

Update on human resources management issues

Disciplinary and other corrective actions in 2020

Corrective administrative action, including disciplinary and non-disciplinary measures imposed in 2020

INTRODUCTION	<ol style="list-style-type: none"> 1. In order to ensure that UNAIDS human resources management is transparent, equitable, coherent with the values of the Programme, and reflective of ethical and accountability standards, the Department of Human Resources Management (HRM) wishes to inform all staff members of corrective actions taken throughout 2020, including disciplinary measures, imposed by the UNAIDS Executive Director (EXD) or Deputy Executive Director, Management and Governance (DXD, MER) to address cases of unsatisfactory behaviour and misconduct, which have occurred in UNAIDS. 2. UNAIDS and all its staff members are accountable for the resources and funds entrusted to the Secretariat by Co-sponsoring Organizations for the purposes of exercising its mandate. 3. As international civil servants, UNAIDS staff members are at all times expected to observe the highest standards of conduct, integrity, competence and performance. Abuse of authority, fraud, misrepresentation, acting for personal benefit, false certification and inappropriate behaviour, including verbal or physical abuse, and harassment, including sexual harassment, are examples of behaviour that are not accepted in UNAIDS.
PURPOSE	<ol style="list-style-type: none"> 4. This Information Note reports on corrective administrative actions taken, and disciplinary and non-disciplinary measures imposed, between 1 January and 31 December 2020.
SCOPE	<ol style="list-style-type: none"> 5. It is important to note that not every occurrence of unsatisfactory conduct or allegation of misconduct results in corrective administrative action being taken. 6. Where a staff member provides a satisfactory explanation in response to formal charge(s) of misconduct, or where a review / investigation results in a finding that no misconduct or other irregular behaviour has occurred, the case may be closed with or without managerial action.
PROPORTIONALITY OF DISCIPLINARY AND NON-DISCIPLINARY MEASURES	<ol style="list-style-type: none"> 7. Disciplinary or other corrective measures imposed are proportionate to the nature and gravity of the behaviour at issue. Aggravating and mitigating factors are taken into consideration in determining the appropriate administrative action in view of the specific facts and circumstances of each case. 8. Staff members separated from UNAIDS further to a finding of misconduct are normally informed that they will not be considered by UNAIDS for future employment or services. In such cases, a note will be kept in the Enterprise Content Management system to that effect. Moreover, where applicable, UNAIDS will include the records regarding misconduct by current and former UNAIDS staff members in the ClearCheck¹ database.
SUMMARY	<ol style="list-style-type: none"> 9. For each case that led to corrective administrative action during the period in question, the summary below indicates the context and nature of unsatisfactory conduct and/or misconduct, and the measure(s) applied. Due regard has been given to the protection of the privacy of the staff members concerned. 10. Between 1 January 2020 and 31 December 2020, UNAIDS concluded: <ul style="list-style-type: none"> – one (1) disciplinary proceeding which led to the imposition of disciplinary measures; – one (1) case of irregular behaviour. 11. Both cases involved male staff members. The cases included one staff member in the Professional category and one General service category staff member. 12. In one case, action was taken and measures imposed on a staff member serving in a UNAIDS Country Office in the Western and Central Africa region, and in the second case on a staff member serving in a UNAIDS Country Office in the Eastern and Southern Africa region. 13. In all cases, the staff members were informed of the recourse mechanisms to exercise their right to contest the decisions taken by the EXD or DXD, MER. 14. As at 31 December 2020, one decision has been appealed before the Global Board of Appeal (GBA). It is necessary to recall that in accordance with paragraph III.12.4.20 of the WHO eManual, the appeal does not suspend the effect of the decision. 15. The following paragraphs provide summaries of the cases in which corrective action was taken over the reporting period.

¹ ClearCheck is a secure online database, established to share information amongst United Nations entities on individuals (former UN staff and UN-related personnel) who have established allegations related to sexual harassment, sexual exploitation and sexual abuse with the aim to prevent re-employing them within the UN system

FRAUD	<p>16. A former staff member committed fraud by knowingly and repeatedly providing the Staff Health Insurance (SHI) with fake and/or forged documents and obtaining reimbursement or intending to obtain sums of money to which he was not entitled.</p> <p><i>Disciplinary measures: Dismissal in accordance with Staff Rule 1110.1.6 and full recovery.</i></p> <p>17. Furthermore, in accordance with the relevant SHI Rules, the staff member and his dependent family members were automatically excluded from further participation in the SHI.</p>
ABANDONMENT OF POST	<p>18. A former staff member absented himself from duty without satisfactory explanation for more than 15 working days.</p> <p><i>Corrective administrative action: termination of appointment in accordance with Staff Rule 1080.</i></p>
UNAIDS LEGAL FRAMEWORK, GUIDANCE AND PROCESSES	<p>19. The following information sets out the legal framework and provides guidance and information on conduct and ethical behaviour in UNAIDS:</p> <ul style="list-style-type: none"> - Duties, Obligation and Privileges of staff members (Article I of the Staff Regulations) - Standards of conduct for staff members (Staff Rule 110) - Financial Responsibility (Staff Rule 130) - Non-confirmation of appointment for unsatisfactory conduct, and/or unsuitability for international civil service (Staff Rule 1060 and 1070.1) - Abandonment of post (Staff Rule 1080) - Disciplinary measures (Staff Rule 1110) - Misconduct resulting in financial loss (Staff Rule 1112) - Non-disciplinary reprimand (Staff Rule 1115) - Separation for misconduct (Staff Rule 1075) - Conduct and Disciplinary Measures (HR eManual III.11) - Promoting Ethics and Integrity in UNAIDS - Standards of Conduct for the International Civil Service
VISUAL DATA	<p>20. Annex A contains visualization of statistical indicators and data in the context of corrective administrative actions taken and disciplinary measures imposed by the EXD or DXD, MER in 2020.</p>

ANNEX A

Figure 1. Types of corrective administrative actions taken, disciplinary measures imposed in 2020

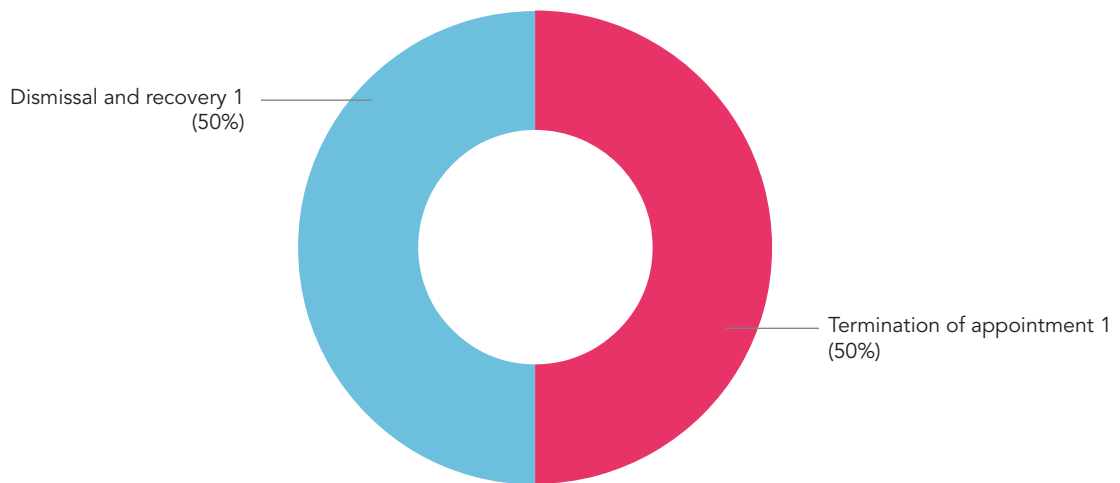


Figure 2. Corrective administrative actions taken, disciplinary measures imposed in 2020 by gender

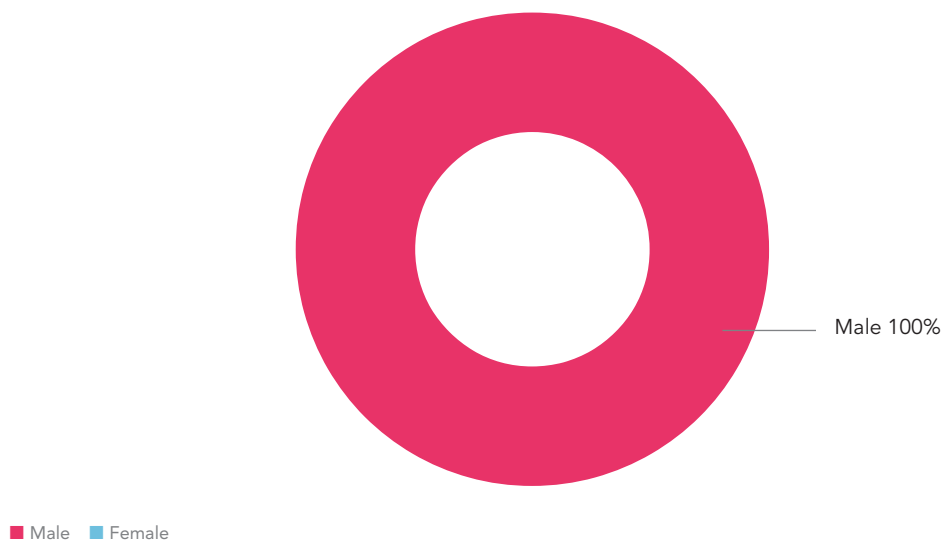


Figure 3. Corrective administrative actions taken, disciplinary measures imposed in 2020 by region

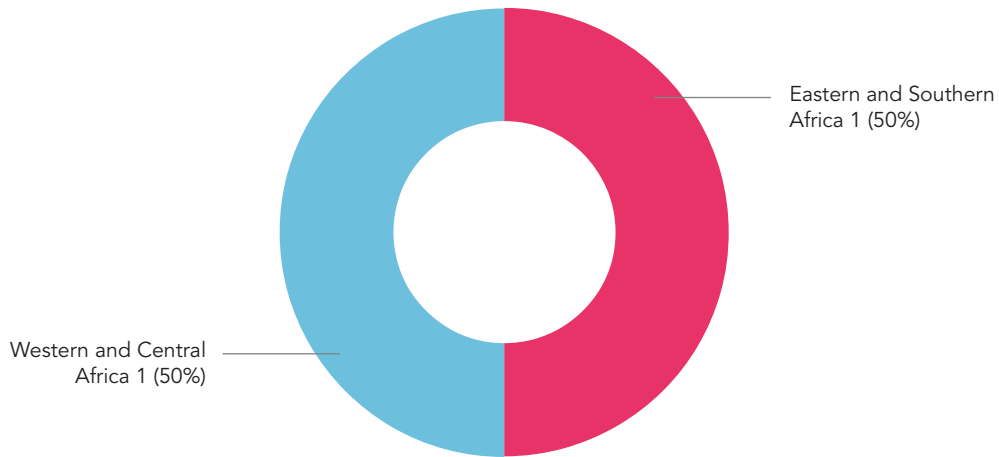


Figure 4. Corrective administrative actions taken, disciplinary measures imposed in 2020 by staff category

