

Agenda item 146: Human Resources Management

Statement to the Fifth Committee by Ms. Patricia Nemeth, President of United Nations Staff Union - New York, on behalf of staff representatives of the Staff Management Committee (full version).

Mr. Chairman, Distinguished Delegates,

Good morning. I am pleased to be with you today to brief you on various matters that are important to staff all around the world.

COVID-19 pandemic

First and foremost, allow me to transmit to Member State delegations, on behalf of all United Nations staff, our deepest sentiments of solidarity in these trying times. Please rest assured that the staff of the United Nations Secretariat at all duty stations have spared no effort to keep our global operations up and running, with renewed determination to overcome the challenges created by COVID-19 around the world. This crisis, like none in our lifetime, has underlined the importance of public service and public goods. As international civil servants, we are prouder than ever to serve under the blue banner of the United Nations, including those colleagues in the field who abide by the motto to “stay and deliver”.

Having said that, we must be frank in recognising the heavy toll that the pandemic and its related effects are taking on our global, multinational workforce. Most of us have not seen our families for over a year. Some have had to travel home, in emergency conditions, to support loved ones when they fell sick. Increased workloads, extended isolation and ongoing anxiety for ourselves and our distant loved ones are bringing our workforce to the brink of a mental health crisis. We praise the Staff Counsellor’s Office for their extraordinary efforts during this period, but their diagnosis of staff’s mental wellbeing is alarming. While staff remain committed to going the extra mile for however long this crisis lasts, we would like to ask the General Assembly to please support a strengthening of mental health and Occupational Safety and Health capabilities, which have proved invaluable during the pandemic.

Human Resources Strategies: 2019-2021 and beyond 2021

The Staff Unions share the ACABQ’s concerns¹ regarding the Human Resources Strategy 2019-2021. While the Strategy invokes a number of high-level aspirations that are admirable on paper (agility, accountability, diversity), it does not provide a comprehensive vision on how these objectives are to be attained in a practical and coherent manner.

Indeed, we regret to report that neither the existing Strategy for 2019-2021 nor its successor (which is presumably being drawn up as we speak), have been consulted with the Staff Unions.

¹ [A/75/765](#) paras 9-12

The coming Strategy, like its predecessor, will therefore lack any significant buy-in or contributions from the staff whose work it intended to influence. We hope that this anomaly will be corrected.

Mobility

The staff are particularly concerned about the mobility proposal² submitted for consideration to the General Assembly. We echo the ACABQ's concerns regarding the programme's ambiguity and the insufficiency of the supporting data accompanying the proposal. Staff also note that in paragraph 12, the report's authors assert that "staff representatives generally support the new approach". This is an overstatement. An outcome report from the Staff- Management Committee on the matter was only possible after the administration determined to overrule the concerns of staff on five key elements of the proposal. The document before you risks repeating the mistakes of a costly and unwieldy system.

Conduct and discipline

On conduct and disciplinary matters, staff across the Secretariat continue to describe a lack of trust in the system and fear of retaliation as the main obstacles to reporting misconduct. Abuse of authority is the leading grounds for complaints heard by the Staff Unions, but staff members rarely feel safe filing a formal complaint. The Staff Unions continue to advocate for simple measures that could help improve the situation, such as anonymising cases in the formal justice system or a zero-tolerance policy against retaliation. We also fully endorse the repeated calls from the Internal Justice Council in this regard.

In this connection, we are disappointed that the Administration declined to include retaliation amongst the forms of misconduct listed in the revised ST/SGB/2019/8 on *Addressing discrimination, harassment, including sexual harassment, and abuse of authority*. There is a general reluctance at the higher levels of management to acknowledge the damage done by abusive power relations within the organisation, which has a detrimental effect on staff engagement, retention and mental health. A climate of fear and mistrust is antithetical to the principles of Agility, Diversity and Accountability espoused in the Human Resources Strategy, as well as to the results-based management approach, which must all rely on a solid foundation of communication and trust.

In the informal justice system, the Office of the Ombudsman and Mediation Services includes outstanding professional mediators, but they do not see it as part of their mandate to defend the weaker party in a conflict³. While mediation plays an important role in certain interpersonal conflicts, there are times when mediation is not the answer, and the organisation should exercise its authority in resolving a conflict (for instance, should a person exposed to racist treatment agree to mediation?). We believe that the important work initiated by the Secretary General to address racism and promote dignity for all in the organisation, in which the Staff Unions are playing a

² [A/75/540/Add.1](#)

³ See UNOMS [FAQ](#)

leading role, provides an excellent opportunity for a holistic review of existing staff grievance mechanisms.

The increase in sanctions for “discrimination, harassment, including sexual harassment, and abuse of authority” in 2019⁴ is a step in the right direction, but more remains to be done to reverse the general climate of impunity for uncivil and abusive treatment, especially on the part of individuals in a position of power. The Staff Unions believe that the organisation continues to have a blind spot on this matter, and we ask the General Assembly to keep pressing for genuine accountability regarding the effective stewardship of the UN’s human resources – allegedly our greatest asset.

Amendments to the Staff Regulations and Rules

The General Assembly has before it a set of amendments⁵ to the Staff Regulations and Rules. The report states, in its opening paragraphs, that “consultations were held with staff representatives, during which the full text of the amended Staff Regulations and Rules was reviewed in detail, article by article and chapter by chapter”. This statement is was challenged by the Staff Unions⁶, as on publication of the report we identified additional amendments that were incorporated into the text without consultation. Of particular concern is an addition under Staff Rule 4.13 (d) that is intended to limit the jurisdiction of the UNDT to grant interim measures in cases involving the renewal or conversion of appointments. Considering that these measures have been granted in the past (see inter alia, *Singh* UNDT/NY/2017/110, *Khattel* UNDT/NY/2017/094), this amendment limits the Tribunal’s authority to manage its cases and is counter to the interests of justice. We respectfully request that the General Assembly dismiss the amendment to Staff Rule 4.13 (d), or alternatively refer it back to the Administration for due consultation with the Staff Unions.

In this connection, we would also like to draw attention to an earlier amendment to the Staff Rules that has caused considerable uncertainty in the procedures for requesting management evaluation. Prior to the introduction of the new internal justice system in 2009, former staff rule 111.2 (a) provided that a staff member could request administrative review of a contested decision “within two months from the date the staff member received notification of the decision in writing”. When the Administration promulgated a new version of the Staff Rules (ST/SGB/2009/7 of 21 October 2009) the term “in writing” was removed, as reflected in the current staff rule 11.2 (c): “A request for a management evaluation shall not be receivable by the Secretary-General unless it is sent within 60 calendar days from the date on which the staff member received notification of the administrative decision to be contested”. This intentional ambiguity is frequently exploited to have management evaluation requests dismissed. On occasion of the review of the Staff Regulations and Rules, we therefore call for the reinstatement of the term “notification in writing” in Staff Rule 11.2 (c).

⁴ reported in Section III A of [A/75/648](#)

⁵ [A/74/289](#)

⁶ See the ACABQ’s views on the matter in Section V of [A/74/732](#)

Delegation of Authority

The Staff Unions are not in a position to assess the effectiveness of the Secretary-General's new Delegation of Authority scheme introduced in 2019. As on other matters, we regret the Administration's reluctance to consult with staff on the review of the relevant SGB. In the area of HR policy, we wish to alert the General Assembly to the issue of lateral placements, where we believe delegation may be going too far. Under the current paradigm, the Secretary General is reluctant to exercise his lateral placement authority under regulation 1.2 (c) of the Staff Regulations and instead requires that all placements between entities be treated as selection decisions, which are delegated to heads of entity. Staff who, in certain specific cases, should be placed automatically, are required to undergo competitive selection processes, the outcome of which is unpredictable. This approach is untenable particularly in the areas of whistle-blower protection and staff on permanent contracts whose posts are abolished due to downsizing. In the latter case, Tribunal jurisprudence is adding up⁷, yet the administration is unwilling to consider alternative approaches. We are concerned that the same shortcoming will affect the proposed mobility scheme. We fail to see how entities will feasibly "implement the mobility programme in accordance with the centrally developed policies and operational guidance" while "heads of entities will make the final placement decisions for staff participating in mobility". The Staff Unions believe the Secretary General should retain and exercise a central placement capacity across all entities that overrides delegated selection authority in cases of whistle blower protection, downsizing and mobility.

G to P

The abolishment of the G to P exam is perhaps the single most important aspect of concern under HR Management from a staff perspective, and a key component of an agile workforce. The Secretary-General included in his report (A/73/372/Add.1) a "proposal to allow all staffs serving in the General service and related categories [and] in the Field Service category to apply for positions in the professional category up to the P-3 level that are not earmarked for the young professional programme." We fully support the Secretary-General's proposal and appeal to the Member States to end this obsolete and antagonistic practice. As the organization is entering a new era, every staff member should be equally valued, nurtured and given the opportunity to add to the work of the organization to their maximum potential.

In relation to the Young Professional Programme and the G-to-P, several challenges remain, namely; career stagnation amongst successful staff members serving in P-2 positions, some for over 10 years; a high percentage of resignations among P-2 and P-3 staff (59% of the total in the Professional category); a low percentage of entry-level P-2 posts (less than 10% of the total in the Professional category); and a lengthy placement process for successful YPP and G-to-P candidates that doesn't always result in a placement, and that is currently taking over four years for many individuals. We hope that these issues can be examined as part of a comprehensive review of the G-to-P and YPP issues.

⁷ See most recently [Nugroho](#), 2020-UNAT-1042

Mr. Chairman, Distinguished Delegates,

In conclusion, we reiterate our commitment to serve this august Organization. We assure you of our sincere dedication to service, on behalf of all the staff members we represent.