circumstances that some of those colleagues receiving such warnings continue to come to the Ombudsmen and exercise the right to raise their concerns informally and confidentially. It

is all the more regrettable that courage is often required to do so. The Ombudsmen for the Funds and Programmes find it incomprehensible that any manager in the United Nations should obstruct the path that so very often leads to an informal, equitable resolution to conflict in the workplace.

The Ombudsmen consider that the large majority of cases of unacceptable behaviour can and must be addressed at the management level in a timely manner. However, the Office has observed in many instances that more senior managers, aware of such behaviour by managers whom they supervise, do not assume their responsibilities to address the issue in a timely manner, let alone address it in performance evaluations. The failure to act eventually leaves staff no choice other than to lodge a formal complaint, which may well result in disciplinary action for misconduct.

What can the organization do?

As has been noted in previous annual reports, the prevention of harassment and abuse of authority is an area where the Executive Heads and senior management can truly lead by example and champion the role of the Ombudsman in informal conflict resolution. They can do so by emphasizing the importance of working together to find solutions, the effectiveness of owning the solutions and the revitalization of the workplace gained through informal conflict resolution.

The Office of the Ombudsman has noted that some organizations that it serves have recommended that, in certain cases of allegations of misconduct, it could be effective to explore informal conflict-management tools, such as mediation, prior to conducting a formal investigation. The Ombudsmen support all such approaches and will develop informational material that will help staff to gain a better understanding of informal conflict and mediation tools available in this kind of situation.

All this, of course, is against the backdrop of acts that demonstrate the desirability and effectiveness of good management skills and show that ultimately the organizations have a policy of zero tolerance for abuse of authority and harassment.

What can the Ombudsman do?

The Ombudsmen have assisted in many instances where there have been allegations of inappropriate behaviour, including through the facilitation of mediated discussions where the parties were

provided with a confidential space to review the situation and develop options to correct it.

The Ombudsmen can also help staff to examine options that will empower them to address the situation. Often, this requires a set of coping mechanisms or tools through which the individual can bring a complaint to the manager in a non-confrontational manner with the immediate goal of changing specific management actions that underlie the abuse. The longer-term goal will be to address the work environment in which the abuse takes place. Here, the Ombudsmen may decide that the most effective approach is to make a presentation to the entire work unit, explaining the role of the Ombudsman, particularly the guiding principles of confidentiality, neutrality and impartiality. This often leads to a number of requests from staff and enables the Ombudsmen to discuss options with all concerned, especially those perceived to be causing the abuse, in attempts to find a mutually acceptable, equitable solution to the conflict.

C. Communication

The issue (s)

Effective communication is critical for successful conflict resolution. All levels of staff interaction are affected: among peers, between senior and other level managers and between management and staff. In 2010, the lack of effective communication was pervasive in a significant number of cases even when a completely different issue had prompted the visit to an ombudsman, such as concerns about job and career, compensation and benefits and other entitlements.

The lack of effective communication is also an issue in recruitment, particularly when unsuccessful candidates receive either no feedback or feedback that does not adequately treat the reasons for which they were not selected. Quite often, no information is provided to enable them to improve in future job searches. Consequently, people regard the recruitment process as flawed and may dispute decisions that are linked to recruitment and eventual selection. On closer examination, it often turns out that poor communication or a complete lack of honest and constructive feedback is the root cause for the staff member or applicant feeling that the recruitment was not well managed.

It is the opinion of the Ombudsmen that there is an increased need for effective communication

during restructuring and relocation to ensure that information is passed on consistently and in a varied manner in order to allow all concerned parties to participate fully in the process. Respectful communication, participation and transparency are initial success factors in building harmonious workplaces and reducing the potential for bad conflict.

At these times, senior management tends to focus on cost efficiency and the financial sustainability of the structure that will emerge from the decision-making process. This is often at the expense of the well-being and morale of staff, thus risking the successful completion of the relocation strategy itself.

The cases with which the Office dealt in 2010 ranged from those where managers had stopped speaking to supervisees to situations where management did not include staff members in discussions necessary to their work. When people feel that managers have deliberately excluded them from full participation in the operations of the office, it can cause as much damage as full-blown conflict and may well result in the latter. Other examples in 2010 included the termination of contracts where managers or the representatives of human resources services provided less-than-enlightening reasons for the termination. A particularly damaging example of lack of communication is the practice that allows certain kinds of contracts simply to expire without formal notice when there is a clear, ongoing need for the services. If the organization later hires another person to do the job, the former incumbent is left wondering what was wrong with his or her performance. Constructive feedback would have been useful for the career planning of those whose contracts are allowed to lapse and would help to establish the United Nations as a model employer. The need for effective communication also occurs during performance evaluations.

What can the organization do?

The Ombudsmen believe that a strong requirement during recruitment for proven, effective communication skills in the workplace can help to avoid problems later. At the same time, such skills should be an even stronger focus of management and staff development. The support of the Executive Heads and senior management, especially in human resources, in ensuring that mandatory training is provided in these areas – not just for senior managers but for staff at all levels – would help to a great

extent to strengthen the prevention and resolution of conflict in the workplace.

Whenever restructuring or relocation takes place, management should seek all available support and expertise from the human resources units in order to ensure the effective management of staff-related concerns and to pre-empt the escalation of issues.

What can the Ombudsman do?

The Ombudsmen can help staff and management to understand the need to have effective communication as the bedrock of the workplace. This was a core message of the presentations that the Ombudsmen made in 2010 to staff and management in all the organizations served. An important element here is the need to recognize that managers and staff alike must be prepared to engage in dialogue that may be difficult. The Ombudsmen provide communication

tools to do this and regularly coach staff individually at all levels in ways to initiate a dialogue that must take place in a specific situation in order to make progress in resolving a conflict. The Ombudsmen also help

those managers who concentrate all their efforts on achieving results – on getting on with the work – to understand, accept and act on the concept that open transparent, non-threatening communication is the key to doing just that.

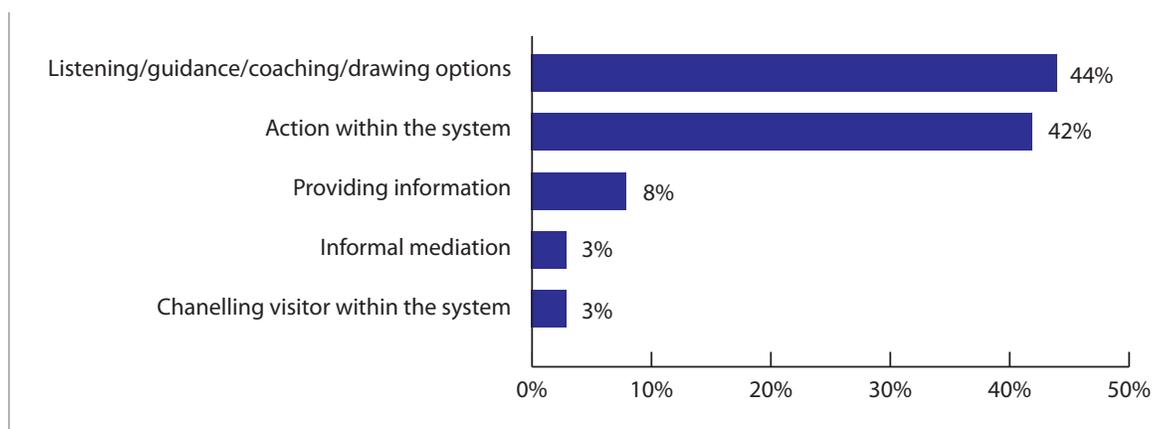
The Ombudsmen can also deal with issues of a more individualistic nature that are obstacles to effective communication: reticence in voicing any

workplace concern; discomfort with displaying personal feelings; and an unwillingness or inability to speak openly to persons in authority. Far from being linked to any cultural stereotyping, in the experience of the Ombudsmen, the underlying concerns in these areas of most staff members in the United Nations – at least in the work context – are similar, no matter what their cultural origins are. When most people encounter a difficult situation, they have an internal conversation about what is happening, taking into account their own personal strengths and weaknesses as they plan a way forward. The Ombudsmen can help to examine ways and provide tools for staff and management to express themselves in a non-confrontational yet effective manner. They will, for example, help to reflect on due regard for how a message is likely to be perceived by others and assist in tailoring the delivery so as to emphasize respect for all and empathy for those who must make a difficult choice on receiving the message. All these are qualities that can contribute to better communication.

Unfortunately, it is often not possible to bring about immediate change in a situation. However, the Office of the Ombudsman provides a safe, absolutely confidential place for the visitor to be heard. It is not unusual for the Ombudsmen to listen to a visitor for several hours and many visitors have told the Ombudsmen that this has been the first time they have been listened to or have had an opportunity to explore options for solutions. Sometimes all that was required was the opportunity to share their concerns and feelings and the Ombudsmen's involvement may end there. Figure 6 provides a breakdown of the services offered by the Office of the Ombudsman in 2010.

Effective communication
is the bedrock
of the workplace.

Figure 6. Services provided by the Office of the Ombudsman



D. Change management processes

The Office dealt with many cases in 2010 that emanated from the change-management processes, during which there can be a marked increase in indicators such as abuse of authority, poor communications and favouritism. Staff members reported that they had been targeted and that the processes had been poorly managed. Cases have been reported where the participation of staff was not encouraged and communication from management to staff regarding the change-management process was infrequent. Information was not shared when the change management began nor were the results of the change management shared with staff.

What can the organization do?

It is important to emphasize – and demonstrate by action – at the highest levels of the organizations that programme needs and organizational vision define the staffing structure and that these elements guide all decisions regarding change-management and their implementation. The support of dedicated, knowledgeable expertise in successfully managing change management processes is essential and to ensure their ready availability, the organization should have a roster of experts that can be called on when needed.

What can the Ombudsman do?

The Ombudsmen can help to clarify the process by listening to all parties concerned and by assisting in establishing agreement on an agenda for change and providing opportunities to follow up once the change process begins. In 2010, the Ombudsmen were able to help staff to explore their options during what is for many an extremely threatening time in their careers; staff members said on many occasions that they were able to ask questions and seek information from the Office of the Ombudsman with a feeling of trust and confidentiality. For many people faced with imminent change, it is very intimidating to ask for information or disclose preferences that they believe for one reason or another may have negative consequences.

E. Controlling the costs of conflict

Badly managed (negative) conflict in the workplace results in substantial financial, human and credibility costs to the organization, its employees and its clients. Some experts believe that unresolved conflict represents the largest reducible cost in many businesses, yet costs of conflict in the workplace are in most organizations not considered a variable worth measuring and are consequently not pro-actively managed.

Costs of Conflict

Effective conflict management requires some form of cost measurement. Without measurement, conflict management risks being limited to addressing individual cases of workplace conflict, without identifying the underlying causes or providing data that would allow for a verifiable analysis of changes in the organization's conflict-management culture. Addressing conflict in the workplace through integrated systems for the management of conflict costs should be viewed as a sine qua non in achieving organizational effectiveness and enhancing productivity.

Organization

- Productivity
- Absenteeism
- Presenteeism
- Turnover
- Reputation
- Theft/Sabotage
- Accidents

Employees

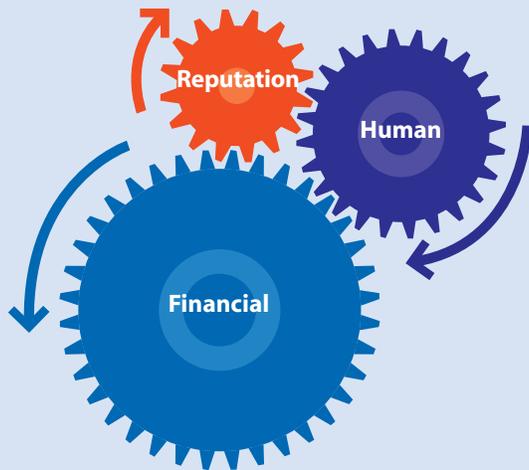
- Health
- Motivation
- Career
- Workplace environment
- Departure

Clients

- Loyalty
- Health/Life
- Funding
- Product quality

Costs of Conflict

Although it is impossible to calculate the exact cost of conflict, some of the related costs are measurable or can be estimated. The exercise of calculating an organization's relevant cost of conflict drivers is not only an instructive way to think about the costs of tolerating badly managed conflict but also a basis on which to measure the effectiveness of conflict management and to visualize the added value of conflict-management tools, including the Office of the Ombudsman.



Another reason for trying to cost the conflict in a seemingly rational and number-driven business world is that no matter how compelling the case on cost of conflict might be, people from accounting, finance and other quantitative backgrounds prefer to make decisions based on financial estimates before accepting conflict-cost management as a business case.

The Office of the Ombudsman hopes that the Funds and Programmes can engage more pro-

actively, especially in times of financial constraints, in controlling conflict costs. The Office will do its utmost to help managers to understand that they have choices: either they can engage pro-actively in addressing badly managed conflict and thus increase productivity and efficiency gains or they can do nothing and thereby create potential liabilities for the organization in terms of financial, human and credibility costs.

Some experts believe that unresolved conflict represents the largest reducible cost in many businesses.

F. Job- and career-related issues

Job- and career-related issues continued to account for the largest number of cases, which at 37 per cent of total cases, represented more than a 10 per cent increase over the 2009 figure of 26 per cent. Concerns pertaining to job and career-related issues manifest themselves differently, depending on the category of staff. For example, significantly more National Professional and General Service staff complained of job application and selection processes than did International Professional staff. This might indicate a need to provide greater opportunities for career progression to staff at the National Professional and General Service levels since they do not usually receive the same amount of opportunities for exposure and career advancement as their international colleagues. Another distinction in this category is that more female than male staff came to the Office with concerns about career progression and opportunities. A full breakdown of the issues within job-and career-related category is provided in figure 7.

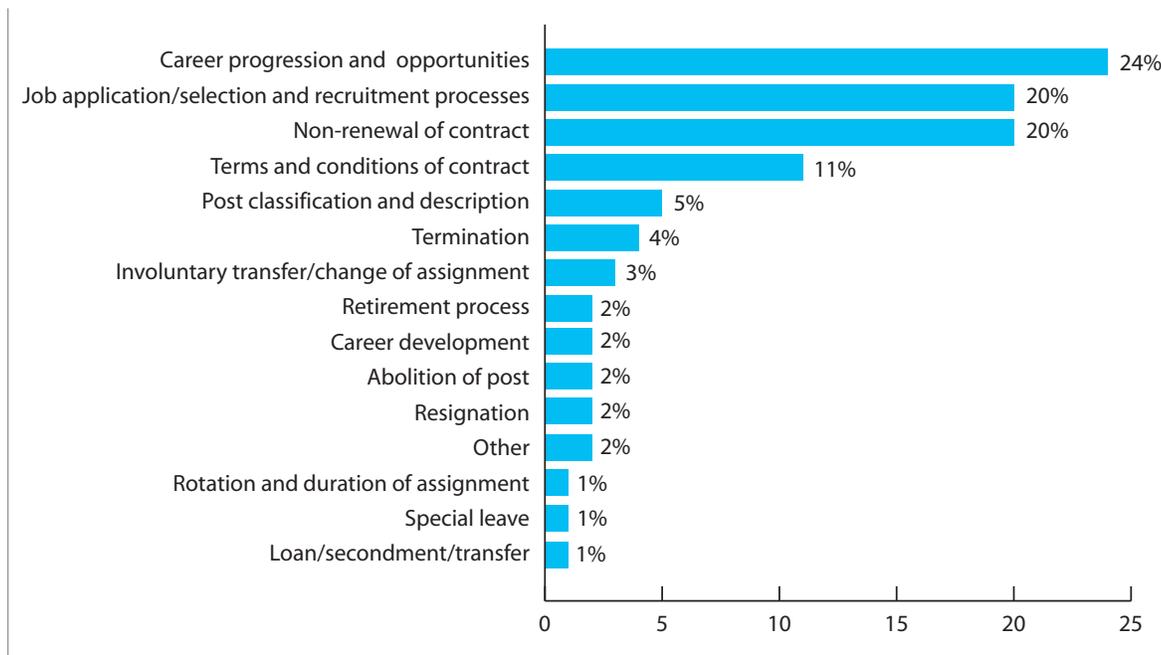
1. Performance management, evaluation and feedback

The issue: performance management and appraisal

In 2010, as in previous years, there were a considerable number of conflicts between staff members and their supervisors in this area. As noted earlier, the lack of respect and inappropriate treatment is a pervasive element in evaluative relationships, as seen in figure 8 and it occurs in 36 per cent of the cases received. The statistics show an increase in issues concerning performance management and feedback from 18.3 per cent of all cases reported in 2009 to 26 per cent in 2010. Issues dealing with performance appraisal and grading decreased to 10 per cent of all cases in 2010 from 17.3 per cent in 2009.

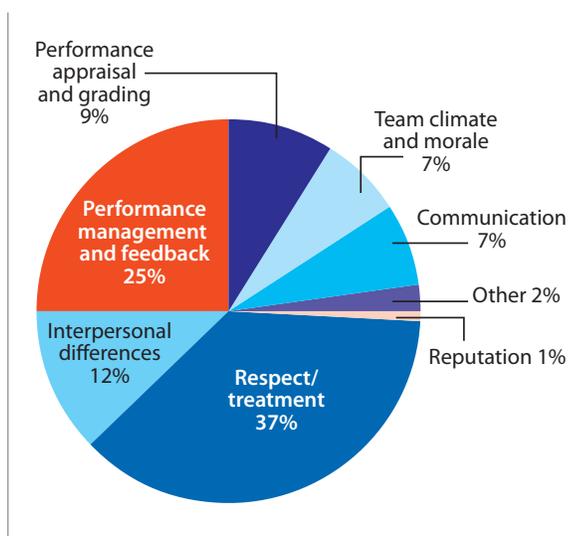
A review of the cases on performance evaluation, appraisal and grading brought to the Ombudsmen's attention reveals that the lack of timely feedback is still a persistent problem. The policies pertaining to performance evaluation clearly stipulate that evaluation is an ongoing process and should not be carried out only once a year. Staff members often report that they thought they were doing a good job during the year and the supervisor's negative assessment comes

Figure 7. Job- and career- related issues



as a sudden, unpleasant surprise for them. In seeking to streamline performance evaluation, some organizations no longer have mid-term reviews and have made other radical changes in the evaluation mechanisms. It is therefore extremely important for managers to have open, continuous dialogue with their supervisees on performance. Unfortunately, in the experience of the Ombudsmen, such discussions usually take place only during the final review and then in a tardy, peremptory manner, causing the whole process to become rushed at the last minute.

Figure 8. Evaluative relationship issues



Of course, the lack of proper feedback and the absence of constructive dialogue have a negative impact on performance management and consequently on productivity. In some of the evaluations shared with the Ombudsmen, the language was so vague that it was not possible to understand what the supervisor meant. Certainly, the staff member could not deduce what appropriate action to take from what was written in the performance evaluation – nor could the Ombudsmen.

The lack of timely feedback is still a persistent problem.

Some staff members who brought their grievances regarding these issues to the attention of the Ombudsmen viewed their performance evaluations and appraisals as a tool to retaliate or punish. This was particularly the case when they were facing situations such as separation, non-renewal of contract and other forms of harassment.

While in instances such as these, serious abuse of authority may become evident, it is very often difficult to ascertain the exact reasons for shortening contracts or lowering ratings.

What can the organization do?

It is important to reiterate – and show by example – that the main purpose of performance evaluation and appraisal is to enhance staff performance by

accentuating the positive contributions made and identifying ways in which to address soft spots and future potential. The Executive Heads and senior management should also remind supervisors that they bear the responsibility of assisting staff members to develop their careers and improve overall productivity. It is not a responsibility that can be rushed: staff members deserve the chance for improvement, the proper guidance in how to hone their skills and the time to do so.

The Executive Heads and senior management should hold supervisors responsible for these responsibilities by rating the performance evaluation of supervisees as a key indicator of management effectiveness. The evaluation of performance must be considered as an ongoing process with frequent, substantive discussion on performance between the supervisors and staff members, not only at the mid-term point but also throughout the reporting period. Conflict is often rooted in the absence of an active dialogue between the administration and staff on career perspectives. Investment in building professional career management capacity is thus a critical tool in pro-active workforce management and reducing the cost of conflict arising from issues relating to job and career.

What can the Ombudsman do?

In accordance with the mandate, the Ombudsmen do not intervene while official processes such as appraisal or rebuttal are under way. However, the Ombudsmen may receive complaints and provide informal options to staff members who are concerned about their performance evaluation. On the basis of this type of conversation with staff members regarding their performance evaluations, the Ombudsmen may make systemic recommendations about the need for transparency, timeliness and objectivity in the overall process. In cases where staff members do not know how best to respond to the negative comments of the supervisor, the Ombudsmen can coach them in appropriate ways to do so, using effective communication techniques such as strategic preparation, active listening, appropriate tone and rephrasing,

The Ombudsmen can also facilitate a mediated conversation to help each party to understand the other's point of view before an evaluation is finalized. It is very important to bear in mind that an ombudsman will always remain neutral in these dialogues and will have the goal of helping to clarify positions, not revisiting the actual performance ratings. In 2010, a number of staff members did in fact request mediation for issues relating to performance management and evaluation, which has proved to be an effective mechanism to resolve a range of workplace conflicts, including performance management and evaluation, feedback, appraisal and rating. Mediation is an effective tool that is particularly useful in early interventions, where it can help to promote constructive dialogue, enhance communications and avoid the escalation of conflict.

The issue: rebuttal

The Ombudsmen note that UNDP, UNICEF and UNOPS have recently revised their policies and procedures for rebuttal, resulting in a more streamlined process. In the report on the work of the Office of the Ombudsman for the Funds and Programmes in 2009, there was a recommendation for action in this regard. The Ombudsmen look forward to the implementation of the changes that UNDP, UNICEF and UNOPS have introduced in the hope that they will ease the process.

A recurrent issue concerning the rebuttal process faces staff members who are separated or whose contracts have expired. Since these former staff members no longer have access to the electronic systems used to prepare the documentation, they experience difficulties in rebutting their evaluations and appraisals.

It has also been reported that in some small country offices where there is a case of conflict between management and a staff member, parties to the conflict, including human resources staff, may become members of the rebuttal panels. However objective the members of the rebuttal panels strive to be, it is impossible to dismiss the notion that the staff member is not likely to obtain a fair hearing in such situations. In the interests of all concerned, alternative arrangements should be found.

What can the organization do?

With the ultimate aim of ensuring that all staff members of the United Nations system have equal access to rebuttal mechanisms, the Ombudsmen

Most staff members
are above all interested in
resolving conflict as
informally and as quickly
as possible.

recommend that each organization served by the Office review its own policy and procedures in this area with a view to establishing uniformity. In addition, it is essential that management ensure that rebuttals are completed and the results reported to the staff members in a timely manner.

There is also a need to ensure that all committees reviewing evaluations do their utmost to maintain neutrality and that the members of these committees who may have existing conflicts with staff members be excused from the committees and panels.

What can the Ombudsman do?

The Ombudsmen have noted elsewhere in the present report that, in their experience, most staff members are above all interested in resolving conflict as informally and as quickly as possible and are not driven by a desire to litigate. This applies to the rebuttal process, which many staff members find both intimidating and embarrassing. The Ombudsmen can help staff to explore their options when faced with the need to rebut. Staff can benefit from the experience of the Ombudsmen, who will help them to understand what is at stake and clarify the implications of the rating they are seeking to rebut.

2. Interagency mobility

The issue(s)

Interagency mobility, whether in the form of secondment or transfer agreements, provides staff with more varied career opportunities and organizations with increased flexibility and responsiveness in meeting operational needs. The organizations accordingly encourage staff to seek interagency mobility; however, staff members who return to the parent organization after time spent in another organization often find that they are put in super-numerary positions with no properly defined function. This situation has led to the separation of staff on permanent contracts without proper consideration of their expertise and competencies. Experience has shown that one of the contributing causes is the lack of adequate, proactive human resources planning to ensure the absorption of returning staff members. In some cases, staff members have returned to the parent organization only to find that their previous duties and responsibilities have been fundamentally altered.

The Office of the Ombudsman has dealt with cases where returning staff members face other difficulties in addition to obtaining a position: discrepancies in the payment of entitlements; lack of support when processing visas and other immigration documents upon return from secondment; and the realization that a promotion gained while on secondment is not valid in the parent organization.

The Office of the Ombudsman for the Funds and Programmes was first alerted in 2005 to the special challenges facing UNDP Resident Representatives/Resident Coordinators who have been appointed to the position from outside UNDP. At that time, the Ombudsman learned that those appointed from outside UNDP were known as ‘intruders.’ During their work in 2010 and 2011, the Ombudsmen have noticed recurring themes that have caused obstacles to optimum performance from staff at this very high level of responsibility.

Some Resident Coordinators have told the Ombudsmen that they have detected an initial unwillingness by some staff of the offices to accept them because they come from outside UNDP. As the RR/RC goes about managing the new office, the perception that the RR/RC ‘does not know UNDP and development’ often thwarts efforts to work towards One UN goals. The argument that appointees from within UNDP will do a better job as UNDP RR and as RC because they ‘know UNDP and development’ magnifies any differences in experience and can be a barrier to establishing a harmonious workplace.

What can the organization do?

It would help to encourage and validate a culture of staff mobility if the parent organizations streamlined and enhanced capacity for the strategic management of secondments and transfers of staff.

It is important to remember that parent organizations retain responsibility for their staff even when the staff member is on secondment. There is a duty to inform seconded staff of any changes in their previous positions, especially at the end of the staff member’s contract or secondment. The parent organization should also ensure proper management of the benefits and entitlements of returning staff members.

Parent organizations should encourage and validate a culture of staff mobility.

The Office can offer a safe, confidential place where staff members can examine whatever options may be open to them

Similarly, it is important for the organizations served by the Office of the Ombudsman for the Funds and Programmes to examine staff mobility policies especially their effects on career progression and talent retention. When staff members who have been promoted while on secondment return to the parent organization, they face difficulty in having this promotion recognized and in finding a post at the appropriate level. Responsibility to make sufficient and timely preparations for the eventual return of the staff member should be shared between the organization and the seconded staff member. Effective management of staff mobility would pave the road to and ensure the retention of a diverse and multi skilled workforce

The organizations participating in the selection process of Resident Representatives/Resident Coordinators are aware of the special challenges facing appointees from outside the system or from outside a particular organization. It is important to build into the system effective support on which these high officials can call. At the same time, global messages could be sent and information exchanges established that would sensitize all concerned to the need for more targeted support for newcomers. A newly appointed RR/RC should expect to receive recognition of the fact that s/he has gained interagency approval as one who can perform the multifaceted tasks needed for successful One UN activities. Resident Representatives/Resident Coordinators from outside UNDP should be encouraged to provide feedback on challenges faced and proposals to improve inclusion of that group in the Resident Representative/Resident Coordinator network.

What can the Ombudsman do?

The Ombudsmen have ascertained that staff members facing the difficulties outlined above have severely limited choices and turn to the Office of the Ombudsman in desperation. The Ombudsman can help the staff member to explore options and can open dialogue with the administration to assist the staff member. Furthermore, the Office can address the related matter as a systemic issue with the organizations.

In conflict that occurs where the head of office may be new to the organization, there may be conflicting views on some issues, particularly if the new head needs to reinvigorate the office and tackle long-overlooked practices. In these cases, the Ombudsmen can help to separate issues from people since the issues themselves are often personalized. By doing this, the Ombudsmen can assist in preparing the way forward to a greater understanding and clarification of the priorities and responsibilities of each member of the staff, including the management, so that effective, productive dialogue can take place.

3. Benefits and entitlements

The issue(s)

Issues relating to benefits and entitlements accounted for 15 per cent of the cases received by the Ombudsman. In particular, the Office received a number of complaints regarding the disbursement of survivor benefits. One category causing particular difficulty concerns same-sex partners who are denied survivor benefits because of the non-recognition of their partnership agreement. Staff members contribute to the United Nations Joint Staff Pension Fund and designate their beneficiaries, with confidence that the surviving partner will benefit from their contributions, given they have a legal and nationally recognized partnership. Surviving partners later learn that they are unable to claim the benefit. This can lead to claims of discrimination and unfairness especially since there does not seem to be any consistency across the UN common system regarding recognition of same sex partners' rights to benefits and entitlements.

What can the organization do?

Precautionary measures need to be taken to address this matter given that the likelihood of seeking recourse through litigation is extremely high. The organizations should make every effort to alert staff members that same-sex surviving partners may not be able to claim their benefits if the Pension Fund is not able to recognize the partnership. Every effort must be made at the time of recruitment of the staff member and should appear in all documents pertaining to the contributing staff member and his/her beneficiary.

The Ombudsmen for the Funds and Programmes recommend that all the organizations served look collectively at ways to establish consistency in dealing

with the rights of same-sex partners in the areas of benefits and entitlements.

What can the Ombudsman do?

Since this is a matter on which the General Assembly will ultimately decide, there is little that the Office of the Ombudsman can do but offer a safe, confidential place where staff members can examine whatever options may be open to them.

4. Recruitment

The issue(s)

The recruitment process often results in complaints, especially from unsuccessful candidates, and it is usually difficult for the Ombudsmen to determine the facts of a case. The Office has received a number of complaints from those competing for a position. There may be issues of personal animosity, resulting in competent candidates not being selected. A person may think that he/she has been the successful candidate because of information being provided by someone on the panel prior to any final official decision being made. Providing such information is, of course, in violation of the principle of confidentiality governing participation on an interview panel. Recruitment issues can create disgruntled candidates and enormous problems for staff morale.

Appropriate feedback is not always given to unsuccessful candidates, which makes it difficult for them to learn from the experience and move on to apply for other posts.

In addition, there have also been cases where strong interpersonal conflict involving differences in personalities, suspicions of hidden motives, and mistrust vis-à-vis senior managers have affected the recruitment processes and considerably impacted the final selection and appointment of staff. This practice often hinders career progression since affected staff members are not considered for available positions, draining the organization of valuable technical skills and knowledge.

Ad hoc and even planned reorganizations or change-management exercises bring about many problems in recruitment. Serving staff members often have to apply for jobs, some after having worked for many years and this can cause great anxiety. Staff members on different types of contracts, e.g., service contracts, might find themselves competing for a limited number of posts.

The Office dealt with a number of cases during

the reporting period where a staff member had satisfactorily performed the duties of a position for which a vacancy announcement was later posted. In some cases, the staff member had been the successful incumbent for months, sometimes years, yet was not selected to continue in the position. The conflict generated in the workplace is aggravated when, as is often the case, the incumbent does not receive any feedback on why he or she was not selected. In some cases, incumbent staff members do not even make the shortlist. In addition, the staff member who is not selected is often more familiar with the duties and connections required for the post but has to report to a recently hired supervisor who does not have that expertise.

Short-listed candidates brought different problems to the attention of the Ombudsmen in 2010. In cases where short-listed candidates are not in the duty station where the vacancy occurs, the hiring office may not be willing to pay for travel to an interview and time differences are not taken into reasonable consideration when interviews are held.

A candidate who has successfully completed the recruitment process may abruptly receive the information that she or he is not going to be hired because of budgetary reasons. In other instances, a more suitable candidate may appear after the recruitment is completed and the hiring officer may exercise the prerogative to offer the position to the second candidate – in some cases despite intervention by the Office of the Ombudsman. In the experience of the Ombudsmen, candidates in such situations have no choice but to exercise other options or begin a new job search.

Staff members have reported delays in receiving notification of the decisions after the recruitment process has been finalized. Some applicants have had to wait for long periods of time after they have been interviewed to hear the result.

The Office has also dealt with cases where information concerning eligibility in the vacancy announcement is contradictory or ambiguous. Candidates are left to assume whether their qualifications match what is required for the job. In some cases, vacancy announcements do not indicate

The human resources services of the organizations served have introduced a number of effective measures towards ensuring fair recruitment processes.

restrictions as to who may apply. Applicants are disturbed to learn after they have submitted their applications that they will not be considered because they are not internal candidates.

As pointed out in earlier reports, a systemized approach to reference-checking is required when processing a candidate's application. The Office has dealt with cases where due diligence was lacking in checking references and verifying employment history. Staff members were recruited when there was clear evidence that their conduct and performance in their previous positions had been weak and disruptive to the workplace.

What can the organization do?

Every candidate for a position in the United Nations should be able to expect equal treatment in the recruitment process. All managers have a responsibility to uphold this principle. All participants in an interview panel should adhere to the principles of confidentiality governing the process.

The Ombudsmen recognize that the human resources services of the organizations served have introduced a number of effective measures towards ensuring fair recruitment processes. A summary of these and other relevant ways in which the human resources services of all the organizations can help to maintain the integrity and credibility of the recruitment process includes: (a) a thorough review of job announcements should be conducted prior to publication in order to prevent confusion; (b) recruitment should not be based on or be affected by interpersonal differences, but should be mainly guided by candidates having the right profile qualifications, competences and skills that are required for the posts applied for; (c) use should be made of all available resources, including reference-checking, when verifying a candidate's employment history, especially if the potential candidate's relevant work experience is within the United Nations common system; and (d)

adherence to strict deadlines to notify candidates of the outcome of a recruitment process. This applies to those who have been long-listed as well as those short-listed.

What can the Ombudsman do?

Sometimes, the Ombudsmen can initiate a dialogue with the manager, country director or resident representative to clarify the circumstances that caused the complaint. However, experience has shown that parties are usually unwilling to change the outcome of the recruitment exercise.

In exploring options with staff members who do not succeed in retaining their positions during job fairs, the Office has been able to establish that persistent involvement from supervisors in the career of their staff is paramount for transparency. The Ombudsmen emphasize this factor in their presentations to staff and management while understanding that recruitment sometimes requires the active use of managerial discretion. Nevertheless, when incumbent staff members apply for their own positions, a proper debriefing between the supervisor and the staff member must occur regardless of the outcome of the recruitment. The Ombudsmen can help to facilitate this. The need to give realistic, constructive feedback has been referred to earlier in the present report.

In the ongoing fruitful exchange with representatives of human resources services at all levels, the Ombudsmen can bring to their notice any instances where there may be a lapse in applying the appropriate policy and seek their cooperation in redressing the situation. This is, of course, a shared responsibility and staff members should not hesitate to raise with their supervisors the need for realistic, objective feedback during the year and especially before any major reorganization of the work unit is foreseen.

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Looking Ahead

The Office of the Ombudsman for the United Nations Funds and Programmes will complete a decade of work in 2012. The guiding principle of the Office throughout this time has been and remains “working together to find solutions”. The major objective in 2011 for the Office is to build on the partnerships that it has already successfully developed. Of particular and practical importance will be the operational aspects of an integrated office that maintains full independence with the direct line of service to the Funds and Programmes.

Contractual modalities in the United Nations have recently changed in some fundamental ways and this is having an impact on the work force of the Funds and Programmes. Job insecurity is now a greater concern for staff than it has been in the past and the Office will continue to explore with staff and management how best to maintain and foster a harmonious workplace, including respect for all, in the face of harsh financial realities. The mission of the United Nations attracts those who are dedicated to serving the people of the world, working through the established international frameworks that empower it. The Ombudsmen have detected that the changes brought about by the contractual reform are adding to the onus placed on staff members to manage their careers in the organization in starkly different ways. It seems that the traditional aspects of career management in the Funds and Programmes – recruitment, placement, advancement, for example – are decreasing priorities for the human resources services in the organizations. There is an increasing tendency towards the privatization of career management. The Office will expand its advocacy role in highlighting the direct link between career management or the absence thereof and potential conflict and will continue to recommend a strengthening of professional career management capacity in the Funds and Programmes

The Office is planning to strengthen its ability to assess the efficiency of its work. As part of this effort, feedback forms for visitors will be introduced in 2011. Also, the Office plans to conduct an external and independent review of the Office in the course of 2011. Furthermore, the Office will engage in developing mechanisms within the Funds and Programmes that promote more pro-active measuring of conflict management.

Strengthening conflict management capacity in the field remains a high priority. In this context, the Office will re-examine the potential of the Respectful Workplace Advisers (RWA) programme, for which a number of joint pilot programmes were launched in the past with UNICEF. As a first resource for staff facing conflict in the country offices, the RWA programme has proven to be useful. Cooperation with the World Bank, where the programme was created, and WFP and UNHCR, who have both piloted the programme, will be strengthened. In addition, the Office plans to examine UNHCR experience to offer mediation training to selected staff.

The lines of communication between the formal and informal channels can be strengthened to the benefit of all stakeholders. Dialogue between the Office of the Ombudsman for the Funds and Programmes, the legal services of the organizations served, and the Office of Staff Legal Assistance of the United Nations Secretariat has indicated in a number of ways in which equitable resolutions can be found without recourse to formal avenues. In pursuing the exchange of information between the formal and the informal in 2011, the Ombudsmen will focus, with full respect for confidentiality, on

There is an increasing tendency towards the privatization of career management.

issues that can still be taken up before a case reaches the court and on the various ways in which each organization carries out management evaluations.

Conflict management is everybody's responsibility. By engaging staff and management at all levels, the Ombudsmen can best convey the essential message that while conflict is a normal part of human life and work, it is possible to manage it efficiently and in a way that can make the organization stronger.

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Recommendations

Leadership and conflict management

1. “Walking the talk”, i.e., making actions match words, is a critical step in building trust and confidence and engaging staff at large in supporting respectful communication in the workplace.
2. Managers with good people-management skills should be accorded more visibility and recognition and managers lacking those skills who are unable or unwilling to acquire them should not have a place in the organization.
3. Ombudsmen can assist organizations to develop frameworks to measure the efficiency of conflict management, providing for gap analysis (i.e., measuring actual performance against objectives) and identifying efficiency gains through proactive conflict management.

Harassment and abuse of authority

4. In certain cases of allegations of misconduct, it could be effective to explore informal conflict-management tools, such as mediation, prior to conducting a formal investigation.

Communication

5. The Ombudsmen believe that a strong requirement during recruitment for proven, effective communication skills in the workplace can help to avoid problems later.
6. Communication skills should be an even stronger focus of management and staff development. The support of the Executive Heads and senior management, especially in human resources, in ensuring that mandatory training is provided in these areas – not just for senior managers but for staff at all levels – would help to a great extent to strengthen the prevention and resolution of conflict in the workplace.

Change management

7. Whenever restructuring or relocation takes place, management should seek all available support and expertise from the human resources units in order to ensure the effective management of staff-related concerns and to pre-empt the escalation of issues.
8. It is important to emphasize – and demonstrate by action – at the highest levels of the organizations that programme needs and organizational vision define the staffing structure and that these elements guide all decisions regarding change management and their implementation. The support of dedicated, knowledgeable personnel is essential and to ensure their ready availability, the organization should have a roster of experts that can be called on when needed.

Career management

9. Conflict is often rooted in the absence of an active dialogue between the administration and staff on career perspectives. Investment in building professional career management capacity is thus a critical tool in pro-active workforce management and reducing the cost of conflict arising from issues relating to job and career.

Evaluative relationships

10. It is important to reiterate – and show by example – that the main purpose of performance evaluation and appraisal is to enhance staff performance by accentuating the positive contributions made and identifying ways in which to address soft spots and future potential.
11. The Executive Heads and senior management should also remind supervisors that they bear the responsibility of assisting staff members to

develop their careers and improve overall productivity. It is not a responsibility that can be rushed: staff members deserve the chance for improvement, the proper guidance in how to hone their skills and the time to do so.

12. The Executive Heads and senior management should hold supervisors accountable for managerial responsibilities by rating the performance evaluation of supervisees as a key indicator of management effectiveness. The evaluation of performance must be considered as an ongoing process with frequent, substantive discussion on performance between the supervisors and staff members, not only at the mid-term point but also throughout the reporting period.
13. With the ultimate aim of ensuring that all staff members of the United Nations system have equal access to rebuttal mechanisms, the Ombudsmen recommend that each organization served by the Office review its own policy and procedures in this area with a view to establishing uniformity. In addition, it is essential that management ensure that rebuttals are completed and the results reported to the staff members in a timely manner.
14. There is also a need to ensure that all committees reviewing evaluations do their utmost to maintain neutrality and that the members of these committees who may have existing conflicts with staff members be excused from the committees and panels.

Interagency mobility

15. It would help to encourage and validate a culture of staff mobility if the parent organizations streamlined and enhanced capacity for the strategic management of secondments and transfers of staff.
16. It is important to remember that parent organizations retain responsibility for their staff even when the staff member is on secondment. There is a duty to inform seconded staff of any changes in their previous positions, especially at the end of the staff member's contract or secondment. The parent organization should also ensure proper management of the benefits and entitlements of returning staff members.

17. Similarly, it is important for the organizations served by the Office of the Ombudsman for the Funds and Programmes to examine staff mobility policies, especially their effects on career progression and talent retention. Responsibility to make sufficient and timely preparations for the eventual return of the staff member should be shared between the organization and the seconded staff member.
18. It is important to build into the Resident Coordinator system effective support on which newly appointed Resident Representatives/Resident Coordinators can call. At the same time, global messages could be sent and information exchanges established that would sensitize all concerned to the need for more targeted support for new comers.
19. Resident Representatives/Resident Coordinators from outside UNDP should be encouraged to provide feedback on challenges faced and proposals to improve inclusion of that group in the Resident Representative/Resident Coordinator network.

Benefits and entitlements

20. The organizations should make every effort to alert staff members to the likelihood that same-sex surviving partners will not be able to claim their pension benefits if the Pension Fund is not able to recognize the partnership. Every effort must be made to provide the related information at the time of recruitment of the staff member. Equally such information should appear in all documents pertaining to the contributing staff member and his/her beneficiary.
21. The Ombudsmen for the Funds and Programmes recommend that all the organizations served look collectively at ways to establish consistency in dealing with the rights of same-sex partners in the areas of benefits and entitlements.

Recruitment

22. As pointed out in earlier reports, a systemized approach to reference-checking is required when processing a candidate's application.
23. A thorough review of job announcements should be conducted prior to publication in order to prevent confusion.

24. Recruitment should not be based on or and affected by interpersonal differences, but should be mainly guided by candidates having the right profile, qualifications, competences and skills that are required for the posts that he or she applied for.
25. Interview panellists should maintain strict confidentiality throughout the process
26. Use should be made of all available resources, including reference-checking, when verifying a candidate's employment history, especially if the potential candidate's relevant work experience is within the United Nations common system.
27. There should be adherence to strict deadlines notifying candidates of the outcome of a recruitment process.

Voices

“Many thanks again for all your assistance, you do not know how much it has helped my outlook to be aware of my options, different mechanisms at my disposal, and well, just to feel validated – it has done wonders for my disposition.”

“Many thanks for meeting me; it made me feel so much better, and aware on how I want to move forward. Thank you for pointing out all the avenues I have for making a decision and how your office could support me.”

“After I spoke to you I felt mentally and emotionally more at ease and equipped to look at what I can do to feel more positive.”

“I found your wisdom, your patient and rational approach, as well as the compassion with which you listened and asked your pointed questions, to be instructive, calming and constructive. I am – and shall always be – grateful to you for helping me find the space in the UN system where such humaneness and professionalism exist, and can afford a sense of mutual trust and dignity. I now know that I can look to the office of the Ombudsman, for protection from any further intimidation and/or aggression.”

“I am writing to thank you most sincerely for listening patiently to my concerns as regards the treatment meted out by my supervisor over a number of years.”

“I look forward to the safe haven, sanity and wisdom you/your office provides.”

“It was good meeting you yesterday. Thank you for taking time to listen to me and for providing very useful advice.”

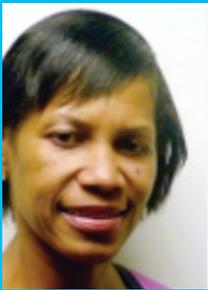
“I would like to thank you for your support. It was important for me to be able to talk to you and get your advice in the process.”

“I cannot thank you enough for speaking with me tonight; you certainly put me at ease and made me feel like the world is not falling down on me.”

“Thank you for taking the time to talk to me. Our conversation was very useful.”

Office of the Ombudsman

The Office of the Ombudsman is headed by the Ombudsmen Ms Mame Diagne and Mr. Helmut Buss assisted by Ms. Kentaro Kanyomozi, Case Manager, Ms. Nancy Ross, Administrative Associate, Ms. Sharon Gordon-Smith Administrative Assistant and on-call consultants: Mr. Kojo Gyasi, Mr. James Lee, Ms. Rosemary McCreery, Mr. Eskandar Rastegar, Ms. Judit Revesz and Ms. Linda Schieber.



Left – top to bottom: Sharon Gordon-Smith, Rosemary McCreery and Linda Schieber.

*Right – front row left to right: Eskandar Rastegar, Mame Diagne, Helmut Buss, Kentaro Kanyomozi.
Back row left to right: Judit Revesz, Kojo Gyasi, Nancy Ross and James Lee.*



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