

**CORRECTIVE ADMINISTRATIVE  
ACTIONS, INCLUDING DISCIPLINARY  
MEASURES TAKEN IN 2022**

**Conference Room Paper**

## Corrective administrative actions, including disciplinary measures taken in 2022

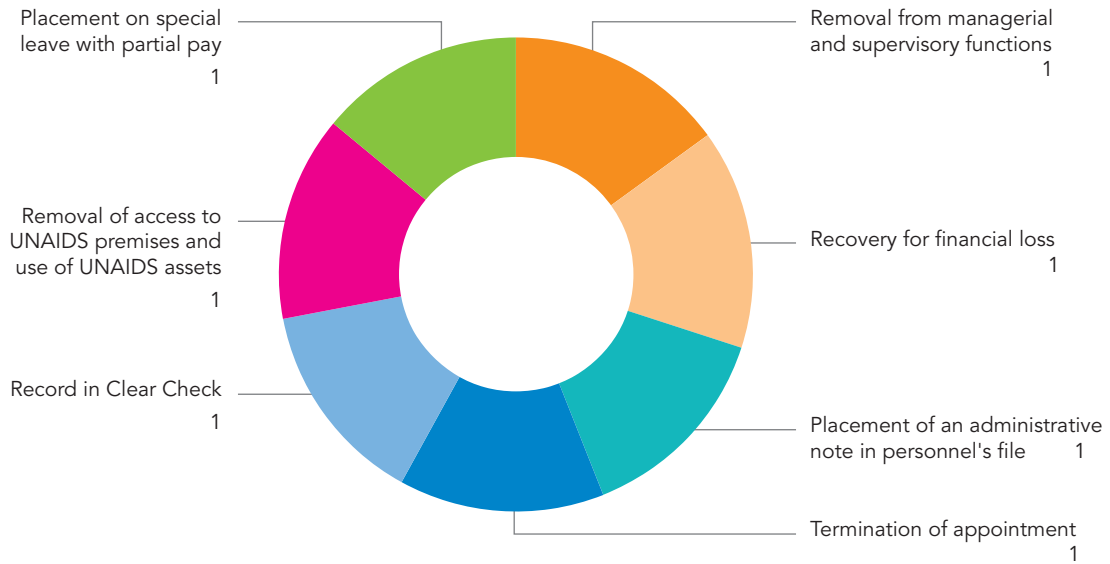
<b>INTRODUCTION AND PURPOSE</b>	<ol style="list-style-type: none"> <li>1. In order to ensure that UNAIDS people management is transparent, equitable, in line with the values of the Organization, and reflective of ethical and accountability standards, the Department of People Management (“DPM”) wishes to inform all staff members of corrective administrative actions taken, including disciplinary measures imposed throughout 2022 to address cases of unacceptable behaviour or misconduct, which have occurred in UNAIDS.</li> <li>2. UNAIDS and all its staff members are accountable for the resources and funds entrusted to the Secretariat by Co-sponsoring Organizations for the purpose of exercising its mandate.</li> <li>3. As international civil servants, UNAIDS staff members are at all times expected to observe the highest standards of conduct, integrity, competence and performance.</li> <li>4. Abuse of authority, fraud, misrepresentation, acting for personal benefit, false certification and inappropriate behaviour, including verbal or physical abuse, harassment and sexual misconduct including sexual harassment, are examples of behaviours that are not accepted in UNAIDS.</li> </ol>
<b>SCOPE</b>	<ol style="list-style-type: none"> <li>5. This Information Note reports on disciplinary and other corrective administrative actions taken between 1 January and 31 December 2022.</li> <li>6. It is important to note that not every occurrence of unsatisfactory conduct or allegation of misconduct results in disciplinary or corrective administrative action being taken. Where a staff member provides a satisfactory explanation in response to formal charge(s) of misconduct, or where a review or investigation results in a finding that no misconduct or other irregular behaviour has occurred, the case may be closed with or without managerial action.</li> </ol>
<b>PROPORTIONALITY OF DISCIPLINARY AND OTHER ADMINISTRATIVE MEASURES</b>	<ol style="list-style-type: none"> <li>7. Corrective administrative actions, including disciplinary measures, are proportionate to the nature and gravity of the behaviour at issue and are taken in accordance with the relevant regulatory framework.</li> <li>8. Aggravating and mitigating factors are taken into consideration in determining the appropriate disciplinary or other administrative action in light of the specific facts and circumstances of each case.</li> <li>9. Staff members who separate from UNAIDS prior to conclusion of an ongoing investigation or disciplinary process, or separated from UNAIDS further to a finding of misconduct are normally informed that they will not be considered by UNAIDS for any future employment or contract. In such cases, a note will be kept in the staff member’s personnel records and in the Enterprise Content Management system (“ERP”) to that effect. Moreover, where applicable, UNAIDS will include relevant records regarding established misconduct by former UNAIDS staff members in the Clear Check<sup>1</sup> database.</li> </ol>
<b>SUMMARY</b>	<ol style="list-style-type: none"> <li>10. It is observed that in 2022, UNAIDS experienced a surge of compliance-related matters, a number of which as at 31 December 2022 remained under review due to their complexity, ongoing investigations and/or resolution efforts in coordination with relevant in-house and external stakeholders at UNAIDS/WHO.</li> <li>11. For each case that led to corrective administrative action(s) during the period in question, the summary below indicates the context and nature of unsatisfactory conduct and/or misconduct, and the measure(s) applied.</li> <li>12. Between 1 January and 31 December 2022, UNAIDS concluded 4 processes: <ul style="list-style-type: none"> <li>– one (1) disciplinary proceeding which led to the imposition of disciplinary measures.</li> <li>– three (3) cases of misconduct and other irregular behaviour and conduct, which led to corrective administrative actions being taken.</li> </ul> </li> <li>13. Two cases involved male staff members and two cases involved female staff members (Figure 2).</li> <li>14. Gender-related data for the period 2019-2022 pertaining to corrective administrative actions and requests for administrative review shows a continuing trend whereby in cases involving imposition of disciplinary and other corrective actions, the number of male staff members is higher (Figures 5 and 6).</li> <li>15. In 2 cases, actions were taken on staff members in an office in the Asia Pacific region, in 2 cases measures were taken with regard to staff based in an office in the East and South Africa region. (Figure 3)</li> </ol>

<sup>1</sup> Clear Check 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. Please see Sections III.4.2.210 and III.11.2.360-380 of the WHO eManual.

	<p>16. The cases included 2 staff members in the Professional category, one staff member in the General Service category and one staff member in the category of National Professional Officers (Figure 4).</p> <p>17. As at 31 December 2022, no appeal had been submitted before the Global Board of Appeal (GBA) against any of the decisions made in 2022 outlined in this report.</p> <p>18. The following paragraphs provide summaries of the cases in which the relevant corrective actions were taken over the reporting period (Figure 1). Due regard has been given to the protection of privacy of the staff members concerned.</p>
ABUSIVE CONDUCT: SEXUAL HARASSMENT	<p>19. A former senior staff member, who had separated from service prior to conclusion of the investigation, was found to have engaged in inappropriate and unwelcome conversations, unwelcome sexual advances and physical contact with the affected individual. The conduct was considered to have had a long-term negative effect on the affected individual. The affected individual was informed of the outcome of the case as well as the institutional steps and measures undertaken by UNAIDS to combat all forms of abusive conduct, and they were also offered counselling support to aid their response to the distressing event.</p> <p><i>Corrective administrative action: Placement of an administrative note in the former staff member's personnel file and record made in the Clear Check database.</i></p>
ABUSIVE CONDUCT: ABUSE OF AUTHORITY, FAILURE TO MAINTAIN HARMONIOUS WORKPLACE	<p>20. A senior staff member was found to have failed to maintain a harmonious workplace in a country office and to have abused their authority on several occasions. The investigation also found that there were a number of other factors that had contributed to an overall deteriorating working environment in the country office and which were not of the staff member's own making and were considered as mitigating factors.</p> <p><i>Corrective administrative action: Coaching and removal of managerial responsibilities, including supervisory roles, from the staff member's functional duties, until the required skillset is demonstrated.</i></p>
FAILURE TO EXHIBIT AND ADHERE TO THE HIGHEST STANDARDS OF ETHICAL CONDUCT, AND INAPPROPRIATE USE OF UNAIDS ASSETS AND RESOURCES	<p>21. A UNAIDS staff member was found by the United Nations Department of Safety and Security ("UNDSS") to have misused a UNAIDS asset and violated vehicle safety standards on the UN common premises, where the UNAIDS country office is located, whilst being intoxicated.</p> <p><i>Corrective administrative action: Placement of the staff member on special leave with partial pay until the upcoming end of their appointment; removal of use and access to the UN premises and use of any corporate assets.</i></p>
ABANDONMENT OF POST	<p>22. Whilst being employed by a UNAIDS country office, a staff member engaged in an unauthorized remunerated professional outside activity involving managerial functions, and was absent from duty without authorization or satisfactory explanation for more than 15 working days without any contact with the office, following numerous futile attempts to locate and establish contact with the staff member.</p> <p><i>Corrective administrative action: Termination of appointment in accordance with Staff Rule 1080 and recovery of all amounts of salary and related emoluments received from UNAIDS during the period of unauthorized absence. The staff member was also barred from re-employment under any contractual modality with UNAIDS or any other UN agency.</i></p>
UNAIDS LEGAL FRAMEWORK, GUIDANCE AND PROCESSES	<p>23. 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"> <li>- Duties, Obligations and Privileges of staff members (Article I of the Staff Regulations)</li> <li>- Standards of conduct for staff members (Staff Rule 110)</li> <li>- Financial Responsibility (Staff Rule 130)</li> <li>- Non-confirmation of appointment for unsatisfactory conduct, and/or unsuitability for international civil service (Staff Rule 1060 and 1070.1)</li> <li>- Abandonment of post (Staff Rule 1080)</li> <li>- Disciplinary measures (Staff Rule 1110)</li> <li>- Misconduct resulting in financial loss (Staff Rule 1112)</li> <li>- Non-disciplinary reprimand (Staff Rule 1115)</li> <li>- Separation for misconduct (Staff Rule 1075)</li> <li>- Duties, Obligations and Privileges (WHO eManual III.1)</li> <li>- Secondments from non-UN entities to WHO (WHO eManual III.4.10)</li> <li>- Conduct and Disciplinary Measures (WHO eManual III.11)</li> <li>- <a href="#">Information related to the UNAIDS Ethics Office</a></li> <li>- <a href="#">Standards of Conduct for the International Civil Service</a></li> </ul>
VISUAL DATA	<p>24. Annex A contains statistical indicators and data in the context of corrective administrative actions taken including disciplinary measures imposed by the EXD.</p>

## ANNEX A

**Figure 1.** Types of corrective administrative actions taken, disciplinary measures imposed in 2022



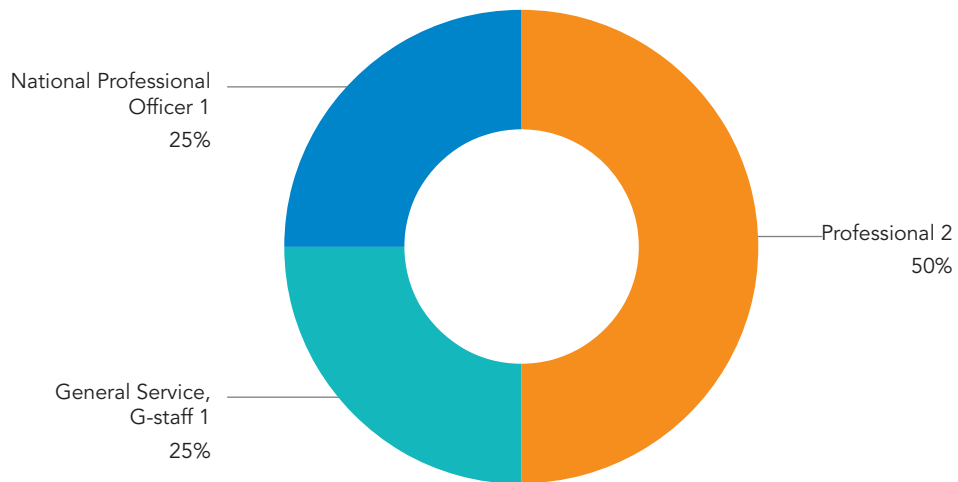
**Figure 2.** Corrective administrative actions taken, disciplinary measures imposed in 2022 by gender



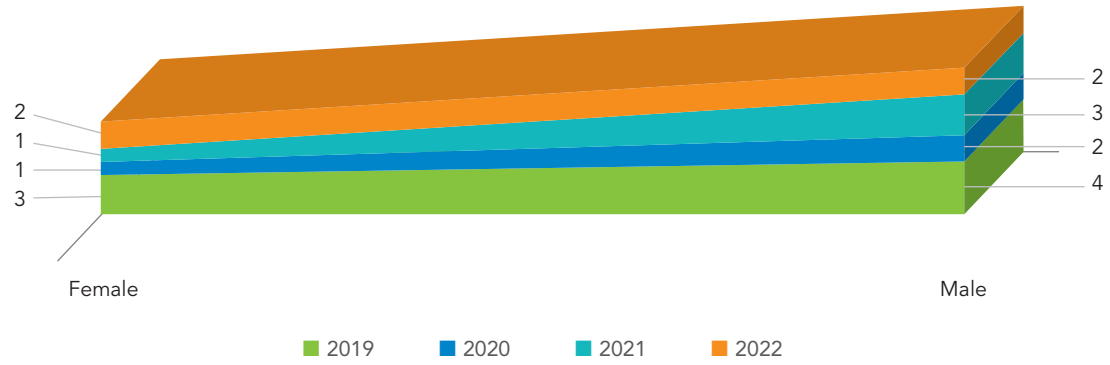
**Figure 3.** Corrective administrative actions taken, disciplinary measures imposed in 2022 by region



**Figure 4.** Corrective administrative actions taken, disciplinary measures imposed in 2022 by staff category



**Figure 5.** Corrective administrative actions including disciplinary measures for the period of 2019–2022 by gender



**Figure 6.** Requests for administrative review submitted during the period of 2019–2022 by gender

