Brett’s second year as President and Evelyn’s first year as General Secretary will be in full swing by the time this FICSA Magazine is published. In this special edition of the FICSA Magazine, we wanted you to read about some developments and some of the work accomplished by all active partners before we are fully immersed in all the events at the 73rd Council. A lot of changes have been introduced during the past 12 months which should facilitate information-sharing, provide opportunities for feedback and upgrade the image of FICSA which has been in existence for 67 years.

One of the advances is that we are now using an online platform to monitor the implementation of Council decisions. A competition for a modern FICSA logo has been launched and a prize-giving ceremony is planned for the 73rd Council. In addition, by the time we have completed this introduction, we will have had more than 20 meetings of the Executive Committee since the previous Council in February; we will have issued at least 26 Circulars and 40 FICSA Communications. Moreover, the members of the Executive Committee have represented FICSA members at various high-level meetings. Furthermore, the Regional Representatives have continued to defend our rights and improve working conditions whenever opportunities arose in the countries they serve. The FICSA Secretariat staff have lent unstinting support throughout. Collaboration has been exemplary and, therefore, very rewarding for everyone.

Meanwhile, we launched the new FICSA website. Important discussions have been had about access to information with respect to the website. The current restricted member section is seen as a barrier to accessing FICSA-generated information and we want to change that. Irwan, our Information Officer, who has been fully working with us since December 2019, has put his speedometer to maximum in order to catch up on urgent work.

While you have already received your Guide to the next FICSA Council at IMO, London, as well as completed the nomination and credential forms, we are working closely with the Chair of the HLCM Working Group on the cost-sharing scheme for the positions of President and General Secretary. Progress has been made and important member organizations’ leaderships support the scheme. We are making every effort to have it in place for the next election of the FICSA President. An update will be sent to you as soon as we have the go-ahead from the administrations.

Enjoy this special edition! Finally, we would like to thank Karina, our winter intern, for supporting the preparation of this special edition.
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Vice-Chairs
Silvia Mariangeloni (FAO/WFP)
Alberto Fernandez Kleinloog (OPCW)

Human Resources Management

Chair
Lisa Villard (IAEA)

Vice-Chairs
Jesús García Jiménez (ILO ITC)
Mrina Appiah (WHO/HQ)

Staff Management Relations

Chair
Viera Seben (ICAO)

Vice-Chairs
Mario Cabreja Schery (UNFCCC)
Eva Moller (FAO/WFP)

Social Security

Co-Chairs
Tanya Quinn-Maguire (UNAIDS)
Katja Haslinger (IAEA)

Professional Salaries and Allowances

Chair
Christian Gerlier

Vice-Chairs
Santhosh Thanjavur Prakasam (UNFCCC)
Francis Xavier Campbell (IAEA)

Field Issues

Chair
Amani El-Sheikh (UNESCO Cairo)

Vice-Chair
Vito Musa (UNGSC)

Legal Questions

Chair
Andres Orias-Bleichner (WMO)

Vice-Chairs
Joel Lahaye (CERN)
Gemma Vestal (WHO/HQ)
FICSA News

Contest for new FICSA Logo!

Contest for the new FICSA Logo and a prize-giving ceremony at the 73rd Council meeting!

FICSA has begun its modernization process, including digitization, a radical transformation designed to increase FICSA’s presence on various online platforms. The Federation is working on modernizing its image to appeal to new potential members, including the younger generation. Alongside those changes, the Executive Committee is proposing the introduction of a fresh and modern FICSA logo. It feels that the current logo is outdated and unrepresentative of FICSA’s mission. With all the changes ahead of us, we will strive to provide better information services, seek out opportunities for stronger engagement by FICSA members and increase their empowerment.

We encouraged members to send innovative ideas for a new logo to ficsa@un.org. Members selected the new FICSA logo on 15 January 2020. The first three winners will be honoured at an award ceremony during the 73rd session of the FICSA Council!

The new logo should be both modern and original, as well as recall FICSA’s mission (put a link here to the website).

We look forward to your entries.

New FICSA Website and Features
FICSA Twitter Page

Prior to the 73rd FICSA Council we would like to introduce the FICSA twitter page. The account will serve to keep FICSA members up-to-date on useful information, including FICSA's communications, agenda and reminders of upcoming events and workshops.

We will also post all information relating to the 73rd Council @FICSAHQ in addition to our usual channels.

Please follow the FICSA twitter page @FICSAHQ and you may wish to encourage the members of your association to follow us as well.

ficso.org

Members have long awaited FICSA's new website. It can display its mission, goals and news more effectively than on its old website. It can also showcase better than ever the Federation’s accomplishments and the material it has produced.

The new website includes navigable links to pages that were previously very difficult to find. It has information regarding new workshops, news and goals for each Council session. Furthermore, it now contains information regarding new campaigns and projects, as well as publications. The members' area has also been updated, including a much more streamlined centre, or a one-stop location, that facilitates access to all necessary information. News for members, such as circulars and communications, will be displayed much more prominently to enhance communication between members, the Executive Committee, Standing Committees, Ad Hoc Committees and Regional Representatives. All FICSA member associations/unions will have their own login to the members' area.

The user-friendly interface aims at increasing traffic to FICSA's website and encourage organizations to join our Federation. Other features include easy access to the FICSA library, including a digital document archive with content searching and indexing, as well as automated workshop registration. The website also features a more intuitive and faster content publishing process.

Please send any feedback you may have regarding the website to ficsa@un.org to help us to improve it further! We greatly appreciate any thoughts, comments or feedback regarding how we can improve the website and FICSA's modernization process.
The International Maritime Organization (IMO) has graciously accepted FICSA’s request to host the 73rd FICSA Council at its offices based in London. The Executive Committee kindly asks attendees to prepare adequately for the upcoming meeting by familiarising themselves with the document entitled *Your Guide to the 73rd FICSA Council, as well as the relevant background documentation*. The Guide provides important information for delegates regarding the Council session in London, hotel accommodation, dinner arrangements, the procedures governing applications for the position of President at FICSA, the structure of the FICSA Council and the processes it typically follows. Although it is essential that delegates read the document, a summary of important information is given below.

- **73rd FICSA Council** is to be held at the International Maritime Organization in London, United Kingdom, 8 to 14 February 2020.
- **Address:** 4 Albert Embankment, London SE1 7SR
- All pre-Council meetings will also be held in the same building complex on 8 and 9 February

- Travel expenses are the responsibility of the delegates’ respective association or union
- Registration will take place at the International Maritime Organization at the registration desk on the ground floor from 08.00-10.00 hrs on Monday, 10 February 2020. Delegates attending weekend meetings will also have the opportunity to register during the pre-Council sessions on Saturday or Sunday, 8 or 9 February 2020 from 08.00 -10.00hrs and 15.00 - 16h00 hrs.
- All visitors to the United Kingdom need a valid passport and are urged to check their passport and visa requirements well in advance of their journey.
- N.B. Citizens of member states of the European Union or bearers of United Nations laissez passers do not need visas. Those who are from other countries must check their visa requirements in due time for entry into the United Kingdom. It may take two or three weeks to obtain visas. [changes following BREXIT – hard or soft !!!]
- The working languages of the Council are English with French interpretation during plenary sessions.

We look forward to working together as we prepare for the 73rd Council session.

One strong Federation, One strong Voice!
In the efforts to renew ways of working with a view to higher efficiency and transparency, the FICSA Secretariat is working closely with all Chairs, Co- and Vice-Chairs of the seven FICSA Standing Committees to address the decisions formulated at the 72nd Council. Following FICSA’s new digitization trend, we are using an online platform called Freedcamp. Freedcamp is an interactive, collaborative, and user-friendly website that allows the utmost organization and communication between various parties.

Following the 72nd FICSA Council, a list of all of the topics of discussion and decisions were compiled in a document entitled ‘Index of Decisions’. For each individual decision the user-friendly online software can provide such details as specific deadlines, discussion fora, progress reports and priorities set. It can also automatically transmit emails to remind team members of their tasks. Not only does this platform allow for communication between multiple users on the individual discussion fora, but it also permits all team members to engage actively in updates. With the help of this online system, the Secretariat has been able to link people frequently across various platforms and around the globe, thus completing tasks in a much more efficient way than merely sending e-mails. Each project enjoys its own space and all follow-up actions are registered, thus reducing time spent searching for emails.

The Secretariat follows up on the implementation of decisions through Webex meetings, as well as by hosting the Chairs, Vice and Co-Chairs of FICSA’s seven Standing Committees. It takes time for our active members to get used to this new way of working, but they can already now see the usefulness and efficiency of this platform. They are using it increasingly to achieve the implementation of the decisions taken in their Standing Committees.
Nearly every month FICSA hosts workshops on various issues that affect members and staff. The workshops are open to all members and are led by experts in the specific area that the workshop addresses. In the past year, some of the workshops have been on protection of whistleblowers, occupational health, organizational change, laws governing ILO Administrative Tribunal appeals and the General Service salary survey methodology. Overall these workshops have received very positive feedback on both the trainers and the organization of the workshops.

Some instances of workshop feedback:

**General Service salary survey methodology II (non-headquarter duty stations): 3–7 June 2019**

“I look forward to attending future workshops/training sessions. Thank you FICSA for this workshop. It has indeed enriched my knowledge on issues that concern me and my colleagues. I believe we should all be more involved since it benefits us all.”

“Thank you for the training and continual support”

“Thank you very much for your leadership and for championing staff rights in your consultation with interagency bodies. We look forward to more collaboration and training sessions that we could benefit from while we share our best practices and concerns with other UN agency colleagues.”

**FICSA training workshop on negotiation skills (CTBTO, Vienna, 16–17 September 2019)**

“Thank you very much for the opportunity to take part in this training. I really appreciated your opening up the registration to the IAEA and feel very lucky to have been selected to attend.

Simon is an excellent instructor and we learnt a lot in only two days. I especially enjoyed meeting my colleagues from all the other UN organizations.

I also want to say thank you to you and your colleague for providing coffee and (delicious!) biscuits in the breaks. This was highly appreciated by all of us.

Thanks again and I hope to be able to attend more training in the future.”

Not only have these workshops received subjective positive feedback, but from an objective standpoint previous workshops at the WHO have had a positive impact on the validity of the figures relating to salary surveys. The UN Comprehensive Local Salary Survey is a survey undertaken every five years and questionnaires are distributed to UN staff members across the world to ensure that current salaries adequately reflect the labour market conditions at that time. In the past, participation in these salary surveys has been low; the findings thus failed to reflect properly what the markets were really like at that time. Invariably, that very lack of participation yielded no salary increases.

The WHO is an exemplary instance of how FICSA has had a direct impact on its members with measurable results. FICSA provided the framework for the achievements secured by the Local Salary Survey Committee (LSSC). It also provided all the tools and training that allowed members to advocate for and get a better understanding of the issues governing salary survey methodologies. In hosting three workshops
in Asia in the biennium 2017-2018, FICSA sought to, support Asia-based members advocate and helped to enhance their advocacy efforts in the salary survey context. The endeavours of the LSSCs were essential to the successful implementation of the FICSA training methods. The LSSC team comprised staff members from the WHO, UNDP, UNFA, UNICEF, UNHCR, WFP, and the UNU who both analysed data and negotiated with HR managers in the respective organizations on their participation in the salary surveys. Thanks to those efforts, UN local staff members in Malaysia received salary increase as of September 2019. Special thanks go to the LSSC team for their successful efforts in ensuring that increase.

FICSA has been negotiating a global legal insurance contract for its members. Identified was firstly Fortuna which is a Swiss legal insurance company. Fortuna has provided their conditions which do exclude any submissions to courts outside Switzerland. In addition, they prefer to use their own lawyers.

The benefits covered under Fortuna include but are not limited to:

- < 1000 staff contracted under Fortuna pay CHF100/head
- > 1000 staff contracted under Fortuna pay CHF80/head
- Coverage encompasses inter alia:
  1. Legal disputes of up to 15,000 CHF in legal costs per dispute or grievance
  2. Informal employment grievances or disputes
  3. Disputes or grievances regarding the UN Joint Pension Fund
  4. Formal employment grievances or disputes regarding the UN Joint Pension Fund brought before internal justice bodies or authorities of the subject international organization or of the UN Joint Pension Fund.

Should you be interested to learn more or desire to adhere, please contact ficsa@un.org

In parallel, we are also awaiting conditions from AXA/ARAG which are communicated to the membership as soon as possible.

Please visit Neil Fishman’s article regarding the importance of legal insurance later in this issue.

Global Legal Insurance

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2019 Comprehensive Salary Survey Results:
+11.7% for General Service (GS) staff
+22.1% for National Professional Officer (NPO) staff

Thanks to FICSA, all the members of the LSSCs in Malaysia were trained during FICSA workshops in Asia shown below.

- FICSA Workshop for Salary Survey Methodology II (Non-headquarters Duty Station) in WHO GSC, Kuala Lumpur in 2016 – Trainers: Varghese, Samir
- FICSA Workshop for Salary Survey Methodology II (Non-headquarters Duty Station) in WHO WPRO Manila, in 2016 – Trainers: Varghese, Irwan
- FICSA Workshop for Salary Survey Methodology II (Non-headquarters Duty Station) in FAO Bangkok, in 2017 – Trainers: Varghese, Irwan

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CODE OF CONDUCT

To prevent Harassment, including Sexual Harassment, at UN System Events

Purpose

The organizations of the United Nations system are committed to enabling events at which everyone can participate in an inclusive, respectful and safe environment.

UN system events are guided by the highest ethical and professional standards, and all participants are expected to behave with integrity and respect towards all participants attending or involved with any UN system event.

Applicability

The Code of Conduct applies to any UN system event, which shall include meetings, conferences and symposia, assemblies, receptions, scientific and technical events, expert meetings, workshops, exhibits, side events and any other forum organized, hosted or sponsored in whole or part by a UN system entity wherever it takes place, and any event or gathering that takes place on UN system premises whether or not a UN system entity is organizing, hosting or sponsoring.

The Code of Conduct applies to all participants at a UN system event, including all persons attending or involved in any capacity in a UN system event.

The UN system or other entity responsible for a UN system event commits to implementing the Code of Conduct.

The Code of Conduct is not legal or prescriptive in nature. It supplements, and does not affect, the application of other relevant policies, regulations, rules and laws, including laws regulating the premises in which the UN system event takes place and any applicable host country agreements.

Prohibited conduct

Harassment is any improper or unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person.

Harassment in any form because of gender, gender identity and expression, sexual orientation, physical ability, physical appearance, ethnicity, race, national origin, political affiliation, age, religion or any other reason is prohibited at UN system events.

Sexual harassment is a specific type of prohibited conduct. Sexual harassment is any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation. Sexual harassment may involve any conduct of a verbal, nonverbal or physical nature, including written and electronic communications, and may occur between persons of the same or different genders.

Examples of sexual harassment include, but are not limited to:

- Making derogatory or demeaning comments about someone’s sexual orientation or gender identity
- Name-calling or using slurs with a gender/sexual connotation
- Making sexual comments about appearance, clothing or body parts
- Rating a person’s sexuality
- Repeatedly asking a person for dates or asking for sex
- Staring in a sexually suggestive manner
- Unwelcome touching, including pinching, patting, rubbing or purposefully brushing up against a person
- Making inappropriate sexual gestures, such as pelvic thrusts
- Sharing sexual or lewd anecdotes or jokes
- Sending sexually suggestive communications in any format
- Sharing or displaying sexually inappropriate images or videos in any format
- Attempted or actual sexual assault, including rape.
Complaint process

A participant who feels that they have been harassed at a UN system event may report the matter to the organizer of the UN system event or relevant security authority, and a participant who witnesses such harassment should make such a report. Such reporting shall have no effect on any applicable rules and procedures that may apply in the UN system or to other personnel. The organizer of the UN system event will be expected to take appropriate action in accordance with its applicable policies, regulations and rules.

Examples of appropriate action may include, but are not limited to:

- undertaking a fact-finding exercise
- requesting the perpetrator to immediately stop the offending behaviour
- suspending or terminating the perpetrator’s access to the UN system event or refusing registration at future UN system events, or both
- conveying the complaint to any investigative or disciplinary authority with jurisdiction over the person accused of harassment
- conveying a report to the employer or entity with jurisdiction over the person accused of harassment for appropriate follow-up action.

The victim of alleged harassment may also seek help from other relevant authorities, such as the police, bearing in mind the applicable legal framework.

A participant should never knowingly make a false or misleading claim about prohibited conduct.

Prohibition of retaliation

Threats, intimidation or any other form of retaliation against a participant who has made a complaint or provided information in support of a complaint are prohibited. The UN system or other entity responsible for a UN system event will take any reasonable appropriate action needed to prevent and respond to retaliation, in accordance with its applicable policy, regulations and rules.

http://un.org/codeofconduct
#codeofconduct
FICSA AND AFRICA

Anthony Karanja Ndinguri
FICSA Regional Representative for Africa

The continent of Africa conducts a variety of integral United Nations (UN) operations. It is home to two main offices of the United Nations; the United Nations Office at Nairobi [UNON] in Nairobi, Kenya and the Economic Commission for Africa [ECA], Addis Ababa, Ethiopia. The UN Environment and UN Habitat Headquarters, Regional and Country offices of different agencies, UN funds and programmes as well as peace-keeping, peace-building and political missions are also hosted in the region.


For many this makes the African region a centre for the most valuable UN resource: its staff. Taking this into consideration, staff federations, unions and associations come into play in order to ensure that a harmonious working environment exists between the management and staff members.

The three global federations, FICSA, UNISERV and CCISUA are represented in the region. They work hand in hand in adherence to the One UN mandate. FICSA’s presence is spread all over the region thanks to the existence of Field United Nations Staff Associations [FUNSAs]. These are groupings of staff associations in a particular state or group of states that join together under the guidance of FICSA through the Regional Representative. They identify common issues that affect them and find solutions that fit with the region. They also liaise with the FICSA EXCOM. Matters that cannot be solved locally are passed up to FICSA Council. Currently there are over 10 FUNSAs in the Africa region. This makes FICSA the most representative staff federation in Africa.

In 2018, Africa benefited greatly from the technical help that was offered by FICSA in assigning expertise to consult with the membership, identify and resolve the existing and emerging issues/needs in the region. They saw training on salary survey methodologies being conducted in Nairobi. This four-day workshop was hosted by the United Nations Office at Nairobi [UNON] in collaboration with the Nairobi Staff Union [NSU] and FICSA. It drew representation from the region and beyond. There was also the creation of a liaison position in the Middle East and North Africa [MENA] region to adequately assist in solving the issues that were identified in that part of the region. Accelerated campaigns were launched to assist members in the different states to join together and form more FUNSAs. Consultations are underway in South Africa, Djibouti, Nairobi and other states in this regard.

Joint Consultations

On 6 February 2019, FICSA, NSU and UNSOS [United Nations Support Office for Somalia] staff representatives formed a joint partnership on behalf of their constituents. The aim is to bring them together regardless of their affiliation under one umbrella in order to get a clearer overview of cross cutting issues, while providing a wider platform of sharing of experiences, insights and ideas and access to a larger pool of skills. This is aimed at bridging representational gaps that exist with jurisdictions. So far, we have continuously worked with the associations and have managed to organize and undertake functions together.

10th UN Nairobi Staff Council Workshop 2018

This is a session between the Director General and senior managers in the UN Nairobi and the staff association representatives that was held on 24 – 25 May 2018. The Nairobi staff union leadership and FICSA Regional Representative also attended. The workshop provided a forum where representatives were updated on the current situation of the UN Complex and forwarded to the management issues/complaints and concerns that were raised by staff members.
International Women’s Day [IWD 2019].

The event took place on 8 March at the UNON Complex under the theme “Think equal, build smart, innovate for change”. The theme was focusing on innovative ways to advance gender equality and the empowerment of women, particularly in the areas of social protection systems, access to public services and sustainable infrastructure.

Staff representatives led by NSU President, United Nations Support Office for Somalia [UNSOS] Staff Union President, Joint Staff Association [JSA] Representative and FICSA Regional Representative signed the pledge as a sign of commitment to strive for an honourable, gender-sensitive, flexible culture within United Nations and beyond.

Staff Union day 2019

On 18 September, the Nairobi Staff Union, PSEA Network and FICSA Regional Representative invited staff to a town hall meeting on the Prevention of Sexual Harassment, Exploitation and Abuse, in order to start creating a safe working environment free from sexual exploitation, harassment and abuse. The event was attended by the UNDP Resident Coordinator, Executive Director UN Environment, senior managers and staff representatives. The FICSA Regional Representative delivered opening remarks on behalf of the associations. As part of the celebrations, heads of different agencies and staff representatives signed a commitment to promote zero tolerance of sexual harassment, exploitation and abuse.

PSEA Network

FICSA participates in the PSEA [Protection against Sexual Exploitation and Abuse] Nairobi Network through the Regional Representative. Regular meetings and trainings are conducted to create awareness on this topic around the UN complex. The Regional Representative is a members and volunteer trainer for the network.

FICSA Presidents visit

During the UNJSPB Session in Nairobi, the FICSA President briefly met with the Nairobi Staff Union President to extend his regards to the Staff representatives and support the joint dialogues effort.

Upcoming Events

Later in the year, NSU, FICSA and other Staff Federations in the Nairobi office are planning to organize an all UN Nairobi staff party. This opportunity will offer opportunities to network amongst the UN community. We are also in the process of organizing a One Africa Staff Representatives workshop to facilitate more discussions between our unions. Among the issues that will be discussed during the workshop is the lack of trainings and trainers in matters to do with staff representation. FICSA can benefit greatly from its capacity in terms of the availability of Trainings and the Experts and bridge the gaps.

And We March on…..

As we walk towards the 2020 Council and beyond, FICSA continues to attract more and more staff bodies globally. It is my hope that we will open our doors to interested members and induct them into our federation. This will offer new opportunities for this great federation that has served the UN staff members for over 60 years. We can only look at the coming years with optimism of a stronger federation that will represent UN staff members globally.
Constraints and opportunities in advancing career in the UN

Why?
Promoting ways to better develop and manage the career of professional staff is highly relevant in the United Nations system. Difficulties in developing professional careers have been expressed by many staff members in the system. For instance, the Association of professional staff in FAO (AP-in-FAO) led surveys last year among FAO professional staff revealed that over 77% of survey respondents have experienced difficulties in developing their professional careers in FAO. Also, about 80% of the respondents perceived that career development opportunities had decreased over the past 5 years. Over 80% of the respondents neither perceived any link with performance evaluation and career development nor had benefited directly from it. The survey among the staff in other United Nations agencies also revealed major career development issues and absence of a career development system. AP-in-FAO organized a lunchtime panel discussion in FAO, Rome on Tuesday, 24 September 2019 to discuss how the staff can help themselves in making their career growth happen and how the organizations can help the staff to advance their careers. It aimed at informing the staff on how to invest in their careers, including by moving to other agencies.

Who?
During this event, which was primarily targeted at the FAO staff, participants from six United Nations agencies and from FICSA shared their thoughts on the bottlenecks and opportunities in career development (Photo 1). Panellists included Evelyn Kortum (FICSA), Brett Fitzgerald (FICSA), Jakob Skoet (FAO), Wagdi Othman (WFP), Lenyara Fundukova (IFAD), Jeanne Schmitt (ITCilo), Marina Nana Appliah (WHO), Irene Waite (IMO) and Edwin Titi-Lartey (IMO). Marco Boscolo, FAO facilitated the event.

What?
Brett Fitzgerald, FICSA President opened the discussions highlighting the fact that career development has always been an issue in the UN worldwide however in the last 10 years has become a wider issue as there are fewer opportunities for staff
in the UN for a number of reasons, including pressure from Member States for cost-saving measures. The ICSC conducted a survey; it showed that 40% of departing staff complained a lack of career opportunities; no agency could be identified with an ideal career development path.

The panellists primarily addressed the two categories of issues below.

1. Key difficulties in career progression and two key measures to address them

Downgrading of posts, cost-saving measures, lack of promotions, weaknesses in performance appraisal, lack of career opportunities for internal candidates, lack of transparency in recruitment procedures and dismantling staff selection committees etc. have been key issues in FAO. This is a critical moment for FAO with the new Director General and the good opportunity to address the issues of lack of career development opportunities. The AP-in-FAO made a proposal to the new management to see a proper career development policy that provides opportunities for staff, including promotion through job growth and a review and reclassification of positions. Lessons need to be learnt from other organizations for new approaches.

In WFP there are two systems: (i) a promotion system from P1 to P3 made by a committee and (ii) an external assessment team for P4 to P5. Both systems encounter issues. The P1 to P3 has a lack of slots so staff must wait many years for career development. The second one is not that transparent. In the past staff could move between functions, now it is possible but then difficult to go back to the original function, which ends up in not having a job at the end. Also, the lack of transparency for re-assignments is an issue. The WFP-PSA requested management to increase the slots for P1/P3 positions and cut the high costs for the CDC system for P4/P5 and to revert back to the old system.

IFAD annually undertakes a staff survey. The recent results outlined that staff are proud to work for a UN agency; a lack of transparency was, however, felt. Only 20% staff were happy with career development. In recent years mobility opportunities were frozen. However, in the last 8-9 months, many changes took place. An action plan for career development is on the IFAD agenda: including new promotion policy and new mobility/reassignments. Many staff members were relocated; they had 3 choices and most of the staff ended up with one of their choice. By the end of the year all staff will be re-assigned. Measures needed for talent development and retention are underway.

In the ITCILO a major issue of concern is the replacement of leaving senior staff with junior staff with the same expectations. There are few opportunities to go to senior positions and consequently staff leave the organization. Demoted staff do not often perform well. A good planning for career development and lessons from other organizations are important. Horizontal moves are hampered because the departments work in silos. External mobility could be an incentive.
When we address the disputes between individual civil servants and the international organization that employs them and once the internal appeal instances of the organization are exhausted, the doors to the international courts are open.

From this point on, there are two courts or jurisdictions in the United Nations system: the International Labour Office Administrative Tribunal (ILOAT), which offers direct access to litigants, and the United Nations Appeals Tribunal (UNAT) that operates with the two-tiered system, which implies that the appellant must first pass through a neutral intermediary instance, which in most cases is the United Nations Dispute Tribunal (UNDT).

It is important to remember here that international civil servants in their employment relationship are not subject to national laws, but to a set of rules specially designed to be applied in the context of each international organization or programme. However, these rules must be consistently inserted in the framework of international law norms, which will be taken into account by both courts.

The applicable sources of international law, clearly defined in the Statute of the International Court of Justice (ICJ), are the international conventions, international custom, general principles of law and also – in a subsidiary manner – judicial decisions (court rulings) and doctrine (the reflections of renowned publicists).

It is significant to note that in their decisions, ILOAT and UNAT rely almost exclusively on the interpretation of employment contracts, and the respective Staff Regulations and Rules, which is equivalent to the law applicable to the disputed cases. Often, both courts resort to jurisprudence (case law), but from there, as regards international conventions, we enter a field of uncertainty. Furthermore, it does not seem mandatory for the courts to consider international conventions and principles promoted and defended by the same organizations as sources of law, contrary to what is indicated in article 38 of the ICJ Statute. The most illustrative case of this paradox is that of the International Labour Organization (ILO) Conventions, including employment policy and social dialogue, which are not explicitly recognized by the ILOAT for the defence of the rights of appellants.

As for the general principles of law, or basic rules "recognized by civilized nations", according to the terminology used in the Statute of the ICJ in 1945, we are really talking about principles of justice shared by national or domestic legal systems, such as reparation for caused damages, the resolution of conflicts through agreements, or ancient principles reflected in Latin maxims such as *audiatur et altera pars* (listen to the other side). Both courts incorporate these principles systematically in their considerations.

However, jurisprudence of ILOAT, as a source of law, offers us some hope of an improvement in the protection of the staff rights. For example, the observation of cases shows us that the application of illegal or defective decisions and recommendations of the International Civil Service Commission (ICSC) can be appealed and its errors remedied by court judgements. The most recent case is that of the “pay cut” in Geneva, based on a defective post adjustment built by the ICSC that resulted in a loss of income for...
staff and raised several appeals. In its judgement, the ILOAT makes a reference to its own jurisprudence and concluded that:

It is necessary to consider what is the appropriate relief. In a number of cases in which the complainants have established that a decision to adjust salaries was unlawful, the order of the Tribunal has been to set aside the impugned decision and to remit the matter to the organization to consider the matter afresh and make a new decision (see, for example, Judgments 1821, consideration 11, and 3324, considerations 22 and 23). However, in the present case, the unlawfulness of the administration’s decision flowed from the unlawfulness of the decision of the ICSC. The decisions to implement ICSC/CIRC/PAC/518 and ICSC/CIRC/PAC/522 are unlawful.iv

This consideration, and several others within this judgement, can convey optimism. Nevertheless, above all the rapid and general thoughts we have just made here, the issue of international jurisprudence in the United Nations system remains a problematic issue. Precisely, for an attentive observer, the question about the existence of true jurisprudence to protect the rights of international officials remains open. Indeed, the next stage in the case of the “pay cut” in Geneva, which we have just cited‘ will be the decision of the UNDT/UNAT in response to the organizations that are under its jurisdiction. It will also be an excellent example for the reflection of lawyers and scholars.

But above all it will be a signal for the main affected: those of us who work in Geneva. Because if there is a consistent international jurisprudence, the logic indicates that the UNAT should sentence in the same way as the ILOAT. If this court does not do so, it will send us the message that international civil servants are in a universe of uncertainty. We would then have two divergent courts that judge in different ways, and at the end of the day many officials working at the same grade and level but with two different salaries, in the same city, within the same United Nations family.

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i For the respective list of organizations or programs that are under the jurisdiction of UNAT or ILOAT, refer to the website of each of these courts.
ii Art. 38 par. 1 of ICJ Statute, June 25 1945.
iii Art. 38 par. 1 (c) of ICJ Statute.
iv ILOAT Judgement 4138. Consideration 50 (128th Session).
v The appeal against the decision of the Geneva-based administrations to apply to the salaries as of March 2018 the post adjustment multiplier (PAM) determined by the ICSC on the basis of 2016 cost-of-living survey, with the result that the salaries in the Professional category and above were reduced.
In WHO there is no clear career path and training programmes are not enough. It is critical for WHO to have career progression. The best are recruited but they may leave due to lack of career opportunities. A career plan was also needed to attract funding as well. Reclassification is possible at a higher level; horizontal moves to another department also must be encouraged.

In IMO, it being a small organization, opportunities are rather limited. Staff is demotivated and while some promotions are given, inequalities could occur; a reclassification policy was undertaken, but it did not work as the jobs did not change. The IMO staff association is currently working with the administration to address promotions so that staff members can be promoted by job growth. Mobility is only used to replace staff on maternity leave. Promotions based on merit were abolished, so there are only limited ways to progress.

2. Thoughts on staff moving to other UN agencies and how to make this happen

Mr Skoet (FAO) expressed that this could be a good strategy; this is also mentioned in a JIU report. Functional mobility can enhance future career prospects. Mr Othman (WFP) mentioned that secondments were not considered a good experience in WFP. Ms Fundukova (IFAD) said IFAD lacked experience with the issue. The development of a more comprehensive package can be useful. External mobility was explored with the guarantee to return after 2 years, albeit not in the same post. A broader knowledge is always a benefit although it involves a risk. Ms Schmitt (ITCilo) stressed that as a small agency it is important for the staff to move within agencies. External mobility has been a positive experience. Implementing a proper policy is necessary and consideration of internal candidates is important. Ms Nana Appiah (WHO) indicated the absence of a robust system for external mobility in WHO; it is needed however. For support functions it is more possible because there are more similarities in the various positions. Mr Waite and Edwin Titi-Lartey (IMO) described that the policy is only on paper. There were difficulties for the staff member returning from the field to HQs. Since the positions are very technical, it is often difficult to find suitable positions.

Outcomes of the interaction with audience and ways forward:

For staff in highly specialized positions, it is difficult to move to other profiles. More general profiles could make staff more functionally mobile; specialists are selected for their technical competence, but they may not often be the best managers. Mobility across agencies can only be around support functions. A policy for specialized profiles is needed. There is also a need for specific training. This should be taken up by the ICSC. An agreed action plan is needed for recognition and award for career development. Organizations can do much, but will always protect their interests, in this case decisions must be taken at a personal level. Mobility can help people to learn new skills. The SRBs of the various organizations requested their administrations to develop a career path in their own Organization. Otherwise it falls back on the individuals to decide. Staff can also get guidance from managers/supervisors and other staff to find ways to develop their careers. It is important for individuals to look at the interests of their own organization and align them. Financial incentives for performance system could have many grey areas. Now other incentives are in place, such as paid training. Managers must now undergo a Leadership Development Programme. A pool is created to hire managers in IFAD.

In her closing remarks, Evelyn Kortum, FICSA General Secretary, mentioned the JIU report (evaluating career development) issued in 1981 which could still be valid today. Motivation, retention, satisfaction, fairness etc., are essential to the work of an organization. The issue is complex and linked to other HR issues, such as: gender balance, mobility, performance evaluation, inter-agency transfers, etc. The ICSC report confirms the responsibility of personal choices. The role of managers and HR is important to support staff. Evolving a comprehensive package will be a key way to go forward.

Please contact ap-in-fao@fao.org or illias.animon@fao.org for more details of the event.
Do you know your UNJSPF Unique Identification Number (or UID), its purpose and how to request it?

What is the UNJSPF UID?

Your UNJSPF Unique Identification Number (UID) is a nine-digit number assigned to all UNJSPF members from the moment they join the UNJSPF as a participant and it is valid for life. Please make sure to always include all nine digits when using the UID (i.e. use the UID number in its entirety, even if your UID starts with zero(s), for example, 000123456).

How can I obtain my UID number if I don’t know it?

If you are unsure what your UID is in the new system, you can request your UID from the Fund by sending an email from your official work email to: RequestUIDonly@unjspf.org; you will receive a response within max. 3 business days.

When do I need my UID?

The UID is required to register for the Fund’s Member Self-Service (MSS) on the Fund’s website. Remember, every single one of the nine UID digits counts, i.e. even if a UID starts with zero(s). The UID should also be used in all communications with the Fund, i.e. submission of the online Contact Form, other written communications to the Fund (emails, letters, fax), and should be included on all official Pension Forms to ensure all communications and documents are duly received, tracked in the Fund’s systems, and the required action is taken by the Fund.

What is the difference between the UID and the former six-digit Pension Fund number?

In the past, the Pension Fund used to issue a six-digit “Pension Number” for every active participant, and a five-digit alpha numeric “Retirement Number” for every retiree or beneficiary. As of August 2015, with the implementation of the new IPAS system, all individuals in the Fund’s database, namely participants, retirees and other beneficiaries, have been assigned the new, nine-digit Unique Identification (UID) number, which remains unchanged throughout the pension lifecycle and which replaces the two ‘former’ IDs (i.e., Pension Number and Retirement Number). While the UID is now the main reference number for participants, retirees and beneficiaries, the Fund will of course be able to track a member with the help of any of the three Pension Fund reference numbers (i.e. the UID, Pension Number or Retirement Number).

Does the UNJSPF know my index number?

Your index number is issued by your employing organization and not always on file with the Fund. Therefore, please always use your UNJSPF reference number in your communications with the Fund.
Do you need help clarifying your future benefit options?

Before making a benefit election or if you just wanted to have an idea of the benefit options available to you at a future separation date, you should register for access to your UNJSPF Member Self-Service (MSS) portal where you can obtain estimates under the ESTIMATE tab.

For detailed information about each of the benefit options open to you at a given separation date, please consult the below Benefit Comparison Charts.

<table>
<thead>
<tr>
<th>Length of contributory service (CS) &amp; Age at date of separation</th>
<th>Less than 5 years of CS &amp; separation at any age</th>
<th>5 or more years of CS &amp; separation prior to reaching your early retirement age (55 or 58, depending on your date of entry into UNJSPF participation)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Withdrawal Settlement Apartment 31</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Deferred retirement benefit Apartment 30</td>
<td>No</td>
<td>Yes</td>
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<tr>
<td>Early retirement benefit Apartment 29</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Full retirement benefit Apartment 28</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Deferment of choice/payment option – i.e. delaying payment or choice of benefit for a period of max. 36 months from the date of separation Apartment 32</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Should you re-join the Fund within the 36-month deferment period, your participation will be deemed to have been continuous (provided that no benefit has been paid to you). Should you not re-join the Fund within the 36 months deferment period, remember to submit your payment instructions to the Fund before the 36 months have expired; if after a total of 5 years from your date of separation no payment instructions have been received by the Fund, your right to a benefit shall be forfeited under Article 46.</td>
<td>Should you re-join the Fund within the 36-month deferment period, your participation will be deemed to have been continuous (provided that no benefit has been paid to you). Should you not re-join the Fund within the 36 months deferment period, remember to submit your payment instructions to the Fund before the 36 months have expired; if after a total of 5 years from your date of separation no payment instructions have been received by the Fund, your right to a benefit shall be forfeited under Article 46.</td>
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### 5 or more years of CS & separation at your early retirement age or after but prior to reaching your normal retirement age for pension purposes (NRA) (60, 62 or 65, depending on your date of entry into UNJSPF participation)

<table>
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<tr>
<th>Condition</th>
<th>5 or more years of CS &amp; separation at your normal retirement age (NRA) or later</th>
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<tr>
<td>Yes</td>
<td>No</td>
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<td>Yes</td>
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<td>Yes</td>
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</tbody>
</table>

**Yes**

Should you re-join the Fund within the 36-month deferment period, your participation will be deemed to have been continuous (provided that no benefit has been paid to you).

Should you not re-join the Fund within the 36 months deferment period, remember to submit your payment instructions to the Fund before the 36 months have expired; should you fail to submit your benefit election and payment instructions to the Fund within the 36-month deferment period, the Fund will automatically deem you to have elected a deferred retirement benefit under Art. 30.

However, if after a total of 5 years after your benefit was due no payment instructions have been received by the Fund, your right to a benefit shall be forfeited under Article 46.

**Yes**

If you fail to submit your benefit election and payment instructions to the Fund within the 36-month deferment period, the Fund preserves your entitlement to a retirement benefit under Article 28.

However, if after a total of 5 years after your benefit was due no payment instructions have been received by the Fund, your right to a benefit shall be forfeited under Article 46.
Nairobi, 26 July 2019 – Confirming the excellent financial health of the UN Joint Staff Pension Fund (UNJSPF), the Pension Board elected a new Chief Executive Officer (CEO)/Pension Benefits Administrator (PBA), recommended options for the improved governance of the Fund, and approved its annual budget. These, in brief, are the decisions made at the 66th session of the Pension Board, which ended today in Nairobi (Kenya).

GOOD FINANCIAL HEALTH, FAIR ACCOUNTS AND SMOOTH OPERATIONS

“The Fund is safe today and for a long time to come. Its fundamental structures and characteristics have served it well for the 70 years of its existence.” said H.E. Ambassador Philip Richard Owade from Kenya, incoming Chair of the Pension Board.

“The long-term financial stability of the Fund was reconfirmed,” Ms. Janice Dunn Lee, Acting CEO of the UNJSPF, stated, referring to the Asset and Liability Monitoring (ALM) Committee report approved by the Pension Board. “New pension cases are processed on time and correctly, there is no backlog of entitlement cases,” she added.

The Board further approved the 2018 audited financial statements, after review of the report of the UN Board of Auditors (BoA). “The BoA issued an unqualified (clean) opinion on the Fund’s financial statements and confirmed the Fund’s improvements on the processing of pension benefits,” Ms. Dunn Lee said.

LONG-TERM PERFORMANCE, PROACTIVE COMMUNICATION, CHANGE MANAGEMENT, AND SUSTAINABLE INVESTMENT

In his statement to the Board, Mr. Sudhir Rajkumar, Representative of the Secretary-General for the Investment of the Assets of the UNJSPF (the RSG), stated that “2018 turned out to be a challenging year in global financial markets.” The asset value of the Fund had decreased by $3.4 billion to $60.8 billion at end-2018 but had recovered to $67.4 billion on 30 June 2019. Additional information is available on the website of the Office of Investment Management (OIM).

Mr. Rajkumar stressed the importance of focusing on long-term investment returns. Over the long-term, the Fund continues to exceed its Long-Term Investment Objective of a 3.5% real (net of inflation) return by a healthy margin. The RSG added that “weekly or monthly changes in asset value figures were inconsequential for the long-term financial health of the Fund. Reacting to short-term market movements could in fact be detrimental to stakeholders’ best interests.”

The RSG reiterated his commitment to proactive communication with all stakeholders, which he had practised over the past 18 months since he took on the role of RSG. Mr. Rajkumar further stated that OIM had defined its mission over the past year as contributing to the UN’s global mission by ensuring the long-term financial health of the UNJSPF. Placing
the Fund on a secure, stable and robust foundation for the next 50 years would enable the UN family to continue to attract the best and the brightest from around the world to serve with them, in an era otherwise defined by resource constraints. Towards this end, OIM was engaged in adopting global best practices, which required a certain amount of change. The RSG committed himself to a change management process that embraced the themes of communication, inclusion, empathy, and support for adaptation.

The RSG highlighted that “the Office of Investment Management has begun the process of integrating environmental, social and governance factors into its investment decision-making process,” and announced the release of OIM’s 2018 Report on Sustainable Investing.

**WHY ARE THE FUND’S INVESTMENTS IMPORTANT?**

As stated in the report of the Committee of the Actuaries, approved by the Board, “the real rate of return earned by the Fund continues to be the most significant factor in maintaining long-term solvency.” As the Fund is maturing with an increasing number of retirees compared to active staff members/participants, pension payments are exceeding contributions from active participants. This is normal for maturing pension funds, and investment income from the Fund’s assets is designed to make sure that all pension payments can be made. It does, however, increase the importance of the Fund’s investments and the role of the Office of Investment Management (OIM) in delivering this investment income. The Fund is fully funded, and its assets are expected to continue
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growing for at least the next 30 years. Participants and beneficiaries should feel safe and secure when considering the financial status of the UNJSPF.

**SELECTION OF A NEW CEO/PENSION BENEFITS ADMINISTRATOR**

After a competitive recruitment process conducted by the Board’s Succession Planning Committee, candidates were interviewed in a closed session, and the Board approved the selection of a new CEO/PBA (see next paragraph for further explanations). A recommendation will be now submitted to the United Nations Secretary-General for hiring the chosen candidate.

**GOVERNANCE PROPOSALS**

Governance was high on the Pension Board’s agenda, as the U.N. General Assembly (UNGA), by its resolution 73/274 in 2018, requested a review of various aspects of the Fund’s already solid governance framework.

The issues to be addressed by the Board, which established a Governance Working Group, included replacing the existing Secretary/CEO post with two distinct and independent posts, namely, “Pension Benefits Administrator” and “Secretary of the Pension Board” by 2020. The Pension Board agreed on the Secretary’s recruitment procedure, reporting lines, the classification of the post, and staffing of the Secretary’s office.

The size and the composition of the Pension Board were discussed based on the recommendations of the Governance Working Group, and the Board agreed that the total number of Board seats with voting rights would remain at 33. There was a re-adjustment to accommodate larger member organizations that had joined the Fund more recently.

**2020 BUDGET APPROVED**

The Pension Board approved the Fund’s budget, confirming the Fund secretariat’s intention to establish global functional reporting for all services and sections across the Fund (see more on functional reporting here) and increasing the staff of the Office of Investment Management to continue to build the capacity that will keep the Fund financially sound.

**OTHER IMPORTANT MATTERS**

Following the Board’s Rules of Procedure, all meeting attendees were required to sign a declaration at the beginning of the session, including a certification that each member would “exercise its duty with loyalty, discretion and conscience,” to prevent conflict of interest and to maintain the confidentiality of the deliberations.

Additionally, the Board decided to establish a Code of Conduct for Board members and develop related procedures, including enforcement.

“The Board must maintain its integrity and authority,” stated Ambassador Owade in his closing statement.

**NEXT STEPS**

A report will be submitted to the UNGA in the coming weeks for decision on the Pension Board’s recommendations, including those on the governance of the Fund and the budget for 2020.

See more on the role of the UNGA: https://www.unjspf.org/the-united-nations-joint-staff-pension-board-what-to-expect-from-the-forthcoming-meeting.

The Board is expected to meet again in July 2020.

Dealing with Precarious Working Situations

Jesus Garcia
FICSA Representative for Americas

"It has been almost a year since the start of my contract. From the very beginning, I have been learning how to deal with new procedures and how to use programmes that I was not familiar with before. In an enriching and sometimes challenging working environment where ideals and knowledge are respected and shared by all, I dedicated myself to this demanding work and now I have more confidence in myself and in my abilities. I have met people from all over the world with such different cultural backgrounds that I could have hardly imagined and I feel enriched by our differences and surprising similarities. However, a new question arises: what will be next? As the six-month break is approaching, a completely new series of questions occur to my mind.

I have felt at ease and confident in this work, but am I ready and willing to wait at least six months to come back? What can I do in the meantime to make a living, but at the same time be able to come back? I will look for other jobs, for sure; I might send my curriculum to other UN agencies to remain in this environment, or I could look somewhere else. I could find a new job as satisfying as the current one and then decide not to come back, would this not be partially a pity for all the effort and energy that I have dedicated to it? Also, all the working relations that have developed over the time: finding a good working environment is not always so immediate; getting to know how to relate to people is not something we can take for granted. Will these human relations last or will I have to start again? How many things can change in six months or more? Not only on an interpersonal level, but also on the working level and in the work itself. How many procedures can change and how many new systems can be implemented? A long break undoubtedly means to have the feeling of being left behind, the confidence gained will fade and in coming back, the feeling of being a burden on the colleagues who will have to brief and update me will rise.

Another aspect that creates uncertainties and some kind of worries is the fact of not having a source of income for at least six months, probably. Having had various short contracts it is only after the sixth working month that I had access to the UNJSPF, and this brings another doubt: would it be better to pay contributions for the previous months worked or would it be better to save that money for the forthcoming months at home? It is a difficult choice, thinking about the distant future is not immediate and some worries about the closer future are instead a certainty. Today I may choose one thing that tomorrow I may regret. This has most surely happened to other people with this kind of contract before me and everybody has found an answer, but here I am now and what should I do? I feel lucky because I can also rely on the support of my family, but still finding an answer is challenging.

We all know that the world of work is changing: people move more and want to change from time to time, permanent contracts are not as common as in the past, we are aware of all these changes and then we still desire some sort of stability.

The first thing I can think of is the famous Doris Day refrain “Que será, será. Whatever will be, will be. The future’s not ours to see”, but keeping a positive attitude sometimes is not as easy as singing a nice song”.

A young woman with a short-term contract in an UN Organization.

Organizations face a high turnover, a lack of stable and motivated personnel and a potential increase in legal challenges owing to the inappropriate use of short-term contracts for fixed-term posts. Furthermore, although organizations have a significant level of “short-term” staff working for extended periods, the short-termers have no effective representation in staff associations nor do they enjoy access to internal justice mechanisms.

We could finish with two key questions: “How many Union members are actively affiliated with your staff union/association? Moreover, what is your strategy for defending their rights?
As FICSA members and as legal professionals who assist staff members and consultants, we go to great lengths to inform colleagues about their rights and how those rights can be enforced through the legal process.

An issue that we do not discuss frequently is the importance of having legal expenses insurance that covers employment law matters in your international organization. Legal expenses insurance is a class of insurance that facilitates your access to law and justice, by covering the costs incurred in case of an unforeseen legal matter. Such costs normally include a lawyer’s fees and related legal expenses.

Unfortunately, this issue is oftentimes only considered when a staff member approaches an attorney for assistance about a potential legal dispute. At this point in time, the dispute may have already started and the staff member may face deadlines, heightened stress and be in need of urgent help.

During a consultation, an attorney will seek to understand whether the potential dispute has merits, how much effort will be required to provide effective advocacy and also whether the potential client has the means to pay the attorney’s fees. When a staff member has legal expenses insurance, the last question can usually be answered in the affirmative, as the insurance provider should cover an amount that will enable the attorney to sufficiently assist the client.

When potential clients do not have legal expenses insurance, this may impede them from obtaining competent legal advice. Pursuing a claim until its resolution may lead to thousands of US dollars (USD) in legal fees. Some staff may elect not to pursue a meritorious claim out of fear that they will not be able to recuperate legal fees in litigation. Others may have to rely solely on legal assistance programs established by the international organization, where these programs exist. While the lawyers of such programs are competent, they may have resource and time constraints and not be available when you need them. In other instances, staff members may decide to pursue the matter on their own (i.e., pro se), which can lead to mistakes and additional pressure.

For staff members who can self-fund the costs of an attorney, they may be required to advance a significant sum to the attorney as a retainer to demonstrate their capability to settle the fees. This can lead to hardship and personal sacrifice.

Thus, having legal expenses insurance that covers employment law matters at your organization offers you the same peace of mind as other forms of insurance (e.g., health, dental, property, life and travel insurance). If something unexpected happens, you can get help. Given that you will spend more time at your job than you will travel or sit in a dentist’s chair, it makes good sense (and good career sense) to invest in protecting your career.

For individuals on consultancy contracts, legal expenses insurance is particularly important because organizations provide consultants with less contractual rights and processes for enforcing these rights may be more difficult to access (e.g., conciliation and arbitration).

Here are five workplace situations in which you may wish to consult an attorney:
Reason 1: Workplace conflicts
During your career, you may work in several countries, with different teams and reporting to various supervisors – all within a multicultural environment. You may face high expectations and competing demands, coupled with limited resources. These factors among others could lead to an increased likelihood of a workplace conflict.

If a conflict disrupts your ability to perform your duties, a competent lawyer can help you resolve it. This could involve raising issues in a formal process (such as through an appeal or a complaint) or seeking an informal resolution. If you are a manager and colleagues under your supervisions have raised a complaint about your conduct, you also may want to consult an attorney independent of your organization for advice on how to best address these matters.

Reason 2: Investigations
If you have been requested to participate in a workplace investigation as a complainant, witness or a subject, an attorney can fully inform you about the investigation process, your rights during the investigation and any risks that the investigation may pose to you.

In the context of an investigation, it is particularly important for individuals who have been accused of misconduct (i.e. subjects) to seek legal advice as early as possible to protect their rights. This is because workplace investigations can result in severe disciplinary sanctions, up to and including termination of employment and they may even lead to referral of possible criminal matters to national authorities. There is no guarantee that anyone within the organization will be looking out for your rights. You should not expect an investigator to do so.

Reason 3: Changes to the Conditions of Your Employment
You may be facing changes to the conditions of your employment, such as being offered a new role at another international organization. Or you may have been denied the receipt of a contractual entitlement for a reason you deem questionable. In such circumstances, an attorney could review the matter and suggest ways to make sure your interests are protected and rules are correctly upheld.

Reason 4: Whistleblowing
Blowing the whistle on improper or illegal conduct occurring in the workplace is the right thing to do, but employees take risks when they do so. These risks include possible retaliation from the employees who engaged in the misconduct or sometimes from the employer itself. It is also possible that a whistleblower’s own conduct in the matter may expose them to liability, including possible allegations that they themselves have breached professional obligations or confidences. A competent lawyer can assist an employee to report such matters safely and effectively, while adding trust to the whistleblowing process.

Reason 5: Concerns about a selection process
You may have been passed over for a desirable position, depriving you of an important opportunity for career advancement. If you have concerns that the recruitment process was flawed, a lawyer can advise whether you could successfully challenge the process.

Many readers will have experienced one or more of these situations in their careers, which underscores the value of being able to obtain timely legal advice at an affordable cost.

How to obtain legal expenses insurance
How can you obtain legal expenses insurance that covers your employment with the United Nations and other international organizations?

Legal expenses insurance through your staff association
As a first step, you should contact your organization’s staff association. Some associations provide legal expenses insurance as a benefit for their members.
You should ask whether there are additional costs or co-payments required, what is the maximum amount of legal expenses that can be covered by the insurance and whether the association allows members to benefit from it automatically or if there are restrictions to coverage, either applied by the association or under the group insurance policy. Common restrictions include covering legal fees only if the legal dispute reaches an appeal stage or only providing insurance cover for cases where the insurance company considers that the case is of merit or the association deems it of common interest to its members. If you are a consultant, you also will need to ask whether this benefit is even applicable to you, by nature of your contract.

If your staff association provides you with legal coverage, you are in luck! If not, you should encourage your staff association to examine offering such a benefit to staff (and suggest that they contact FICSA for more information).

Legal expenses insurances as an individual

A guaranteed way to obtain legal expenses insurance is to take out a policy directly with an insurance provider. For individuals working in Switzerland, there are a number of companies that offer legal expenses insurance for personnel of international organizations (Fortuna, CAP and AXA-ARAG are a few examples). Generally speaking, these policies are relatively affordance (25 – 40 USD per month) and some are offered with no deductible and no minimum disputed sum. This means that disputes in which damages may be difficult to quantify could also be covered.

There are a few important points to keep in mind. First, the insurance policy normally insures you as soon as you take out the contract. However, if your case is attributable to events or facts that originated before your policy came into force, or which arose as a result of events or facts that reasonably should have been known to you beforehand, your dispute may not be covered by the insurance.

Second, as your organization is immune from suit in a national court due to privileges and immunities, it is critical to be sure that your contract does not limit coverage only to legal disputes in a national court. As an example, some providers in Europe may limit coverage in this manner and staff members were unable to obtain a benefit in front of their organization’s appeal board or the International Labour Organization Administrative Tribunal.

Third, you must also check whether your policy has any territorial limitations or exclusions. Some policies limit the territorial scope to the country in which the policy is written; others provide coverage worldwide.

Fourth, you should ensure that the policy lets you choose your lawyer. After all, your lawyer must not only communicate well with you, but he or she must also have knowledge of employment disputes in international organizations, which is a highly specialized area of law.

Finally, if you do obtain legal expenses insurance, you may be happy to find that your policy will provide legal security in other aspects of your everyday life such as in landlord/tenant matters, tax law and civil damages claims.

For these reasons, every employee of an international organization should consider setting aside 25–40 USD per month to secure legal expenses insurance. Consider it as an investment in your career.

Mr. Fishman has provided legal advice within the United Nations system, with an expertise in employment law, for nearly a decade. He served as a staff member in numerous international organizations, including the World Trade Organization, Special Tribunal for Lebanon and as part of the legal secretariat of the WHO Global Board of Appeal. He has training and experience in conducting United Nations harassment investigations and is a certified and experienced workplace mediator. Mr. Fishman stands ready to assist employees in disputes and appeals with their employer and to advise staff associations of international organizations on a range of topics, as well as by serving as an investigator or mediator. This article provides general information and is not legal advice.

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Healthy relationships for high performance

Eva Moller
Deputy Secretary General UGSS FAO/WFP

Michael Gervais is a high-performance sport psychologist who works in rugged, extreme and high-stake environments. He provides advice to numerous coaches and athletes among a variety of small- and large-scale projects such as the Red Bull’s Stratos project. What he discovered over the years of networking and conversations was quite astounding.

Performance management systems are widely used to achieve specific goals, with the intention of setting goals and later deciding on how to achieve them. However, what Gervais discovered was that high performance is not output-based, contrary to what most leaders base their management strategies on. High performance and the essence of success are based on relationships. The highest performing coaches are those who have sound, fair and transparent relationship approaches to managing the team and the individuals. The coaches listen to the team members, understand their core, what they want, and how to craft their skills to best achieve their personal goals and lead to overall success. To best understand their players, they ask questions and treasure the experience of the person. They manage the individual, and as a result the group, because there is no “one method fits all”. Goals are obviously set in high-performance sports, but in reality, the eye is not as such on the prize of winning, but, instead, on the essence of the fabric of the agreement that has been reached in the relationship.

UN staff are not high-performance athletes (although some may be), but we are still high performers working in an increasingly stressful environment. Unfortunately, one of the essential elements to ensure our success is missing because the needed relationships between managers and staff are often being neglected. Instead, we have a top-down management style where the unleashing of potential is normally neither encouraged nor supported as line managers have little say in the decision-making processes within the large bureaucratic machineries that are the UN agencies.

The FICSA Staff-Management Relations Standing Committee discusses all matters related to the wellbeing and conditions of staff that derive from the relationship between management and staff. Sharing the lessons learned that this forum provides is a valuable tool for staff representatives to gather the best practices. They can suggest that these strategies are implemented in their duty stations. Performance management is one of those topics that can be discussed. Here the discussions also need to involve that, which we can learn from other disciplines, so that we can help push human resource management up to the next level.

Read more about Michael Gervais here: https://findingmastery.net/
Why Human Resources in the UN Family are Broken

Gwyneth Letherbarrow

Before I start, a small disclaimer is necessary. I have the greatest respect for those of you doing one of the least appreciated jobs in any organization, namely human resources. I understand the challenges of being balanced and unbiased, and I know that it's impossible to keep everyone happy.

And I've also experienced first-hand when HR gets it horribly wrong, for example the time I found out that I hadn't been selected for a job when the boss announced the name of the successful candidate at a senior staff meeting, and I was then handed a regret letter complete with coffee stain with the explanation that I had been on leave and 'they' had wanted to give me the news in person.

Having worked with organizations in the UN family for more than 20 years, I always was and remain in total awe of what has been achieved. When you consider the number of nationalities, cultures, ethnicities, educational backgrounds, religions and values that make up the largest multi-cultural team in the world, its achievements are nothing short of a miracle.

Yet as human beings we have evolved at great speed since the end of the Second World War when the United Nations was formed, and although we no longer talk about personnel, many of the human-resources policies have not developed at the same rate, indeed referring to humans as resources represents in my opinion a great injustice to the important role that international civil servants play.

In the beginning …

In 1945 we were a race wanting peace and security, and great emphasis was placed on promoting social structures that left no room for conflict. Men went out to work and women stayed at home to look after the children and provide a hot meal for their family at the end of the day.

In the middle of last century, it was extremely uncommon for women to go to university — let alone be the main source of income — and so as the first recruitment policies and procedures were written and setting aside any accusations of political influence (at least at the time), men with a university education and the relevant technical expertise were selected to implement the UN mandate of maintaining international peace.

Fast-forward 70 years and the policies and procedures that were meant to provide a solid and safe hierarchy are now responsible for increasing dissatisfaction, demotivation and, in some cases, burnout and worse. We have climbed Maslow's Hierarchy of Needs at the rate of knots, with a huge majority struggling to find purpose and meaning in their lives and then suffering when their ideals come crashing down around them. And when they suffer, the UN adds another name to the list of people facing disciplinary or disability boards.

Current reality

Although a common concern of those coming to work with me is having to talk about themselves at an interview, the most common complaint I hear is that managers – all the way up through the ranks – are incapable of managing.

And from my perspective it is the inevitable result of years and years of engaging and promoting qualified candidates on the basis of their technical expertise instead of a combination of their expertise and their ability to manage a team.
If you add to that the impact of technology in an environment where resources are decreasing because everyone is supposed to be able to work faster, more efficiently and cost-effectively, we see a system that has lost its human touch – not with the communities it serves, but with the people who serve those communities.

And there’s something else. It’s not enough to manage any more. Teams want to have leaders that inspire them, support them, and help them to successfully achieve their professional and organizational goals. Individuals want to know that their work is valued, and that their hard slog day in day out is appreciated. They want to know that they are making a difference.

Change is long overdue

In its 1995 report on ‘The United Nations In its Second Half-Century’, the Independent Working Group on the Future of the United Nations talked about “ritual denunciations of an oversized bureaucracy” and that this could only be addressed if there were to be a “radical overhaul of the Secretariat’s organization, as well as of its recruitment, promotion and transfer procedures”.

BUT, the Independent Working Group also lay the responsibility for reform firmly at the door of the Member States, and whilst it might seem like a logical move, I think it’s wrong.

On the contrary, I believe that it would be futile to expect the changes to be made from the top-down, and the changes needed aren’t going to happen simply by reviewing recruitment policies or by writing new administrative instructions.

It would also be a mistake to suggest that the UN’s hierarchy should be flattened in an effort to reduce bureaucracy. Its structures ensure accountability, the ability to delegate and provide guidance, and also the much-needed sharing of information.

There is no value to providing general criticism without identifying potential for improvement, so what can be done to give the UN the internal sparkle that it once enjoyed, and to allow all those working in the UN family to acknowledge their contribution, rediscover their purpose and once again be proud Ambassadors of this fabulous family?

The psychological contract

The working relationship between a candidate and their employer begins the very second that the would-be applicant reads the vacancy notice. It has the potential to impact the performance of the individual, and influence their attitude and commitment towards the organization for which they work.

Generic job descriptions are horrible and although competences and values are likely to be similar for many positions, the way in which those competences are applied will be different. In particular, that sentence that says ‘performs other duties as assigned’ is surely an indication that the hiring manager and/or HR hasn’t considered the true nature of the vacancy and what might be required.

In practice this means that there are supervisors who ask their subordinates to sometimes carry out tasks way beyond their area of expertise or indeed pay grade, or they are delegating work to individuals that other colleagues should be doing because that particular team member is more reliable or can work faster. You could of course argue that this is an opportunity for professional growth and new learning, but more likely it will result in overwhelm and resentment.

Another source of endless frustration is that sentence that says something along the lines of ‘only successful candidates will be contacted’. In an age of databases, algorithms, excel spreadsheets and email, telling people that if they didn’t get through to the next step in the recruitment process they won’t hear anything is bordering on being unprofessional.

If you have a short-list of people who are going to be interviewed, you’ll also have a ready-made long list of people that won’t be, so what would be wrong with an email telling them so …

All too frequently I receive a telephone call from someone in a panic because they’ve just found out that they’ve been invited for interview or written test, and they tell me that the vacancy closed such a long time ago and they had heard NOTHING, so assumed that their application had been unsuccessful.
This can have a particularly negative impact on someone who has been invited to submit a video using Sonru or similar. Speaking to a camera is a nerve-wracking experience for many, and finding out that you have seven or eight days to prepare having heard nothing for six months or longer is enough to send some people into panic mode.

As a hiring manager, one would hope to see candidates who are well prepared and able to present themselves in a professional manner, not candidates who are so nervous and unprepared that they look as though they’re going to disintegrate at any minute.

**Discrimination**

HR is undoubtedly working hard to reduce bias and judgement every step of the way yet at the same time, and at the very start of the recruitment process, an application form still requires applicants to state their gender – ok so there may be an argument there to achieve gender balance – but marital status and the number of dependants are surely not relevant to one’s ability to carry out the job in question.

Another sensitive area of discrimination concerns those belonging to the LGBT community. To date very little has been done to create an environment of understanding around differences in sexuality, and challenges are faced not only by LGBT individuals, but by entire teams.

Whilst the UN Guide for Staff ‘Putting Ethics to Work’ (issued by the UN Ethics Office) sets out a clear framework for what is, and what is not ethical behaviour, I see no evidence of new staff members being taught about the values of the UN, or indeed any mechanisms to ensure that these are being upheld. Quite simply if you ask 10 people for their definition of discrimination, or compassion, or trust, you’ll likely receive 10 different answers, and if no common ground can be established, those differences will result in disagreement and distrust.

**Management**

In the past three months, three organizations have approached me about providing coaching to their management staff and it was a first for me to have an HR Director tell me that they should be doing more to support those in positions with responsibility for other human beings.

Based on the assumption that most promotions and senior appointments are made according to technical expertise and years of work experience, at the very least, anyone going into a management position should receive some training around the basics of engaging and motivating staff. Learning simple coaching skills could go a very long way to improving performance and encouraging a culture of honest and open communication. Some organizations within the UN family provide some training for their senior management and the cost of providing such support to middle management and indeed anyone responsible for heading up a team would surely outbalance the value of the number of days lost due to sickness or stress.

Online training can also be useful, assuming there is also some face-to-face interaction to talk about differences in management styles and which gives managers the opportunity to find answers to their specific questions. Providing access to eLearning that gives you a tick each time a module is completed is not going to do it.

From my research it is also true that even if more HR departments were to offer support, many senior staff don’t want to attend management training for fear of appearing weak or incompetent. Compare this resistance though to the cost of communications breaking down and another disciplinary board hearing. There are many more ways that managers could provide the inspiration and motivation that so many desire, for example through providing more regular feedback instead of waiting for the annual review, or managing their time and their team better so that everyone could leave work on time every day, or indeed developing better working relationships so that
when they go on leave, they don’t have to take their laptop with them to keep checking what’s happening at the office.

**Soft skills training for everyone**

Specialized training on technical subjects is important to ensure that those concerned are up to date with scientific developments and best practises. But if you are someone who knows that they’re not performing at their best because you don’t know how to say ‘no’ or ask your boss for support, you’re going to end up miserable.

Working with other human beings requires a two-way conversation, not just top-down instructions. As I mentioned at the beginning of this article, the speed of our social evolution has left the UN system way behind. What would you rather have; a member of staff that could use every software programme ever developed, or someone with the ability to build strong working relationships so that they can continue to serve the world ...?

**Keeping the world safe**

During my time as an employee working within the UN family, and for six years being an external coach and trainer, everyone I have ever met, without exception, is working there out of a deep sense of purpose and a desire to keep the world safe for generations to come. So why wouldn’t the UN do all it could to protect those it depends on and create a culture that lives up to the its values of integrity, respect for diversity, and professionalism?

Yes, it may take a little more time to keep job applicants updated on the recruitment process, and yes it might require a section or department head to spend 30-minutes thinking about the type of person they want to work with instead of ticking a list of competences, but how do these relatively simple-to-implement ideas compare against time and resources lost when a member of staff is on sick-leave for six months or more because of their mental and/or emotional state? Or finding out two-weeks into a contract that despite a stunning employment record, dazzling academic qualifications and sparkling references (assuming they’re sought) the person hired simply isn’t the right fit for the team?

… And before the people experts throw their hands in the air and tell me it’s not that simple, I know, because although HR must find a balance between the desire to use technology to become ever more efficient (when it suits), and being the champions of ensuring that the UN gets the right humans doing the right job, responsibility for change cannot be placed solely at its door. This isn’t just about changing policies.

A change in approach is required all round. It requires individuals to take responsibility for their future. It requires individuals to work on their presentation skills today, and not when they get an invitation to interview. It requires individuals to suspend judgement or blame when they’re faced with a problem or failure, and to take action instead of waiting for someone else to make it better.

And most of all it requires HR to reconsider its role in creating an organizational culture relevant to 2019 and beyond where there is agreement on how to best serve those that serve the world.

Who will blink first?

Gwyneth Letherbarrow is a Professional Development Coach and Personal Branding Strategist, Author and Speaker. Born in England, she spent more than 20 years working for international organizations throughout Europe and the Balkans, being a part of, building and managing multi-cultural teams. Gwyneth now provides specialist consultancy services, online training, and workshops all over the world to help people working in an international environment acknowledge their strengths and contribution, transform the way that they market and promote themselves to be able to develop professionally, as well as to build strong and successful working relationships.

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