

**COLLECTIVE AGREEMENT
ON
CONFLICT PREVENTION AND RESOLUTION**

Between the International Labour Office and the ILO Staff Union

Annex III

Administrative circular

Informal conflict resolution mechanisms

I. General

1. While the primary responsibility to ensure that all officials can discharge their professional responsibilities in an efficient and effective manner in a conflict-free work environment lies with management, this cannot be achieved without the active participation of each staff member. Many work related problems arise because of poor communication, lack of understanding or lack of gender or cultural sensitivity. Relatively minor difficulties can escalate into conflict, and ultimately lead to costly administrative or judicial proceedings. Therefore, all officials have a responsibility to attempt in good faith to solve work related problems through dialogue.

2. In order to encourage and facilitate dialogue within the Office as a means to ensure that potential conflicts are dealt with at the earliest possible stage, officials may request the assistance of any colleague, former colleague or the Staff Union, or the intervention of a higher level chief or the Human Resource Development Department. The Office shall also make available the services of an impartial mediator, assisted by facilitators at Headquarters and field duty stations.

II. Mediator

3. There shall be established within the Office the position of Mediator.

4. The Director-General shall, in agreement with the Staff Union, appoint a Mediator from among persons with the competence, experience and skills necessary for the discharge of the duties assigned to the position, for a term of office of two years, renewable by the Director-General in agreement with the Staff Union for not more than one further two-year term.

5. The Mediator shall not, at the time of appointment, be a serving or former official or other employee of the Office and shall not have an immediate family member who is employed by the Office. Upon expiration of his/her term of office, the Mediator shall not be appointed as an official for a period of five years.

6. The Mediator shall:

- (a) assist on request any official or other person with a contractual relationship with the Office in the resolution of work-related problems through dialogue or mediation;
- (b) select the officials to be appointed as facilitators at Headquarters;
- (c) participate in the selection of the facilitators in field duty stations;
- (d) provide coordination and guidance to Headquarters and field facilitators;
- (e) provide and coordinate periodic training for Headquarters and field facilitators;
- (f) inform officials of his/her role and functions, the names, role and functions of facilitators and any other information considered to be of general interest to the staff, subject to the provisions in paragraphs 8 and 17 below;
- (g) report annually to the Joint Negotiating Committee on activities undertaken, on the assessment by staff members of mediation and facilitation mechanisms and on expenditure of the budget allocated to the Mediator's office;
- (h) assist in the prevention of conflict in the Office through periodic reporting to the Joint Negotiating Committee on systemic work related problems;
- (i) discharge any other function that the Joint Negotiating Committee may request from him/her.

7. In addition, the Mediator shall be responsible for conveying to the relevant authority for appropriate action any *prima facie* credible concern of non-compliance with ILO internal rules and procedures (other than financial rules covered by other specific procedures), breach of standards of conduct or concealment thereof communicated in confidence to him/her by a staff member.

8. The Mediator shall maintain confidentiality with respect to all matters, documents and identities of the persons coming before his/her office except insofar as disclosures may be necessary to enable the Mediator to carry out duties. The Mediator shall not disclose any such information without the express consent of the person concerned, except:

- (a) where the Mediator becomes aware of an imminent risk of serious harm to an individual, in which case the Mediator shall inform the Office and any other relevant authority as soon as practicable; the Office shall acknowledge in writing receipt of this information;
- (b) where the discharge of the Mediator's duties is at issue in any proceeding for his/her removal from office.

9. The Mediator shall not be compelled to testify or produce evidence in any internal or judicial administrative proceeding with respect to any matter involving the exercise of the duties referred to in paragraph 6 above.

10. The Mediator shall maintain data about staff members' assessment of his/her functions and those of the facilitators.

11. The Office shall provide the Mediator with the facilities necessary for the performance of the duties referred to in paragraph 6 above.

III. Facilitators

12. The function of facilitator shall be established within the Office to enable confidential dialogue between the parties to a workplace problem so that they can explore options for its informal resolution.

13. There shall be at least 6 facilitators at Headquarters, appointed by the Mediator from among serving officials for a term of two years, renewable for similar periods. Appointment as facilitator shall cease upon the official's cessation of service.

14. Facilitators at Headquarters shall:

- (a) assist on request any official or other person with a contractual relationship with the Office in the resolution of work-related problems through dialogue;
- (b) participate in training organized by the Mediator;
- (c) refrain from facilitation in any case where they may have a personal interest;
- (d) refer to the Mediator any problem for which they need assistance;
- (e) report annually to the Mediator on activities undertaken.

15. There shall be at least one facilitator for each region appointed by the Mediator from a list of candidates provided by the Joint Negotiating Committee for a term of two years, renewable for similar periods. Appointment as facilitator shall cease upon the official's cessation of service.

16. Facilitators in field duty stations shall, in addition to the functions referred to in paragraph 14 above, assist on request any official or other person with a contractual relationship with the Office in the resolution of work-related problems through basic mediation.

17. Facilitators shall maintain confidentiality with respect to all matters, documents and identities of the persons coming before them, except insofar as disclosures may be necessary to enable them to carry out their duties. Facilitators shall not disclose any such information without the express consent of the person concerned, except where they become aware of an imminent risk of serious harm to an individual. In such cases, they shall inform the Mediator as soon as practicable.

18. The facilitators shall not be compelled to testify or produce evidence in any internal or judicial administrative proceeding with respect to any matter involving the exercise of their facilitation duties.

19. The function of facilitator shall be considered official duty. A list of facilitators shall be maintained by the Mediator's office.