



International  
Labour  
Organization

Office of  
the Mediator

# ► Office of the Mediator

Cases October 2022–December 2023

Quantitative  
and Qualitative Analysis

**2023 Report**

**Gabriela Ourivio Assmar**  
Office of the Mediator

February 2024



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# 1. Foreword

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First things first: I would like to express my deep gratitude to the members of the ILO recruitment team, whom I never met directly but who, among multiple applicants, recruited me through LinkedIn. I thank the Joint Negotiating Committee, the body that holds together the ILO Staff Union and ILO management – the two internal pillars of social dialogue to which I report – not just for choosing me as the fifth person to hold the responsibility for the Office of the Mediator at the ILO but also for always being supportive of the independence of the work I do. I also thank the colleagues who have helped me understand this complex and unique Organization as fast as possible. Above all, I would like to express my gratitude to the Visitors, the hundreds of people from whom I deserved what is most sacred to me, personally and professionally: trust.

In the first year of my mandate at the ILO, which began on 17 October 2022, I have met incredible people, from all over the globe, and learned immensely from each one of my dear Visitors. As I mentioned to many of them, sometimes with slightly different words, my main goal as a professional and a human being is to be the most solid bridge I can possibly be, to help those who want to cross the turbulent and dangerous waters of conflict to arrive at a good and safe place, feeling stronger than before.

The help I can offer goes as deep as they allow me in order to bring light to aspects of their humanity that are not normally seen in workplaces. Sometimes, the “keys” to solutions are found in “drawers” that had not been opened for a long time. Their truth is the only place where any solution may be sustainable. And where their truth meets the truth of others, the unit, team, office, or any collectivity can thrive. The collective well-being impacts the well-being of individuals, and vice versa. This is why so many conflicts can be solved by working with people individually. When they have found this safe place inside themselves, they can manage difficult relationships as they could not do before.

It is important to note that informal conflict-resolution work can be close to, and is often interdependent with, other services in the ILO, but it does not cross these borders. Whether working with 1 or 100 people at the same time, it is always about complex decision-making processes. If we speak in mathematical terms, it is all about a system of equations, including both objective and subjective constants (what the decision-makers cannot change) and variables (what the decision-makers can change). Once the system becomes clearer, many illusions disappear, and better decisions can be made. It is simple after all, but only for those that accept some change in themselves.

This work evolves with and within each Visitor, making it progressively easier to handle any conflict, inside and outside the workplace. It could not be different because, no matter how rational people are, they cannot leave themselves at home when they come to work, and vice versa.

As I delve into the nuances of my first annual report, I hope it will be useful for readers and, as much as I am grateful for the work, I hope that it is effective and that the Organization uses it for its betterment so that we can count fewer Cases, year by year. There will always be work, but it will be focused predominantly on conflict prevention and continuous improvement of the quality of communication and decision-making processes.

## 2. Main numbers and analysis

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- A **Case** is a situation, related to interpersonal, group or systemic conflict resolution, in which the services offered by the Office of the Mediator are requested. A Case may entail several issues and may involve from one to any number of parties. Cases vary in complexity and scope.
  - The total number of Cases during the period from October 2022 to December 2023 was **115**.
  - During the period under analysis, the percentage of Cases wherein which mediation *sensu stricto* was applicable was **5 per cent**.
    - **Mediation *sensu stricto*** is a methodology in which all the parties involved in the conflict accept to have their joint decision-making process facilitated by a neutral third party, under specific ground rules and with the objective of reaching an agreement. It requires, thus, that all decision-makers are willing to talk directly to each other and that they share a reasonable balance of power.
- A **Visitor** is any person who uses the services of the Office of the Mediator.
  - The total number of Visitors, during the period from October 2022 to December 2023 was **495**.
- the total number of staff served (ILO, International Training Centre (ITC) and International Social Security Association (ISSA): 3,827), the total number of Visitors represents **12.93 per cent**.
  - The UN Joint Inspection Unit (JIU)<sup>1</sup> considers that the **average annual** rate of staff seeking ombudsman/mediation services annually is from **1 to 5 per cent**. Even given that this report covered a period of 14 months and 14 days and that, on the other hand, the initial period of a Mediator's mandate is naturally more dedicated to the learning process of the culture and building trust among stakeholders, the percentage indicated of ILO staff seeking informal conflict resolution requires careful reflection.

### 2.1. Comparison between current and previous reports

- Until the 2020 report (covering January 2020–March 2021), the definitions of the terms “Case” and “Visitor” were as follows:
  - A Case is a situation brought by the Visitor to the Mediator's attention. One Case usually involves more than one issue. A Case may consist of one or several sessions.
  - A Visitor is a staff member or a person who requests a session or comes to discuss a Case at the Office of the Mediator.
  - According to the numbers displayed in the previous reports, 1 Case was equal to 1 Visitor.
    - In the previous reports, we could not access the number of Visitors involved in each decision-making process or the complexity of the Cases.
      - The conceptual difference in the definition of “Case” is that now one Case may include many Visitors (countable Visitors in group Cases, or uncountable Visitors in Systemic Cases). **The new definition is aligned with the UN System Chief Executives Board for Coordination (CEB) best practices.**
    - For the reason given above and the different concept adopted for the current report, the comparison between Cases requires careful attention.
    - On the other hand, a comparison of the number of Visitors may be more straightforward.
      - The only conceptual difference in the definition of the term “Visitor” is that, in the new understanding, someone who only comes to the Office of the Mediator for information about the services available or to check the trustworthiness of the

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<sup>1</sup> See UN document JIU/REP/2015/6.

Mediator but does not bring a concrete Case to be addressed by the Mediator is not counted as a Visitor.

- The 2020 report mentions **101 Visitors/Cases and 6 mediations** requested, of which 4 were considered successful and 2 were ongoing when the report was finalized.
  - The number of **actual mediations** was thus **5.9 per cent** of the Cases.

### 2.1.1. Further comments and analysis on the comparative numbers

- Although the new definitions of Cases and Visitors are more restrictive and at the same time include a much wider spectrum of complexities, some comparisons are still useful:
  - The number of Visitors was **5 times higher** in the recent period.
  - The percentage of mediations *sensu stricto* at the ILO was quite similar in these two periods: **5.9 per cent and 5 per cent**. This is consistent with the percentage mentioned in the 2022 reports of other UN agencies, which are considered best practices:
    - United Nations Ombudsman and Mediation Services (UNOMS): **6.84 per cent**
    - UN Funds and Programmes: **15 per cent**
    - Office of the UN High Commissioner for Refugees: **23.16 per cent**
    - World Food Programme: **2.79 per cent**
  - It is relevant to note that these other agencies have bigger ombuds-offices, whose volume of Cases justifies having officials exclusively dedicated to offering mediation *sensu stricto*. Having dedicated staff certainly increases the number of mediations *sensu stricto*, but the general number of ombudsman Cases is always much higher.
  - The tendency in the percentage of Cases adequate to mediation *sensu stricto* indicate that:
    - In the reality of workplace conflicts, most Visitors prefer to avoid the exposure that a direct dialogue requires, whenever possible.
    - Work with a Visitor, on an individual basis, at the beginning of misunderstandings, is more efficient (less people involved = fewer working hours of staff dedicated to conflict resolution) and prevents the escalation of conflicts. These individual processes (conflict coaching, reality checking, shuttle diplomacy and so on) are mainly intended to allow the Visitor to access realistic expectations of themselves, the other parties, and the surrounding conditions (including the applicable understanding of norms and the informal and formal services within the ILO internal justice systems) in order to make well informed decisions.
    - **Systemic Cases<sup>2</sup>** are not adequate to mediation *sensu stricto*.
- Considering that the new Mediator did not have the time or the structure to do outreach, the considerable increase of Visitors/Cases from 2020 to 2023 can be explained by a combination of many factors, including:
  - The fact that the position was vacant for 1.5 years between the two periods under analysis.
  - The consequences of the pandemic in terms of both work habits/practices and mental health conditions.
  - A new administration in the ILO and the consequent structural changes.
  - The wider offer of services (all compatible with the terms of reference), as a result of which polarization and exposure to other parties can be avoided or postponed to the moment when all the parties feel ready.

<sup>2</sup> For more information on Systemic Cases, see section 4, "Types of Cases".

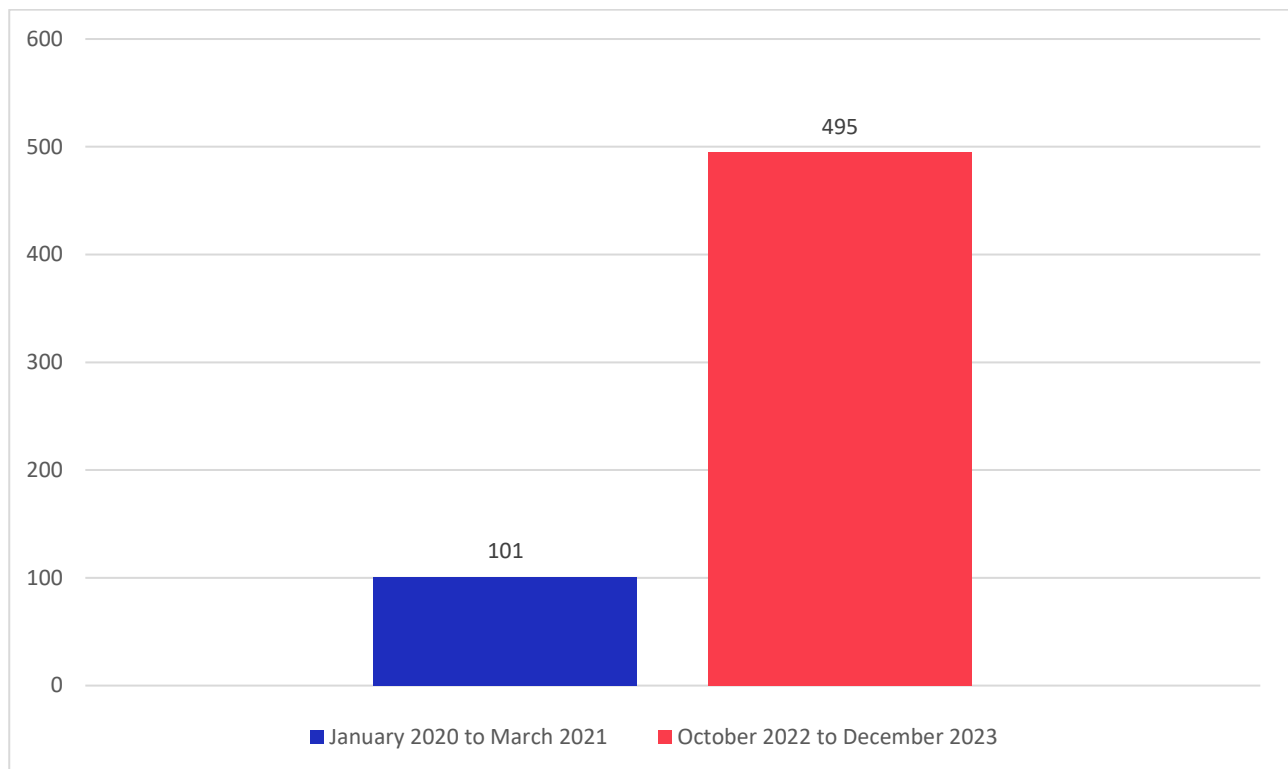
- It is important to note that the JIU reviewed all ombudsmen and mediation services across the UN system and explicitly acknowledged that **“the functions of the [ILO] Mediator are the same as those of an organizational ombudsman”**.<sup>3</sup>
- To that end, it is equally important to note that many Visitors manifested an initial unwillingness to come to the Office of the Mediator, until they were told that it was not restricted to the typical mediation procedure, in which they would have to sit directly with the other party or parties.
- **Mediator’s comment:** To illustrate the difference between the roles of an ombudsman and a mediator, we can say that while an ombudsman offers a “menu” of informal conflict-resolution methodologies (with adequate options for different needs), a mediator can only offer one “dish” and although it may be quite “nutritious” when applicable, it is not the most popular because many people are “allergic” to it.
  - As Abraham Maslow said: “If the only tool you have is a hammer, you tend to see every problem as a nail”. That is applicable to any service that can offer just one problem-solving methodology.
  - The best practice models (see Annex I) offer an umbrella of informal conflict-resolution methodologies and specialized mediation, when applicable. In some organizations, the ombuds-office has a subunit for mediation *sensu stricto*, while in others the mediation *sensu stricto* is offered in parallel or by on-demand external consultants. In agencies in which the volume of Cases does not justify a complex structure, one ombudsman or a small team can offer all informal conflict-resolution services, including mediation *sensu stricto*.

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<sup>3</sup> See JIU/REP/2015/6, para. 35.

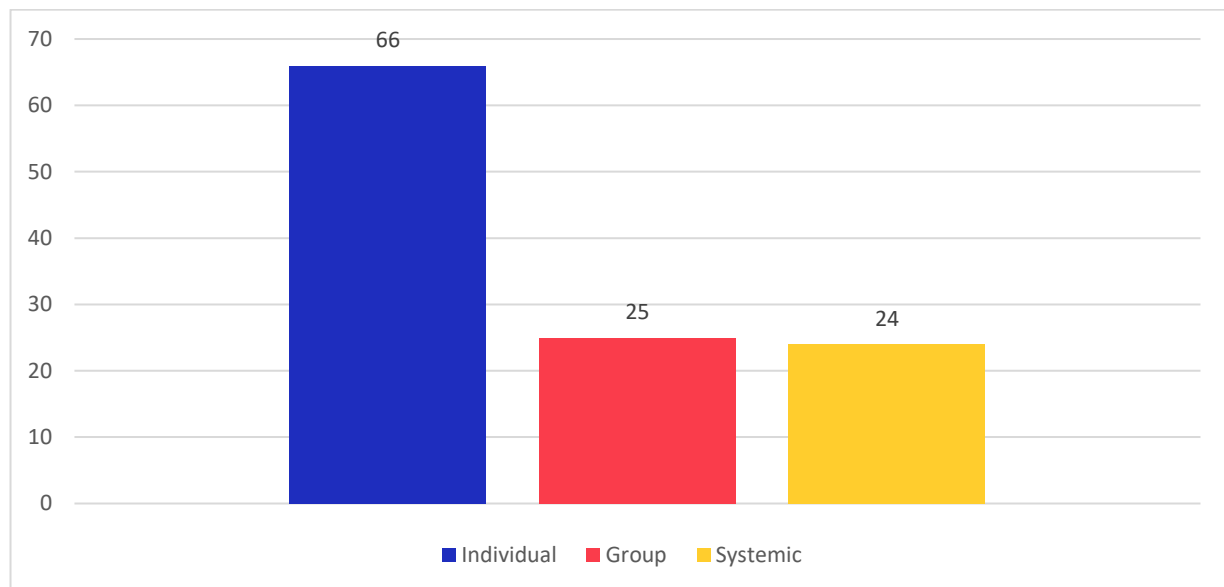
### 3. Number of Visitors

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- The average number of Visitors per Case is **4.30434**.
  - **7.87 per cent** of the **495** Visitors were recurring.
  - A **Recurring Visitor** is someone who has been a Visitor before during the period under review and has returned on a different Case.
- Neither in the previous report nor in the current report was any record of the number of Cases per month included. For the next report, such records and analysis will be included.

## 4. Types of Cases



- The total number of Cases is **115**.
  - Visitors who merely enquired how the service functions but did not engage in problem-solving were not counted.
  - The 2022–2023 numbers do not include any Cases dealt by the network of facilitators.
- In the previous report (2020), the number of Cases mentioned was equal to the number of Visitors and only 6 mediations were reported. There was no division of Cases by type.
- **Observation:** Many Visitors report that they were reluctant to come to the Mediator because they did not want either polarization or exposure. This is why the possibility of dealing with the Cases on an individual basis is preferred.

### 4.1. Types of Cases:

- An **Individual Case** occurs when one Visitor uses the services of the Office and feels prepared to deal with the situation by himself/herself without the Mediator intervening directly with the other people concerned.
- A **Group Case** occurs when a Case has more than one Visitor but still a specific/limited number of Visitors, who hold the relevant decision-making power for a resolution.
- A **Systemic Case** occurs when some of the issues at stake affect more than the Visitors who come to sessions with the Mediator and/or when decision-making powers are required beyond those of the Visitors. In those Cases, the causes are normally wider or deeper than the Visitors can access. Visitors come with “symptoms” and any possible solution requires a diagnosis at a higher level. In some of these Cases we can involve the necessary stakeholders, while in others we can only manage expectations in order to minimize damage.
  - In workplace conflicts, the relevant decision-making power is often not within the power of the parties to the apparent conflict and thus a direct dialogue among them would not be sufficient to resolve the perceived problems. In those Cases, the role of the Office must be to: (i) ask the Visitors for permission to involve the relevant decision-makers – not as parties to a mediation but as essential stakeholders – in order to either enable changes or set the boundaries for what it is possible or not possible to change; or

(ii) help the Visitors to develop the capacities to manage the situation “as is”, without the misleading expectations previously put on the shoulders of the other apparent parties.

One simple but typical example of these situations is when two peers accuse each other of “invading their scope of work”, but the underlying cause of their discomfort is a lack of clarity in each of their terms of reference, which cannot be adjusted by themselves. In these contexts, the apparent issue or the apparent parties are indeed the “tip of the iceberg” of a much wider context and the underlying causes of the conflict are beyond the Visitors’ decision-making powers. Normally, when a systemic conflict occurs, the parties that come as Visitors to the Office of the Mediator are not aware that they are “voicing” a message that is bigger than what they see.

Another common type of Systemic Case occurs when there is a generalized discomfort or many small but repetitive problems, and none of the people directly involved can identify the causes or the specific parties.

These are the types of Cases in which the understanding of the roots of the perceived problems can lead to a wider betterment of the Organization. They require a typical ombudsman function that cannot be performed by other services in the Organization or by external/independent mediators.

As explained in the UNOMS standard operating procedures:

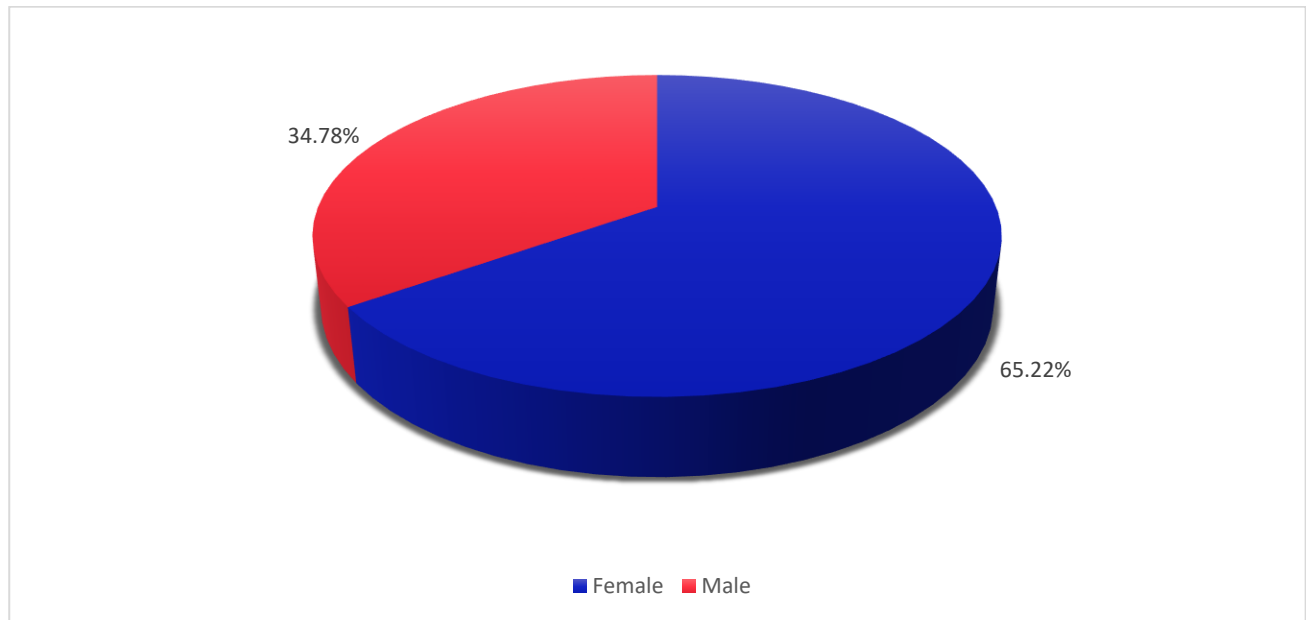
Systemic issues can be rooted in the organizational culture or may be the result of structural problems, poor leadership, gaps, inconsistencies, or lack of alignment in the Organization’s policies, processes, practices, and behaviours.

While Individual Cases can often be resolved through direct intervention and simple problem-solving, systemic analysis will examine the relationship and interlinkage of the players and the related organizational parts.

Early detection and flagging of potential systemic issues allow the Organization to respond in an adaptive and holistic way as appropriate, which can help manage present and future conflicts.

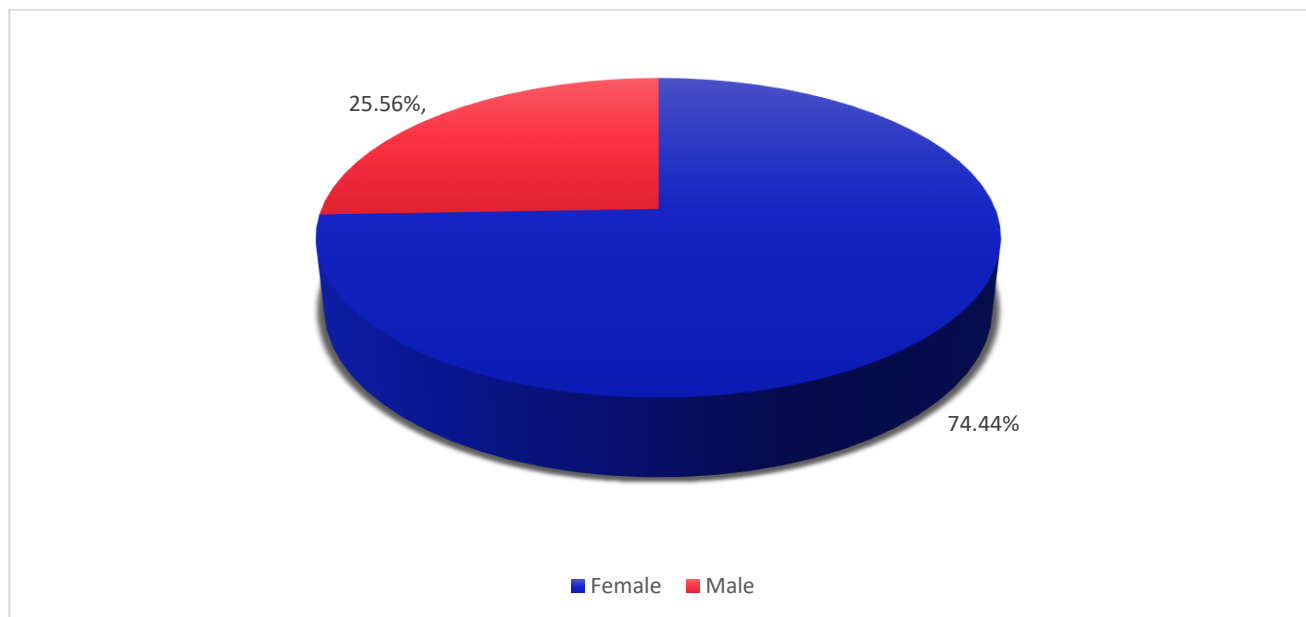
## 5. Gender of the first Visitor

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- Other gender-related data was not specified because the number of people who identified as “other” was not significant enough to safeguard confidentiality.

### 5.1. Gender of other Visitors



- The graph only reflects Group Cases since it would not make sense to count Individual and Systemic Cases for this purpose.
- Considering that “ILO Staff at a Glance 2023” shows the percentage of men and women as quite balanced (47 per cent/53 per cent), their attitude in relation to conflict resolution shows that women not only have

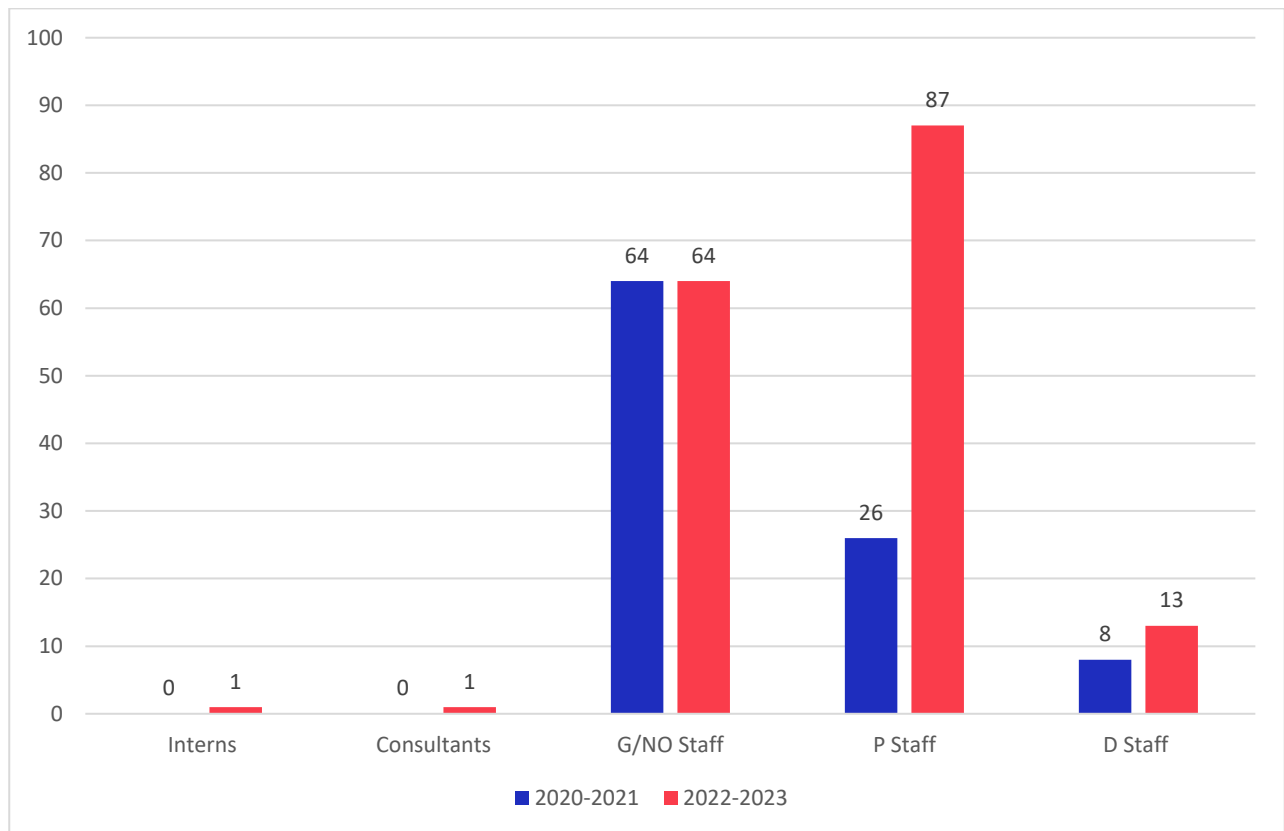
more initiative in starting an amicable conflict-resolution process but are often more engaged when invited to participate in such a process.

- **Mediator's comment**

- Many factors may interact to produce these observed behaviours and we do not have the necessary tools to fully analyse them. Nonetheless, it is important to note that the opposite of engaging in amicable conflict resolution is not the absence of conflict; instead, it is often a lack of awareness about amicable options or a lack of openness to change. We do not infer that men are less open to change, but we observe that in many cultures they are less questioned and less pressured to change.
- Independently of the gender aspect, it is helpful to make a brief analysis of the impact of conflict-resolution processes on behaviours that lead to change. When we look at conflicts through the lens of amicable processes, we must acknowledge that any solution requires change, and all stakeholders have some responsibility. As an old popular saying goes: what is required is the courage to change what can be changed, the serenity to accept what cannot be changed and the wisdom to know the difference. In other words, conflict resolution requires self-awareness and clarity in relation to the surrounding context. Conflict may provide a good opportunity for such an expansion of awareness, but it requires deep personal efforts, including efforts of an emotional nature. On the other hand, litigious processes require intellectual arguments as to why that person has always been right (and the others wrong) and everything should remain the same, leaving no room for change.

## 6. Professional categories

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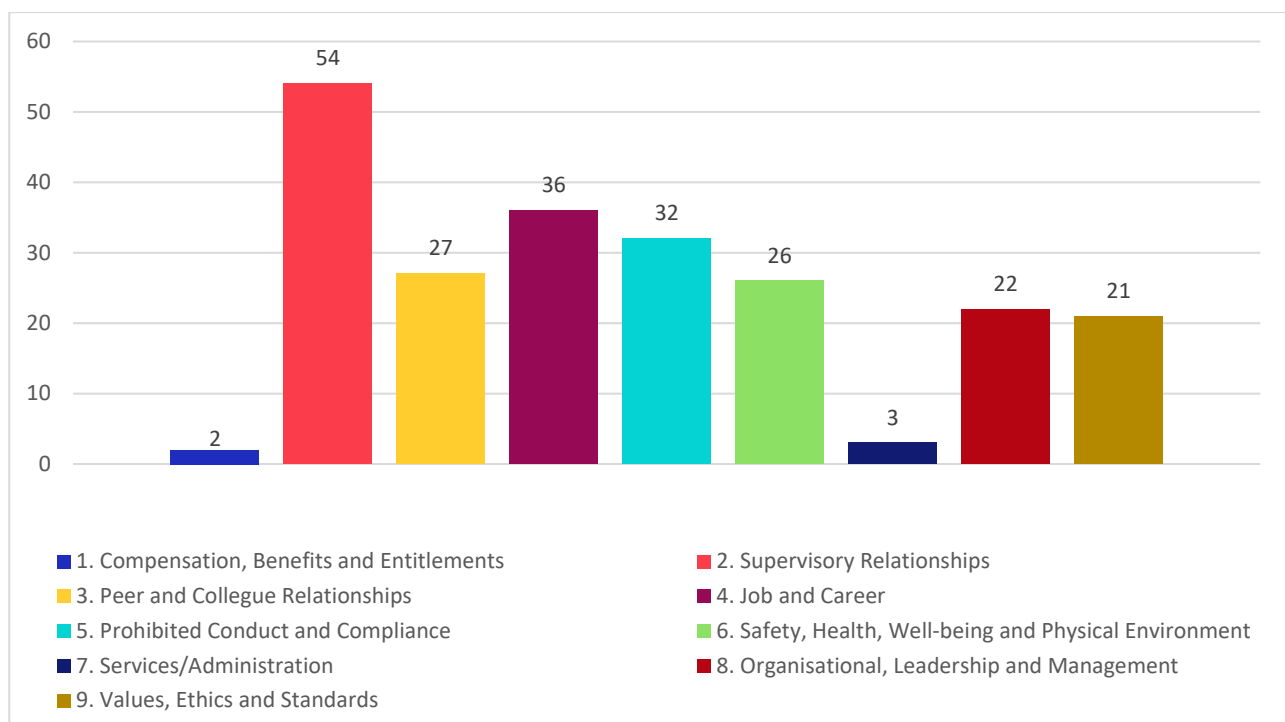


- For the 2022–2023 period, only the Individual and Group Cases were considered; Systemic Cases were excluded.
- Of the Individual and Group Cases in the 2022–2023 period, there were 29 General Service (G) staff and 35 National Officer (NO) staff. Even if the numbers are not completely comparable because of the different concepts of Case and types of Cases, we combined the G and NO staff in the graph above because we could not differentiate them in the previous report.

## 7. Case categorization according to CEB standards for all the UN ombudsmen and mediation offices<sup>4</sup>

- Based on the UN list of issues and subissues, only those that appeared as concrete in the ILO 2022–2023 Cases are included in the graphics below.
- The Case categorization for the UN ombudsmen and mediation offices is currently under review by the CEB Ombudsmen and Mediators Network.
- In each ILO Case, the Mediator indicated all the issues that were dealt with during the processes. That is, the classification was made by the Mediator after the Case was closed and not by the Visitors.
  - One Case may include one or more issues.

### 7.1. Category of issue definitions

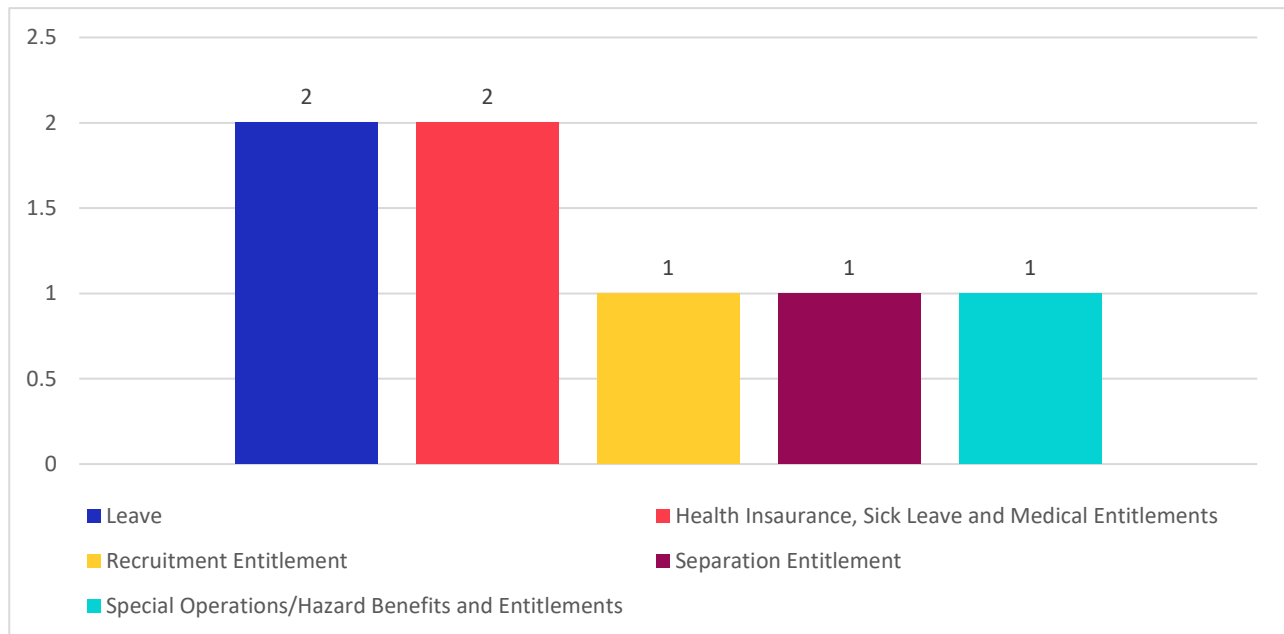


- In both the previous report (2020–2021) and the current report, the category of “supervisory relationships” had the highest concentration of Cases.
- On the other hand, the categories of “job and career” and “prohibited conduct and compliance” each made up only 3 per cent of Cases in the 2020–2021 period but had the second and third highest concentrations in the 2022–2023 period. Further analysis is provided below.
- Other categories remained in coherent proportionality over the two periods.

<sup>4</sup> See Annex II.

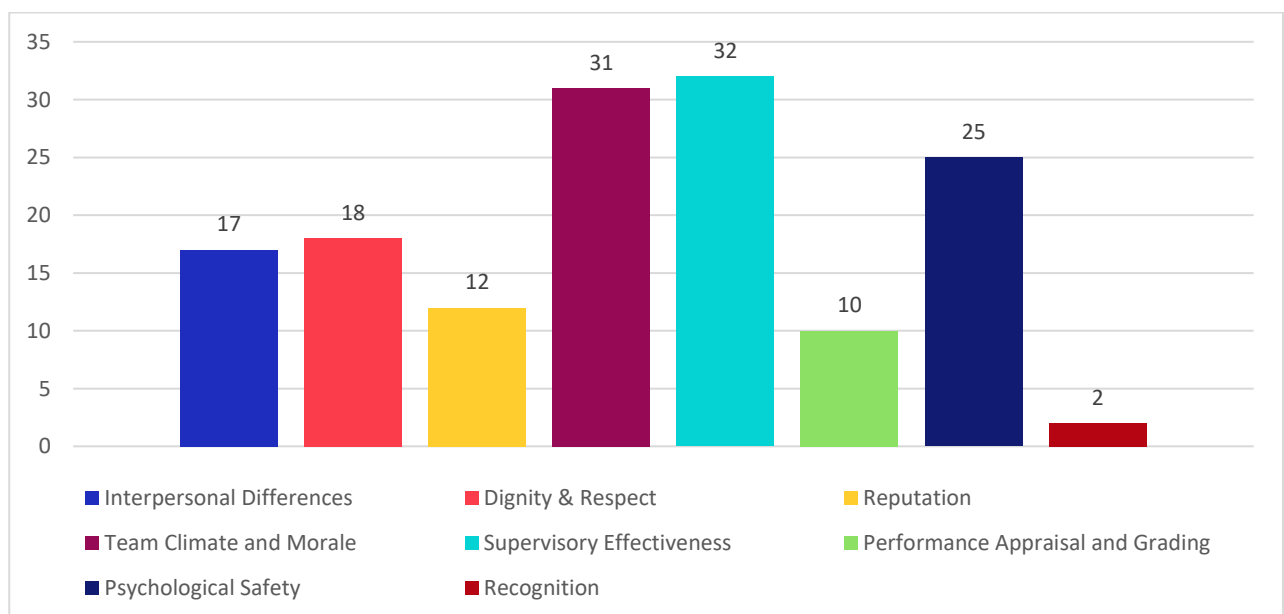
## 7.2. Subissue definitions

### 7.2.1. Compensations, benefits and entitlements



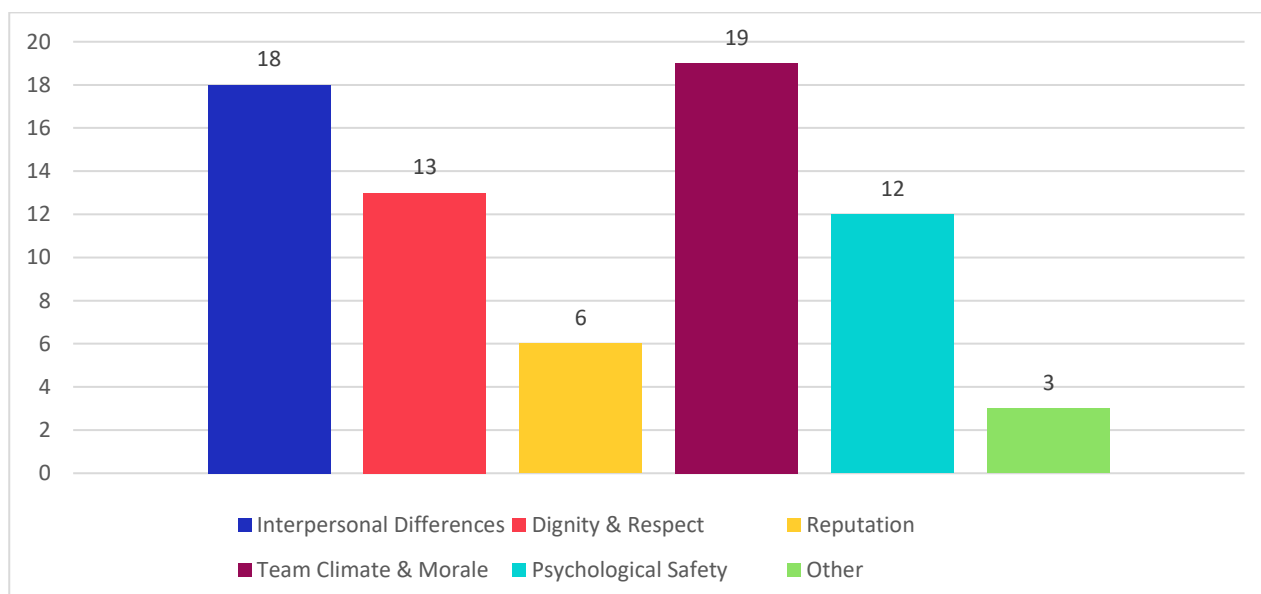
- These categories of Cases are mostly addressed by human resources services. The few Cases that came to the Office of the Mediator were related to the following : (i) there was a major misunderstanding or lack of understanding about the different services available; (ii) Visitors were not willing to go to human resources services because of their previous experiences; (iii) Visitors had previously gone to human resources services but did not agree with the response provided and did not want to pursue a formal grievance; or (iv) the issue was one among a number of other issues.

### 7.2.2. Supervisory relationships



- The subissues of “supervisory effectiveness”, “team climate” and “morale and psychological safety” are closely interconnected and in some Cases, it is even difficult to differentiate them. Nonetheless, what is not so obvious is that there are Cases wherein which it is the manager who feels the lack of psychological safety to stop or control the damage derived from the lack of commitment or abusive behaviour of a few staff members.
- In some country offices, managers depend on local staff in many ways. This is a natural process when international staff arrive at a new place, in which they are not fully aware of cultural, political, and linguistic specificities. Such deficits in the preparation of new managers, in terms of both culture and people management skills, often causes significant problems for themselves and their teams.
  - The lack of psychological safety, from the managers’ point of view, makes them very reluctant to ask for help (from regional offices and/or headquarters) when they realize that they may not have all the skills that are expected from them.
- As in most organizations, it is very hard to have managers who have balanced skills at all levels: technical, political and people management. What happens, in most cases, is that people who excel at the technical level are promoted, even if they don’t have people management skills. This worldwide reality is also enhanced by the difficulty of evaluating people management skills, and even more so where psychological safety is not predominant.
- At the ILO, the complexity of many country offices and the numerical imbalance between national and international staff members make some country directors isolated or mainly absorbed by one area of attention (technical, political, or internal people management).
- The relationship between the local Staff Union and local management may also play a very important role in these environments. It can be a very positive partnership, but it may also have a very destructive dynamic. The better that each “side” (the Staff Union or management) performs its own function, the more positive interactions there will be for both sides. Conflicts arise when the imbalance between rights and responsibilities, on either side, makes an “equal footing” unrealistic.
- During 2023, human resources services implemented new levels of preparation for new country directors. However, it is too early to see the results in terms of conflict management.

### 7.2.3. Peer and colleague relationships

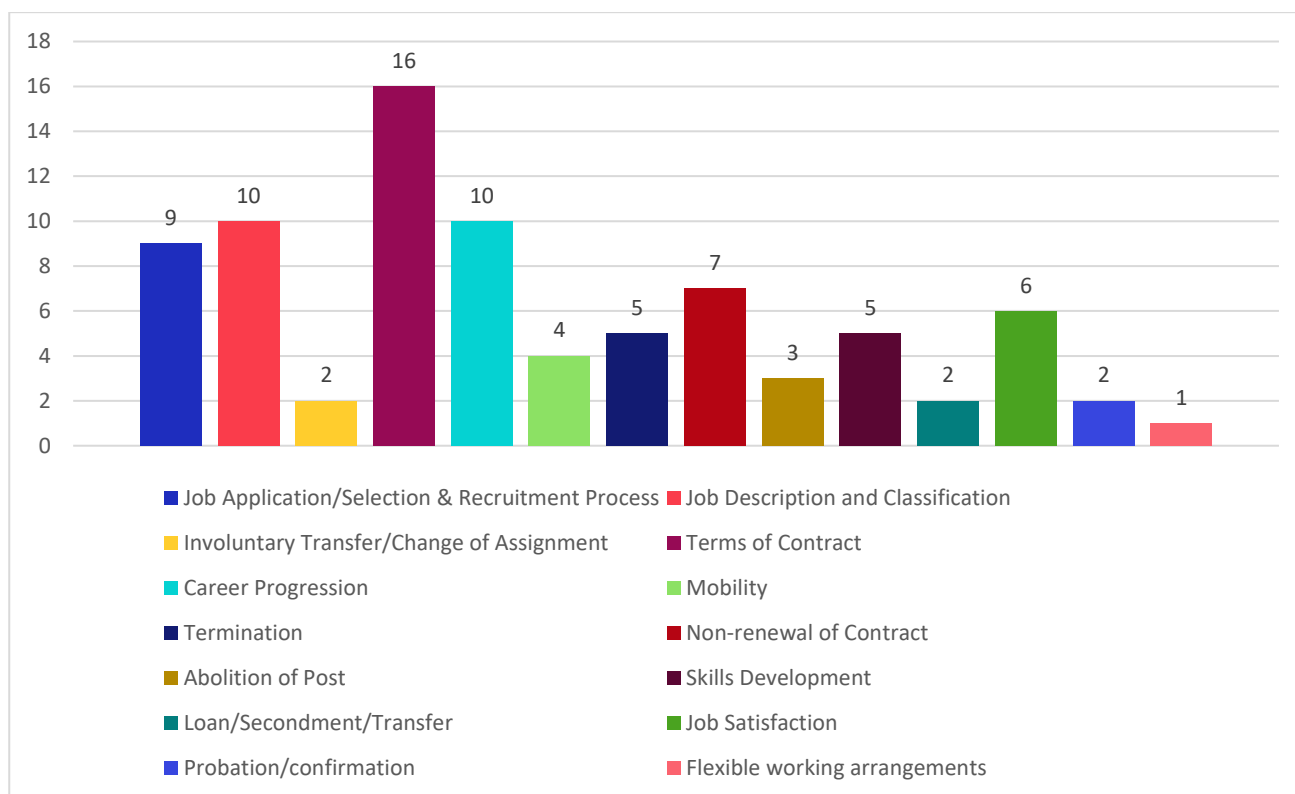


- Under the “peer and colleague relationships” category, the subissues related to “team climate and morale” and “psychological safety” are unavoidably similar to those of the “supervisory relationships” category. Although some units develop “subclimates” that seem to be unique due to specific factors, the deterioration

of relational patterns in country offices are generally systemic. At headquarters, the same comment would not apply.

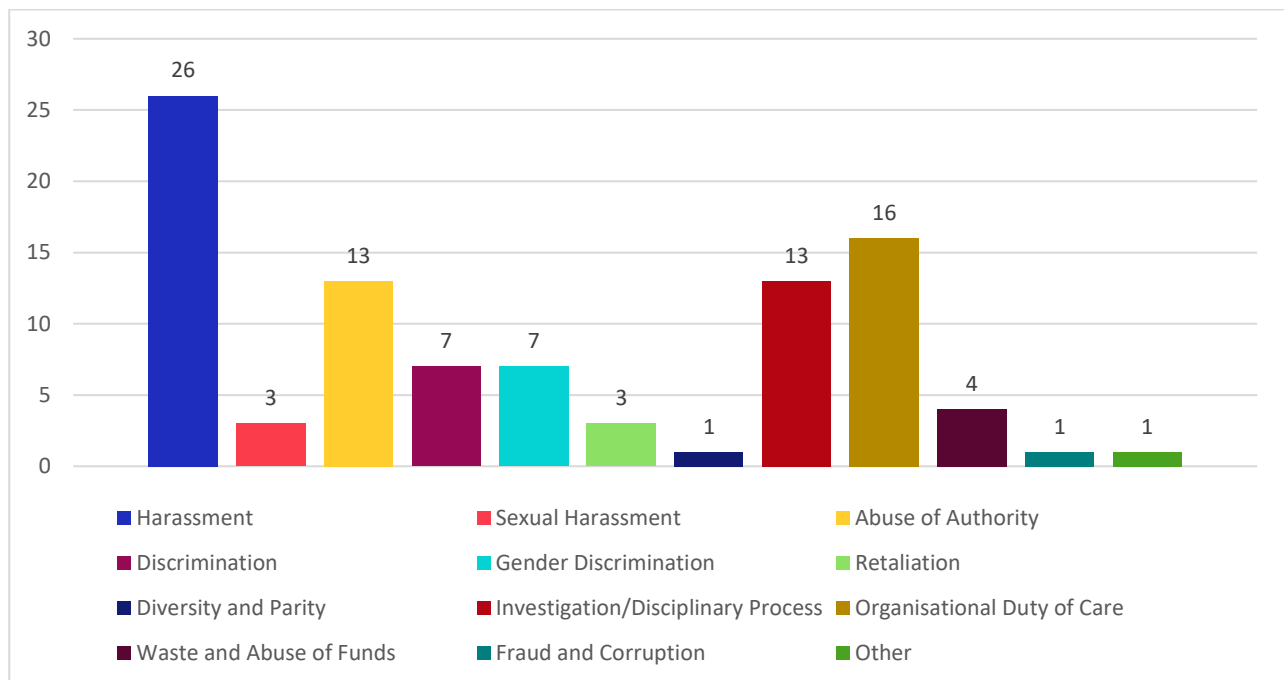
- The subissues of “dignity and respect” and “reputation” are predominantly related to lack of awareness/understanding with respect to cultural differences.
- The subissue of “interpersonal differences” certainly exists in every workplace and is not a problem in itself. Most of us spend more time with colleagues than with our families and we cannot choose our colleagues. Nevertheless, these issues are also often systemic. In other words, people may not like each other and may still have a reasonable working relationship, but conflicts arise even among people who like each other when a lack of clarity (about scope of work, entitlement to benefits and so on) and a lack of psychological safety overlap. In these Cases, the “survival mode” is activated and colleagues accuse each other for what they perceive as a threat. The perception of insecurity is thus often a symptom of a wider issue.

#### 7.2.4. Job and career



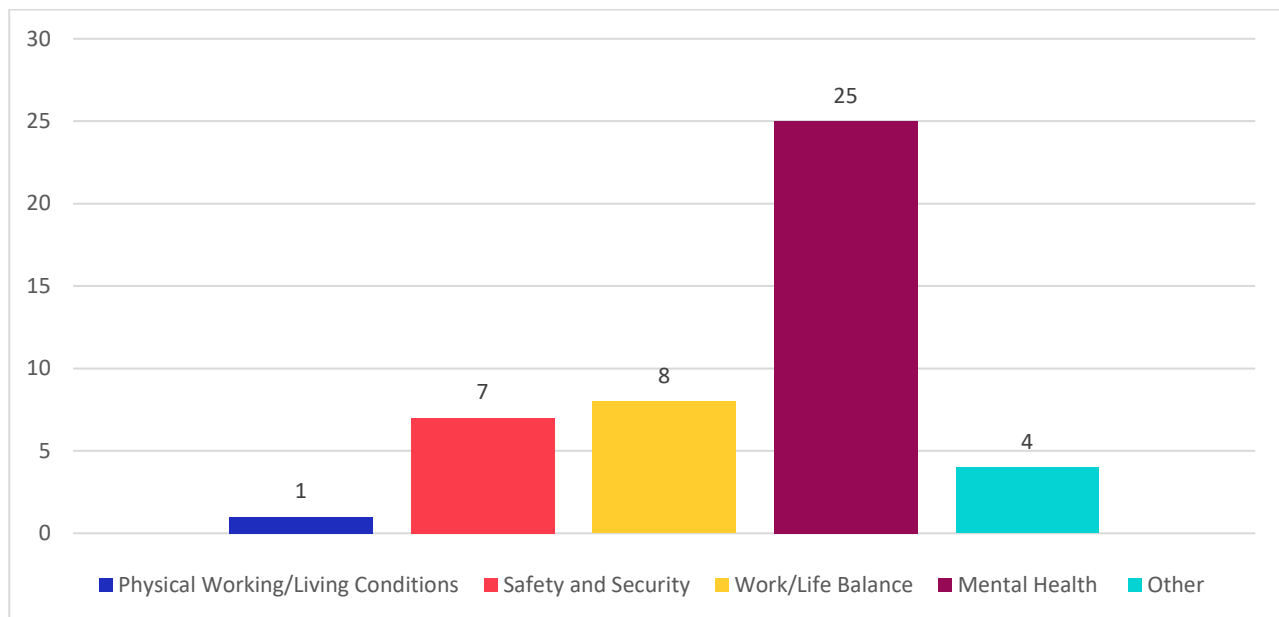
- Unrealistic expectations about career progression and a lack of clarity about ILO norms and regulations are the basis of most of these issues. Even if all the relevant information is available on the ILO intranet, many Visitors claim to either not be aware of it or to disagree with it. In these Cases, much of the Mediator’s role is to promote reality checking.
- Many Visitors also complain about the norms and regulations being implemented in different ways for different people. These Cases also relate to perceptions of favouritism/discrimination.
- Many Visitors manifest a perception of inequalities based on situations in which regular budget (RB) and technical cooperation/development cooperation (TC/DC) staff do the same work for a long time, side by side.

### 7.2.5. Prohibited conduct and compliance



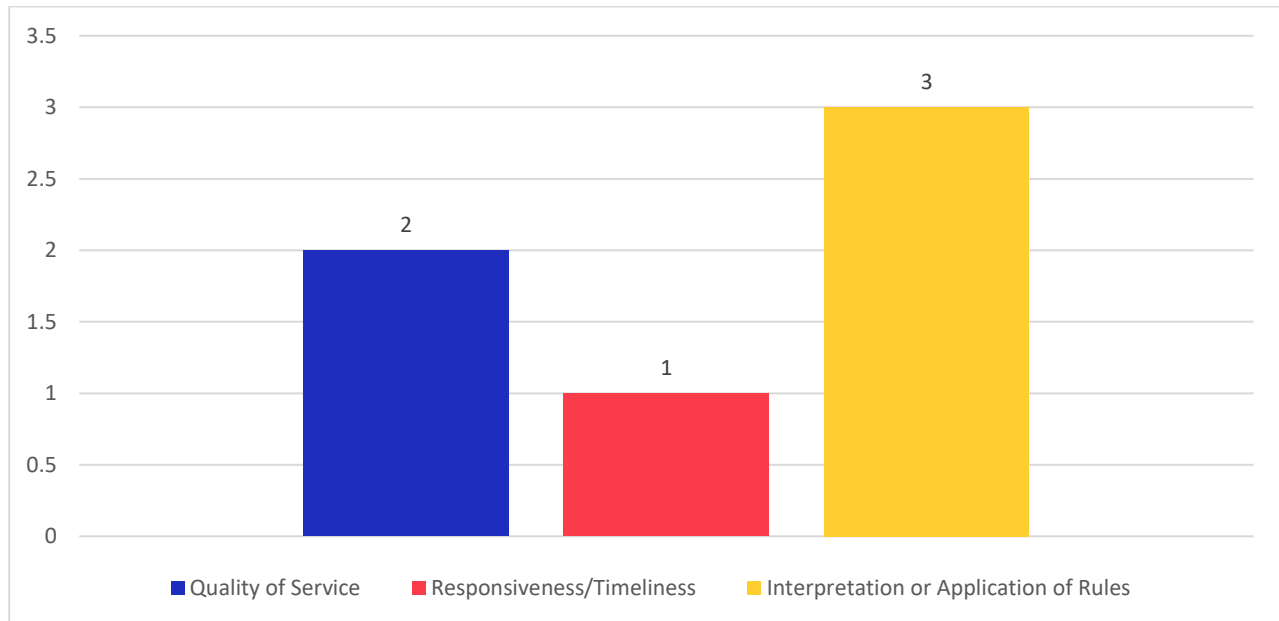
- First, it is important to note that a given conduct can only be considered a misconduct of any kind after the due investigation has taken place and found enough facts and data to prove so. In informal conflict-resolution Cases, we either deal with Visitors on a post-investigation scenario (either the accuser and/or the accused) or we need to remind them that, until proven, we can only deal with such accusations as **perceptions**. Perceptions tend to be very different among the participants in a given situation. Often, when we can promote understanding at the initial stages of such perceptions, we can resolve the Case with a good learning outcome for all those involved.
  - Harassment is defined as “Behaviours that cause offence or create a hostile or intimidating work environment; bullying/mobbing, abusive, threatening or coercive behaviours (excluding sexual harassment)”.
  - Abuse of authority is defined as “Improper use of a position of influence, power or authority”.
    - In relation to those concepts, it is important to note that throughout the Cases covered in this report, the perceived behaviours were not necessarily coming from managers. There were Cases of harassment and abuse of authority both bottom-up and among peers.
- The sexual harassment Cases dealt with by the Office of the Mediator involved situations that were either already investigated or were under investigation. The role of the Office in those Cases was more for a restorative purpose, to help the victim heal and be able to reintegrate in the workplace.
  - In situations of this nature, a typical mediation, in which all parties are supposed to participate on an equal footing, would not be appropriate.
  - Harassment is not negotiable and thus is not subject to mediation. In the initial stages of a perceived sexual harassment situation, mediation may help to clarify any misunderstandings. Apart from this possibility of early intervention, only restorative processes can be applicable.
    - While mediation presupposes decision-making, **restorative processes** are methodologies that are derived from mediation but have the purpose of rebuilding minimum levels of respect, civility, and humanity after a traumatic situation. Restorative processes are not about negotiations but about helping parties to look forward and build a future that can be better than the past.
    - Restorative processes are slowly but continuously being included in the scope of the ombudsman and mediation offices of the UN and related entities.

### 7.2.6. Safety, health, well-being, and physical environment

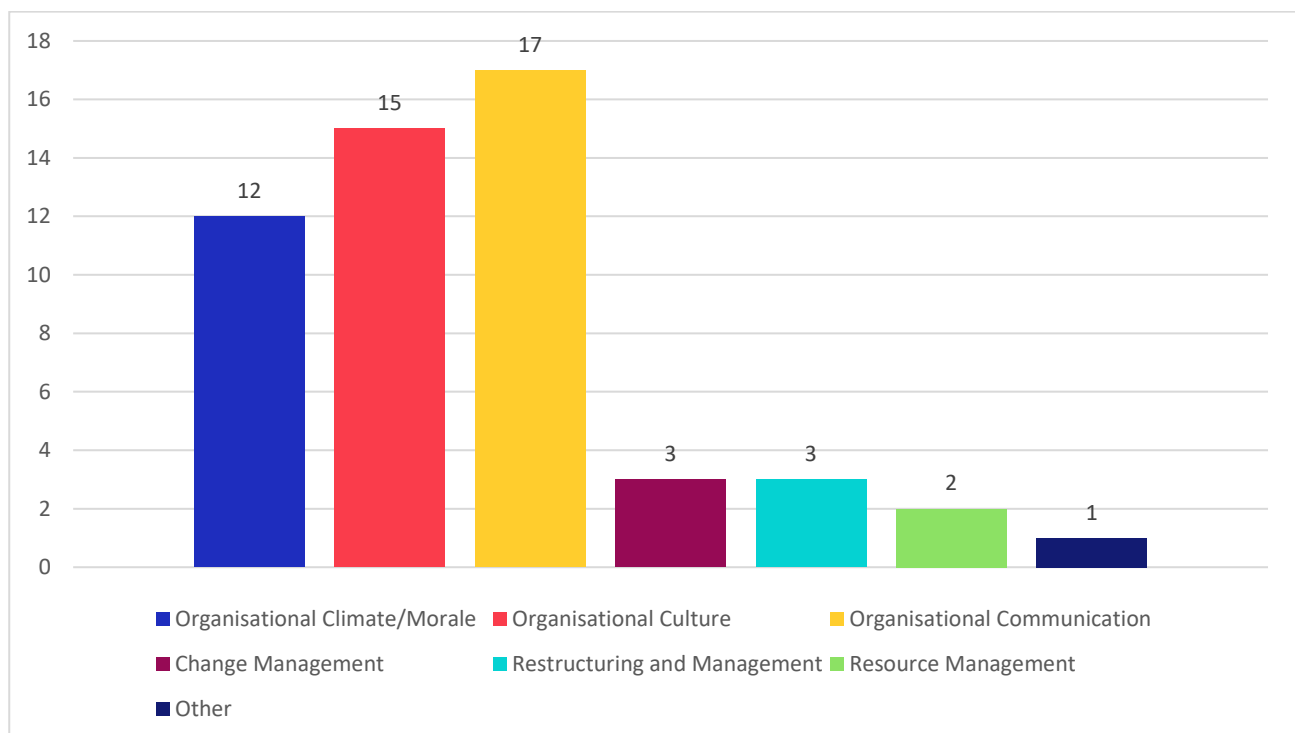


- Mental health is defined by the CEB issue categorization as “Mental health concerns **deriving** from work-related issues (stress, post-traumatic stress disorder and so on)”.
- In relation to this concept, it is important to note that within the scope of this report, in addition to a number of Cases in which mental health conditions were caused by work-related issues, there were also Cases in which prior mental health conditions (or conditions not related to work) were the cause of workplace conflicts. In other words, mental health can be either a consequence or a cause of workplace challenges.
- Since the Mediator is not an expert in mental health diagnosis, when such Cases arise it is important to refer the Case or work in parallel with staff welfare services and/or the ILO Medical Service. But the Mediator can only mention a Case to any colleague if the Visitor expressly allows it. In a few Cases, the Visitor did not agree with the referral and/or mentioned that they preferred to seek assistance directly from private practitioners.
- In Cases of relevant mental health conditions, conflict resolution methodologies can only have a quite limited scope, since the Visitors tend to have their decision-making processes affected. In these Cases, the Mediator needs to take extra care with regard to the exposure of Visitor to stress, since discussions about conflict evidently tend to be stressful for the people involved.

### 7.2.7. Service/administration



### 7.2.8. Organizational, leadership and management



- The ILO, as the “guardian” of “social justice through decent work”, naturally generates high expectations of excellency in its own workplace. The reality, on the other hand, is that it is a large, complex, tripartite, not-for-profit Organization, in which change is always slow and resources are always limited. This contrast generates frustrations, especially for the people most motivated by the mandate.
- Many Cases under the “organizational communication” and “organizational culture” subissues were based on the paradoxical position of “Do what I say, don’t do what I do”, which can be perceived as ambiguity. These situations are easy to understand but difficult to accept. For this exact same reason, many people

believe they can live with such ambiguity on a rational basis, but when they are under greater stress they may resort to irrational accusations of others, as if these others had the option to do better but refused.

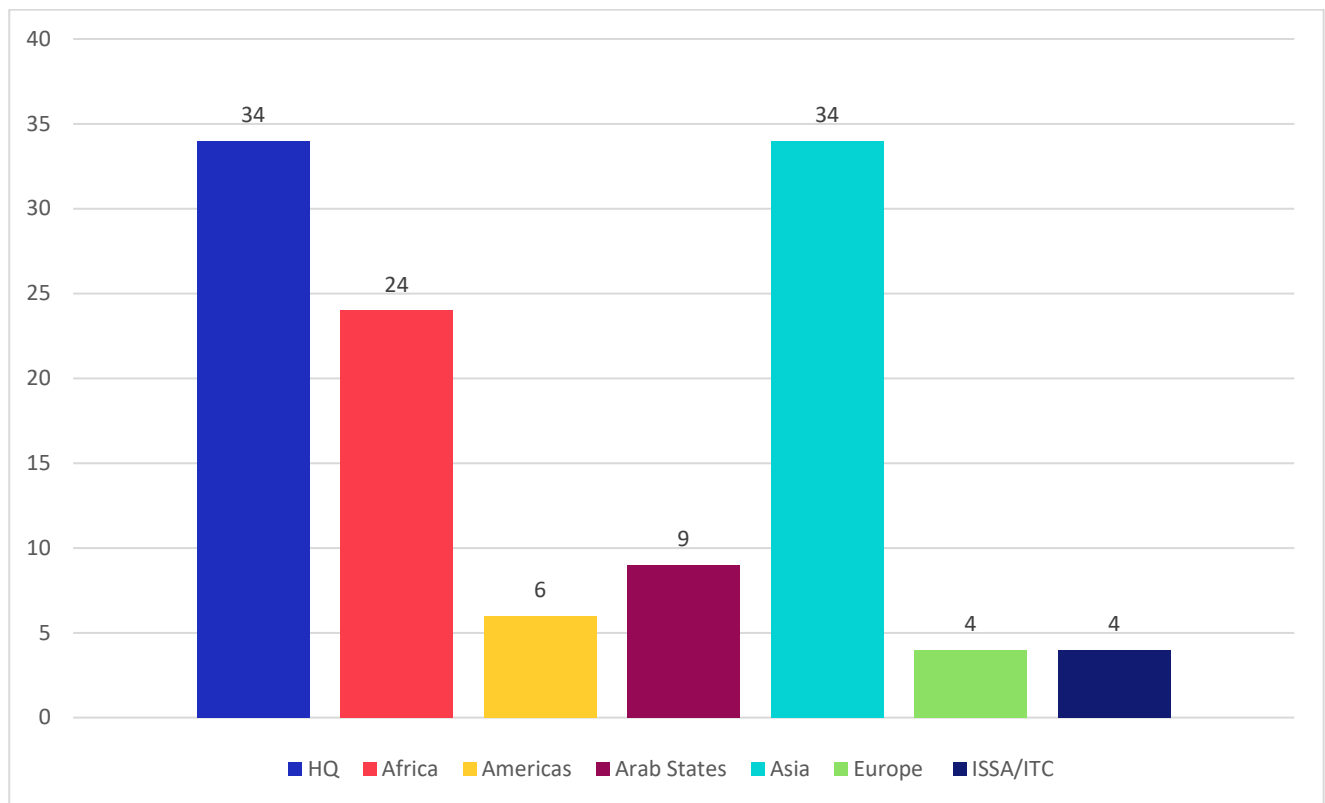
- Especially for the people who work in the field and are in direct contact with constituents, the perception of ambiguity in the ILO workplace contrasts with the realities they see in the marketplace.
- Many Visitors openly talk about the “golden cage” phenomenon: they are not motivated by doing the same job for years or they do not feel appreciated by their managers, but they do not want to leave the ILO or apply for a better post and thereby risk losing the benefits they recognize as being quite good and difficult to find elsewhere.
- Another aspect mentioned by many Visitors is the difficulty for managers of providing sincere/realistic appraisals. Since any rating above or below a rating of 3 must be justified, many managers tend to evaluate all staff with a rating of 3. That behaviour is demotivating – both for those who believe that their excellent performance is being overlooked and for those who are underperformers and thereby see no reason to make greater efforts.
- In all topics above, the divide between RB and TC/DC staff also comes into play, enhancing perceptions of unfairness. In theory, all TC/DC staff rationally understand that they have accepted a job with specific conditions and the renewal of which depends on the availability of specific funds. However, hard feelings arise when they do the same job for many years, with reasonable expectations of continuous renewal but with a feeling of precariousness, and they start comparing their situation/results with RB colleagues doing the same work.
- Especially in the regional offices (at headquarters it was not observed), some RB Visitors manifest an opposition to sharing office space, under the same conditions, with TC/DC staff. There is a sense of entitlement to some perceived benefits due to post seniority and stability.
- The topics above are mainly connected to “organizational culture” and not so much to “leadership” or “management” since the rotation of top leaders (Director-General, regional directors, or country directors) does not seem to have had enough influence to change this scenario. Although it is the Mediator’s first report at the ILO – and in all modesty a long-term reflection is not yet possible – in most Cases there are opportunities to ask Visitors about the length of the situation they refer to, when and how it started according to their perception, and so on. This is where this comment about a long-term cultural trend comes from.
- It is important to note that most of these challenges do not seem to be ILO-specific. Only the fact that the ILO mandate sheds light on decent work conditions seems to raise expectations on these issues.

### 7.2.9. Values, ethics and standards



- As mentioned before, when we talk about breach of ethics and codes of conduct, most accusations need to be submitted to investigation in order to be proven or not. Until that point, an accusation is just one point of view and should not be made public or become a rumour, at the risk of becoming defamation, which is also misconduct. In this context, when these subjects are raised in an informal conflict-resolution setting, only the following options can be offered: (i) work on the understanding among the parties involved, which may clarify the situation and lead to a new point of view, in which the accusations become meaningless; (ii) clarify the need for a formal proceeding if it has not been started yet; (iii) work on the Visitor's ability to continue to work, as productively as possible, while an investigation is ongoing; (iv) work on the Visitor's ability to continue to work together after an investigation has taken place and all parties remain in the same work environment (restorative process); or (v) work on other issues that exist in parallel to the alleged/perceived misconduct.
- Situations that involve, in total or in part, issues that are not negotiable raise the need for very candid conversations about the limitations of the decision-making power of Visitors. When these conversations can be held in the safe space that the Office of the Mediator can offer, under complete confidentiality, Visitors express relief. Many times, relief is experienced just as a result of being able to vent and recover from the feelings of fear and confusion that often follow acts of misconduct (either for witnesses/accusers or perceived offenders/accused).
- In many Cases in which the infringement of ILO norms and regulations were perceived, the underlying cause was a clash of cultures. In other words, there were different interpretations of the behavioural commitments of international civil servants, according to different cultural lenses. Although we all sign up to the same code of conduct and the obedience to this code is not negotiable, it is a great challenge to align its enforcement worldwide.

## 8. Demographics



- According to ILO’s “Staff at a Glance”, the staff was located in 2023 as follows:
  - Headquarters: 1,189
  - Asia: 896
  - Africa: 818
  - Americas: 339
  - Arab States: 189
  - Europe: 179
  - ISSA/ITC are not mentioned in the above-mentioned publication; the total number of their staff is: 222.
- The proportionality of Cases is, thus:
  - Headquarters: 2.8 per cent
  - Asia: 3.7 per cent
  - Africa: 2.9 per cent
  - Americas: 1.8 per cent
  - Arab States: 4.7 per cent
  - Europe: 2.2 per cent
  - ISSA/ITC: 1.8 per cent
- Many factors may explain the differences in the percentages of Cases, including culture, awareness (or lack of awareness) about conflict-resolution services, social/political/economic contexts, and specific incidents.

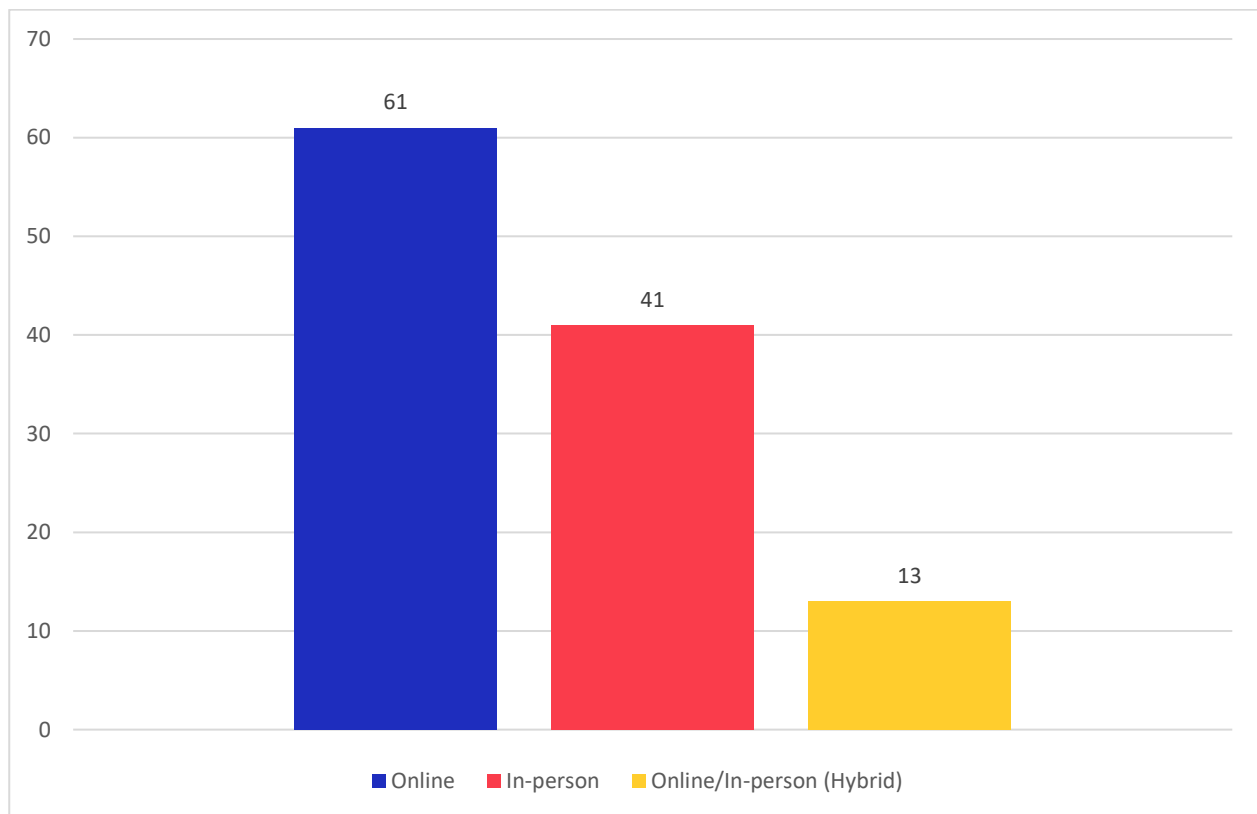
- Culture is especially important because it affects human behaviour in a level that is much deeper than intellectuality. It shapes our most unconscious survival modes. As Peter Drucker said: “Culture eats strategy for breakfast”.
- Of course, human beings are still far from perfect, and we all vary in the ability to practice what we preach. Norms are a reference about which we need to keep alert until it becomes our natural behaviour, that is, our organizational culture. Disciplinary measures should thus be a reminder when we fall too far from the reference.
- Challenges arise when two norms are conflicting, and one is rooted deeper than the other in shaping human behaviour within the Organization and related activities. In some offices in which the ILO culture has not yet grown deep roots, other levels of culture (national, regional, ethnic, religious, and so on) still impact relationships significantly and leave room for broad interpretations of our code of conduct. Cultural shocks are prone to occur in these workplaces and minorities tend to remain in relative isolation.
- Among the cultural aspects, one plays a predominant role in our analysis and is worth observing. According to Geert Hofstede, a leading thinker and researcher in the domain of culture, the “*power distance*”, also known as the “*hierarchical distance*”, is a cultural dimension that gives the measure of how much the less powerful members of a civilization accept and expect unequal distribution of power in society.
  - The expected conduct of international civil servants, in relation to what Hofstede called *power distance*, requires a respectful relationship between supervisors and supervisees, in both directions. In this context, the distance to power is relatively small and supervisees should be able to uphold different points of view, including the possibility of respectfully disagreeing with supervisors and/or asking for clarifications. Supervisors should remain responsible for final decisions but should consider supervisees’ contributions.<sup>5</sup>
  - In many regions of the globe, people are expected from a very young age to either blindly submit to or never trust elders/authority. In these contexts, it is very hard for staff to speak up to management. Nonetheless, when there are grounds for dissatisfaction, dialogue may be replaced by rumours or apathy, and it will most likely be very hard for local management alone to break such resistance.

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<sup>5</sup> According to the International Civil Service Commission’s *Standards of Conduct for the International Civil Service* (United Nations, 2013): “Managers and supervisors are in positions of leadership, and it is their responsibility to ensure a harmonious workplace based on mutual respect; they should be open to all views and opinions and make sure that the merits of staff are properly recognized. They need to provide support to them; this is particularly important when staff are subject to criticism arising from the performance of their duties. Managers are also responsible for guiding and motivating their staff and promoting their development” (para. 16); and: “Managers and supervisors should communicate effectively with their staff and share relevant information with them. International civil servants have a reciprocal responsibility to provide all pertinent facts and information to their supervisors and to abide by and defend any decisions taken, even when those do not accord with their personal views.” (para. 18).

## 9. Venue of communication

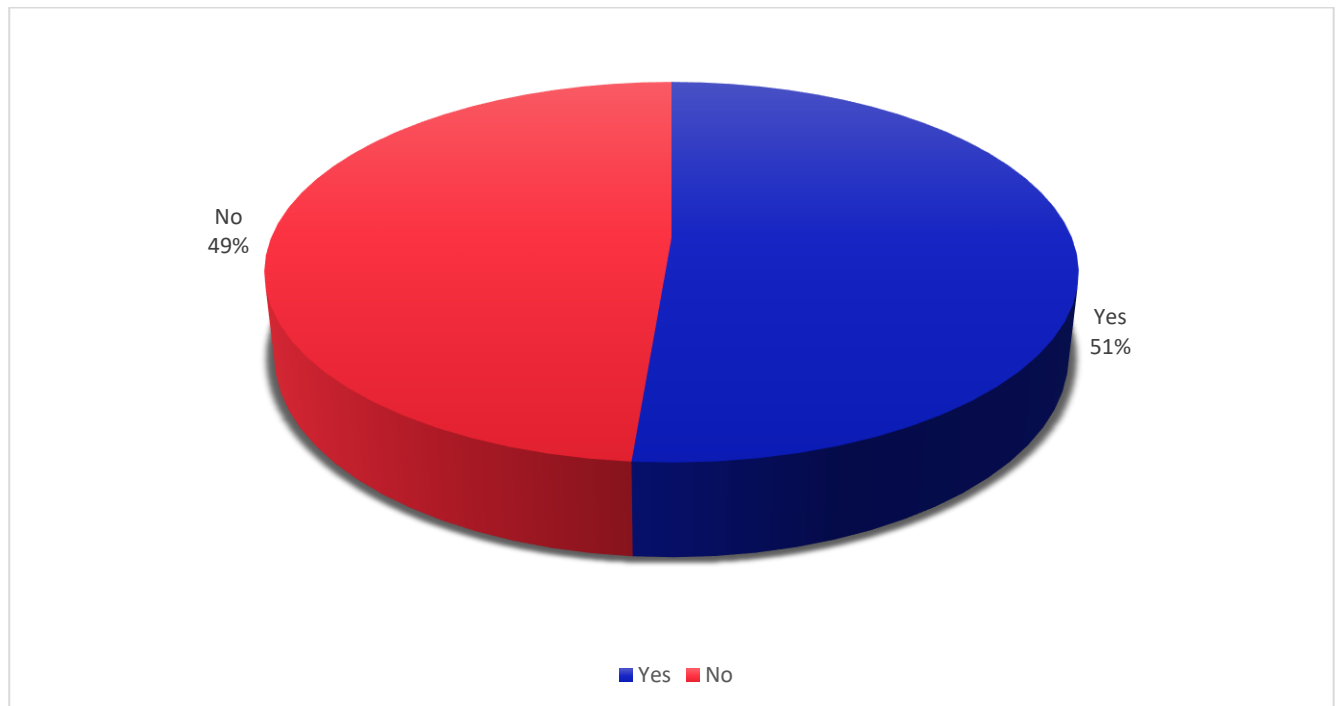
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- The online communication venue is more prevalent because the majority of the Cases involve Visitors from the regional offices, while the Mediator is only one and missions only occur when highly necessary. For headquarters Visitors, meetings are always preferred.
  - Hybrid Cases are those that either start during missions and remain ongoing afterwards, or those that start online but change their venue as a result of Visitors coming to headquarters for another reason and asking for an in-person session with the Mediator.

## 10. Cases that came to the Office of the Mediator after other ILO services

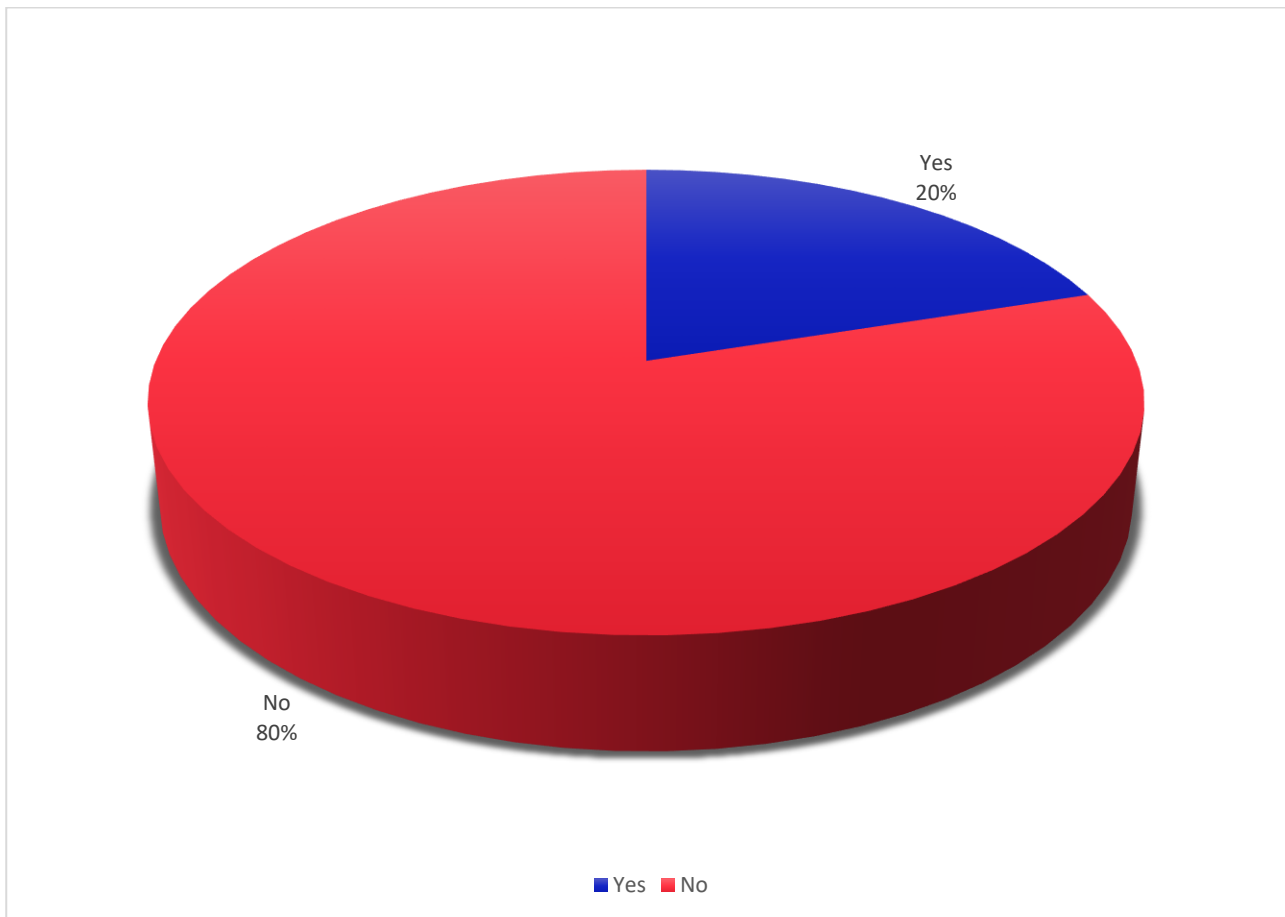
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- Other **ILO services** include:
  - human resources;
  - staff union;
  - staff welfare;
  - the ILO Medical Service;
  - ethics; and
  - investigations.
- Cases came to the Office of the Mediator from other ILO services either following referrals to the Office by colleagues in these services or at the initiative of Visitors who came independently and mentioned their prior steps in the search for conflict resolution.
- Ideally, the Organization should have the ability to analyse the behaviour of staff in using the ILO services included in the internal justice system. Only through this level of analysis can an organization promote the optimal conflict-resolution mechanisms and at the same time enhance the quality of workplace relationships/well-being and avoid the escalation of conflicts and the unnecessary allocation of resources to activities that do not add value to its primary mission.
  - Although most ILO services within the internal justice system work under conditions of confidentiality, we could work to harmonize various concepts and vocabularies so that our reports could be read as parts of a wider image, and we could thereby start to analyse possible improvements of the system as a whole.
  - These system design activities need support at the highest decision-making levels in the Organization, ideally with independent expertise to bridge the different technical points of view among colleagues.

## 11. Referrals by the Office of the Mediator to other ILO services

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- Referrals to other ILO services may occur: (i) in parallel with the work done by the Office of the Mediator; (ii) as a necessary stage of the process when the informal conflict resolution needs to be suspended and resumed afterwards; or (iii) when there is a recommendation for a more adequate methodology as the informal methodology was not considered to be applicable.

## 12. Number of Individual and Joint Sessions

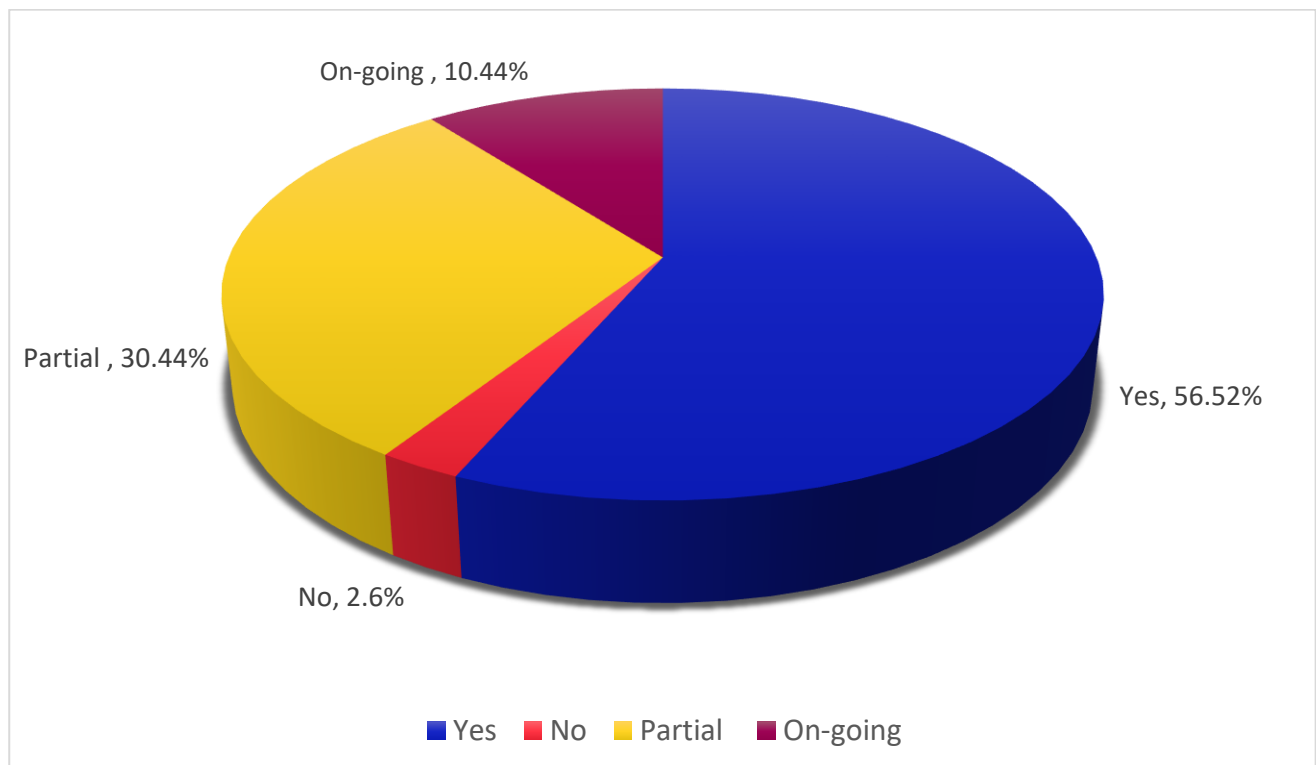
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| Total No. of Individual Sessions | Average per total No. of Cases |
|----------------------------------|--------------------------------|
| 562                              | 4.886957                       |

| Total No. of Joint Sessions | Average per total No. of Cases |
|-----------------------------|--------------------------------|
| 45                          | 0.3913                         |

- A **Session** is any type of meeting between one or more Visitors and the Mediator.
- For the 115 Cases there were **4.88** Sessions on average.
- This number of Sessions is an estimate based on the recollection of the Mediator after a Case is over; the exact number of Sessions was not recorded during this period.

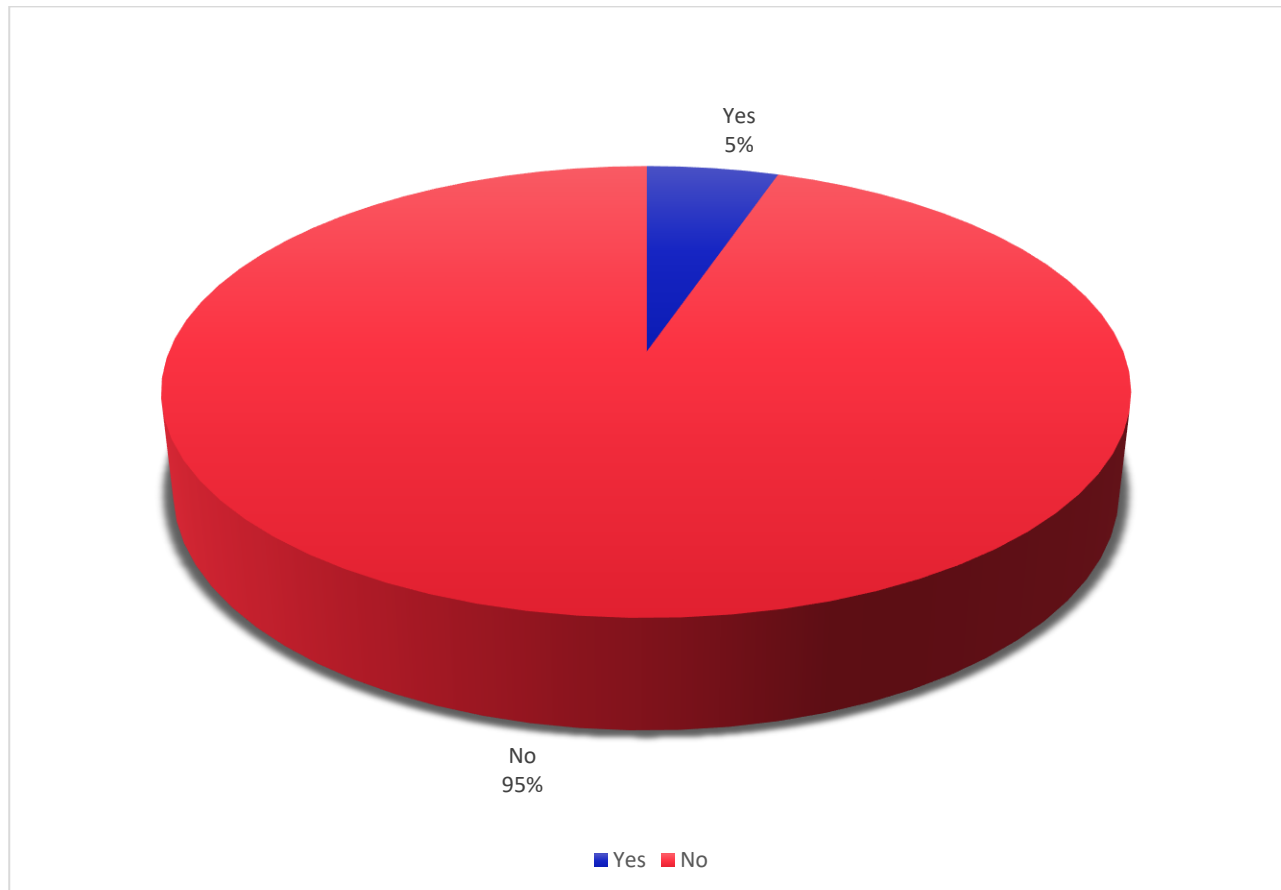
## 13. Perceived success



- A Case is considered **successful** when the Visitor(s) expressly inform(s) the Mediator that the problem was resolved or that they feel at peace with the situation “as is”.
- A Case is considered **not successful** when either the Visitor(s) or the Mediator stop the process before a conclusion or a perception of satisfaction with what the process could achieve.
  - In Cases that were not successful, there were concerns about mental health issues, but the Visitor did not agree to address them.
- A Case is considered **partially successful** when both the Visitor(s) and the Mediator consider that the process reached a good conclusion, but there are still steps to be taken to build a final resolution and the Visitor(s) does not return to expressly inform the Mediator about any such final resolution. In some Cases, the Visitor(s) needed time to mature their options. In other Cases, they still needed to negotiate some “ingredients” with other people, and they felt they could do so directly.
  - One good practice of other UN agencies is to do a follow-up contact with Visitor(s) between 6 and 12 months after the closure of the process. This gives the Visitor(s) time to mature their solutions and gives the Office a better understanding of its own effectiveness. To do so, the Office of the Mediator would need to count on the staff member to commit to the same level of confidentiality as the Mediator.
- An **ongoing** Case is a Case that started within the reported period but remained open into the following period.

## 14. Would independent mediation be useful?

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- The questions of whether the specific mediation methodology would be applicable and whether it could benefit from an independent mediator is quite technical but has some degree of subjectivity.
- Normally, large organizations have an ombuds-office and a subdepartment or parallel department dedicated only to mediation. In smaller organizations, the numbers would not justify the presence of senior professionals; therefore, they either have one professional wearing both “hats” or they have an ombudsman and an external consultant who serves as mediator when necessary.
- During the period under review, in the perception of the Mediator, 5 per cent of Cases were adequate for mediation *sensu stricto* or could benefit from an independent mediator. This number is compatible with the previous reported period (2020–2021), during which there were 101 Cases/Visitors and 6 mediations.

## 15. Overview of activities

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### 15.1. INSIDE Interview

In the interview with the ILO Mediator, she emphasized the positive outcomes that adequate conflict management may bring in terms of efficiency and well-being in the workplace. She highlighted the importance of preventing, managing, and resolving conflicts in a manner acceptable to all parties in order to foster continued collaboration and avoid conflict escalation. She also underscored the role of the Mediator as part of the internal justice system of the ILO, emphasizing the Organization's commitment to creating a decent work culture (for the full article, see Annex III).



“A respectful workplace  
is not one without conflicts...”

...It is one that offers respectful  
mechanisms to address its conflicts

### 15.2. CEB

The 2023 meeting of the CEB Ombudsmen and Mediators Network was held from 9 to 11 May at the headquarters of the Food and Agriculture Organization of the United Nations in Rome. The meeting included discussions on various topics that are considered important to the harmonization of practices of ombudsmen and mediators of UN agencies. Topics included: UN system workplace mental health and well-being strategies; issue categorization; standards and practices; and a showcase of conflict coaching and mediation.



### 15.3. TV CONTEC Interview

During the governing body sessions in June 2023, the ILO Mediator was interviewed, and she explored fundamental concepts of mediation and experiences of positive conflict transformation with TV CONTEC.<sup>6</sup> She highlighted the importance of psychological safety as a tool for promoting social justice through decent work.



### 15.4. UNARIO

The United Nations and Related International Organizations network (UNARIO) held its annual meeting in Montevideo from 26 to 28 September 2023. Two practical training sessions were offered: the ILO Mediator, Gabriela Ourivio Assmar, presented a session on the theme “Systemic exercises for Visitors”, while Francisco Espejo of the World Health Organization (WHO) presented a session on the theme “Neuroscience for conflict resolution”. There was also an external speaker, who focused on intergenerational challenges and opportunities.



<sup>6</sup> The interview (available in Portuguese only) can be found here: <https://youtu.be/ctSY6LZqjm0>

## 15.5. WHO Annual Stakeholder Review Conference

The WHO's Annual Stakeholder Review Conference, held on 30 November 2023, focused on preventing and responding to sexual misconduct, marking a crucial moment in the Organization's commitment to transparency and accountability. The conference brought together stakeholders, ministers, and colleagues to discuss the profound reforms necessary for WHO's structures and culture. The ILO Mediator, Gabriela Ourivio Assmar, was one of the speakers in the panel that discussed the contribution of ombudsmen in helping victims to be heard and to restore their belonging and dignity in the workplace.



## 15.6. Missions

During the period 2022–2023, the Mediator conducted seven missions, including to attend the two network meetings mentioned above. While the missions to ILO country offices were invitations from the regional offices/countries, the two network meetings created opportunities to meet some of the colleagues in Rome and Montevideo (CINTERFOR).

## 16. Systemic Observations

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According to the CEB best practices and in line with the ILO Mediator's technical understanding and experience, the ombudsmen/mediators should not make prescriptive recommendations but rather articulate essential observations as they became clearer throughout the mosaic of Cases. These observations are meant to serve as informed reflections on trends and patterns that are not Case-specific and cannot breach the confidentiality of any Visitor. Within the range of objectivity, Systemic Observations from an ombudsman/mediator should be as close as possible to a description and as far as possible from an opinion. Nonetheless, we still must keep the range of objectivity in mind since any choice on what to highlight includes a substantial degree of subjectivity.

Furthermore, Systemic Observations offer a panoramic view of our collective journey, akin to windows into the soul of our Organization. Visitor interactions provide diverse perspectives that range from satisfaction to discontent, like scattered puzzle pieces that when connected unveil the essence of organizational dynamics. This comprehensive picture serves as both a map and a compass for decision-makers, guiding us forward with clarity and direction.

The role of the ombudsman, since its inception some centuries ago, has served as a vital liaison between the ruling authority and the populace. They have actively engaged with citizens, addressing individual and collective concerns, while providing the essential "big picture" to feed into the decision-making processes that affected the population as a whole. The core mission of Systemic Observations Office by an ombudsman/mediator's office remains unchanged: to relay crucial insights to top decision-makers, gleaned from the trust and safety of private conversations with individuals and groups that would not be heard otherwise. This information, aggregated for collective benefit in a way that never compromises the confidentiality owed to individuals, guides informed decisions for the benefit of all.

The philosophical and practical reason for not making recommendations is that any recommendation would be an opinion or a judgement and thus incompatible with the neutrality, impartiality, and independence of the Mediator. These characteristics of the ombudsman/mediator's job description are paramount in order to allow Visitors to feel completely free to make, and take responsibility for, their own decisions, in the hope that these decisions will thereby be better informed than they would have been otherwise.

Another important reason for an ombudsman/mediator to refrain from making recommendations is that their role is incompatible with the role of the experts, who must take responsibility for substantive decision-making. As an illustration, we could say that the Systemic Observations are "ingredients" provided by the ombudsman/mediator for decision-makers to "cook a meal". Different cooks may produce different meals with the same ingredients. They may also leave the in the "pantry" and obtain different ingredients elsewhere. No matter what the cooks/decision-makers do with the Systemic Observations, they are the ones who will receive either praise or complaints from the people they feed. The responsibility of the ombudsman/mediator, in relation to Systemic Observations, is to provide the "cooks" with fresh (timely), nutritious (useful) and AOP<sup>7</sup> ingredients collected directly from the "garden" of the workplace.

In the current report, instead of leaving all Systemic Observations under this single heading, they were provided throughout the analysis/comments in relation to the data indicated in the graphs. The intention is to have the quantitative and qualitative reflections anchored together and expanded, when needed, to include pertinent, aggregate information from Cases that would not be directly observable from the numbers. The additional reflection below is one that needs further development.

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<sup>7</sup> The appellation "*d'origine protégée*" (AOP or protected designation of origin) certifies that everything, from the raw material to the processing and the final product, comes from one clearly defined region of origin.

## 16.1. Duty of care

Many managers face the dilemma of finding the delicate balance between the duty of care to one individual, who demands attention in a specific fragile circumstance, and the duty of care to the whole team, which becomes overburdened because of one individual who cannot perform the work for a given period.

The absence of a designated authority and a technical conflict-resolution mechanism for assessing fitness to work and fitness for duty in Cases involving health challenges causes significant distress to both the environment and individuals directly affected. Those requiring health support may not always recognize their own needs, while the fear of stigma may also complicate matters, leading to misunderstandings and defensive behaviours that are often mistaken for conflict. Clarifying these issues is crucial for preserving well-being and interpersonal relationships, even when it brings discomfort at some point. Considering the imperative for empathy and understanding, this prompts the crucial question: who is best positioned to facilitate colleagues in accessing essential medical or therapeutic needs while minimizing their unwanted exposure – or at the very least to help colleagues to be diagnosed/clarified and understood instead of remaining in doubt?

In various UN agencies, including the UN Secretariat, medical services possess the authority to request staff evaluations for fitness to work and fitness for duty, and may override sick leave recommendations from treating physicians if deemed necessary. Staff members have recourse to a conflict-resolution mechanism involving independent technical evaluators should they disagree with medical service decisions. This structure mirrors the standard approach employed by insurance companies globally.

The absence of a clear internal decision-making framework regarding health matters, including mental health, poses significant risks: (i) there is a potential for the abuse of sick leave, leading to increased workload and burnout among other team members; and (ii) individuals who are in need of sick leave but lack awareness of their own condition may not seek the necessary healthcare, thereby also causing unnecessary stress and strain on others.

## 17. Glossary

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- A **Case** is a situation, related to interpersonal, group or systemic conflict resolution, in which the services offered by the Office of the Mediator are requested. A Case may entail several issues and may involve from one to any number of parties. Cases vary in complexity and scope.
  - An **Individual Case** occurs when one Visitor uses the services of the Office and feels prepared to deal with the situation by himself/herself without the Mediator intervening directly with the other people concerned.
  - A **Group Case** happens occurs when there is more than one Visitor, but still a specific/limited number of Visitors, who hold the relevant decision-making power for a resolution.
  - A **Systemic Case** occurs when some of the issues at stake affect more than the Visitors, who come to sessions with the Mediator and/or which require decision-making powers beyond those of the Visitors. In those Cases, the causes are normally wider or deeper than the Visitors can access. Visitors come with “symptoms” and any possible solution requires a diagnosis at a higher level. In some of these Cases we can involve the necessary stakeholders, while in others we can only manage expectations to minimize damage.
  - A Case is considered **successful** when the Visitor(s) expressly inform(s) the Mediator that the problem was resolved or that they feel at peace with the situation “as is”.
  - A Case is considered **not successful** when either the Visitor(s) or the Mediator stop the process before a conclusion or a perception of satisfaction with what the process could achieve.
  - A Case is considered **partially successful** when both the Visitor(s) and the Mediator consider that the process came to a good conclusion but, subsequently, there are still steps to be taken to build a final resolution and the Visitor(s) did not return to expressly inform the Mediator about the final resolution. In some Cases, the Visitor(s) needed time to mature their options. In other Cases, they needed “ingredients” still to be negotiated with other people and they felt they could negotiate directly.
  - An **ongoing** Case is a Case that started within the reported period but remained open into the following period.
- A **Visitor** is any person who uses the services of the Office of the Mediator.
  - A **Recurring Visitor** is someone who has been a Visitor before during the period under review and has returned on a different Case.
- A **Session** is any type of meeting between one or more Visitors and the Mediator.
- **Systemic Observations** are the essential observations made by ombudsmen/mediators as they became clearer throughout the mosaic of Cases. These observations are meant to serve as informed reflections on trends and patterns that are not Case-specific, and they are not permitted to breach the confidentiality of any Visitor.

## Offices with Best Practices (Mostly public information)

|                                       | United Nations Secretariat                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | UN Funds and Programmes                                                                                                                                                                                                                                                                                                                                                                                                                               | UNHCR                                                                                                                                                                                                                                                                                                                                                                                              | WHO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | World Food Programme                                                                                                                                                                              |
|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Name of the Office                 | Office of the United Nations Ombudsman and Mediation Services (UNOMS)                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Office of the Ombudsman for the United Nations Funds and Programmes                                                                                                                                                                                                                                                                                                                                                                                   | Ombudsman and Mediation Services                                                                                                                                                                                                                                                                                                                                                                   | Office of the Ombudsman (Each regional body has their own ombudsperson.)                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Office of the Ombudsman and Mediation Services                                                                                                                                                    |
| 2. Scope, public served and headcount | <ul style="list-style-type: none"> <li>Any current and former employees of the United Nations Secretariat, ICTY, the International Residual Mechanisms for Criminal Tribunals and the separately administered funds, programmes and entities of the UN, UNDP, UNFPA, UNHCR, UNICEF, UNOPS and UN-Women.<sup>1</sup></li> <li>Total: 30</li> <li>Total in HQ: 10</li> <li>8 ombudsmen (1 Assistant Secretary General, 1 D1, 1 P5, 2 P4, 1 P3, 2 General Services (other level))</li> <li>2 Mediators (1 P5 and</li> </ul> | <ul style="list-style-type: none"> <li>The position of Ombudsman for the Funds and Programmes functions as a complementary part of the integrated UNOMS. The incumbent addresses grievances raised by staff and related personnel of the Funds and Programmes.<sup>3</sup></li> <li>Total: 16 permanent staff. Including 1 Ombudsman, 1 Deputy Ombudsman, 1 Mediation Specialist, 2 Ombudsman Specialist, 1 Capacity Building and Conflict</li> </ul> | <ul style="list-style-type: none"> <li>The Office of the United Nations Ombudsman and Mediation Services serves all current and former UN Secretariat employees, as well as those from UNRWA, ICJ, and WMO, irrespective of location, time zone, contract, issue type, language, or cultural preferences.</li> <li>Total: 10, including 1 Ombudsman in Geneva and 1 Mediator in Geneva.</li> </ul> | <ul style="list-style-type: none"> <li>Any person who works at the WHO office regardless of the type or duration of appointment, is entitled to the assistance of the Ombudsman. Lastly, they provide services to those of the Joint United Nations Programme on HIV/AIDS, the International Agency for Research on Cancer and the United Nations International Computing Centre This is also a service provided to visitors and stakeholders within the WHO.<sup>5</sup></li> <li>Total: 19</li> <li>The HQ and 4 Regional</li> </ul> | <ul style="list-style-type: none"> <li>The Ombudsman Office in WFP is responsible for all WFP employees.</li> <li>Total: 2 including the Director and the Outreach and Ombuds Officer.</li> </ul> |

<sup>1</sup> “About Us | Ombudsman and Mediation Services,” n.d. <https://www.un.org/ombudsman/about-us>.

<sup>3</sup> 2022 Annual Report of the Office of the Ombudsman for United Nations Funds and Programmes

<sup>5</sup> Report of the Ombudsman, WHO Executive Board 150<sup>th</sup> session, Provisional Agenda Item 23.2, 16<sup>th</sup> December 2021, EB150/INF/4

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|                      | <p>1 General Services)</p> <ul style="list-style-type: none"> <li>• Total Regional Ombudsman Services: 20</li> <li>• 4 regional offices have 2 officers (1 P5 and 1 Local Level)</li> <li>• 4 regional offices have 3 officers (1 P5, 1 P4 and 1 Field Service)<sup>2</sup></li> </ul> | <p>Resolution Consultant, 1 Senior Conflict Resolution Expert, 1 Consultant Ombudsman, 1 Conflict Resolution Consultant and Programme Coordinator, 1 Conflict Coach Consultant, 3 Administrative Assistants, 1 International Conflict Resolution Consultant and 2 Mediators.</p> <ul style="list-style-type: none"> <li>• 8 International Advisory Board Members.</li> <li>• 20 Global Mediation Panellists.<sup>4</sup></li> </ul> | <p>Offices have 2 Ombudsmen and 1 Assistant.</p> <ul style="list-style-type: none"> <li>• The Western Pacific Office has 4 part-time Ombudsmen.<sup>6</sup></li> </ul> |                                                                                                                                                                   |
| 3. Services provided | Discussion of options and concerns raised, conflict coaching, mediation, shuttle diplomacy, and team and process development. <sup>7</sup>                                                                                                                                             | Mediation, Arbitration, Training and Respectful Workplace Facilitators Programme. <sup>8</sup>                                                                                                                                                                                                                                                                                                                                      | Provides essential services to resolve workplace conflicts through respectful dialogue and fair processes, fostering an ethical and civil                              | Assistance to employees in the management and resolution of conflicts, problems, and challenges related to the workplace feedback to senior management and advise |
|                      |                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                        | Conflict resolution and prevention, any kind of workplace relationship issues, and trainings. <sup>10</sup>                                                       |

<sup>2</sup> Proposed Programme Budget for 2024, 15 May 2023, A/78/6 (Sect. 1)

<sup>4</sup> Office of the Ombudsman for United Nations Funds and Programmes. “Our Team - Office of the Ombudsman for United Nations Funds and Programmes,” August 11, 2023. <https://fpombudsman.org/our-team/>.

<sup>6</sup> Report of the Ombudsman, WHO Executive Board 150<sup>th</sup> session, Provisional Agenda Item 23.2, 16<sup>th</sup> December 2021, EB150/INF/4

<sup>7</sup> “Our Services | Ombudsman and Mediation Services,” n.d. <https://www.un.org/ombudsman/our-services>.

<sup>8</sup> Office of the Ombudsman for United Nations Funds and Programmes. “What Is an Ombudsman? - Office of the Ombudsman for United Nations Funds and Programmes,” July 15, 2015. <https://fpombudsman.org/what-we-do/>.

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|                                                        |                                                                                                                                             |                                                                                                                                                                                                                                    | workplace culture. It intervenes when local resolution is challenging, offering external mediation. | them on appropriate remedial and preventive action. The ombudsman also mediates and facilitates conflict resolution, monitors trends and detects any potential issues. <sup>9</sup> |                                                                                                                |
| 4. Report line of the office to safeguard independence | Office of the Secretariat and the UN System Chief Executives Board for Coordination (CEB) <sup>11</sup>                                     | The Executive Heads of the Funds and Programmes and the Secretary General. They also report to the Ombudsman of the UNOMS. (Horizontal hierarchy system) <sup>12</sup>                                                             | The Deputy High Commissioner.                                                                       | The Deputy Director, for administrative purposes only. <sup>13</sup>                                                                                                                | The Executive Director.                                                                                        |
| 5. Mandate of the office                               | 5-year term and a possibility of an extension for one additional term subject to the consultation with staff representatives. <sup>14</sup> | 5-year term and a possibility of an extension for one additional term subject to the consultation with staff representatives and the executive heads of the separately administered funds, programmes, and entities. <sup>15</sup> | Fixed term of 5-years with no possibility of renewal. <sup>16</sup>                                 | The mandate of the Ombudsman is for a maximum period of 5 years. <sup>17</sup> Extension according to staff regulations.                                                            | The mandate of this office is 4 years. This term may be extended for another term of four years. <sup>18</sup> |

<sup>10</sup> Annual report of the Office of the Ombudsman and Mediation Services for 2020, 7 May 2021, WFP/EB.A/2021/4-C

<sup>9</sup> Report of the Ombudsman, WHO Executive Board 150<sup>th</sup> session, Provisional Agenda Item 23.2, 16<sup>th</sup> December 2021, EB150/INF/4

<sup>11</sup> "About Us | Ombudsman and Mediation Services," n.d. <https://www.un.org/ombudsman/about-us>.

<sup>12</sup> Office of the Ombudsman for United Nations Funds and Programmes. "UN Administration of Justice - Office of the Ombudsman for United Nations Funds and Programmes," February 21, 2020. <https://fpombudsman.org/our-office/>.

<sup>13</sup> PAHO/WHO | Pan American Health Organization. "The Office of the Ombudsman (OMB)," n.d. <https://www.paho.org/en/integrity-and-conflict-management-system-icms/office-ombudsman-omb>.

<sup>14</sup> Ibid. Terms of reference

<sup>15</sup> Terms of Reference for the Office of the United Nations Ombudsman and Mediation Services, 22 June 2016, ST/SGB/2016/7

<sup>16</sup> Jobs in United Nations, NGO, European Union. "Ombudsman and Mediator | UNHCR - United Nations High Commissioner for Refugees," n.d. <https://www.impactpool.org/jobs/745596>.

<sup>17</sup> Jobs in United Nations, NGO, European Union. "Ombudsman | WHO - World Health Organization," n.d. <https://www.impactpool.org/jobs/787938>.

|                                                                            |                                                                                                                                                                                                                  |                                                                                                                                                                                                                       |                                                                                                                                                                                                            |                                                                                                                                                                                                                                                      |                                                                                                                                                                                       |
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| 6. After completion of term can the person remain within the organisation? | Upon their completion they will not be eligible for re-employment within the secretariat. <sup>19</sup>                                                                                                          | Upon their completion they will not be eligible for re-employment within the secretariat.                                                                                                                             | There is no possibility of renewal or any other positions within the UNHCR.                                                                                                                                | Any appointment/extension of appointment is subject to WHO Staff Regulations, Staff Rules, and Manual. <sup>20</sup>                                                                                                                                 | Thereafter, the Ombudsman shall not be eligible to hold any other position within WFP after the end of his/her assignment. <sup>21</sup>                                              |
| 7. Selection process: external or internal candidates                      | The candidates are external and internal. <sup>22</sup> A list of candidates compiled and recommended by a selection committee composed of representatives of staff and management as well as outside ombudsmen. | The candidates are external and internal. <sup>23</sup> From a list of candidates compiled and recommended by a selection committee composed of representatives of staff and management as well as outside ombudsmen. | From a list of candidates compiled and recommended by a selection committee composed of representatives of staff and management as well as outside ombudsmen. The candidates can be internal and external. | The Ombudsman is appointed by the Director, upon recommendation of the senior staff selection committee, which includes participation of the Staff Association. People from within the organisation and external candidates can apply. <sup>24</sup> | The position is open to internal and external candidates.                                                                                                                             |
| 8. Level of the head of the office                                         | D-1 (ICS-13)                                                                                                                                                                                                     | D-1                                                                                                                                                                                                                   | D-1, Internationally recruited position                                                                                                                                                                    | P-6 along with D-1. <sup>25</sup>                                                                                                                                                                                                                    | D-1                                                                                                                                                                                   |
| 9. Job description/ functions of the office                                | <ul style="list-style-type: none"> <li>Establish an impartial conflict-resolution mechanism for employment-related issues.</li> <li>Advise staff on available options, considering rights and</li> </ul>         | <p>Same as the UNOMS office except for:</p> <ul style="list-style-type: none"> <li>Cultivate a close working relationship with the UN Ombudsman.</li> <li>Collaborate in mediations and policy</li> </ul>             | <ul style="list-style-type: none"> <li>Serves as Ombudsman and Mediator, facilitating alternative dispute resolution by exploring options for personnel.</li> </ul>                                        | <ul style="list-style-type: none"> <li>Hear and advise staff on work-related concerns, aiming to improve the overall working environment.</li> <li>Assist parties in reaching fair solutions through fact-finding,</li> </ul>                        | <ul style="list-style-type: none"> <li>Lead and manage Ombuds Officers team, offering impartial, confidential, and informal conflict-resolution services to WFP employees.</li> </ul> |

<sup>18</sup> Jobs in United Nations, NGO, European Union. "Director, Office of the Ombudsman D1 | WFP - World Food Programme," n.d. <https://www.impactpool.org/jobs/968073>.

<sup>19</sup> Ibid, Terms of reference

<sup>20</sup> Jobs in United Nations, NGO, European Union. "Ombudsperson | WHO - World Health Organization," n.d. <https://www.impactpool.org/jobs/956498>.

<sup>21</sup> Jobs in United Nations, NGO, European Union. "Director, Office of the Ombudsman D1 | WFP - World Food Programme," n.d. <https://www.impactpool.org/jobs/968073>.

<sup>22</sup> The Secretary-Generals announcement 2018, ASG OmbudsmanEN Rev extension19Feb.pdf (un.org)

<sup>23</sup> The Secretary-Generals announcement 2018, ASG OmbudsmanEN Rev extension19Feb.pdf (un.org)

<sup>24</sup> Jobs in United Nations, NGO, European Union. "Ombudsperson | WHO - World Health Organization," n.d. <https://www.impactpool.org/jobs/956498>.

<sup>25</sup> Information attained from the Network of Ombudsmen.

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|  | <ul style="list-style-type: none"> <li>obligations.</li> <li>Conduct independent fact-finding on reported issues.</li> <li>Coordinate with UN offices to address employment problems.</li> <li>Maintain regular contact with Executive Heads of UN agencies.</li> <li>Identify and analyse policies causing tension, interpreting trends.</li> <li>Actively participate in developing Ombudsman's policies.</li> <li>Prepare annual reports with recommendations for improvement.</li> <li>Raise awareness about the Ombudsman's role among staff.</li> <li>Supervise case officers' substantive work.</li> <li>Travel to field offices to address conflicts or raise awareness.</li> </ul> | <ul style="list-style-type: none"> <li>matters with the UN Ombudsman.</li> <li>Ensure the unique environment of Funds and Programmes staff is reflected in Ombudsman's policies.</li> </ul> | <ul style="list-style-type: none"> <li>Provides advice, guidance, conflict management coaching, shuttle diplomacy, and formal mediation.</li> <li>Oversees Ombudsman Office personnel, manages programmatic and administrative tasks, and allocates resources.</li> <li>Stays informed on UNHCR policies and engages with professional networks.</li> <li>Provides advice to UNHCR management, coordinates with other entities, and contributes to reporting.</li> <li>Submits an annual report and undertakes other relevant duties.</li> </ul> | <ul style="list-style-type: none"> <li>mediation, and involvement of all parties, providing recommendations without decision-making authority.</li> <li>Intervene when necessary, ensuring due process, justice, and fairness.</li> <li>Provide information, guidance, and referral as needed.</li> <li>Identify systemic issues, trends, and concerns while maintaining confidentiality.</li> <li>Advise Regional Director and stakeholders on corrective and preventive actions.</li> <li>Act as a resource for best practices across the Organization and facilitate information exchange.</li> <li>Stay informed about professional developments through memberships and participation in relevant networks.</li> <li>Evaluate the impact of</li> </ul> | <ul style="list-style-type: none"> <li>Engage with employees, exploring options for addressing work-related conflicts and facilitating informal resolutions.</li> <li>Provide mediation and conciliation services, guiding parties to mutually acceptable solutions.</li> <li>Develop and implement awareness efforts for preventing and resolving conflicts, emphasizing conflict resolution skills.</li> <li>Promote conflict resolution competencies among all employees, with a focus on supervisors and managers.</li> <li>Contribute to WFP policies, procedures, and practices.</li> <li>Collaborate with WFP functions on workplace conflict identification, management, and</li> </ul> |
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|                |                                                                  |                                                                     |                                                                      |                                                                 | <p>the Ombudsperson's function through surveys.</p> <ul style="list-style-type: none"><li>Develop an annual work plan aligned with Ombudsperson objectives and stakeholder concerns.</li><li>Advise on formal dispute resolution mechanisms and contribute to a psychologically safe workplace.</li></ul> | <p>resolution.</p> <ul style="list-style-type: none"><li>Prepare an annual report on Ombudsman activities, sharing conflict trends and systemic issue analyses with senior management.</li><li>Travel to field offices as needed for conflict response and capacity-building activities.</li><li>Promote effective field-level conflict resolution through a network of focal points.</li><li>Foster a close working relationship with UNOMS, participating in its development of practices, procedures, standards, and policies.</li><li>Perform additional accountabilities as required.<sup>26</sup></li></ul> |
| 10. Skills and | <ul style="list-style-type: none"><li>Over 20 years of</li></ul> | <ul style="list-style-type: none"><li>Education: Advanced</li></ul> | <ul style="list-style-type: none"><li>D1 level requires 17</li></ul> | <ul style="list-style-type: none"><li>Advanced degree</li></ul> | <ul style="list-style-type: none"><li>Advanced degree in</li></ul>                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

<sup>26</sup> “WFP Director, Office of the Ombudsman D1,” n.d. <https://www.unjobnet.org/jobs/detail/60656950>.

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| requirements | <p>global experience in negotiation, conflict resolution, and mediation.</p> <ul style="list-style-type: none"> <li>• Demonstrated leadership with a deep understanding of the Ombudsman's mandate.</li> <li>• Expert in negotiation, conflict management, and providing guidance with a proven ability to make recommendations.</li> <li>• Impeccable integrity, strong diplomatic and political skills, independence, and impartiality, and confidentiality.</li> <li>• Demonstrated intellectual leadership, creativity, and innovation.</li> <li>• Ability to work harmoniously in a multicultural team and build effective relationships.</li> <li>• Proven ability to</li> </ul> | <p>university degree in administration, counselling, dispute resolution, human relations, law, management, organizational development, or other relevant discipline required.</p> <ul style="list-style-type: none"> <li>• Work Experience: Fifteen years of progressively responsible professional experience, including five at international level in dispute resolution, managerial or legal fields. Extensive professional training and experience in alternative conflict resolution as well as knowledge and experience of the field are highly desirable.</li> <li>• Languages: Fluency in English with proficiency in another United Nations</li> </ul> | <p>years of relevant experience with an undergraduate degree, 16 years with a graduate degree, or 15 years with a doctorate degree in personnel management, law, psychology, social science, or a related field. Essential qualifications include formal certification in mediation, arbitration, or core skills of an organizational ombudsman.</p> <ul style="list-style-type: none"> <li>• Minimum 15 years of progressively responsible international experience in areas like international relations, human resources, or dispute resolution. At least five years of management experience in the</li> </ul> | <p>(Master's) in public health, management, administration, social science, law, organizational development, or related field.</p> <ul style="list-style-type: none"> <li>• Desirable: Accreditation as a Certified Organizational Ombudsman Practitioner (CO-OP) and certified mediator. Training or equivalent experience in alternative dispute resolution and Psychological Safety.</li> <li>• Essential: Minimum 10 years of relevant experience, including 5 years as a mediator or ombudsman/conflict resolution leader and 5 years in project and staff management. Experience in organizing staff training in conflict resolution.</li> <li>• Desirable: Managerial</li> </ul> | <p>Social Sciences, Law, Human Relations, Psychology, Public/Business Administration, or Management, or equivalent work experience.</p> <ul style="list-style-type: none"> <li>• Formal certification in mediation, arbitration, or alternative conflict resolution is beneficial.</li> <li>• Minimum 13 years of progressively responsible experience in International Relations, Human Resources, or related fields.</li> <li>• Experience in conflict resolution in international and multicultural settings is highly valued.</li> <li>• Field experience in contexts like WFP operations is</li> </ul> |
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|  | <p>inspire trust, build consensus, and drive collective action.</p> <ul style="list-style-type: none"> <li>• High commitment to UN values, with familiarity in peacekeeping, human rights, and development.</li> <li>• Fluent in English or French, with proficiency in the other. Knowledge of a second UN language is desirable.</li> </ul> | <p>official language is required.<sup>27</sup></p> | <p>UN common system or a comparable organization.</p> <p>Desirable experience includes exposure to humanitarian or development work in the field.</p> <ul style="list-style-type: none"> <li>• Essential skills include mediation, negotiation, conflict resolution, human resources management, and policy development. Managerial experience of at least 7 years is required. Language requirements include knowledge of English, with additional proficiency in Arabic, Spanish, or French desirable for international roles.</li> </ul> | <p>experience in international organizations or government institutions. Previous experience as a trainer in Psychological Safety or related areas.<sup>28</sup></p> | <p>desirable.</p> <ul style="list-style-type: none"> <li>• Excellent listening and problem-solving skills for gathering information and analysing situations.</li> <li>• Strong network and interpersonal skills for effective collaboration with diverse backgrounds.</li> <li>• Maintain the highest level of integrity, discretion, professionalism, neutrality, and confidentiality.</li> <li>• Good understanding of conflict nature and resolution methods is essential.</li> <li>• Effective communication skills, fairness, timeliness, and respect for individuals.</li> <li>• Fluency in English (level C) and intermediate knowledge (level B)</li> </ul> |
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<sup>27</sup> “Jobs - 53705- Ombudsman for the UN Funds and Programmes (2 Posit,” n.d. [https://jobs.undp.org/cj\\_view\\_job.cfm?cur\\_job\\_id=53705](https://jobs.undp.org/cj_view_job.cfm?cur_job_id=53705).

<sup>28</sup> Jobs in United Nations, NGO, European Union. “Ombudsperson | WHO – World Health Organization,” n.d. <https://www.impactpool.org/jobs/956498>.

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| 11. Performance Measurement | <ul style="list-style-type: none"> <li>In 2023, the Office had received approximately 900 cases.<sup>29</sup></li> <li><b>Feedback from visitors:</b> <ol style="list-style-type: none"> <li>On a voluntary basis.<sup>30</sup></li> <li>The highlight was about how the Informal First Approach helped visitors express their needs and ensure opportunities for growth.</li> </ol> </li> </ul> | <ul style="list-style-type: none"> <li>The report highlights that in 2022, there were a total of 461 cases. This represents a 9 per cent increase in cases from 2021. <ul style="list-style-type: none"> <li>181 of all cases were from UNDP, 73 from UNFPA, 135 from UNICEF, 38 from UNOPS, 31 from UN-Women, and 3 from other entities.</li> <li>82 became mediation cases, almost double the number of mediation cases in 2021 (45). By organization, the numbers of successful mediations were UNDP, 25; UNFPA, 12; UNICEF, 31; UNOPS, 10; and UN-Women, 4.</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>In 2022, the Office received 587 cases involving 791 visitors, which represents an increase of 11 per cent compared to 2021.</li> <li>The ombudsing services at UNHCR had a utilization rate of 4% exceeding the average rate of 2.5 % and achieved a record 136 facilitated mediations in workplace disputes in 2022.<sup>32</sup></li> <li><b>Feedback from visitors:</b> <ol style="list-style-type: none"> <li>Visitors are encouraged to provide feedback to</li> </ol> </li> </ul> | <ul style="list-style-type: none"> <li>In 2021, the ombuds office addressed 296 at HQ marking a decrease from the 323 cases in 2020.<sup>34</sup></li> <li><b>No information on feedback from visitors.</b></li> </ul> | <ul style="list-style-type: none"> <li>The number of cases that came in 2022 were 692.<sup>35</sup></li> <li><b>Feedback from visitors:</b> <ol style="list-style-type: none"> <li>The WFP receives feedback from 95% of their visitors through an online survey.<sup>36</sup></li> <li>The feedback allowed for the improvement of methodology and trainings.</li> </ol> </li> </ul> |

<sup>29</sup> Activities of the Office of the United Nations Ombudsman and Mediation Services, 13 July 2023, A/78/170

<sup>30</sup> Activities of the Office of the United Nations Ombudsman and Mediation Services, 13 July 2023, A/78/170

<sup>32</sup> Year in Review, Office of the Ombudsman and Mediator, UNHCR 2022.

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|  |  | <ul style="list-style-type: none"> <li>In 2022, RWFs reported 61 cases (up from 26 in 2021) primarily concerning organizational leadership and management, peer and colleague relationships, and evaluative relationships.<sup>31</sup></li> <li><b>No information on feedback from visitors.</b></li> </ul> | <p>enhance service quality.<sup>33</sup></p> <p>b) The feedback was used to create and amend policies including the Performance Management and Development Policy, Flexible Work Policy and Administrative Instruction on Parental Leave.</p> |  |
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**Please Note:** Though WIPO is not on this list, as they are undergoing a revision in the structure of the Office of the Ombudsman, their feedback report and data are useful to the purpose of this research.

At WIPO users can provide feedback by filling in an anonymous online questionnaire. Aspects of feedback include:

- Return/recommendation: The person will come back to the Ombudsperson, if need be, or recommend that colleagues in difficulty meet with him.
- Usefulness: The meeting with the Ombudsperson has had a concrete and positive effect.
- Independence: The Ombudsperson acted independently.
- Neutrality: The Ombudsperson has remained neutral and acts impartially.
- Confidentiality: The Ombudsperson and the parties have respected confidentiality.
- Clarity: The Ombudsperson has been able to make his function and mandate clear.

<sup>34</sup> Report of the Ombudsman, WHO Executive Board 150<sup>th</sup> session, Provisional Agenda Item 23.2, 16<sup>th</sup> December 2021, EB150/INF/4

<sup>35</sup> “Annual Performance Report for 2022 | World Food Programme,” June 27, 2023, <https://www.wfp.org/publications/annual-performance-report-2022>.

<sup>36</sup> Annual Report of the office of the Ombudsman and Mediation Services for 2022, 19 May 2023, WFP/EB.A/2023/4-C.

<sup>31</sup> Annual Report 2022, Office of the Ombudsman for the United Nations Funds and Programmes.

<sup>33</sup> Year in Review, Office of the Ombudsman and Mediator, UNHCR 2022.

- Comfort/safety: the Ombudsperson’s approach is safe and inspires trust.

Additional Information

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| 2. Case Definitions | A case may entail several issues involving multiple parties. Each case varies in complexity and the scope. <sup>37</sup> | A "case" refers to a request for assistance or intervention received by the Office. <sup>38</sup> | A "case" refers to any applicable individual or entity that contacts the Office for assistance. <sup>39</sup> | Case refers to a specific instance or situation brought to the attention of the Ombudsman for informal resolution or assistance. | Once an employee has shared his or her concerns with the Ombudsman, the office considers this a case. <sup>40</sup> |
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<sup>37</sup> Activities of the Office of the United Nations Ombudsman and Mediation Services, 13 July 2023, A/78/170

<sup>38</sup> Annual report of the Office of the Ombudsman for United Nations Funds and Programmes 2017

<sup>39</sup> Year in Review, Office of the Ombudsman and Mediator, UNHCR 2022.

<sup>40</sup> Annual Report of the office of the Ombudsman and Mediation Services for 2022, 19 May 2023, WFP/EB.A/2023/4-C.



**United  
Nations**

**Annex II**

# **CASE CATEGORIZATION FOR UNITED NATIONS OMBUDSMAN AND MEDIATION OFFICES**



# BACKGROUND

The Case Categorization Template is developed by the Network of Ombudsman and Mediation Offices of CEB organization. The template consists of issue and sub-issue definitions, explanatory and best practice notes. It is envisaged that annual Network meetings will make use of the template to share information about trends and issues across CEB Network organizations.

## ISSUE DEFINITIONS:

|                                                                                                                                 |                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1.Compensation, Benefits and Entitlements</b>                                                                                | Issues stemming from the administration of various benefits and entitlementsof personnel                                                                                                                                                        |
| <b>2.Supervisory Relationships</b> (supervisors concerns with supervisees in addition to supervisees concerns with supervisors) | Issues stemming from supervisory relationships (excluding harassment, abuse of authority, discrimination, retaliation issues reflected under category 5). Supervisees concerns with supervisors and vice versa.                                 |
| <b>3.Peer and Colleague Relationships</b>                                                                                       | Issues between colleagues with NO supervisory relationships (excluding harassment, discrimination, abuse of authority and retaliation - reflected undercategory 5).                                                                             |
| <b>4.Job and Career</b>                                                                                                         | Issues impacting job conditions or the career progression of personnel: recruitment, contract, job description/classification, training, promotion, transfer and rotation, job satisfaction, separation from service and retirement processes.  |
| <b>5.Prohibited Conduct and Compliance</b>                                                                                      | Issues relating to prohibited conduct - harassment, discrimination, retaliation, abuse of authority, investigative processes, misconduct, waste, and abuse of funds.<br><br>Issues around diversity, equity, inclusion (DEI), and duty of care. |
| <b>6.Safety, Health, Wellbeing and Physical Environment</b>                                                                     | Working conditions; Mental health, general wellbeing and stress; accommodation for disability or health conditions; issues with safety, and security.                                                                                           |
| <b>7.Services/Administration</b>                                                                                                | Responsiveness, timeliness, and nature of response/services from sectionsproviding services to staff (HR pension fund, tax unit, etc...).                                                                                                       |
| <b>8.Organizational, Leadership and Management</b>                                                                              | Issues pertaining to organizational climate, morale, culture, communication,change management. Issues with leadership at the organisational level.                                                                                              |
| <b>9.Values, Ethics and Standards</b>                                                                                           | Issues pertaining to staff compliance/adherence to United Nations Core Values, ethics and standards as defined in the Standards of Conduct for the United Nations Civil Service and other applicable guidelines and rules.                      |

## SUB-ISSUE DEFINITIONS:

|     | 1. Compensation, Benefits & Entitlements                                                                                                                                                                                 |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1a. | <b>Compensation and payroll administration:</b> Rate of pay, salary amount, job salary category, overtime, compensatory time off, special post allowance, post adjustment, mobility incentive, administration of payment |
| 1b. | <b>Retirement/Pension/Survivor Benefits:</b> Inquiries about pension/social security schemes                                                                                                                             |
| 1c. | <b>Leave:</b> annual; parental; (excluding special leaves; sabbaticals; suspension for disciplinary reasons)                                                                                                             |
| 1d. | <b>Health insurance, sick leave, and medical entitlements:</b> Health insurance and medical entitlements; sick leave, compensation for service incurred injury (appendix D) and medevac                                  |
| 1e. | <b>Dependent benefits:</b> Education grant, spouse allowance, single parent allowance etc                                                                                                                                |
| 1f. | <b>Taxes:</b> Calculation of amount, reimbursement, delays                                                                                                                                                               |
| 1g. | <b>Recruitment entitlements:</b> relocation grant, shipment etc                                                                                                                                                          |
| 1h. | <b>Separation entitlements:</b> repatriation grant, shipping separation, excluding medical travel                                                                                                                        |
| 1i. | <b>Travel entitlements:</b> Ticket, DSA, Hotel (excluding medical related)                                                                                                                                               |
| 1j. | <b>Special operations/hazard benefits and entitlements:</b> Hardship/Danger pay, R&R, etc...                                                                                                                             |
| 1k. | <b>Other</b>                                                                                                                                                                                                             |

|     | 2. Supervisory Relationships                                                                                                                                                                                                                        |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2a. | <b>Interpersonal differences:</b> Interpersonal conflicts involving differences in goals, values, attitudes, viewpoints, work styles/suspensions of hidden motives/mistrust                                                                         |
| 2b. | <b>Dignity &amp; respect:</b> incivility, demonstrations of inappropriate regard for others, not listening dismissive of rude behaviour                                                                                                             |
| 2c. | <b>Reputation:</b> potential impact of rumours or gossip about professional or personal matters                                                                                                                                                     |
| 2d. | <b>Team Climate &amp; Morale:</b> prevailing norms that impact team dynamics behaviours or attitudes in work unit as a result of supervisory approach and management style                                                                          |
| 2e. | <b>Supervisory Effectiveness:</b> performance management and feedback, quality and quantity of communication, performance coaching, work assignment and support, timeliness of feedback or (lack of) given outside of regular performance appraisal |
| 2f. | <b>Performance Appraisal and Grading:</b> Disagreements concerns with performance evaluation, grading or appraisal process                                                                                                                          |
| 2g. | <b>Psychological Safety:</b> concerns about belonging, inclusivity and speaking up, asking questions or clarifications due to dynamics of supervisory relationships                                                                                 |
| 2h. | <b>Recognition:</b> Lack of attribution and/or acknowledgement of consistent achievement and delivery or exceeding expectations beyond usual terms of reference. Feeling/perception of not being valued for work contributions                      |
| 2i. | <b>Other</b>                                                                                                                                                                                                                                        |

|     | 3. Peer and Colleague Relationships                                                                                                                                         |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3a. | <b>Interpersonal Differences:</b> Interpersonal conflicts involving differences in goals, values, attitudes, viewpoints, work styles/suspensions of hidden motives/mistrust |
| 3b. | <b>Dignity &amp; Respect:</b> incivility, demonstrations of inappropriate regard for others, not listening dismissive of rude behaviour                                     |
| 3c. | <b>Reputation:</b> potential impact of rumours or gossip about professional or personal matters                                                                             |
| 3d. | <b>Team Climate &amp; Morale:</b> prevailing norms that impact team dynamics behaviours or attitudes in work unit                                                           |
| 3e. | <b>Psychological Safety:</b> Concerns about belonging, inclusivity and speaking up, asking questions or clarifications, due to team dynamics                                |
| 3f. | <b>Other</b>                                                                                                                                                                |

|     | <b>4. Job and Career</b>                                                                                                                                                                                                                                                         |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4a. | <b>Job Application/Selection &amp; Recruitment Processes:</b> Recruitment and selection processes, rosters, facilitation of job applications, short-listing and criteria for selection, disputed decisions linked to recruitment, selection and issues with onboarding processes |
| 4b. | <b>Job Description and Classification</b>                                                                                                                                                                                                                                        |
| 4c. | <b>Involuntary Transfer/Change of Assignment:</b> Removal from prior duties, unrequested change of work tasks or location                                                                                                                                                        |
| 4d. | <b>Terms/Conditions of Contract:</b> position security/ ambiguity/ contractual limitations                                                                                                                                                                                       |
| 4e. | <b>Career Progression:</b> Lack of opportunities for career advancement ; delay/denial of promotion                                                                                                                                                                              |
| 4f. | <b>Mobility:</b> Duration of assignment in a job or location; issues with reassignment process                                                                                                                                                                                   |
| 4g. | <b>Resignation</b>                                                                                                                                                                                                                                                               |
| 4h. | <b>Termination</b>                                                                                                                                                                                                                                                               |
| 4i. | <b>Non-Renewal of Contract</b>                                                                                                                                                                                                                                                   |
| 4j. | <b>Abolition of Post</b>                                                                                                                                                                                                                                                         |
| 4k. | <b>Abandonment of post</b>                                                                                                                                                                                                                                                       |
| 4l. | <b>Skills Development:</b> lack of opportunities for skill development/learning/ coaching/mentoring/training                                                                                                                                                                     |
| 4m. | <b>Retirement Process:</b> administrative issues/hurdles during the retirement process; queries and reflections on retirement options                                                                                                                                            |
| 4n. | <b>Special Leave:</b> Approval of; return from SLWOP/SLWFP (excluding suspension for disciplinary reasons)                                                                                                                                                                       |
| 4o. | <b>Loan/secondment/transfer:</b> Interagency mobility; terms of & return from loan                                                                                                                                                                                               |
| 4p. | <b>Job satisfaction:</b> concerns about general overall job satisfaction/nature or volume of work/low morale and motivation                                                                                                                                                      |
| 4q. | <b>Probation/confirmation:</b> issues relating to probationary period                                                                                                                                                                                                            |
| 4r. | <b>Flexible working arrangements:</b> Issues in balancing job demands with life demands through the access of flexible working arrangements (adjustments in work location and/or schedule)                                                                                       |
| 4o. | <b>Other</b>                                                                                                                                                                                                                                                                     |

|     | <b>5. Prohibited Conduct and Compliance</b>                                                                                                                                                                                                                                                            |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5a. | <b>Harassment:</b> Behaviours that cause offense or create a hostile or intimidating work environment; bullying/mobbing, abusive, threatening or coercive behaviours ( <b>excluding sexual harassment</b> )                                                                                            |
| 5b. | <b>Sexual Harassment:</b> Any unwelcome conduct of a sexual nature that has or that might reasonably be perceived to cause offense or humiliation (excluding assault)                                                                                                                                  |
| 5c. | <b>Sexual Assault:</b> Attempted, threatened or performed act of sexual violence                                                                                                                                                                                                                       |
| 5d. | <b>Sexual exploitation and abuse (SEA):</b> use of position of power by UN staff and related personnel for sexual purposes against a beneficiary or vulnerable member of the community, with or without consent, including but not limited to minors                                                   |
| 5e. | <b>Abuse of authority:</b> improper use of a position of influence, power or authority                                                                                                                                                                                                                 |
| 5f. | <b>Discrimination (excluding gender):</b> Bias leading to unfair decisions, unfair treatment or arbitrary distinction based on a person's race/racial identity, religion, beliefs, nationality, ethnic origin, sexual orientation, disability, age, language, social origin or other status            |
| 5g. | <b>Gender Discrimination:</b> Different treatment compared with others or exclusion from some benefit on the basis of gender, gender identity, gender expressions, sex and gender                                                                                                                      |
| 5h. | <b>Retaliation:</b> Punitive behaviours for previous actions or comments; whistleblower                                                                                                                                                                                                                |
| 5i. | <b>Diversity and Parity:</b> concerns on the application of policies in place to ensure DEI/parity with regard to gender, geographical distribution or other criteria                                                                                                                                  |
| 5j. | <b>Investigative/disciplinary processes:</b> fairness/duration/adherence to rules and regulations, during investigations and/or disciplinary measures/administrative leave                                                                                                                             |
| 5k. | <b>Organizational duty of care:</b> organizational responsibility to maintain the health, safety and security of staff; duty to prevent foreseeable harm; acquiring or relinquishing travel, visa or residency status for international staff or their dependents; access to privileges and immunities |
| 5l. | <b>Waste and abuse of funds:</b> inappropriate actions that abuse or waste organizational finances, facilities or equipment; property damage ( <b>excluding fraud and corruption</b> )                                                                                                                 |
| 5m. | <b>Fraud and Corruption:</b> Planned, observed fraudulent and corrupt activities                                                                                                                                                                                                                       |
| 5n. | <b>Other</b>                                                                                                                                                                                                                                                                                           |

|     | <b>6. Safety, Health, Wellbeing and Physical Environment</b>                                                                                        |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| 6a. | <b>Physical working/living conditions:</b> Temperature, odors, noise, available space, lighting, cleanliness, etc                                   |
| 6b. | <b>Safety and security:</b> Concerns about threats and dangerous working conditions                                                                 |
| 6c. | <b>Work/life balance:</b> length of working hours and workload                                                                                      |
| 6d. | <b>Mental health:</b> mental health concerns deriving from work-related issues (stress, PTSD, etc)                                                  |
| 6e. | <b>Disability (physical or mental conditions) and accessibility:</b> temporary/permanent conditions, reasonable accommodation, assistive technology |
| 6f. | <b>Other</b>                                                                                                                                        |

|     | <b>7. Services/administration</b>                                                                                                                                                                                          |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7a. | <b>Quality of Services:</b> How well services were provided, accuracy or thoroughness of information, competence etc                                                                                                       |
| 7b. | <b>Responsiveness/Timeliness:</b> response time or time to completion                                                                                                                                                      |
| 7c. | <b>Interpretation or Application of Rules:</b> Impact of administrative actions based on interpretation of policy/guidelines/rules (excluding disciplinary decisions or formal administrative/management review decisions) |
| 7d. | <b>Behaviour of Service Provider(s):</b> tone of an administrator or service provider when they spoke to or dealt with staff (rudeness, inattentiveness, dismissiveness or impatience)                                     |
| 7e. | <b>Other</b>                                                                                                                                                                                                               |

|     | <b>8. Organizational, Leadership and Management</b>                                                                                                                                         |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8a. | <b>Organizational Climate/Morale:</b> at the organizational level, distinct from 2e and 3e                                                                                                  |
| 8b. | <b>Organizational Culture</b><br>Sets of shared values, beliefs and attitudes, at the Organisational level affecting daily interactions                                                     |
| 8c. | <b>Organizational Communication:</b> content, style, timing, effects and amount; quality of communication about strategic issues at the organizational level                                |
| 8d. | <b>Change Management:</b> making, responding or adapting to organizational changes, quality of leadership in facilitating organizational change on a large scale                            |
| 8e. | <b>Restructuring and Relocation:</b> effects of reprofiling, organizational/unit downsizing, reorganization or relocation                                                                   |
| 8f. | <b>Leadership &amp; Management:</b> quality/capacity of management/leadership/decision-making process; accountability and transparency <u>at the organizational level</u> (distinct from 2) |
| 8g. | <b>Resource Management:</b> issues with resources/funding; priority setting and/or allocation of funds                                                                                      |
| 8h. | <b>Other</b>                                                                                                                                                                                |

|     | <b>9. Values, Ethics and Standards</b>                                                                                                                                                                                                                                                                          |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9a. | <b>Core Values:</b> nonadherence to stated core organizational values (e.g. integrity; inclusion; humanity, humility)                                                                                                                                                                                           |
| 9b. | <b>Individual Accountability and Transparency:</b> issues with taking personal ownership and responsibility to perform one's duties in compliance with the standards set out in organizational rules and regulations                                                                                            |
| 9c. | <b>Personal Conduct:</b> issues concerning fulfilling private obligations outside the workplace (not respecting local laws; ignoring private legal or financial obligations, misuse of the privileges and immunities of the organization, etc...) compromising the image and the interests of the organization. |
| 9d. | <b>Conflict of Interest:</b> appearing to benefit improperly or to have a third party benefit improperly from certain associations, relationships or financial interests (including honors, gifts or remuneration, favoritism to family or friends, outside employment activities)                              |
| 9e. | <b>Other Breach of Organisational Values, Ethics and Standards</b>                                                                                                                                                                                                                                              |

## EXPLANATORY NOTES

The template is to be used as a guide. Ombudsman and mediation offices can adjust the sub-issue categories and definitions to suit their organizational needs. To limit granularization, ensure consistency and maintain some continuity, the main issue categories are to remain the same.

The Network of Ombudsman and Mediation Offices of the CEB is to review and determine the fitness of the template every three years.

The categories are derived from the International Ombudsman Association case categories and are further modified to reflect the culture, practices and policies of the CEB organizations where ombudsman and mediation services are provided.

The categories are not a reflection of the organizations own statistical categories.

Ombudsman and mediation offices are informal and do not determine liability. The categories are therefore not legal findings but characterizations of the issues that are being addressed.

In order to accurately reflect the procedures and practices in the organizations that CEB Network members Ombudsman and Mediation serve, key changes made comprise the following:

- **Category 5** which was previously Legal, Regulatory, Financial and Compliance has been renamed Prohibited Conduct and Legal Processes. Abuse of Authority is listed as prohibited conduct within these organizations and has been moved from its place under Issue Organizational, leadership and management to Prohibited Conduct. “Organizational Duty of Care” has been added as a news sub-issue.
- **Category 2** was previously evaluative relationships. The term "evaluative" was not universally understood and the term supervisory relationships was preferred to better reflect the concerns under this category. Within this Category, several sub-issues have been reworded (e.g. ‘interpersonal challenges’), refined (e.g. “supervisory effectiveness”) and added, namely “psychological safety” and “recognition”.
- “Job satisfaction” and “Flexible working arrangements” have been acknowledged and added as **Category 4** sub-issues.
- **Category 6** sub-issues have been better defined and a sub issue on ‘Mental Health’ was defined.
- Other minor changes and updates were made in **Category 1** as well as in **Categories 3, 7, 8, and 9**.

## **BEST PRACTICES**

Ombudsman and Mediation offices are encouraged to use the template particularly in case meetings, categorizing cases to ensure consistency within their own teams.

Conflict resolution practitioners in Ombudsman and Mediation offices are to categorize cases according to their professional judgment/assessment and, as much as possible, in discussion with other practitioners/supervisors, to ensure consistency.

When categorizing a case, it is best practice to have between 2 and 3 issues and 1 to 3 sub issues to ensure that annual combined statistics is not inflated.

If there is a sub issue not listed in the template, then the user may select "other" while making sure to note the particular unlisted sub issue. The frequency of such unlisted issues should be monitored and discussed at the next review of the template.

The issue categories and their definitions are not confidential however when using them in the annual reports or other public documents, Ombudsman and Mediation offices should ensure that the identities of those who visit their office cannot be identified through the issue description.

With regard to Issues that would benefit from more granular analysis such as Discrimination, the entities could opt to take the approach of tracking more detailed data. This can be achieved inter alia through the use of free text entry which can be programmed into respective databases.

🏠 > Inside > [“A decent workplace manages its conflicts”: Interview with the ILO Mediator](#)

Inside

## “A decent workplace manages its conflicts”: Interview with the ILO Mediator

The new Mediator explains how her role contributes to preventing and resolving conflicts at the ILO.

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ILO news | 09 March 2023

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Gabriela Ourivio Assmar was appointed as ILO Mediator in October 2022. *Inside* met with Gabriela to find out more about her experience and the role of the Mediator in the ILO.

“In any group – family, community or organization – conflicts exist, this is normal. What goes beyond the common behaviour at the UN organizations is the acknowledgment of conflict and the offer of different mechanisms to address it,” Gabriela Ourivio Assmar explains.

“The challenge is to find a way to prevent, manage or resolve conflict in a way which is acceptable for all parties, so that they

can continue to collaborate towards the common goal. And I am honoured to be part of the group of colleagues that are dealing with these issues at the ILO.”

Gabriela brings a long experience of legal counseling, public affairs, negotiation, mediation and systems design to the position, in her home country, Brazil, the USA and other countries.

"I chose law as a way of serving humanity, and, in my practice, I always tried to find common ground among people," she explains.

The method of mediation was a welcome discovery, she says, and opened up new possibilities, which quickly became her main area of work. She moved to working with a broader spectrum, as an ombudsman – a role which helped clients find solutions to aggravated conflicts, thereby avoiding most litigations.

## Enabling a safe, confidential and independent place

So what is mediation? "Mediation is a way to help all people involved in any given issue be co-builders of a solution. It also helps to improve our work environment," Gabriela explains.

"Beyond specific conflict situations, it is also about better communication and enhanced self-awareness. The ideal is to avoid escalation and resolve differences before they become a conflict. But when conflicts do emerge, it is good to seek help at the earliest possible stage and make better-informed decisions also about the process".

"I see my role as a mediator as offering a safe, confidential and independent place which can help people assess their situation, come to a more mature view of what really matters to them and identify possible solutions. It is similar to coaching, as it is about accompanying clients in their decision-making process, but it includes all the elements of a given situation and is about facilitating negotiation on realistic common grounds."

Gabriela says.

"However, most people experiencing a conflictual situation have already tried to resolve things for themselves. In the workplace it is hard to show your vulnerabilities and there is a pressure to only show your strengths. So when people come to me, it is usually when trust has already been lost and communication has been broken," Gabriela says.

"I first offer help for them to access their realistic options and get strong enough to pursue the most adequate path, towards what really matters to them, upon their own choice, knowing the pros and cons. By communicating in a safe environment, they can restore some trust – at least in the process – which, most times, enables them to communicate better."

## "If trust has been impaired it has to be repaired"

At what stage does the Mediator get involved with other parties?

"In cases where I identify that there is room for mediation, I can ask the person if they allow me to contact the other people involved. Real mediation can only happen when all the primary parties agree to engage in negotiation," she says.

"I try to explore as much as possible the issues with the people involved separately, before I bring them to the common table, which makes the process easier. But I can also work with just one or a few of the people involved, helping them deal with the situation on their side and either accept what they cannot change alone or negotiate directly with the others."

It is important that any organization gives people the opportunity to resolve their problem as soon as possible. In a corporate environment, it is clear that each person is important for the group. If trust has been impaired it has to be repaired, so that people can continue to give their best and carry out their interdependent work."

So how does the role of the Mediator work with the other related conflict resolution functions in the organization?

"Although my work is autonomous, the Mediator reports to the Joint Negotiating Committee, and is one of several complementary functions at the ILO which support, advise and accompany staff, both to ensure accountability and to support staff who may be facing difficulties in the workplace," Gabriela explains.

"Other roles which we are fortunate to have at the ILO include human resources development, the Ethics Officer, who is responsible for the whistleblower policy, and the non-retaliation policy among other functions, the Office of Internal Audit and Oversight, which conducts investigations, the Staff Welfare Office, the Medical Service and the Staff Union. The Staff Union at the ILO is quite special in relation to any other organization that I know, as it holds one of the functions that are typical of an ombudsman, which is to be the people's advocate," Gabriela observes.

## There is no such thing as a perfect solution

"It is important to recall that the Mediator is an independent role, with a five-year contract which, uniquely, cannot be renewed. This means that my only interest is that of the "One ILO", and not my individual career. There cannot be any conflict of interest on my part. My purpose can only be achieved when each and everyone who uses my services, perceives their unique place and their balance of rights and responsibilities to ensure our working culture models decent work. Mediation is, therefore, one of the tools for the ILO to 'walk the talk'."

"Besides the immense importance of what we do at the ILO, I have learned from my work that there is no such thing as a perfect solution, because perfect does not exist. Rather, in any staff community we have to learn to face our own imperfections first, and work through our complementarities, making our joint efforts look better each day. Only when we accept who we are, we can accept, respect and work with others as they are: imperfect but continuously growing," Gabriela concludes.

## When and how to contact the Mediator

## When to contact

Whenever you notice that dialogue is not working anymore and the issue and/or the people involved matters to you and your work.

## How to contact

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