

**STATEMENT BY THE REPRESENTATIVE OF THE PAHO/WHO STAFF ASSOCIATION**

1. The Staff Association of the Pan American Health Organization/World Health Organization (PAHO/WHO) would like to thank the Members of the Executive Committee for their interest in matters related to current staff working conditions in accordance with the provisions of the international civil service. We also reiterate our commitment to the mandates of the Pan American Sanitary Bureau (PASB). In this context, the working relationship between the Staff Association and PASB Executive Management is positive, collaborates toward good managerial performance, and promotes institutional values in a respectful work environment. In addition, we would like to make special mention of the efforts made by Executive Management to strengthen transparency, efficiency, and accountability, including advances such as defining performance indicators in several enabling functions.
2. This statement by an elected representative of the Staff Association is given after a process of consultation with staff members through the established mechanisms, such as assemblies and meetings with our staff representatives in the country offices and Pan American centers. Topics addressed are grouped in two main areas: *a)* staff health and well-being; and *b)* the internal justice system. These are recurring topics on the Association's agenda and they are related, as they have a direct impact on the work environment, staff members, and personnel in general.
3. The Association believes that perception of the workplace environment depends largely on the Organization's ability to manage and resolve conflicts, among other factors. Many people base their decision to leave or remain in a workplace on considerations about the compensation package and the work environment. Unresolved conflicts impact not only individuals, but also teams and their productivity. In this regard, the roles of the Office of the Staff Counselor and the Office of the Ombudsman are critical to facilitating better understanding between people and to providing tools to prevent and resolve conflicts. For us, they represent the first line of response. It is important to note that the Office of the Staff Counselor is pursuing a mental health strategy tailored to the Organization. We also welcome the recruitment of the new Ombudsman and reaffirm our commitment and interest in taking a leading role in the development and implementation of the Respectful Workplace Initiative.
4. Among the advances that have contributed to a state of well-being is the role of the Health, Safety, and Well-Being Committee, which is always at the forefront of issues, focusing on matters related to measures that maintain a balance between the professional and personal lives of staff members.
5. Regarding the administration of internal justice, we have given considerable thought to this issue and why it does not function efficiently or performs unevenly. We recognize that Executive Management has a legitimate interest in improving the services of certain offices associated with formal

conflict management and, to this end, it has requested that key performance indicators be established. These offices are related to the areas of human resource management, legal affairs, ethics, and investigations. At least four working sessions (retreats) have been held, including a revision of the terms of reference of the Integrity and Conflict Management System (ICMS), which are still under discussion.<sup>1</sup>

6. In our view, PASB lacks an integrity and conflict resolution system. What it actually has is a system of administration of justice, involving specific offices that handle the formal conflict resolution process, potentially leading to an appeals process. The underlying issue is that it is a misinterpretation to consider this a system when in reality it is an internal coordination effort. A system is a set of interrelated elements aimed at achieving a common objective.

7. The performance of administration of justice can be improved at every step of the process, with different entry points depending on the type of problem, which may be formal or informal. Informal problems are essentially covered by the role of the Office of the Ombudsman, but on this occasion we would like to focus on the formal system.

8. A formal process may begin with the filing of a complaint, which may or may not be investigated (an investigation protocol defines the process). Administrative decisions can be appealed (there is also a defined procedure for this) and PAHO staff members can exercise the right of appeal before an internal tribunal known as the PAHO Board of Appeal.<sup>2</sup> From there, the case can be transferred to the Administrative Tribunal of the International Labour Organization (ILO).<sup>3</sup>

9. The PAHO Board of Appeal has an external coordinator, who acts as the Board's chair; a secretary, who is a PAHO staff member volunteering for this role; and panel members, who are staff members of the Organization (some elected and others appointed by the Director). For operational purposes, the Ethics Office was designated to organize and provide resources to the Board of Appeal, but it has no role in the appeals process.

10. Other actors involved in the formal part of the process are the Department of Human Resources Management, which is responsible for communicating administrative decisions to staff members (decisions are appealable); the Office of the Legal Counsel, which defends cases on behalf of PAHO before the ILO Appeals Board and Tribunal; and the Office of Investigations, which in some cases can provide inputs for the appeals process.

11. It is clear that there are different roles and responsibilities in relation to conflict management depending on the timing and nature of the problem to be solved. If we recognize that informal resolution involves a series of measures or interventions that promote the prevention and better internal management of conflicts in order to avoid the path of judicialization and administration of justice, then the key point is to strengthen internal dialogue, manage expectations, and create spaces for conflict prevention. The Office of the Ombudsman and the Office of the Staff Counselor play the substantial role in this area.

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<sup>1</sup> For more information, see: <https://www.paho.org/en/integrity-and-conflict-management-system-icms>.

<sup>2</sup> For more information, see: <https://www.paho.org/en/integrity-and-conflict-management-system-icms/board-appeal-boa>.

<sup>3</sup> More information is available at: <https://www.ilo.org/about-ilo/structure/ilo-administrative-tribunal> and <https://www.paho.org/en/integrity-and-conflict-management-system-icms/ilo-administrative-tribunal>.

12. The formal process requires somewhat more attention in terms of the performance of the offices involved, so as to ensure that issues are resolved promptly and properly, following due process. We are referring to the administration of justice, where the delay of one of the parties affects the whole. In this regard, the Association advocates for the following:

- a) Entities that have a role in the formal justice process should have key institutional performance indicators in their respective work plans. In this regard, we support the Director's request to develop such indicators.
- b) A permanent committee or commission for conflict prevention should be established, led by the Ombudsman. This measure will provide a framework for the functions of this position, which will no longer work in isolation, as has been the case until now. The purpose of this committee will be to institutionalize the Respectful Workplace Initiative; it should involve entities that facilitate conflict prevention, such as the Department of Human Resources Management, the Staff Association, the Health and Well-Being Unit, the internal communications area, and the Senior Advisor on prevention and response to sexual misconduct. The committee should report on its progress at least twice a year as part of the biennial work plan monitoring and evaluation process that takes place every six months.
- c) With regard to the administration of justice, the Staff Association proposes that the activities of the PAHO Board of Appeal be transferred to the World Health Organization (WHO). This is not impossible and, in fact, it was proposed years ago by WHO, when the regional boards of appeal were dismantled and the Global Board of Appeal was established, with headquarters in Budapest (Hungary). The Global Board of Appeal is a professional body whose staff litigate and make decisions. It reviews cases in a systematic manner and has been very effective and transparent for those who make use of it. PASB should consider exploring this avenue. Faced with an administrative decision, a staff member only has one right, the right to appeal, and this must be a high quality, efficient, and timely process. The measure we are proposing is both feasible and innovative. We note that the WHO Global Board of Appeal is now proposing that WHO establish a legal support office for staff, which would be of great benefit to staff members. PAHO could benefit from membership in this professionalized administration of justice.

13. In this regard, we believe that the revision of the terms of reference of the ICMS should reflect the reality of the Organization. There is no system as such, although there is a committee that tries to coordinate efforts. We have initially determined that our proposals are not incompatible with other proposals aimed at improving the work environment and better serving the PAHO/WHO workforce. These measures will certainly require an investment of resources, but we are convinced that they will contribute to reducing some costs associated with inefficient practices, and that they will prove their effectiveness in a very short time, because their results will be apparent within the framework of the PAHO Forward initiative, which promotes efficiency, transparency, and accountability.

14. This report is submitted to the Members of the Executive Committee of PAHO for their consideration.

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