



Office of the
Ombudsman
for United Nations Funds and Programmes

ANNUAL REPORT

2023

From Speaking Up to Speaking With Each Other



Working together
to find solutions



The Office observed that the messaging in the five organizations to “speak up” is often understood to mean “speak up against someone else” while it may be better understood as “speak with one another”.



I am honoured to present in this annual report the work of the Office of the Ombudsman for UNDP, UNFPA, UNICEF, UNOPS and UN-Women in 2023. I also wish to express profound gratitude to the trust placed by so many in the Office and its relevance to resolving conflict at the workplace informally. The report provides contextualized observations of systemic findings for consideration by the Executive Heads. What it does not provide is a full picture of the collaborative work, individual growth, and personal peace that have come to those who worked with the Office in exploring options or finding informal solutions.

How organizations interact with personnel and how colleagues interact with one another matters. It is always worth recognizing that every single person working for the five organizations is a unique individual, with a unique human experience at the workplace.

Patrick C. Voigt

Patrick Voigt, Ombudsman

CONTENTS

I. INTRODUCTION	2
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II. OVERVIEW OF THE WORK OF THE OFFICE	4
A. Services and principles	4
B. Overview of cases, 2023	5
C. Training and outreach activities	7
D. Mediation	7
E. Respectful Workplace Facilitators	9
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III. OBSERVATIONS AND RECOMMENDATIONS CONCERNING CONFLICT IN 2023	11
A. Navigating workplace well-being: bridging gaps in mental health and disability inclusion	11
B. Fear of retaliation and obstacles to speaking up	12
C. Relational and interpersonal conflict	14
D. Performance management	24
E. Separation and non-renewal of contract	18
F. Diversity and inclusion, and from speaking up to speaking with	19
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IV. LOOKING AHEAD	22
A. Technology and workplace conflict	22
B. Headquarters relocations	22
C. Collaboration within the Network of United Nations System Ombudsman and Mediators	23
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V. TESTIMONIALS	23

I. INTRODUCTION

In 2023, transitions, concurrent crises, funding pressures, hybrid work, political instability, mental-health issues, and burnout concerns impacted the workplace of UNDP, UNFPA, UNICEF, UNOPS and UN-Women (the organizations). Organizations and personnel faced heightened volatility, uncertainty, complexity, and ambiguity. The Office of the Ombudsman for UNDP, UNFPA, UNICEF, UNOPS and UN-Women (the Office) in turn expanded its outreach and field missions as well as mediation efforts. The Office noted a shift towards more people-centred human-resources management efforts across organizations, for both staff and the affiliated workforce, which recognized that complex work environments directly affect people and their lives, who in turn delivered with resilience in challenging times.

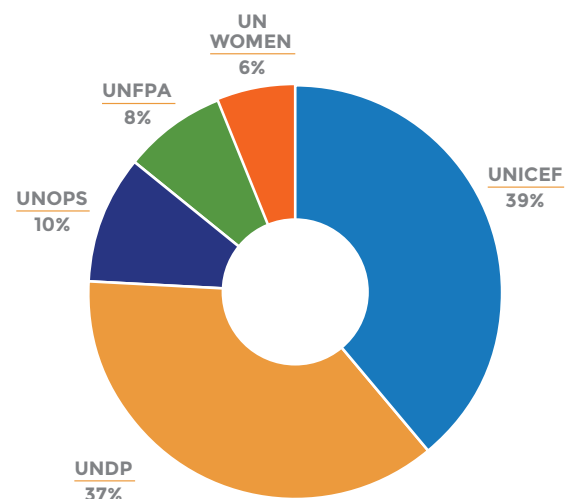
During the year, two key posts within the Office were filled, namely the regional Ombudsman Specialist post for the region of Africa and that of Ombudsman in November 2023. This provides an opportunity to refocus on the future vision of the Office and renewed collaboration with all organizations' leaders, human-resources colleagues, staff associations, legal advisory teams, and personnel.

To raise awareness and build capacity within the workforce to resolve conflict, the Ombudsman visited 10 country offices across all regions during 2023. During these in-person visits, the Office team meets with the management team and staff representatives of all organizations and conducts townhall as well as individual sessions with personnel.

The Office continues to face resource challenges and operational gaps in major areas, including:

- a. **staffing shortage:** arising from the departure of two colleagues handling learning and mediation, coupled with increased workload and lack of any operations capacity in the Office structure despite its mandate to operate fully independently;
- b. **mandate expectation and resource pressure:** the Office supports five independent organizations, serving 58,000 personnel, the largest workforce covered by any Ombudsman Office in the United Nations system (see figure 1). Yet it has very limited resources available for prevention or reactive work including outreach and training;
- c. **language gap:** the lack of adequate representation in Latin America leads to reduced cases from the region.

FIGURE 1. Breakdown of the personnel served by the Office, by organization



The Office was audited in 2023 and accepted several [recommendations](#) that will guide part of its work for 2024.

In 2024, the Office is looking at

- a. Reviewing the Office structure to ensure fit-for-purpose staffing, in light of the increased

demand for informal conflict resolution in accordance with the administration of justice at the United Nations and related General Assembly resolutions, growing workforces across the organizations, and increased caseload. This will include benchmarking as the Office covers the largest workforce among United Nations organizations with comparatively fewer resources;

- b.** Reviewing the cost-sharing mechanism to ensure that funds are paid on time, with the ability to use vacant post-savings without delay, and establishing a longer budget horizon;
- c.** Coming to an agreement with Executive Heads on the meaning of full operational independence of the Office in line with the terms of reference issued by the Secretary-General (STG/SGB/2016/7) and the Standards of Practice applicable to the Integrated Office of the United Nations Ombudsman, of which this Office is a part.

In 2023, the caseload surpassed 500 registered ombudsman and mediation cases with an overall increase of 23 per cent compared to 2022. While this places significant strain on the Office, it is a welcome, positive development. Any visitor seeking to explore informal conflict resolution is encouraged to engage with the Office in the interest of all stakeholders. The Office has observed that some management teams perceive such engagement as detrimental to their reputation or standing as leaders within their organizations. However, this perception is a fallacy: the experience of the Office throughout 2023 reaffirmed that early, proactive engagement leads to better outcomes and positive transformation of relationships. The Office actively encourages not only aggrieved personnel but also line managers to reach out, for instance, to prepare for conversations with conflict potential and to prevent escalation.

In 2023, the Office invested in new skills for its staff,

specifically restorative mediation processes. This service allows offices or teams to restore trust and address the impact of often invasive or stressful investigative procedures after their completion. Regardless of the outcome of an investigation, there is often a need for reconciliation and collective processing of individual experiences. While this service is already expressly foreseen in some organizations' policies on disciplinary process and measures, it is not universally implemented. Sharing best practices in this area among the five organizations may be beneficial in resolving discrepancies in related human-resources policies.

The Office observed that leadership changes (at any level) within the five organizations significantly impact team dynamics, office culture, and personnel engagement. The tone at the top offers the chance to shape positivity, civility, collaboration, and team accountability. While day-to-day experiences hinge primarily on individual relationships with direct line managers and colleagues, organizational leaders uniquely influence the overall experience for everyone under their authority. The Office observed overall that the respective workplace culture and support extended to personnel vary notably among the five organizations.

In the relevant sections of the present report, the Office provides recommendations and practical pointers for consideration by the organizations in the following areas:

- Mediation;
- Well-being and conflict: mental health and personnel with disabilities;
- Fear of reprisals;
- Interpersonal conflicts and delayed interventions;
- Performance management and performance improvement plans;
- Non-renewal of fixed-term appointments and notice;
- Diversity and inclusion, and from “speaking up” to “speaking with”.

II. OVERVIEW OF THE WORK OF THE OFFICE

A. Services and principles

The Office is part of the administration of justice at the United Nations and mandated by the General Assembly and the Secretary-General to provide informal conflict-resolution resources and services. This includes a range of ombudsman and mediation services for visitors as well as organizations. Contact can be established by anyone with a contractual relationship with UNDP, UNFPA, UNICEF, UNOPS, or UN-Women. Informal conflict-resolution staff of the Office are also authorized to address on their own initiative any workplace issue of concern based on observations.

The Office is governed by four key principles and participation in informal-resolution efforts is voluntary.



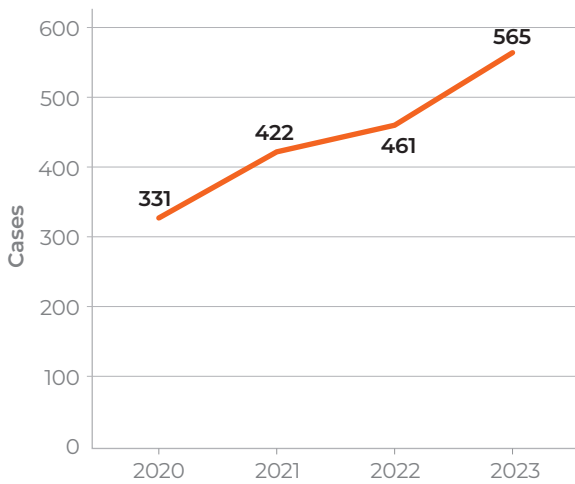
Services

Figure 2 shows the different approaches that the Office uses for resolving conflict at the workplace. Further details, including learning videos, can be found at www.fpombudsman.org.

FIGURE 2. Approaches used in conflict resolution



FIGURE 3. Case load, 2020-2023



B. Overview of cases, 2023

In 2023, the Office of the Ombudsman received 565 cases. This rising trend represents a 23 per cent increase from 2022 (figures 3 and 4). Increased case load for the Office is always a positive, welcome development – it indicates greater use of informal-conflict resolution. Each case often involves multiple parties.

A total of 84 per cent of cases were addressed through ombudsman services and 16 per cent through mediation. A breakdown of mediation cases is described in section I. D.

Figure 5 shows that of the total cases, 248 cases were from UNDP, 162 from UNICEF, 65 from

FIGURE 4. Percentage increase of cases by organization, 2022-2023

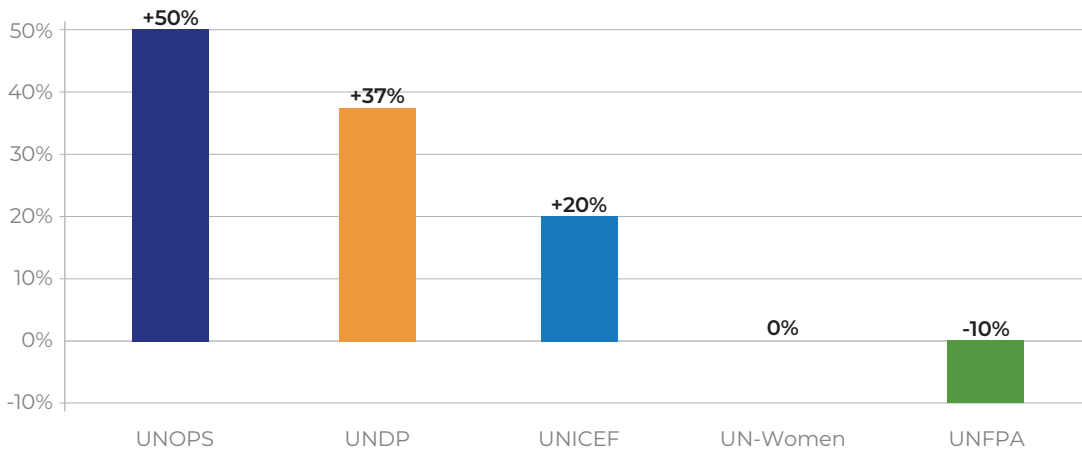


FIGURE 5. Cases received from 1 January to 31 December 2023, by organization

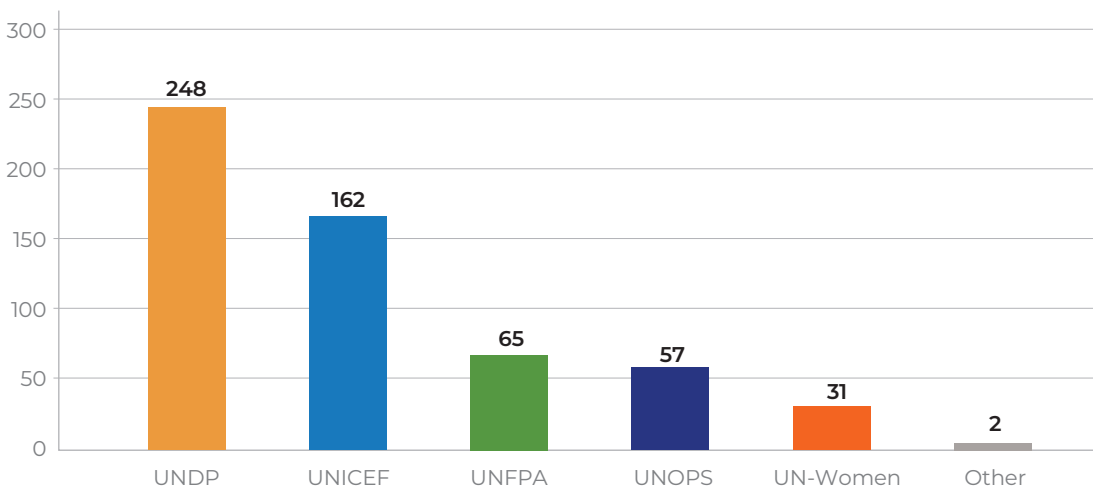
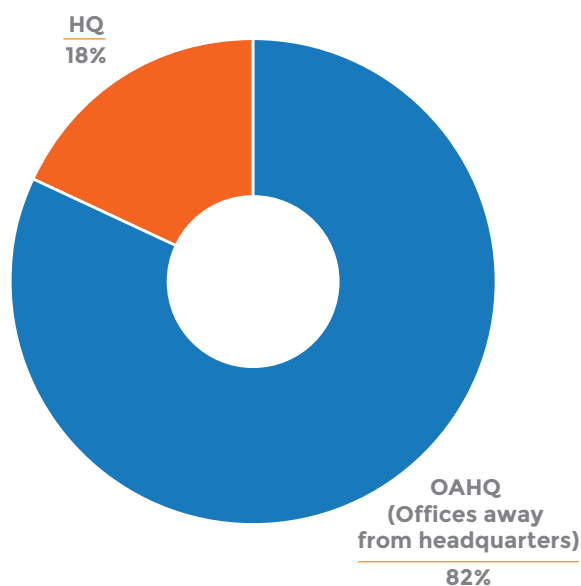


FIGURE 6. Percentage of cases at offices away from headquarters and at headquarters (New York and Copenhagen)



UNFPA, 57 from UNOPS, 31 from UN-Women and 2 from other organizations. Figure 6 shows that 82 per cent of the cases were from country, regional and outposted offices (“offices away from headquarters”), and 18 per cent were from headquarters (i.e., New York and Copenhagen for the purposes of this report). Figure 7 shows that most visitors consulted the Office for guidance, conflict coaching or to explore options on how best address their concern.

Cases originated predominantly from country offices. The Office has had a regional presence in Bangkok, Dakar and Istanbul since 2020. This has strengthened accessibility to all personnel and allowed for greater understanding of the specific needs within the region. Neither South and Central America nor Europe have a dedicated regional ombudsman specialist at present.

The average number of issues brought forward in one case is two. These issues are often interconnected. Figure 8 shows the percentage of issues raised during the reporting period. The three main issues reported to the Ombudsman were (a) the evaluative relationship category (the supervisor/supervisee relationship) – 26 per cent of cases; (b) job- and career-related issues – 19 per cent; and (c) peer and colleague relationships – 14 per cent. Cases in the peer and colleague relationship category have been increasing for the last three years with respect/treatment and interpersonal difference being the main root cause of conflict reported to the Office in this category. “No response” refers to cases that were closed for lack of further communication by a visitor after the most recent ombudsman intervention.

FIGURE 7. Breakdown of ombudsman services provided in 2023

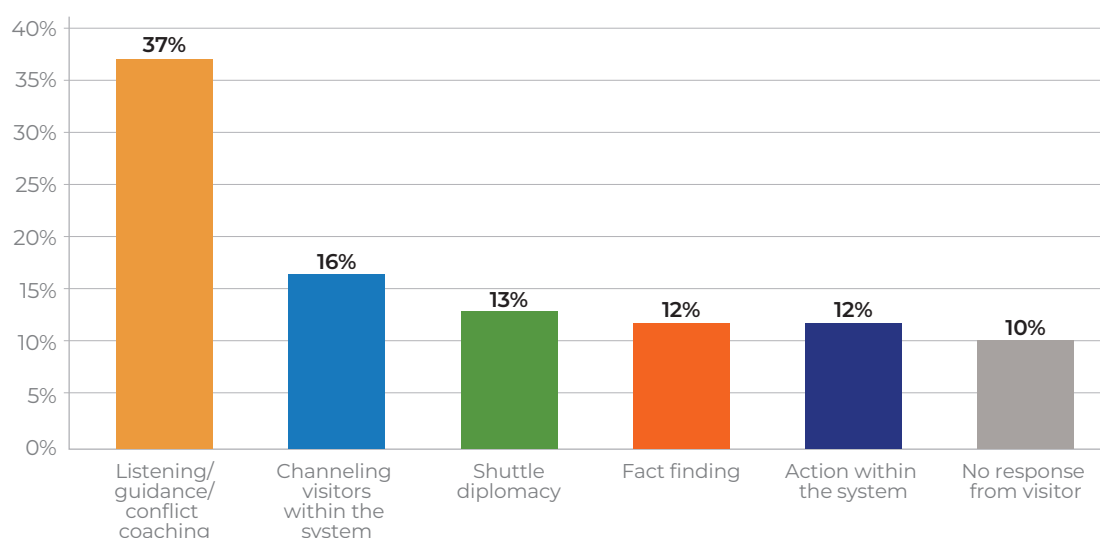
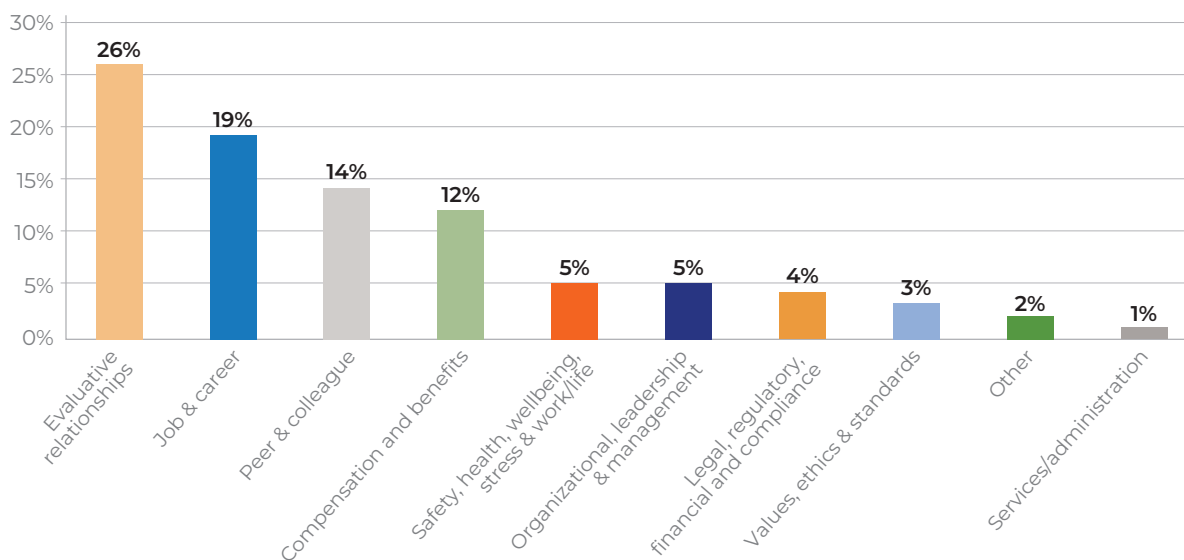


FIGURE 8. Issues addressed from 1 January to 31 December 2023, by percentage



C. Training and outreach activities

The Office conducted 188 learning sessions (in-person and webinars) reaching over 7,000 personnel. They included the flagship initiatives Getting to Know Your Ombudsman, Civility and Respect, Intercultural Interactions, Conflict Management, Psychological Safety in Teams, and Effective Communications. Some sessions included personnel from all five organizations served by the Office, allowing for greater opportunities to share knowledge and discuss issues of common interest across teams and organizations. The Office observed that representatives of management sometimes hesitate to participate in these sessions or in townhall presentations. The Office encourages such participation as it helps inclusive collaboration and ensures that managers themselves acquire conflict-management skills.

Additionally, the Office participated on panels of the five organizations served to discuss various workplace and well-being themes and welcomes such opportunities.

As noted above, more outreach resources are needed to ensure that offices and personnel

understand how the Office operates and helps to find solutions without stigma. This is especially challenging considering that members of the 58,000 strong workforce hold some 12 different staff and non-staff types of contract, each governed by unique conditions of service. It is by far the most complex demographic covered by a single Office of the Ombudsman in the United Nations system. The Office will further increase its repertoire of online trainings and webinars and tailor interventions to specific needs, as demonstrated, for instance, in its learning collaboration with the United Nations Volunteers.

D. Mediation

Once again, there was an increase in the number of mediation cases since the launch of the mediation programme in 2020. The Office received 191 mediation requests (compared to 168 in 2022). Of these, 90 were appropriate for mediation. The Office concluded 97 mediation cases received in 2022-2023, which represents an 18 per cent increase compared to the 82 cases concluded in 2022. Figure 9 presents a breakdown of mediations by organization while figure 10 shows mediation outcomes and

FIGURE 9. Breakdown of concluded mediations, by organization

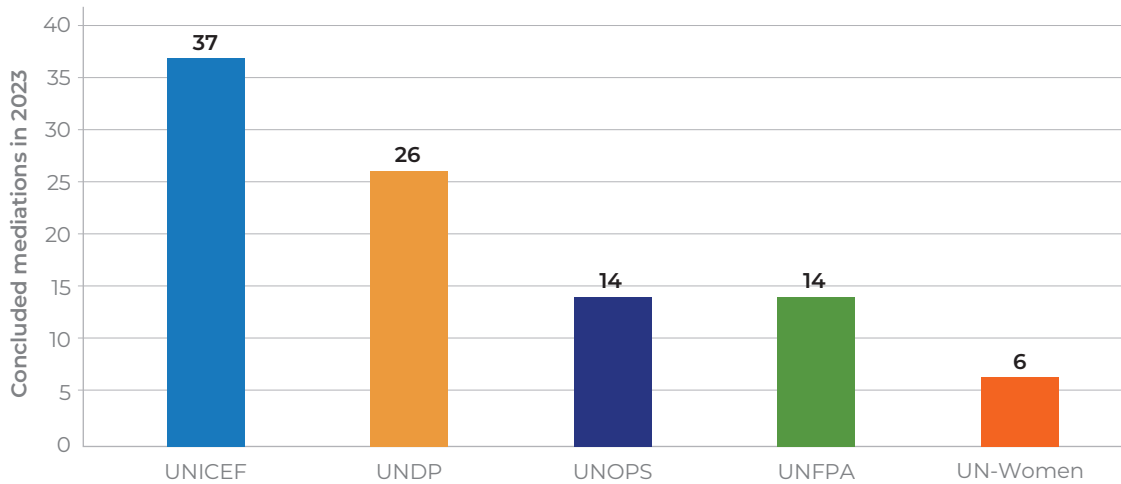


figure 11 gives the time required to conclude a mediation. On average, a mediation session lasts two to four hours.

Post-mediation surveys show a high level of satisfaction with a 4.8/5 rating on effectiveness and overall satisfaction. All respondents confirmed that irrespective of the actual outcome, they would recommend mediation to a colleague.

The Office conducted its well-received Conversation with the Mediator programme for headquarters teams and 32 country offices

in 2023. Figure 12 shows participation by organization in this programme, in which 1,532 colleagues took part to learn about mediation and how it resolves workplace conflicts.

The Office appreciates the active support of UNICEF for the mediation programme. The development of a joint, comprehensive strategy among the five organizations and the Office would help to expand the mediation programme and could include a mandatory opt-out approach. This would require personnel in conflict to have a conversation with the Mediation Unit to make an informed decision

FIGURE 10. Mediation outcomes

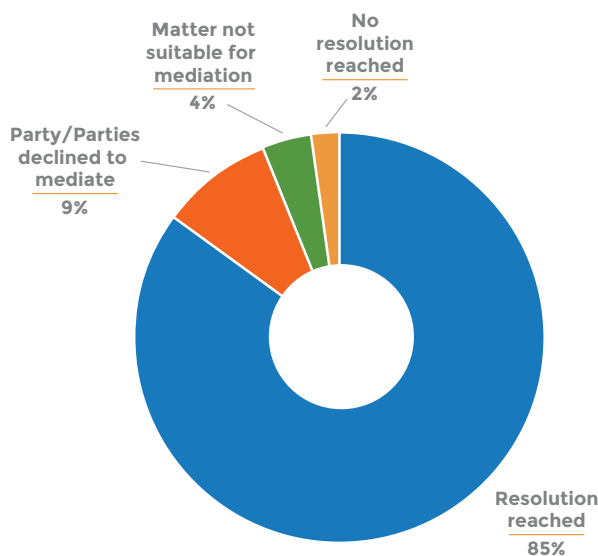


FIGURE 11. Time required to conclude mediation

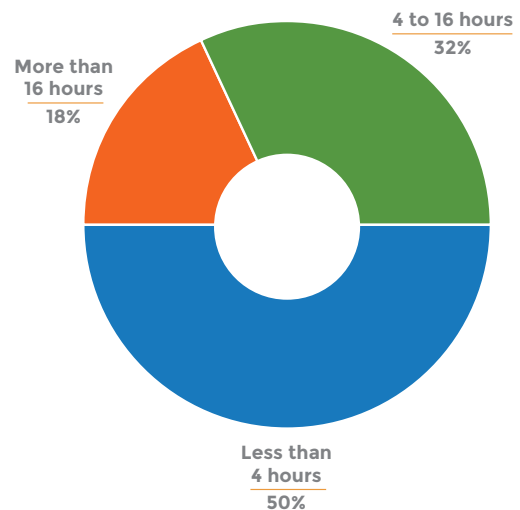
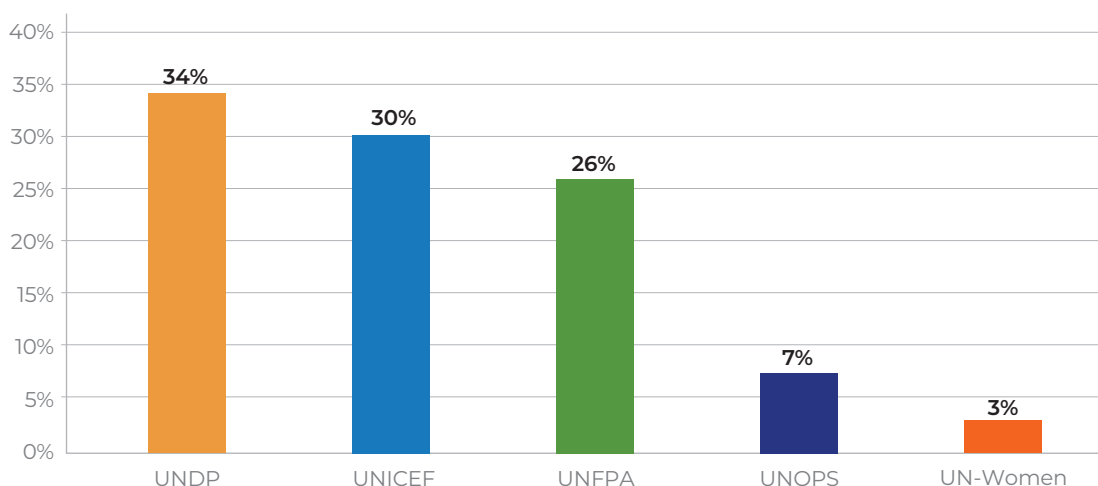


FIGURE 12. In Conversation with the Mediator programme: participation by organization



on whether to take part in a mediation. It would apply to: (a) legal disputes involving the five organizations; (b) supervisee-supervisor performance cases leading to internal rebuttal processes; (c) matters referred by the investigation office of the organization; and (d) pre-arbitration matters involving non-staff personnel. This would be consistent with the “informal first” strategy proposed by the General Assembly in paragraph 18 of its resolution 77/654. The crucial value of informal resolution to avoid unnecessary litigation is reiterated in General Assembly resolution 78/248.

Recommendation

The five organizations may wish to consider the development of a joint, comprehensive strategy for mediation services among the five organizations, and inform the Office of its views on a possible opt-out approach.

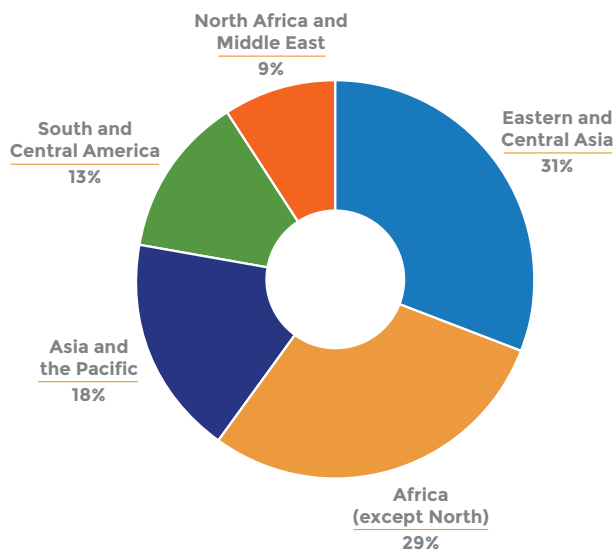
E. Respectful Workplace Facilitators

Respectful Workplace Facilitators (RWFs) are peers selected to serve as a confidential resource for staff who may be experiencing conflict in the workplace. The RWF programme managed by the Office ensures that locally trained staff provide informal, confidential,

and neutral resources and receive guidance on how to address conflict in the workplace. The programme was introduced in UNDP and UNFPA as a pilot in 2019 and in UN-Women in 2020. There are currently 120 active RWFs in 78 country offices of a total of 166 RWF positions. During the reporting period, the programme witnessed significant growth with 32 new participating country offices.

Of the 45 logged RWF cases, 64 per cent were from UNDP, 28 per cent from UNFPA and 8 per cent from UN-Women. The regional breakdown in figure 13 shows that 31 per cent of cases were from Eastern Europe and Central Asia, 29 per cent from Africa, 18 per cent from Asia and the Pacific, 13 per cent from South and Central America, and 9 per cent from North Africa and the Middle East. The average time that an RWF spent with a colleague was 50 minutes, and 80 per cent of the sessions were first-time sessions with a visitor while 20 per cent were follow-up sessions. Concerns predominantly involved seeking support in addressing interpersonal conflicts, performance management, feedback, and organizational culture. Additionally, safety and well-being issues relating to workplace stress, work-life balance, and inconsistent access to flexible working arrangements were raised. One case involved sexual harassment. Outcomes achieved are shown in figure 14.

FIGURE 13. RWF cases by region



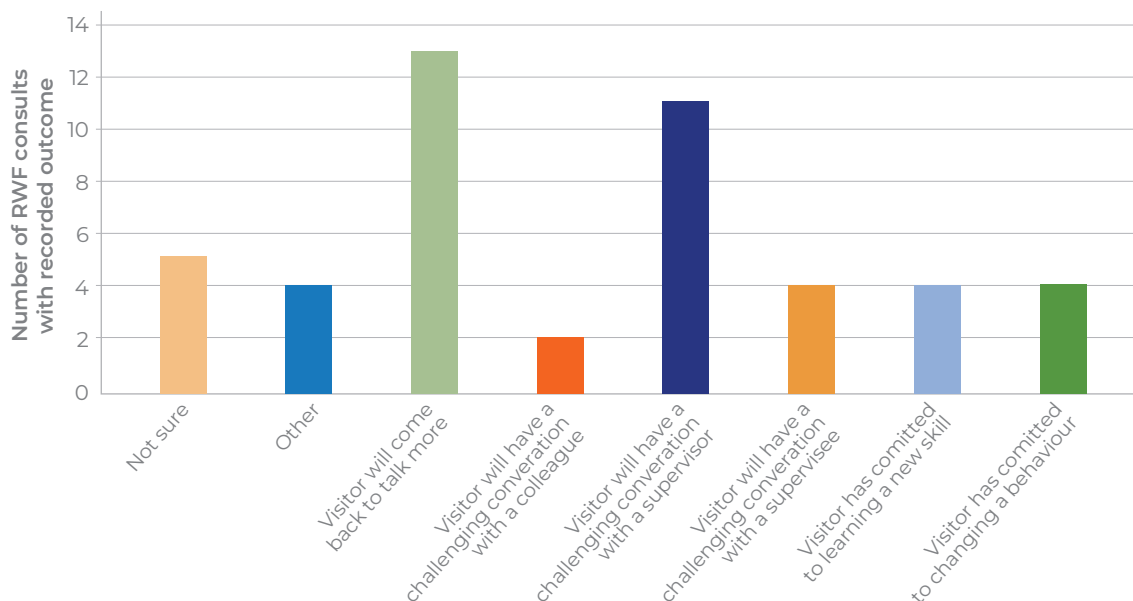
RWFs have also reported an increase in workloads as a result of their responsibilities from other volunteer functions that they have shouldered as well respected team members, such as focal points for gender, Quantum, and prevention of sexual exploitation and abuse.

It takes some six months to nominate an RWF in a country office and a year to train and ensure that the candidate is equipped to fulfil responsibilities in a complex, multicultural

environment. Investment in this role by the organization requires management's continued support and engagement. Further, the principles of confidentiality, impartiality, informality, and independence under which all RWFs operate are to be respected and adhered to by all staff and management. Although it is understandable for managers to engage RWFs to keep abreast of the workplace climate, RWFs cannot disclose the identity of staff who come to see them. This is sometimes wrongly perceived as a challenge to management authority. RWFs have in such cases sought the support of the Office.

In order to have a global presence of RWFs in eligible country offices, additional resources by all participating organizations are required. The Office will further engage with participating organizations in this respect.

FIGURE 14. Outcomes achieved after an RWF session



III. OBSERVATIONS AND RECOMMENDATIONS CONCERNING CONFLICT IN 2023

A. Navigating workplace well-being: bridging gaps in mental health and disability inclusion

Mental health

In 2023, the United Nations published the System-wide Mental Health and Well-being Strategy for 2024 and beyond. Informal conflict resolution, particularly mediation, needs commitment and capacity from all parties involved to achieve an amicable resolution. The mental well-being of participants is of paramount importance: mental-health challenges can hinder one's ability to fully engage, potentially compromising the conflict-resolution process. These challenges may cloud judgment and influence decision-making. The first step is to recognize situations where mental health may play a role. The Office observed instances of hesitancy in addressing such matters in 2023 owing to the fear of navigating difficult conversations. Mental health remains an uncomfortable, highly personal topic. This avoidance can hinder conflict-resolution efforts from the outset. Visitors said that they felt unseen or were treated as replaceable components in the workforce.

Leaders and human-resources personnel already play an important role in fostering open dialogue. Their further active engagement could also include the skills and resources that enable those involved in challenging situations relating to potential mental health issues at


work to navigate them with confidence, thus attaining mental health literacy. Specialized medical and psychosocial support services can complement this engagement, especially when mental health is an issue in conflicts involving post-abolishment or performance.

Uncertainty on how to proceed and hesitancy hinder efficient resolution efforts. The more robust and flexible the support mechanisms and the greater clarity on how to access them for all personnel, the smoother the resolution process. In the context of mediation, which may result in settlement agreements, the Office observed an increasing practice by some organizations to request written confirmation that someone engaging in informal conflict resolution is medically fit to do so. Such requests should be made in a sensitive manner, however.

Among the pervasive mental health concerns brought to the Office is workplace stress: personnel reported feeling overwhelmed to the point of requiring time off work. Contributory

“The first step is to recognize situations where mental health may play a role. The Office observed instances of hesitancy (...) owing to the fear of navigating difficult conversations. Mental health remains an uncomfortable, highly personal topic. This avoidance can hinder conflict-resolution efforts from the outset.”

causes ranged from heavy workloads to interpersonal conflicts and workplaces described as non-harmonious, even toxic. Many reported being afraid to ask for help. In these situations, the Office was able to offer proactive measures, including dialogue, information sessions about causes, resilience and support, and individual meetings to address these stressors and prepare colleagues for related changes. Also of importance in 2023 were the roles of staff counsellors in offering expert support, and



managers in playing a key role in the process of having open conversations, understanding and managing triggers and workloads, recognizing behavioural patterns, and applying empathy as well as mature conflict-management skills. The Office was available to guide managers through this process confidentially, facilitating open dialogues for a healthier, more resilient workforce. Managers are encouraged to reach out to staff counsellors to explore support in handling challenging situations with team members.

Disability

Experience by the Office throughout 2023 re-emphasized that inclusivity extends to the unique needs of colleagues with disabilities. In the realm of conflict resolution, addressing disability-related challenges becomes pivotal for cultivating a truly inclusive workplace.

One of the observations concerns the lack of clarity on how organizations support colleagues with disabilities who require a personal assistant. For example, colleagues with disabilities often need physical assistance in their daily lives, be it when reassigned away from home, during mission travel, or at the office. Colleagues with disabilities also encounter challenges relating to accommodation: their dwelling must meet adequate accessibility features, often at higher rent costs. The scarcity of buildings with adequate accessibility features, even in headquarters duty stations, amplifies the financial implications. The standard rental subsidy that eventually expires at headquarters locations is seen as insufficient to support the permanent rental costs of colleagues with disabilities. In addition, accommodating work-from-home arrangements may require adjusting the homes of colleagues with disabilities to fit work requirements.

While organizations have generic commitments to or guidelines on inclusion and reasonable

accommodation in place, the Office has found that there is an ad hoc approach even for recurrent issues and thus opportunities for more granular policies or strategies to allow a sustainable, predictable approach, with clarity for potential applicants and current personnel.

A truly inclusive workplace that meets expectations in this context will require financial resources to provide support and reasonable accommodation. Several national legal systems can serve as examples of best practices.

Recommendations

The five organizations may wish to:

- a. equip supervisors and human resources professionals with the skills to handle mental health-related issues adeptly throughout all stages of conflict resolution and establish dedicated focal points within the organization to work directly and discreetly with colleagues with mental health concerns, especially in the context of conflict resolution;**
- b. develop and implement policies supporting colleagues with disabilities who require a personal assistant and reasonable accommodation;**
- c. recognize the unique challenges colleagues with disabilities face and ensure proactive measures for their full inclusion in all aspects of the workplace.**

B. Fear of retaliation and obstacles to speaking up

In the United Nations employment context, retaliation refers to any direct or indirect detrimental action taken to punish, intimidate, or injure anyone who has engaged in a protected activity. Protected activity generally

“(L)eaders who encourage personnel to raise concerns early and support engagement with the Office of the Ombudsman see more evidence of psychological safety and a harmonious workplace.”

refers to (a) reporting misconduct or wrongdoing or (b) cooperating with an audit or investigation. In this Report the term “retaliation” is used in a wider, more colloquial sense.


In 2023, the Office received numerous cases that visitors believed to be or labelled as retaliation, manifesting itself as bullying, harassment, exclusion, humiliation in public, targeted post-abolishment, termination, poor performance evaluation, taking away key tasks or supervisory roles, and making dismissive comments to a supervisee or peer. Gossiping in some offices exacerbated the belief that retaliatory threats could be carried out.

The five organizations have recognized the importance of psychologically safe workplaces, including by creating initiatives over the last several years that promote speaking up. Some have more recently, including in 2023, established designated organizational grievance, employee support or alternative dispute-resolution functions, that contribute positively to the overall workplace experience. Successful initiatives at team or office level include informal meetings with the head of office or team leader, or facilitated difficult conversations, for example on topics such as racism or the emotional impact of global crises on colleagues (some of which the Office facilitated in 2023). Overall, however, fear of retaliation when raising concerns, grievances or even substantive disagreement remained a persistent concern brought to the Office in 2023. This included perception or threats of potential retaliation simply for making contact with the Office, accompanied by significant anxiety over whether a line manager or senior

leadership might find out. The Office is aware of instances during the reporting period where leadership even at the regional director level advised heads of country offices to discourage their workforce from contacting the Office. This effort to prevent colleagues from contacting the Office appeared to be based on the faulty assumption that liaising with the Office could be seen as a negative indicator of effective people management: some managers think that they will look bad if team members contact the Ombudsman. In reality, however, it is often leaders who encourage personnel to raise concerns early and support engagement with the Office who see more evidence of psychological safety and a harmonious workplace. Discouraging it, on the other hand, indicates a workplace where speaking up is not welcome.

The primary concern of retaliation raised in 2023 was the real or perceived threat to job security. This was aggravated among affiliated (“non-staff”) personnel, who enjoy lesser or no contractual protection or recourse compared to staff members. Similarly, staff members with fixed-term contracts whose appointment is nearing an anticipated expiration date have greater anxiety over raising grievances. The longer the contract renewal period, the more likely personnel feel safe to raise concerns proactively, allowing early intervention and solution. The more that authority to determine contract renewals rests with one individual (a line manager or head of office), the greater the potential for real or perceived risk of retaliation when concerns are raised.

The Office further identified an emerging issue when authority is prevalent within a group of managers or leaders in the same office or team and who are seen as particularly close colleagues or friends. This included patterns where a senior manager or leader moves to a new assignment and subsequently hires former colleagues with whom they used to work closely to other positions of authority in the same office.



Successfully working together in prior roles might benefit efficiency and trust among those colleagues. However, it severely discourages personnel within the hierarchical structures from speaking up and sharing concerns about any of the members of such authority clusters. The assumption by the supervisees is that the second-level supervisor or office management will always side with the close former colleague or friend rather than assess the concern or grievance objectively. In some of the cases observed by the Office in 2023, managers expressly mentioned to their supervisees how long and closely they had worked with the second-level supervisor, which was understood by the supervisees as a subtle threat if not active discouragement from raising concerns.

Finally, the Office observed a pattern where supervisors made dismissive, hurtful comments to supervisees, sometimes in ill-advised attempts to express humour, after a concern was raised to them, including through the Office. Such comments in all cases led to the supervisee regretting having spoken up.

Human resources might consider monitoring the office culture and engagement closely and ensuring that open channels are available to raise concerns and personnel made aware of them. Organizations may also wish to advocate in their recruitment strategies the need for varied work experience, including former reporting lines.

Recommendations

The five organizations may wish to:

- a. clarify in relevant policies that contacting the Office of the Ombudsman shall not be subject to any reprisal;**
- b. encourage personnel to make use of the Office's services as the informal pillar of the administration of justice system;**

- c. ensure that when senior leaders move to new roles, they are mindful of the potential impact to psychological safety when recruiting former close colleagues to the same team even if United Nations competitive hiring practices are followed.**

C. Relational and interpersonal conflict

The Office has discussed the impact of interpersonal workplace conflict in past annual reports. Unresolved conflicts can severely undermine workplace harmony and productivity. They can also take a personal toll on the mental and physical health of the individuals involved.

In this reporting period, the Office assisted visitors to resolve various conflicts concerning interpersonal differences. Many of the cases arose from poor communication attributed to such factors as the mode of communications, unclear instructions, withholding information, disrespectful communication styles or failure to respond at all. The cases included relational issues between supervisors and members of their teams as well as between team members. Often, the conflicts lingered, unaddressed by line and second-level management, and therefore deteriorated.

The Office recognizes that resolving workplace conflicts at their source is most effective. Supervisors and managers should take a leading role in empowering their staff by building strong workplace relationships, addressing concerns as they develop, listening and coaching staff to find ways to resolve interpersonal conflicts before they escalate while showing fairness and respect to all. Conflicts are often overlooked or ignored under the mistaken belief that they will resolve themselves.

Involving the Office at an early stage in relational conflicts can avoid escalation

and the attendant impact on other team members. The Office can facilitate discreet discussions between parties in conflict, either directly or through individual meetings with each party without the other party present. Throughout 2023, the Office also provided confidential conflict coaching to help visitors to manage and resolve relational conflicts amicably themselves without others involved in the dispute knowing that the Office has played a role. Coaching may also be helpful to supervisors and managers who are interested in improving their skills in conflict management and resolution.

Teams facing operational difficulties or changes, including restructuring, may benefit from facilitated group dialogues. Conflicts can also be avoided or managed better by taking advantage of the Office's targeted trainings on such topics as having difficult conversations, managing emotions, managing conflict, and improving psychological safety in the workplace.

Recommendations

The five organizations may wish to:

- a. encourage managers to address interpersonal conflicts within their teams proactively in a timely manner;**
- b. promote the potential benefits of contacting the Office early in the evolution of interpersonal conflicts rather than as a last step before formal dispute resolution;**
- c. bear learning, development, and facilitations in mind as tools to avoid and manage conflict.**

D. Performance management

The organizations have strengthened efforts to streamline the performance-evaluation process and make it more meaningful for the supervisee and the supervisor. These include learning opportunities on giving and receiving meaningful feedback, performance-improvement plans, clarity on the scope of rebuttals and the adoption in some organizations of a no-rating approach that allows focus of discussion on performance merit rather than ratings.

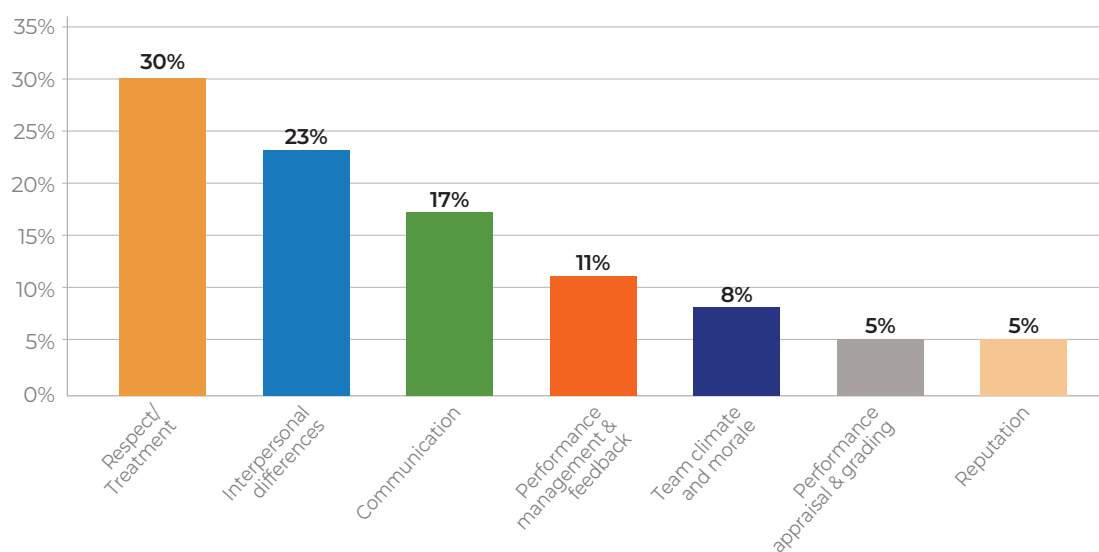
“More time and resources may be spent on initiating the PIP process and addressing the perceptions of threat and consequent reactions by the underperformer than on actual development support.”

During 2023, the Office continued to deal with disputes involving the Evaluative Relationship (i.e., supervisor/supervisee) category. Figure 15 shows that 30 per cent of the cases in this category were linked with respect and treatment at the workplace.

Some cases included supervisors who gave ratings of satisfactory or above but included comments in the evaluation narrative that caused concern for the supervisees, who saw them as undermining the rating or belittling – i.e., lacking respect for – the supervisees or simply as inaccurate or out of context. The Office observed some comments in appraisals (by both supervisors or supervisees) that were objectively irrelevant in describing performance or conduct but were not removed upon request. None of the organizations have standards in place for permissible language in appraisals.

Supervisors and staff are expected to consult at each stage of the performance-evaluation process. The more frequent or transparent

FIGURE 15. Breakdown of issues in the Evaluative Relationship (supervisor/supervisee) category, by percentage



the consultation, the higher the chances that disputes over performance quality will be amicably resolved. The Office has noted that concerns relating to performance management typically stem from either supervisors hesitating to embrace open dialogue as a viable first step to addressing an issue or supervisees feeling apprehensive about engaging with their supervisors because of potential negative repercussions. In both cases, effective communication – a key to resolving most conflicts – is not taking place and in 2023 this held true. The interpersonal relationship between the supervisor and supervisee deteriorates, rendering the performance-evaluation process meaningless and vulnerable to misuse.

A critical concern by supervisees expressed once again in the reporting period is that performance evaluations are widely used in job applications. A negative comment or rating is seen to have a potential impact for some time on opportunities for other jobs, including the ability to leave hostile environments. Conversely, the Office received complaints from supervisees who, despite having a challenging relationship with their supervisor, had received positive ratings and innocuous comments in their evaluations. When their supervisor was

approached for a reference by a hiring manager, however, these supervisees suspected that because of the challenging relationship, their supervisor cast their achievements in a negative light resulting in their not being considered for the position. Reference checks are intrinsically linked to job performance and conduct and are valuable sources of information for any employer. Owing to its confidential nature, however, the process is not transparent.

The Office received feedback from some supervisors involved in resolving performance disputes who stated that they found the performance-management process, including dispute resolution, convoluted and time-consuming. They spoke of its adversarial nature, which often yielded negative outcomes. At the same time, the Office observed supervisees having difficulty receiving constructive feedback about their performance – a natural psychological defence mechanism when feeling the threat of losing a fundamental need (a job equals security and safety). This resistance to constructive feedback is amplified by the bias of hostility when relationships are already tense. These defensive responses by supervisees in turn cause some supervisors not to engage in two-way communications as their own psychological defences are activated

(an allegation of harassment in the context of performance management can in turn lead to a threat to job security and safety). This can lead to an abdication of their managerial responsibility.

All five organizations have introduced performance improvement plans (PIPs) as a tool designed to facilitate growth and improvement and to help to identify actions and support measures that lead to a more positive outcome. The PIPs have allowed for a more focused, timely intervention when there are skills or behavioural shortcomings, without overburdening the performance-evaluation process.

The Office received complaints in 2023 that supervisors were perceived as using the PIP as a means of terminating contracts, with associated processes creating stigma, isolation, and the threat of losing livelihoods. Other feedback included the views that the PIP goals were vague and not sufficiently supported to allow success. Managerial concerns shared with the Office included perceptions that underperforming staff are in denial of their level of underperformance and are not engaging productively in conversations to improve. Some PIPs appeared linked to interpersonal conflicts between the supervisee and the supervisor – the Office has observed that when an interpersonal conflict goes unmitigated, performance-related issues may arise. Rather than address the root causes, namely interpersonal conflicts, the symptoms (performance gaps) are focused on, and a PIP is initiated at a time where communication is already hampered and other interventions may be more suitable.


The Office also observed that some PIP processes (meant as a development intervention between supervisor and supervisee) involve an entire PIP support team that may increase in size while the conflict remains inadequately addressed and often includes heads of offices, operations or human resources staff (sometimes at local,

regional and headquarters levels), subject-matter experts at local and regional levels, staff counsellors, ombudsman specialists, and in some cases other oversight offices. Some escalated PIP cases involve up to a dozen separate individuals to improve the performance of one person or deal with the surrounding tensions. More time and resources may be spent on initiating the PIP process and addressing the perceptions of threat and consequent reactions by the underperformer than on actual development support. Related, some staff reported that the practice of having their PIP progress monitored by a group of supervisors and human resources feels threatening and likened it to being mobbed.

These observations are not unique to 2023: in its 2021 annual report, the Office addressed the perception that PIPs were being utilized by managers as punitive measures. Although PIPs are implemented for only a very small number of personnel, this perception persisted in 2023 and also impacted speaking-up initiatives. Implemented correctly, with clear goals and objectives, feedback and supportive mindsets, and clear dialogue throughout, a PIP has the potential to assist staff in successfully improving their performance and is often a successful exercise. The timing of the PIP is, however, critical: it is not intended to be used as a first resort nor should it replace the supervisor's key role of leading a team through mentoring, engaging in open dialogue, offering clear expectations, and providing effective staff coaching and development tools.

Based on the Office's observations, performance management, including PIPS, shows better outcomes when four things are in place:

- a.** there is effective and continuing communication and information-sharing in place in the team;
- b.** the shortcomings and need for improvement are presented to the supervisee with clarity, based on facts,



in a respectful tone without blame or demotivating comments;

- c.** in cases where lesser development interventions have not proven fruitful, the formal plan for improvement includes objectives with specific support resources identified and also provided in a timely manner; and
- d.** the individual facing performance challenges engages in the process, including the design of the plan and proactively voices requests for support.

The Office is encouraged by efforts made over the past years at simplifying and bringing more transparency to the performance-management process and makes the following recommendations for further improvement.

Recommendations

The five organizations may wish to:

- a.** provide guidance on what constitutes appropriate evaluative comments;
- b.** clarify that performance-evaluation mechanisms are not the way to address interpersonal disputes;
- c.** emphasize that dialogue on performance should be continuous throughout the appraisal period;
- d.** monitor the use of PIPs to ensure they are put in place in a timely manner but only after confirmation that supervisors have engaged in good faith feedback and have held check-ins with the supervisee on work performance; and
- e.** engage the support of the Office of the Ombudsman to help to strengthen

collaboration by providing a confidential, informal space where difficult issues can be raised and solutions can be found with the help of a neutral party using mediation, conflict-coaching, and other types of interventions.

E. Separation and non-renewal of contract

Less predictable funding environments faced by all five organizations and ongoing restructuring exercises led to the Office observing an upward trend in cases of non-renewal of fixed-term appointments. Approaches to managing non-renewals vary across the organizations. Some have adopted a people-centred, supportive stance, others adhere strictly to minimal contractual obligations. The latter approach can lead to situations where staff members, after decades of service, find their fixed-term appointments not renewed with minimal notice. The repercussions are far-reaching, affecting career prospects, pension entitlements, insurance coverage, overall well-being, and family stability. When a fixed-term contract expires, international staff must navigate complex challenges: relocating children from schools, cancelling leases (often incurring steep penalties), securing new housing, finding alternative employment, and often arranging health insurance back in their home countries if that is at all possible. These staff members do not receive redundancy indemnities typically applicable in national employment practices because their appointments are not legally curtailed or terminated.

While the United Nations Staff Rules do not mandate notice for non-renewal, these challenges can be avoided with better foresight and planning on the part of management. The stated reasons for non-renewal typically include funding shortages, post abolishment, staff reduction, and aligning with the regulatory framework. However,

the simultaneous occurrence of a function no longer being needed and an individual's contract expiring on the same day and without ability to inform colleagues early appears improbable. Conceptually, the organizational need for a function and an individual's contract expiration are not intrinsically linked, as recognized in the 2009 United Nations contractual reform, which combined all former Staff Rule series into one. The legal difference between contract expiration and termination is a mere 24 hours yet this has significant financial consequences for affected staff. Assertions that funds cease precisely on the expiration date—neither earlier nor later—may be intentionally used to avoid redundancy payments even for long-term staff. Similarly, the Office observed shorter periods of renewals, which allow organizations to apply potential expiration dates in the future more frequently and thereby avoid indemnity payments. These observations on non-renewal practices do not apply to organizations that have implemented continuing appointments under the Staff Rules, which foresee redundancy indemnity for longer-serving staff, or to organizations with extended planning horizons or additional support measures.

Other observations in 2023 revealed that certain staff members did not receive scheduled meetings with their supervisors or administrative personnel when confronted with job loss and separation. In response, they approached the Office seeking additional information. While some instances involved the Ombudsman facilitating direct communication between affected individuals and management, departing colleagues in other cases shared that they experienced professional disrespect and lack of recognition. They described feeling perplexed that, after years of service, they experienced being overlooked. Comparing this to the warm welcome they received upon joining, they wondered why a similar treatment as valued individuals seemed absent at separation.

For affiliated personnel (non-staff) these experiences are amplified, with often less notice and limited, if any, contractual protection. At the time of writing the present report, the Joint Inspection Unit had just issued its report on the review of the use of non-staff personnel and related contractual modalities (JIU/REP/2023/8), which reiterates that these categories are used for cost-saving and flexibility but often at the cost of not meeting appropriate labour law principles or individual needs. These findings correspond with the observations by this Office.

Recommendation


The five organizations, as applicable, may wish to:

- **review policies and practices with a view to balancing the management of organizational posts and funds with the disruptive impact on personnel, especially longer-serving ones, of short or no notice of decisions not to renew contracts.**

F. Diversity and inclusion, and from speaking up to speaking with

In the multinational, multiracial, and multicultural workspace of the five organizations, diversity, equity, and inclusion play a crucial role in ensuring that every staff member feels recognized and valued. Recruitment practices across the organizations actively encourage individuals of all races, ethnicities, ages, abilities, gender identities, sexual orientations, religions, nationalities, languages, socioeconomic backgrounds, and other personal characteristics to apply for positions that align with their qualifications, without any restrictions.

Recognizing the value of a diverse workforce, each organization has established focal



“ While all five organizations have in place, and widely communicate, a zero-tolerance stance on prohibited conduct, the Office continues to receive claims that these behaviours persist. It remains the responsibility not just of designated focal points or diversity and inclusion offices, but that of all personnel to safeguard equal treatment, uphold core values of diversity, equity and inclusion and continuously transform the workspace into a more diverse, inclusive one. ”

points and resources dedicated to diversity, equity, and inclusion (DEI) or put in place relevant surveys, or both. DEI resources are available to all personnel, often regardless of their contractual arrangements. Additional initiatives include targeted policies to promote the employment of persons with disabilities, or enhancing geographical representation, gender parity measures, and awareness campaigns to destigmatize individuals living with HIV/AIDS or mental health or members of the LGBTQI+ community. Furthermore, policies are in place to support flexible work arrangements, parental leave, breastfeeding support, and private lactation spaces. Additionally, reporting mechanisms and processes exist to address instances of misconduct and ensure the fair administration of justice.

In 2023, the relevant cases handled by the Office in this context can be broadly categorized into three areas: (a) discrimination, (b) exclusion, and (c) inequity. These categories encompass various factors such as race, age, minority group status, nationality, and job category for discrimination; gender, marriage, and social structure for exclusion; and gender, ageism, disability, ethnicity, religion, and sexual orientation for inequity.

The Office conducts both online and in-person outreach and country-support missions. Prior to these missions, surveys are routinely distributed to target offices, addressing questions relating to discrimination. The survey responses consistently highlight instances described as victimization, harassment, denied opportunities, and favouritism as common manifestations of discrimination. Visitors to the Office also frequently raise similar claims, emphasizing the need to address these issues effectively.

In the context of exclusion, individuals reported persistent hostile behaviour by those in positions of authority or their peers, leading to a shared sense of not being fully welcomed or not being able to be themselves. Examples included shouting, consistent criticism of one's work, and demeaning comments during team meetings and portraying team members as incompetent in front of their colleagues.

Gender remains a significant factor in exclusion, particularly affecting women. For example, female colleagues approached the Office sharing that they were denied opportunities to participate in field projects owing to the perception by the authority approving such assignments that such involvement might impact their family or domestic responsibilities.

Similarly, the Office received cases where visitors narrated their perception or experience that their personal ethnicity, religious practices, and sexual orientation were the cause for less access to opportunities.

The Office worked with visitors by offering several services, which included identifying and evaluating options or providing information about available resources. Some visitors also received conflict coaching to help them to address concerns directly. The Office also conducted relevant learning and information sessions as detailed in section II.C of the present report.

While all five organizations have in place, and widely communicate, a zero-tolerance stance on prohibited conduct, the Office continues to receive claims that these behaviours persist. It remains the responsibility not just of designated focal points or diversity offices, but that of all personnel to safeguard equal treatment, uphold core values of diversity, equity and inclusion and continuously transform the workspace into a more diverse, inclusive one.

The Office observed a related emerging pattern where there is a discrepancy between expectations of personnel and the reality of policy implementation: visitors frequently use labels such as harassment, bullying, abuse of authority, and or discrimination to describe their experiences at work. These labels, however, carry legal definitions, based on United Nations system-wide policies. When meeting the legal thresholds, behaviour in these categories can constitute prohibited conduct, which in turn can result in findings of misconduct and disciplinary actions. To assess whether claims of such serious behaviour meet the threshold for a formal finding of misconduct, allegations reported through formal mechanisms (encouraged by corporate messaging to speak up and report) often undergo thorough prima facie, investigative, whistleblower protection, or legal review, but may ultimately be determined as not meeting legal or evidentiary thresholds. Those cases are ultimately referred back to management authorities, to this Office, or result in case closures. Personnel's understanding and expectations of a speak-up culture, zero tolerance, and accountability in formal processes may remain unmet and earlier informal resolution efforts including through this Office could potentially have more effective outcomes. This broad area of conduct is acknowledged by most of the five organizations as a grey zone or non-misconduct grievance, warranting not a disciplinary process but consideration of a warning ("yellow card") system. Experience

in handling these scenarios varies and is currently evolving, and cross-organizational best practice exchanges can enhance understanding of opportunities and challenges of different approaches.

From an informal conflict-resolution perspective, the specific label attached to an experience or behaviour is immaterial. Conflict resolution centres on identifying the underlying sources of conflict, understanding different perspectives, needs, and emotional impact, and seeking common ground for mutually beneficial solutions. For workplace interactions that are questionable but do not constitute misconduct, informal conflict resolution often yields more favourable and sustainable outcomes. The Office observed that the messaging in the five organizations to "speak up" is often understood to mean "speak up against someone else" while it may be better understood as "speak with one another." When speaking up is understood mostly as reporting grievances against another individual, it limits the first opportunity for informal-resolution efforts and communication that may have addressed the grievance or concern satisfactorily outside formal, often adversarial, processes.

Recommendations

The five organizations may wish to:

- a. continue to create greater awareness of the zero-tolerance policies against discrimination, harassment, sexual harassment and abuse of power and authority;**
- b. match the promotion of a speak-up and reporting culture with the promotion of a listening culture and continue efforts to address not only formally established misconduct but also other conduct that is not meeting expectations, including through clarifying available resource channels.**



IV. LOOKING AHEAD

A. Technology and workplace conflict

In 2023, the Office observed the impact of complex enterprise resource planning and other system changes affecting certain organizations. These changes had a negative impact on administrative support personnel in particular, who felt overwhelmed and undersupported while feeling blamed for system-limitations, errors, and malfunctions. Visitors noted that these changes were introduced expeditiously but seemed to lack sufficient resourcing and support for practical understanding and implementation.

In this context, the Office also acknowledges the rapid advancements in artificial intelligence (AI), which promise significantly enhanced efficiency. AI adoption may necessitate adjustments to job profiles, upskilling of personnel, change management, awareness campaigns, and integration strategies since a large part of the workforce will be affected. Currently available AI tools already include virtual assistants, creative image/video/presentation/report design engines, service support bots, data-entry automation, virtual simulations, and supply optimization. Given potential personnel concerns about job impact and workplace conflicts, organizations may wish to adopt a holistic, cross-sectoral approach to AI strategies.

B. Headquarters relocations

Most of the organizations have undertaken or will soon undertake relocation exercises to ensure greater proximity to in-country operations and more effective programme delivery. This will have an impact on functions at headquarters. There are no systemic findings based on 2023 experiences, however. The Office welcomes early engagement by the organizations or affected individual personnel, where there are concerns, for a smooth relocation or restructuring exercise that takes into account organizational needs and interests, as well as individuals' rights and impact on lives.

C. Collaboration within the Network of United Nations System Ombudsman and Mediators

The Office continues its close collaboration within the Network of United Nations System Ombudsman and Mediators, which has led to defined standards of practice, in particular office independence directly applicable to the three pillars of the Integrated Office of the Ombudsman. These standards will be more widely integrated into the work of the Office in 2024. Complementing these efforts, the Office also leads or co-leads several of the Network's interagency working groups.

V. TESTIMONIALS

“I wanted to take this opportunity to thank you very much for your support. It was really helpful not only to have your professional expertise as support but also something as simple as having someone to speak to. It has all been greatly appreciated.”

“The mediator was very professional and made me comfortable.”

“My mediator had strong credibility particularly when the mediation threatened to fall apart. My mediator proposed solutions that were not in either party’s point of view and helped us come to agreement on a solution that met both our needs.”

“It was my first time and I am content knowing that there is mediation support for workplace conflicts. My experience was comfortable and reassuring that there is a solution to a problem.”

“Thank you very much for a very fruitful meeting this afternoon. The discussion was really helpful as you gave me time to vent/pour my heart out about issues that tend to drag me down and are counterproductive.”

“We have both appreciated having you as a resource and support person to help thinking through the challenges encountered, and possible way forward.”

“I can’t tell you how thrilled I am to get such a quick and helpful response from you.”

“Thanks again for listening to me, your guidance and kind words of support. It helped me a lot to get a better sense of the process. It is truly rewarding to have great professionals on board like you.”

“I realize how instrumental your presence and guidance have been in helping us navigate through tough times. For this I want to convey to you my deepest gratitude for your support and mindfulness.”

“I wanted to thank you for your guidance and coaching. It allowed me to better prepare my conversation with my supervisors and when I did tell them they said they had no idea I was feeling the way I did in the team and apologized. I feel so much better! Without you help I would have never said anything.”

“Thank you for taking the time to talk with me last week, I appreciate the time you have taken to talk with me and with xxxxx and for all your thoughtful advice.”

INDEPENDENCE

NEUTRALITY

CONFIDENTIALITY

INFORMALITY

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