

## Operational Instruction Ref. OI.PCG.2023.01 Personnel Management Framework

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**Authority:**

This Operational Instruction (OI) is promulgated by the Director, People and Culture Group under Operational Directive Ref. OD.PCG.2017.01 – Human Resources, Ethics and Culture of 13 July 2017, on the basis of a delegation of authority from the Executive Director.

**Purpose:**

The purpose of this OI is to outline how UNOPS Personnel shall be managed. The specific processes describing in detail how to manage UNOPS Personnel shall be included in the Processes and Quality Management System (PQMS).

**Effective Date:**

This OI shall become effective **1 October 2023**

Selection actions initiated before the effective date may be finalized according to the provisions in the policies effective on the date when the Vacancy Announcement was advertised.

**Promulgation Date:**

28 Sep 2023

**Consequential changes:**

This OI shall revise OI.PCG.2017.01 – Personnel Management Framework of 13 July 2017. The purpose of this revision is to reflect the transition of Delegation of Authority for Individual Contractor Agreements from the Procurement Group to the People and Culture Group.

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## **1. Elements of the PMF:**

**1.1** The PMF consists of 11 elements. The scope of each of these elements is defined in this OI. For each element a number of process maps and mandatory procedures, consistent with the scope definition and boundaries provided herein, shall be included in the Process and Quality Management System (PQMS) (available on the UNOPS intranet). Personnel, HR practitioners, supervisors, and heads of business units should refer to the PQMS to exercise their rights and responsibilities related to the PMF, while complying with this OI and OD.PCG.2017.01 on Human Resources, Ethics and Culture. Each of the elements described below correspond to an individual section in chapter seven of the PQMS.

**1.2** Where matters arise that do not fall under one of these elements, the Director, PCG, or the Deputy Director, PCG, shall provide ad-hoc guidance, as required. The Director, PCG, or the Deputy Director, PCG, may develop and update appropriate processes and mandatory procedures in the PQMS where in their opinion general additional guidance is required, and may update this OI, accordingly. Ad-hoc guidance shall be logged for regular evaluation in order to ensure that the processes and mandatory procedures in the PQMS continue to serve the purpose of the organization.

**1.3** Exceptions to this OI and processes and procedures as detailed in the PQMS shall be approved by the Director, PCG, or the Deputy Director, PCG. Such exceptions shall be logged for regular evaluation to ensure that information in this OI as well as the processes and mandatory procedures in the PQMS continue to be fit for purpose.

## **2. Develop and maintain strategies, contract modalities, and processes and instructions (PQMS Chapter 7, Section 1):**

**2.1** The Director, PCG, and the Deputy Director, PCG, are responsible for developing and executing the UNOPS HR strategy and a competency framework aligned with the said strategy and the relevant business plan.

**2.2** UNOPS may avail itself of any contractual categories available under the United Nations Staff Regulations and Rules.

**2.3** Additional contractual modalities may be established and modified by the Director, PCG, or the Deputy Director, PCG, within UNOPS authority and in accordance with the relevant provisions of the UNOPS Legislative Framework (EOD.ED.2022.01).

**2.4** A minimum set of standards must be expected from every UNOPS personnel regardless of the contractual modality used to retain them. These standards must be defined taking into account the status of UNOPS as subsidiary organ of the General Assembly. Similarly, UNOPS status must guide the determination of the minimum standards that the organization will set as a value proposition for the retention of personnel. The UNOPS business plan and HR strategy must guide the establishment of any differences between contractual modalities.

**2.5.** The use of any UNOPS-specific contractual modality not conferring the status of an official of the United Nations must be limited to situations where the personnel is not required to perform inherently United Nations activities.

**2.6** An inherently United Nations activity is an activity that is so intimately related to the interests of UNOPS and/or the rest of the United Nations system as to mandate performance by United Nations staff members. These activities require the exercise of substantial discretion in applying United Nations authority and/or in making decisions for the United Nations. Inherently United Nations activities normally fall into two categories: the exercise of high-level authority or the establishment of procedures and processes related to the oversight of monetary transactions or entitlements. An inherently United Nations activity involves one or more of the following:

**2.6.1** Binding UNOPS to take or not to take some action by contract, public pronouncement or otherwise, other than the selection of a supplier on reasonable terms pursuant to UNOPS procurement policies.

**2.6.2** Determining, protecting, and advancing the interests of the United Nations, by diplomatic means or political means or otherwise.

**2.6.3** Significantly affecting the safety and security or property of persons.

**2.6.4** Exerting ultimate control over the acquisition, use, or disposition of United Nations property (real or personal, tangible or intangible), including establishing policies or procedures for the collection, control, or disbursement of funds.

**2.7** Not every exercise of discretion is evidence that an activity is an inherently United Nations activity. Rather, an exercise of discretion is an inherently UN activity if (1) it commits the United Nations to a course of action when two or more alternative courses of action exist; AND (2) decision making is not already limited or guided by existing policies, procedures, directions, orders, and other guidance that (i) identify specified ranges of acceptable decisions or conduct; and (ii) subject the discretionary authority to final approval or regular oversight by United Nations staff members.

**2.8** Examples of activities falling outside the scope of inherently United Nations activities are provided in the PQMS.

**2.9** The use of any contractual modality not conferring the status of an official of the United Nations may be appropriate where the UNOPS personnel member is tasked to implement a course of action with active oversight by a United Nations staff member or develop options for consideration by a United Nations staff member. However, care must be taken to ensure that such UNOPS personnel member is only implementing a course of action and/or developing options, and is not exercising de facto authority. In assessing this issue, the following considerations are to be taken into account:

**2.9.1** Whether there is prescriptive content that defines an activity as inherently United Nations;

**2.9.2** Whether involvement of individual contractor(s) is or would be so extensive that the ability of United Nations staff members to develop and consider options is or would be inappropriately restricted;

**2.9.3** Whether the person will have authority to take action that will significantly and directly affect the safety and security or property of United Nations personnel. This factor does not prohibit the hiring of individual contractors to be security guards, provided that they are actively managed by United Nations staff members; and

**2.9.4** Whether the activity in question is already being regularly performed by commercial service providers.

**2.10** In instances where a UNOPS-specific contractual modality not conferring the status of an official of the United Nations is used temporarily in the absence of a staff member and the activities to be performed would include inherently United Nations activities, prior approval from the Director, PCG or Deputy Director, PCG must be obtained as well as prior approval from the official responsible for the issuance of any delegations of authority that may be required for implementing such inherently United Nations activities.

**2.11** The Director, PCG, and the Deputy Director, PCG, must rely on the PQMS to maintain updated UNOPS practices in Human Resources matters. Updating these practices must follow the established processes and mandatory procedures included in the PQMS for that purpose. The relevant PQMS processes and mandatory procedures must ensure that adequate consultation with end-users, advisors (e.g. HR Advisors and members of compliance review bodies) and endorsement of most senior Human Resources practitioners takes place.

**2.12** The Director, PCG, and the Deputy Director, PCG, are responsible for interacting with personnel associations.

### **3. Manage personnel positions (PQMS Chapter 7, Section 2):**

**3.1** Personnel positions may be of two types: (a) staff member posts, to be filled by a staff member holding a letter of appointment issued under the United Nations Staff Regulations and Rules; and, (b) any other position to be filled by individuals retained under a UNOPS-specific contractual modality such as Individual Contractor Agreements (ICA), Internship Agreements, and Volunteer Agreements.

**3.2** The different processes and procedures establishing, managing/modifying, and abolishing posts and positions to allow the organization to adapt to business needs and avoid arbitrary decisions shall be included in PQMS.

**3.3** A position may only be established by a UNOPS personnel holding sufficient delegated authority to do so. Prior to establishing a position, a classification exercise must be conducted. Moreover, only budgeted posts may be established.

**3.4** Once a position is established, it may be subject to modification or reclassification in order to address changing business needs. The change in business needs may occur abruptly or latently and each of these scenarios should be treated differently.

**3.5** A process on conducting functional review shall be established in the PQMS to ensure that inherently United Nations functions are performed by staff members only. The functional review must determine whether the functions assigned to an existing ICA position remain to be non-inherent to the United Nations, and recommend appropriate corrective action when the functions are considered to be inherently United Nations functions. Examples of what an inherently United Nations activity may involve are provided in the PQMS.

**3.6** In the event that the business needs that lead to the establishment of a given position are no longer present, that particular position must be abolished. A position must also be abolished if there are insufficient funds to respond to the particular business need that led to establishing the position. A UNOPS official with sufficient delegation of authority may decide to abolish positions under other circumstances provided that the decision is not arbitrary.

## **4. Acquire talent (PQMS Chapter 7, Section 3):**

**4.1** UNOPS' selection methods shall be established in a way to enable the organization to continuously place the right people in the right position at the right time. Filling of vacancies shall be done in an efficient, transparent and dynamic manner.

**4.2** Within UNOPS there are two approaches to identify suitable individuals for existing needs: sourcing internally and sourcing externally to the organisation. Business critical roles (including leadership positions and certain functional roles as determined by PCG) must be sourced internally through talent benches, which must be competitive, and undergo rigorous assessment processes. Only when a bench has not been established for a given business critical role, sourcing externally is possible. For all other positions, the preferred selection procedure would be a regular competitive selection process. Competition may be limited within UNOPS when the position requires specific knowledge of UNOPS activities or processes. Other limits to regular competition may be admitted in special circumstances, to address short term, exceptional or unexpected needs (such as in the case of emergencies or other unforeseen situations).

**4.3** Engaging individual contractors on the basis of exceptions to formal methods of solicitation or following emergency procurement procedures shall be used only when the circumstances so require, as specified in Financial Rule 118.05 of the UNOPS Financial Regulations and Rules (EOD.ED.2017.04) and PQMS, respectively. PCG shall monitor the correct use of these exceptions.

**4.4** Appointment or award decisions may need to be made following advice from a review body, such as Central Review Bodies for staff and Contracts and Property Committees for ICAs, as stated in applicable operational directives, instructions and in the PQMS.

**4.5** Where appointment or award decisions need to be made following advice from a review body, the submission and review of matters shall be conducted in accordance with the relevant processes and mandatory procedures applicable to the review body in question. The current review bodies established in UNOPS continue to be operative. Where a decision is taken departing from the recommendation provided the reasons for such a departure must be documented.

**4.6** Nothing in this OI shall be construed as limiting the Executive Director's discretionary authority to make appointment decisions and other decisions under the United Nations Staff Regulations and Rules or any other discretionary decisions duly made by a holder of a Delegation of Authority.

## **5. Engage and on-board personnel (PQMS Chapter 7, Section 4):**

**5.1** When a decision to engage an individual has been made, the appropriate engagement legal instrument shall be issued.

**5.2** Letters of appointment shall be issued to staff members in accordance with the United Nations Staff Regulations and Rules and the relevant processes and mandatory procedures in the PQMS. Due regard must be given to any additional requirements emanating from decisions by the General Assembly of the United Nations. Due consideration should also be given to information provided by the

International Civil Service Commission in order to ensure alignment within the United Nations Common System of Salaries, Allowances and Benefits.

**5.3** Individual Contractor Agreements and other instruments relied on for the retention of personnel under a UNOPS-specific contractual modality must be issued in accordance with the relevant provisions of the UNOPS Legislative Framework, as applicable, and any relevant processes and mandatory procedures in the PQMS.

**5.4** The above engagement legal instruments shall be issued only to individuals who have been subject to an appropriate due diligence process (which may include reference and other checks). These engagement legal instruments shall be issued by the UNOPS Global Shared Service Centre unless special alternative arrangements are approved by the Director, PCG, or Deputy Director, PCG.

## **6. Manage entitlements and contract provisions (PQMS Chapter 7, Section 5):**

**6.1** To attract and retain high-calibre personnel the organization shall have the right to offer, along with adequate monetary remunerations, non-monetary remunerations. Compensation packages shall allow personnel to enjoy an appropriate work-life balance by providing, among other things, leave provisions as well as flexible working arrangements.

**6.2** The benefits and entitlements of UNOPS staff members as defined in the PQMS shall be defined in accordance with the United Nations Staff Regulations and Rules and, to the extent practical, closely aligned with the practice of other entities that are part of the United Nations Common System of Salaries, Allowances, and Benefits.

**6.3** The catalogue of leave available to UNOPS personnel are included in the PQMS, with clear information on how each individual scheme is administered (e.g. accrual, accumulation, utilisation, approval process).

**6.4** The catalogue of flexible working arrangement schemes available to UNOPS personnel (including ICA holders) are included in the PQMS. Where flexible working arrangements that encompass the reduction of the work-schedule are agreed to, the remunerations (monetary or otherwise) that the concerned UNOPS personnel member is due to receive shall be adjusted accordingly. Flexible working arrangements shall not be imposed on personnel; rather they must be agreed on, subject to business needs, upon the request of the concerned UNOPS personnel. Special consideration will be made where the granting of special working arrangements may serve to maintain UNOPS diversity targets for personnel. The processes and mandatory procedures regarding working hours, including conditions and limits for overtime work, and official holidays are included in the PQMS.

**6.5** UNOPS staff members shall be provided with access to the United Nations Joint Staff Pension Fund (UNJSPF) as per the United Nations Staff Regulations and Rules and the Regulations and Rules of the UNJSPF. Alternative arrangements may be made available by the organization for personnel retained under different contractual modalities when the nature and characteristics of the relevant contractual modality so requires. These arrangements may be in the form of direct remuneration or in kind-contribution (e.g. provident fund).

**6.6** UNOPS staff members shall be provided with medical insurances in accordance with United Nations standard practices. Alternative arrangements may be made available by the organization for personnel retained under different contractual modalities when the nature and characteristics of the relevant

contractual modality so requires. These alternative arrangements may be in the form of remuneration (e.g. fee or stipend) or in-kind contribution (e.g. medical insurance coverage or subsidized medical insurance coverage).

**6.7** UNOPS staff members and their eligible dependents shall be provided with insurance coverage for service incurred illness, injury and death in accordance with United Nations standard practices; alternative similar arrangements in the form of remuneration (e.g. fee or stipend) or in-kind contribution (e.g. insurance coverage or subsidized insurance coverage) are made available by the organization for personnel retained under different contractual modalities.

**6.8** Under the conditions established in the relevant processes and mandatory procedures, personnel may be placed by the General Counsel on administrative leave, with or without pay, without prejudice, at any time after an allegation of misconduct is made, until the completion of the administrative process. The processes and mandatory procedures regarding administrative leave are included in the PQMS.

## **7. Develop and manage personnel (PQMS Chapter 7, Section 6):**

**7.1** UNOPS shall ensure that personnel are able to adapt to the changing business needs by establishing programs and arrangements for personnel learning and development. The management of personnel development shall be done in accordance with the processes and mandatory procedures established to that effect in the PQMS.

**7.2** A learning management system shall be established and administered by PCG and all learning records at UNOPS shall be captured in that system.

**7.3** PCG shall act as the custodian and coordinator of the corporate learning plan and its execution and acts as Centre of Excellence to ensure continuous innovation and improvement in learning practices.

**7.4** Personnel shall have their performance assessed periodically in order to promote the most effective use of their expertise, to determine the quality of their outputs, to recognize their achievements, and to identify learning and development needs. Such assessments must be done in accordance with the processes and mandatory procedures established to that effect in the PQMS.

**7.5** UNOPS staff members shall be entitled to rebut less than satisfactory performance assessments in accordance with the processes and mandatory procedures established to that effect in the PQMS. Personnel retained under a UNOPS-specific contractual modality may bring concerns regarding performance assessments made on their service delivery, where applicable, to the attention of the Director, PCG or Deputy Director, PCG, or his or her designate.

## **8. Manage personnel conduct and well-being (PQMS Chapter 7, Section 7):**

**8.1** The wellbeing of UNOPS personnel shall be a priority consideration for the organization. UNOPS shall ensure that personnel enjoy a work environment free of discrimination, harassment, sexual

harassment, and abuse of authority. Furthermore, UNOPS shall promulgate a work environment that respects diversity.

**8.2** UNOPS personnel shall uphold the highest standards of efficiency, competence, and integrity. The concept of integrity enshrined in the Charter of the United Nations includes all aspects of behaviour of an international civil servant, including such qualities as honesty, truthfulness, impartiality and incorruptibility. Integrity is the most important among the core values of the organization, together with professionalism and respect for diversity.

**8.3** In addition to the Charter of the United Nations and the United Nations Staff Regulations and Rules, staff members must abide by the Standards of Conduct for the International Civil Service (the ICSC Standards of Conduct) adopted by the International Civil Service Commission, and as amended from time to time. Such standards shall be considered to be adopted by UNOPS upon adoption by the International Civil Service Commission.

**8.4** Any standards defined by the General Assembly or the Secretary-General shall also be abided by UNOPS staff members. This includes the Secretary-General's Bulletin ST/SGB/2003/13 on "Special Measures for Protection from Sexual Exploitation and Sexual Abuse", or in the Secretary-General's Bulletin ST/SGB/2016/9 on "Status, basic rights and duties of UN Staff Members" where a commentary by the Secretary-General is provided to assist staff members and management in better understanding the obligations applicable to staff conduct.

**8.5** Although personnel other than staff working with UNOPS do not have the status of United Nations officials/staff members, while working on UNOPS-related activities, they shall comply with the standards of conduct required of UN civil servants except to the extent such standards are, in the opinion of UNOPS, inherently inconsistent with their status as independent contractors, interns and volunteers, etc.

**8.6** Discrimination, harassment, sexual harassment, and abuse of authority as defined below, constitute Prohibited Conduct. The Director, PCG, and the Deputy Director, PCG, shall ensure that appropriate preventive and corrective measures exist in order to allow personnel to educate themselves about UNOPS' expectations regarding work ethics and culture, as well as to allow personnel to request action by the organization where they consider themselves the victim of discrimination, harassment, sexual harassment, or abuse of authority. The Director, PCG, and the Deputy Director, PCG, shall ensure that there exist adequate reporting channels for these internal grievances. The catalogue of informal and formal internal grievance resolution mechanisms for cases of Prohibited Conduct is included in the PQMS.

**8.6.1** Discrimination is any unfair treatment or arbitrary distinction based on a person's race, gender, religion, nationality, ethnic origin, sexual orientation, disability, age, language, social origin or other status. Discrimination may be an isolated event affecting one person or a group of persons similarly situated, or may manifest itself through harassment or abuse of authority.

**8.6.2** Harassment is any improper and unwelcome conduct that a reasonable person might expect or perceive to cause offence or humiliation to another person. Harassment may take the form of words, gestures or actions which tend to annoy, alarm, abuse, demean, intimidate, belittle, humiliate or embarrass another or which create an intimidating, hostile or offensive work environment. It includes harassment based on any grounds, such as race, religion, colour, creed, ethnic origin, physical attributes, gender or sexual orientation. It can include a one-time incident or a series of incidents. Harassment may be deliberate, unsolicited, and coercive. Disagreement on work performance or on other work-related issues is not considered harassment and is not dealt with under the provisions of this policy but in the context of performance management.

**8.6.3** Sexual harassment is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. While typically involving a pattern of behaviour, it can take the form of a single incident. Sexual harassment may occur between persons of the opposite or same sex. Both males and females can be either the aggrieved individuals or the offenders.

**8.6.4** Abuse of authority is the improper use of a position of influence, power or authority against another person. This is particularly serious when a person uses his or her influence, power or authority to improperly influence the career or employment conditions of another, including, but not limited to, appointment, assignment, contract renewal, performance evaluation or promotion. Abuse of authority may also include conduct that creates a hostile or offensive work environment which includes, but is not limited to, the use of intimidation, threats, blackmail or coercion. Discrimination and harassment, including sexual harassment, are particularly serious when accompanied by abuse of authority.

**8.7** Managers and supervisors shall bear special responsibility towards creating and maintaining a harmonious working environment, free of intimidation, hostility, offence and of any form of discrimination, harassment and abuse of authority, and ensure that all discussions, communications and actions are handled with extreme sensitivity and utmost confidentiality. They shall seek the informal resolution of interpersonal conflicts in the workplace, as appropriate, in accordance with procedures established for that purpose in the PQMS, and ensure that no member of UNOPS personnel is retaliated against. Consequently, managers and supervisors shall facilitate the access of UNOPS personnel to information on the rights of UNOPS personnel, enabling the existence of a harmonious work environment, for example on protection against discrimination, harassment, including sexual harassment, and abuse of authority and protection from retaliation. Moreover, managers and supervisors shall ensure that personnel under their supervision are familiar with the present legal framework on "Protection from Sexual Exploitation and Sexual Abuse". In connection with their role model function, managers and supervisors, shall not engage in any wrongdoing and shall not create an intimidating, belittling, harassing work environment and/or shall not demonstrate partiality, unfairness or favouritism. While issues of management style may not constitute misconduct warranting disciplinary or administrative action, it is the responsibility of supervisors overseeing those manager or supervisors found to be deficient in their management, treatment or supervision of people to take appropriate action. Supervisors will be held accountable for their failure to take appropriate action towards those managers or supervisors whose management of others is found to be unsatisfactory.

**8.8** Where the standards of conduct expected from personnel pursuant to the United Nations Staff Regulations and Rules, OD.PCG.2017.17 on Human Resources, Ethics, and Culture, this OI, or the relevant processes and mandatory procedures in the PQMS are not abided by, the responsible UNOPS personnel shall be held accountable for misconduct and, following a disciplinary proceeding, a disciplinary measure or administrative action may be imposed on him or her by the Executive Director. Disciplinary proceedings are not of a criminal nature, they are administrative proceedings; consequently, a finding of misconduct in disciplinary proceedings is not a finding of guilt for criminal law purposes.

**8.9** All UNOPS personnel have a duty to report suspected misconduct. Suspected misconduct shall be reported as follows.

**8.9.1** Discrimination, harassment or abuse of authority shall be reported to PCG;

**8.9.2** Retaliation for reporting suspected wrongdoing or for co-operating with an investigation or audit or duly authorised fact finding activity shall be reported to the Ethics Officer;

**8.9.3** All other suspected misconduct, including sexual harassment, shall be reported to IAIG.

**8.10** Personnel may also report suspected misconduct to an immediate supervisor or to another appropriate supervisor within the business unit. The supervisor shall then immediately report the matter to IAIG, PCG or the Ethics Officer as stated in 8.9 above.

**8.11** Misconduct may include, but is not limited to, the categories listed below, whether wilful, reckless or grossly negligent. Unsatisfactory work performance, when it does not come to the level of gross negligence or recklessness, does not constitute misconduct; consequently, it must be dealt with in accordance with the performance assessment procedures.

**8.11.1** Acts or omissions in conflict with the general obligations of staff members set forth in Article I of the Staff Regulations, Chapter I of the Staff Rules and other administrative issuances as applicable; failure to comply with the standards of conduct expected from international civil servants, including those set out in the ICSC Standards of Conduct;

**8.11.2** Acts or omissions in conflict with the general obligations of personnel other than staff set forth in their applicable contractual relationship with the organization and other administrative issuances as applicable;

**8.11.3** Unlawful acts (e.g. theft, fraud, smuggling, possession or sale of illegal substances or objects, etc.) wherever it occurs, and whether or not the personnel was on official duty at the time;

**8.11.4** Assault, workplace harassment, including sexual harassment, or threats to other personnel or third parties;

**8.11.5** Sexual exploitation and sexual abuse;

**8.11.6** Misrepresentation, forgery, or false certification, such as, but not limited to, in connection with any official claim or benefit, including failure to disclose a fact material to that claim or benefit (for the purposes of this document, a benefit provided by any government or insurer or other entity to a person because a person is a member of UNOPS personnel shall be considered to be a benefit provided by UNOPS);

**8.11.7** Misuse or mishandling of official property, assets, equipment or files, including electronic files or data;

**8.11.8** Action or omission to avoid or deviate from Financial Regulations and Rules and procedures, including inappropriate use of authorizing, approving, committing or verifying authority;

**8.11.9** Mishandling of contract obligations and relations with third parties leading to loss of property or assets, or generating liabilities for the organization;

**8.11.10** Failure to disclose an interest or relationship with a third party who might benefit from a decision in which the personnel takes part; favouritism in the award of a contract to a third party;

**8.11.11** Breach of fiduciary obligations vis-à-vis the organization;

**8.11.12** Misuse of office, abuse of authority; breach of confidentiality; abuse of United Nations privileges and immunities, including misuse of the United Nations Laissez-Passer (if applicable);

**8.11.13** Exaction or acceptance of funds from a colleague or a third party in return for a favour or benefit;

**8.11.14** Failure to disclose promptly the receipt of gifts, remuneration or other benefits received from an external source by the personnel in connection with his or her official duties;

**8.11.15** Retaliatory action against a complainant or an investigation participant, or other action in violation of the UNOPS Legislative Framework;

**8.11.16** Making false accusations and disseminating false rumours;

**8.11.17** Direct or indirect use of, or attempt to use, official authority or influence of the personnel's position or office for the purpose of obstructing an individual from reporting suspected wrongdoing, or cooperating with an audit or an investigation;

**8.11.18** Action or omission that will bring the organization into disrepute, except for reporting in good faith suspected wrongdoing pursuant to this document;

**8.11.19** Aiding, abetting, concealing or conspiring in any of the above actions;

**8.11.20** Attempting any conduct which, if successful, would constitute misconduct.

## **9. Manage partner personnel (PQMS Chapter 7, Section 8):**

**9.1** UNOPS may engage personnel as a service to a partner whereby the personnel are under the effective management and control of the partner and, therefore, the partner bears accountability and liability for the outputs and behaviour of the personnel in question. This service shall be made available only to United Nations entities or Intergovernmental organizations having legal personality. The specific criteria that must be met for UNOPS to retain individuals as partner personnel are specified in the PQMS.

**9.2** Project agreements where UNOPS agrees to retain staff members as partner personnel under letters of appointment issued under the United Nations Staff Regulations and Rules shall not be entered into without the prior written approval of the Director, PCG, or Deputy Director, PCG.

**9.3** Letters of appointment and other legal instruments issued to retain partner personnel shall be issued by the UNOPS Global Shared Service Centre. Any alternative arrangements shall be approved by the Director, PCG, or Deputy Director, PCG.

## **10. Reward and retain personnel (PQMS Chapter 7, Section 9):**

**10.1** UNOPS may develop and maintain programs which permit the organization to reward personnel according to their performance and contribution to the achievement of UNOPS' corporate objectives. The criteria regarding reward programs are included in the PQMS.

## **11. Manage extension or termination (PQMS Chapter 7, Section 10):**

**11.1** Decisions on (non)extension, (non)renewal, termination, and other circumstances that may lead to UNOPS personnel separating/exiting the organization or extending their relationship with the organization shall be made in accordance with the United Nations Staff Regulations and Rules and other applicable instruments of UNOPS Legislative Framework and shall follow the processes and mandatory procedures established by the Director, PCG or the Deputy Director, PCG in the PQMS.

**11.2** The PQMS processes and mandatory procedures shall be developed in a way to allow UNOPS to manage its workforce in a dynamic manner so the organization is able to adapt to changes in circumstances, be it at the project level or at the corporate level. Within this framework, decisions must be fair and transparent, and where possible, be communicated to the concerned UNOPS personnel member before the effective date of implementation of the decision.

**11.3** Decisions shall be made by UNOPS personnel with sufficient delegated authority. Decision makers (i.e. personnel holding the appropriate delegation of authority) shall ensure that proper records are established to guarantee appropriate accountability.

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## **Annexes**

- Annex I - OI.PCG.2023.01
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