



## Secretariat

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ADMINISTRATIVE INSTRUCTION

To: Members of the staff

From: The Assistant Secretary-General for Personnel Services

Subject: ESTABLISHMENT OF GRIEVANCE PANELS

1. By administrative instruction ST/AI/246 of 28 July 1977, a Panel to Investigate Allegations of Discriminatory Treatment in the United Nations Secretariat was established at Headquarters. By administrative instruction ST/AI/246/Add.1 of 19 June 1978, similar panels were established at major duty stations away from Headquarters. In light of the experience of the panels and on the recommendation of the Task Force on Staff-Management Relations, the Secretary-General has decided to reconstitute the panels by broadening their terms of reference to cover all types of staff grievances and to rename the panels accordingly as Grievance Panels. Administrative instruction ST/AI/246 of 28 July 1977 and addendum 1 thereto of 19 June 1978 are hereby superseded.

2. The composition, terms of reference and procedures of the Grievance Panels are outlined below.

Composition

3. The Grievance Panel at Headquarters shall consist of seven members and a Co-ordinator selected from among the staff of the Secretariat. The membership shall be broadly representative of the varied composition of the Secretariat. The panel members and the Co-ordinator shall be appointed by the Secretary-General on the recommendation of the Joint Advisory Committee (JAC) and shall hold office for a term of two years. When a member resigns from the panel or separates from the Organization, the Secretary-General, on the recommendation of JAC, shall appoint another member to serve the remainder of the term. The panel members shall perform their functions as part of their official duties. The Office of Personnel Services will provide all the necessary support services.

4. The panels established at other designated duty stations (Addis Ababa, Baghdad, Bangkok, Geneva, Nairobi, Santiago and Vienna) shall each consist of from

\*/ This Administrative Instruction replaces ST/AI/246 and Add.1 in Section XII, paragraph A, of the Administrative Handbook.

three to five members according to the number of staff at the duty station. Their members shall be appointed by the Secretary-General from a list of names submitted by the Head of the Office after consultation with the local JAC or equivalent body. Unless otherwise specified, the provisions governing the panel at Headquarters shall be generally applicable to the other panels.

#### Terms of reference

5. The panels shall investigate grievances submitted by staff members arising from their employment with the Organization. Such grievances may include, but are not necessarily limited to, allegations of discriminatory treatment in the United Nations Secretariat on grounds such as those referred to in article 2 of the Universal Declaration of Human Rights. The panels shall seek to resolve the grievances by informal means or, where this proves impossible, by recommending appropriate action by the Secretary-General.

6. In the discharge of their functions, panel members shall act with complete independence and impartiality. If, as a result of its investigation, any panel considers that grievances or problems exist at the duty station which bear on general conditions of work, it may submit a special report through the JAC or equivalent body to the Head of the Office or, in the case of the Headquarters panel, to the Secretary-General.

7. The panels may decline to deal with matters which, in their opinion, fall within the competence of other advisory bodies established under the Staff Regulations and Rules and related administrative instructions.

8. Recourse to the panels shall be without prejudice to the staff member's right of appeal under Chapter XI of the Staff Regulations and Rules.

#### Procedures

9. Any staff member who wishes to have recourse to a panel may contact any of its members or the Co-ordinator. Staff members serving away from Headquarters may opt to submit their case to either the panel at Headquarters or the panel established at their duty station. However, once a case has been brought before either of the panels, access to the other will be excluded.

10. The panel shall endeavour to act expeditiously in bringing its cases to a conclusion. To this end, the panel shall set up, for each case, a schedule normally not exceeding eight weeks, in order to facilitate the timely completion of necessary investigations and to ensure earliest possible conclusion of the Panel's review.

11. Once a case is under investigation by a panel member, he or she shall inform the staff member concerned and the other party or parties involved in a confidential manner.

12. The panel member may require the staff member to submit a written statement giving details of the grievance.

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13. The panel member shall make every effort to resolve a case by informal means. If a matter cannot be settled, the panel member shall refer it to the panel for consideration.

14. The panel shall recommend appropriate action regarding the case to the Assistant Secretary-General for Personnel Services. A copy of the panel's recommendation shall be provided to each of the parties concerned.

15. The panel may, in exceptional cases, recommend to the Assistant Secretary-General for Personnel Services an extension of a staff member's fixed-term contract by not more than 2 months if the panel finds, on the basis of its preliminary investigation, that such extension is justified and necessary to enable it to complete the investigation.

16. Panel members shall treat all cases on a confidential basis. No reference to the panel's proceedings shall be included in the personnel records of the staff member except that, at his or her request, a summary of the panel's final recommendation may be included in his or her official status file.

17. Panel members shall have access, on a confidential basis, to all documents which, in their opinion, may be pertinent to the case and shall have authority to obtain information regarding the issues before the panel from the members of the Secretariat orally or in writing. At the time of the establishment of each panel, the Assistant Secretary-General for Personnel Services or the Head of the Office concerned away from Headquarters, shall designate an appropriate official to assist the panel in this regard.

18. The Assistant Secretary-General for Personnel Services shall act upon the recommendations of the panel and shall inform it, by quarterly reports, of the action taken on those recommendations; the panels shall have authority to follow up on their recommendations.

19. Each panel shall submit an annual report of its work to the Secretary-General through the Assistant Secretary-General for Personnel Services. The report shall set forth, without disclosing the identity of the parties involved, the number and types of all cases investigated, the results achieved and a summary of the panel's recommendations. The report shall include a section referring to the action taken by the Office of Personnel Services on each of the recommendations. The report shall be circulated to the staff.

20. The provisions set forth above will be subject to review on the recommendation of the Staff-Management Co-ordination Committee.

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