



Organization for Security and Co-operation in Europe

Director for Human Resources
Vienna, 28 October 2013

Staff Instruction No. 21/Rev.1

Subject: OSCE Policy on the Professional Working Environment

1. Reference

Staff Regulation 2.01 Conduct of OSCE Officials
Staff Regulation 2.02 Disclosure of Information
Staff Rule 2.03.2 Obligation to Supply Information
Staff Instruction 18 Daily Staff
Staff Instruction 23 Special Service Agreements
Staff Instruction 25 Internship programme at the OSCE
Article IX and Article X of the Staff Regulations and Staff Rules
Staff Regulations and Staff Rules Appendix 1 Code of Conduct, paragraph 6
Staff Regulations and Staff Rules Appendix 12 Internal Appeals Procedure
FAI 10 Rev.1 Internal Oversight Hotline

2. Purpose

The purpose of this Staff Instruction is to define the OSCE policy on professional working environment and to establish the procedures to be followed should allegations of violations of this policy be reported.

3. Applicability

3.1 This Staff Instruction applies to all OSCE officials.

3.2 Persons working for the OSCE, who are not subject to the Staff Regulations and Staff Rules (hereinafter “*non-OSCE staff*”), e.g. consultants (*Staff Instruction 23*), daily or hourly staff (*Staff Instruction 18*), Junior Professional Officers and interns (*Staff Instruction 25*), shall be made aware of this policy, as set out in their respective contractual arrangements and shall be bound to abide by it.

4. Effective Date

This Staff Instruction shall take effect on 01 November 2013 and cancels and supersedes Staff Instruction 21 issued on 1 March 2006. Administrative/staff circulars or guidelines issued by the Institutions and Field Operations on the same subject shall be adjusted in accordance with this revised Staff Instruction. In the meantime, in case of inconsistency between this revised Staff Instruction and any administrative/staff circulars or guidelines in the Institutions or Field Operations, this Staff Instruction shall prevail.

5. Policy

5.1 In accordance with paragraph 6 of the OSCE Code of Conduct (*Appendix 1 of the Staff Regulations and Staff Rules [SRSR]*), “OSCE officials shall abstain from any action which may be contrary to the OSCE policy on professional working environment. All OSCE officials are treated equally and with respect, regardless of gender, race, religion or belief, nationality, ethnic or social origin, age, sexual orientation, marital status or other aspects of personal status.”

5.2 The OSCE is committed to providing a working environment free of harassment, sexual harassment, discrimination and retaliation.

5.3 The OSCE shall not tolerate any behaviour that constitutes harassment, sexual harassment, discrimination and/or retaliation. OSCE officials and non-OSCE staff exhibiting such behaviour or conduct may be subject to administrative action or disciplinary action in accordance with Article IX of the SRSR as appropriate.

6. Definitions of improper behaviour subject to this policy

Harassment

6.1 Harassment is any improper and unwelcome conduct on the part of one or more OSCE officials or non-OSCE staff that has caused or might reasonably be expected or be perceived to cause offence or humiliation to another colleague.

6.2 Harassment may be present in the form of words, gestures, or other actions that annoy, alarm, abuse, demean, intimidate, belittle or cause humiliation or embarrassment to another person, or cause an intimidating, hostile or offensive work environment. Harassment may also be present in the form of “mobbing” i.e. where an individual may be subjected to such behaviour by more than one colleague. Harassment could amount to an abuse of authority, when engaged in by any official or non-OSCE staff who is in a position of influence or power of the recipient of such actions. It may be deliberate, unsolicited or coercive. Harassment normally happens over a period of time and therefore implies a series of incidents. However, depending on its nature, a one-time incident could exceptionally fall within the definition.

Sexual harassment

6.3 Sexual harassment is harassment containing a sexual element. It includes 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 (including displaying pornography; or making sexually-coloured remarks and/or suggestive comments) that has caused, or that might reasonably be expected or be perceived to cause, offence or humiliation to another colleague.

6.4 Sexual harassment further includes making a sex-related act or behaviour a condition of employment or creating an intimidating, hostile or offensive environment. Sexual harassment may include either a series of incidents or a one-time incident of unambiguously offensive sexual character. Both male and female OSCE officials can be the targets or instigators of sexual harassment.

Discrimination

6.5 Discrimination is any unfair treatment or arbitrary distinction that may be presented in the forms of an improper use of a position of influence, power or authority by an OSCE official, on the basis of gender, race, religion or belief, nationality, ethnic or social origin, age, sexual orientation, marital status, disability or other aspects of personal status. OSCE officials who do not hold positions of influence, power or authority could also be considered as having acted in a discriminatory manner towards other colleagues. Discrimination includes actions, made either directly or indirectly, based on unwarranted distinctions or prejudice which have the purpose or effect of treating individuals or groups unfairly or unjustly. It may include a series of events or a one-time incident.

Retaliation

6.6 Retaliation is an action taken directly or indirectly against an OSCE official or non-OSCE staff because he/she made a good faith report of harassment, sexual harassment or discrimination or co-operated in good faith with an investigation into or a disciplinary procedure for an allegation of harassment, sexual harassment or discrimination or participated in good faith in any other investigative or disciplinary proceedings initiated in accordance with the OSCE Regulations and Rules.

Situations and behaviour outside the scope of this policy

6.7 The mere expression of disagreement, admonishment, criticism or similar action regarding work performance, conduct or related issues within a supervisory relationship shall not normally be considered harassment within the meaning of this policy. Such work-related disagreement falls under the provisions of the Staff Instruction 15/Rev.1 on Performance Management and Appraisal System.

6.8 Disagreements with work-related matters or administrative decisions, such as transfers, promotions, renewal of contracts, are not addressed through this policy. In the case when an OSCE official has been notified of an administrative or disciplinary decision and he/she believes that the decision derives from harassment, sexual harassment, discrimination or retaliation, then an appeal against that decision may be filed in accordance with Article X of the SRSR (*Annex 2, para 1*).

6.9 OSCE officials must have reasonable grounds before making a complaint under this Staff Instruction. While unwelcome behaviour is seen from the perspective of the complainant, the standard for judging whether behaviour is inappropriate is not purely subjective. The OSCE employs a standard based on reasonableness. Whether conduct constitutes inappropriate behaviour will be based on an assessment of the facts and circumstances in which they occur, taking into account the particular sensitivities required in the OSCE multicultural environment.

7. Responsibilities

7.1 OSCE officials and non-OSCE staff must:

- a) Be respectful to their colleagues and maintain the highest standards of conduct;
- b) Behave in a manner that is free of intimidation, hostility, offence and any form of harassment, sexual harassment, discrimination or retaliation;
- c) Familiarize themselves with this policy and understand within the OSCE multicultural environment what may constitute harassment, sexual harassment, discrimination and retaliation;
- d) Be aware of the various options and internal channels available to them for addressing such behaviour; and
- e) Respect confidentiality and fully co-operate with any investigation or disciplinary procedure.

7.2 Management must:

- a) Act as role models by upholding the highest standards of conduct, in order to achieve the environment described under paragraph 7.1 above;
- b) Communicate the OSCE policy on professional working environment to all staff/mission members and non-OSCE staff, and act as a resource for them when they believe that they are being subjected to such behaviour as defined in paragraph 6;
- c) Ensure that OSCE officials and non-OSCE staff under their supervision do not engage in harassment, sexual harassment, discrimination or retaliation, and give special attention to their staff who supervise others;
- d) Take measures consistent with this policy should they witness any acts of harassment, sexual harassment, discrimination or retaliation;
- e) Ensure that incidents of harassment, sexual harassment, discrimination or retaliation are promptly addressed; and in dealing with such incidents, demonstrate fairness, impartiality, and be free from intimidation or favouritism;
- f) Ensure that all discussions, communications and actions are handled with extreme sensitivity and utmost confidentiality and that the sharing of information regarding the complaints shall be strictly confined to a “*need to know*” basis;
- g) Inform the Director of the Department of Human Resources (D/DHR), through the Chief of Fund Administration, where applicable, as soon as a formal complaint alleging violation of this policy is filed.

The failure of management to address a violation of the OSCE policy on professional working environment that has come to their knowledge may result in the imposition of appropriate administrative or disciplinary measures on the respective manager or supervisor.

7.3 Responsibilities of the OSCE as an employer

- a) This policy shall be implemented consistently and the appropriate administrative, investigative, disciplinary and/or contractual action required taken, regardless of the function, title, length of service, gender, nationality and contractual status of any of the parties involved in the case.
- b) The Department of Human Resources (DHR) is responsible for OSCE-wide implementation of the OSCE policy on the Professional Working Environment. DHR provides guidance to all Secretariat officials on interpretation of its application as well as advice to OSCE officials and non-OSCE staff upon request. DHR is also responsible for compiling all the cases of allegations of violations of this policy.
- c) The Office of Internal Oversight (OIO) may assist in the assessment of allegations of violation of this Staff Instruction and in the conduct of investigations of formal complaints or formal reporting of violations of this policy¹. OIO is also responsible for overseeing the effective operation of any investigations that are commissioned or conducted by Executive Structures.
- d) Legal Services provides advice and support to DHR and OIO on the interpretation and implementation of the OSCE policy on the Professional Working Environment.

8. Applicable Procedures

8.1 With respect to any of the procedures set out in this policy, informal or formal, complaints shall be taken seriously and shall be dealt with promptly and as discreetly as possible. All complaints and the contents thereof shall remain confidential. The sharing of information regarding the complaints shall be strictly confined to a “*need to know*” basis.

8.2 It is strongly advised that all parties maintain detailed written records (including hard copies of e-mails) of all incidents, dates, places, witnesses, and their thoughts/beliefs/actions/reactions at the time of the alleged harassment, sexual harassment, discrimination or retaliation. The parties should be aware that not all informal processes are successful and that an investigation may be conducted in the future, and as such written records would prove useful should any more formal approaches occur.

8.3 Within the applicable timeframe, OSCE officials may choose to deal with any complaint or grievance through either an informal or formal process, as detailed in the respective attached Annexes.

¹ As per FAI 10, Rev. 1 Internal Oversight Hotline “*The scope of Internal Oversight’s role does not normally extend to those areas for which separate provision has been made for review and redress of actions which concern, involve or affect an individual staff/mission member; in particular, violations of the Staff Regulations and Rules including the Code of Conduct (Appendix 1), Disciplinary Procedures (Article IX), Appeals Procedures (Article X); Staff Instruction No. 21/ 2006 on the Professional Working Environment; However, Internal Oversight may undertake investigations within these areas if the application of the procedures contained within the provisions are being abused or avoided. In doing so, the primary objective will be to protect the interests of the OSCE*”.

8.4 The timeframes for the different grievance resolution processes are as follows:

Time Frame for Grievance Resolution Procedures	
<i>Procedure</i>	<i>Time Frame</i>
Informal Procedure	Should an OSCE official wish to pursue the informal procedure they are encouraged to do so as soon as possible after an incident of alleged harassment, sexual harassment, discrimination or retaliation has taken place.
Formal Procedure	A formal complaint must be filed within 30 days from the date of the last incident of alleged harassment, sexual harassment, discrimination or retaliation. However, in exceptional circumstances, in particular when informal resolution has been sought first, this time-limit may be extended by the Head of the respective Executive Structure. A formal complaint shall not be considered if it is submitted more than 30 days after the expiry of the appointment or assignment of the OSCE official.
Appeal	An appeal against an administrative or disciplinary decision allegedly deriving from harassment, sexual harassment, discrimination or retaliation must be filed within 30 days of notification of the challenged decision, in accordance with Staff Regulation 10.01 (c).

9. Special circumstances

9.1 Resignation of the alleged offender: It may happen during the investigation or disciplinary procedure that the alleged offender resigns from the OSCE. The Head of the respective Executive Structure will determine whether or not the investigation will be pursued despite the resignation of the alleged offender. The complainant will be advised accordingly. In cases where the investigation is *not* pursued after resignation of the alleged offender, the Personnel/Administrative Officer of the respective Executive Structure shall place a note in the Personnel File of the alleged offender, disclosing that he/she resigned while under investigation for allegations of violations of the OSCE policy on professional working environment. The staff/mission member shall be informed accordingly.

9.2 Investigation without formal complaint: While allegations of violations of the OSCE policy on professional working environment are normally considered only on the basis of a formal complaint, the Secretary General or Head of the respective Executive Structure, where applicable in consultation with the Secretary General, may decide to initiate an investigation even if no formal complaint has been submitted. OIO may also investigate such matters that come to its attention subject to the provisions of FAI 10.

9.3 Non-OSCE staff: In the event that the complainant or the alleged offender is a non-OSCE staff, DHR should be consulted in order to seek guidance on the appropriate course of action.

Informal Procedures for addressing Allegations of Violation of the Professional Working Environment

1. An informal procedure provides OSCE officials with an opportunity to resolve any complaints or grievances in an open, honest, non-threatening, and non-contentious manner. The informal options available include:
 - Approaching the alleged offender;
 - Involving a third party; or
 - Requesting mediation.

2. Approaching the Alleged Offender

2.1 An OSCE official or non-OSCE staff may not understand that he/she is being offensive and, if made aware, may stop or modify his/her behaviour.

2.2 Therefore, any OSCE official who believes that she/he has been subjected to harassment, sexual harassment, discrimination or retaliation is encouraged to take action promptly to resolve the problem at an early stage and, wherever possible, inform the alleged offender directly that his/her behaviour is unwelcome and unacceptable.

3. Involvement of a third party

3.1 If approaching the alleged offender is not possible or the attempt is not successful, the complainant may discuss his/her concerns with another staff/mission member of confidence, including staff representatives or his/her supervisor. Those persons may seek the advice of the Personnel/Administrative Officers in the respective Executive Structure or DHR with the consent of the complainant.

3.2 If the complainant brings the matter directly to the Personnel/ Administrative Officer in the respective Executive Structure or DHR, the latter is expected to advise with regard to the relevant regulatory framework and procedures and recommend possible courses of action, including mediation. Where deemed necessary, the Personnel/Administrative Officer may seek the advice of the Secretariat's Senior Adviser on Gender Issues.

4. Mediation

4.1 "*Mediation*" is a structured, voluntary process facilitated by a neutral third party (hereinafter "mediator"), through which conflicting parties discuss the issue at hand and explore possible options for mutually satisfactory solutions to a problem in a neutral environment. Mediation is *voluntary* and therefore either party has the right to refuse to take part in this process.

4.2 If either the complainant or the alleged offender is of the view that actions under paragraph 2 through 3 above have not resolved the problem, he/she may request mediation. The Personnel/Administrative Officer of the respective Executive Structure or DHR shall verify that the other party agrees to participate in the mediation, in which case it will coordinate the appointment, in consultation with the complainant and the alleged offender, of a neutral mediator from within the OSCE or, alternatively if necessary, an external mediator. Any costs of mediation services (e.g. consultancy fees, travel, DSA or BLA) will be covered

by the respective Executive Structure for whose staff the mediation is taking place, which is why each case of mediation incurring any costs must be approved by the Head of the respective Executive Structure.

4.3 Where a mediation process is initiated, such mediation shall be performed in accordance with the following:

- a) The contents and the process of the mediation shall remain confidential and shall not be disclosed to any other person outside the circle of the mediation participants, i.e. the mediator, complainant(s) and the alleged offender(s).
- b) The complainant(s) and/or the alleged offender(s) may request that the mediation be stopped at any time. The decision to do so will be part of the mediation process and discussed with all participants.
- c) The mediation process shall suspend the time-limits provided for initiating the formal procedures but, to the extent possible, should be completed within two months after the complainant(s) and/or alleged offender(s) have requested mediation.

5. A complainant may, at any time during or following the informal process, decide to file a formal complaint alleging violation of the Professional Working Environment, as per Annex 2, para 2 and Annexes 3 and 4 of this Staff Instruction.

Formal Procedures for addressing Allegations of Violation of the Professional Working Environment**1. Filing an appeal against an administrative or disciplinary decision**

1.1 As per paragraph 6.8 of this Staff Instruction, when an OSCE official has been notified of an administrative or disciplinary decision that he/she alleges derives from harassment, sexual harassment, discrimination or retaliation, his/her allegations shall be addressed through an appeal against that administrative or disciplinary decision that he/she may file in accordance with Article X of the SRSR.

1.2 Although there is no requirement to submit a complaint form as set out in Annex 4 to this Staff Instruction, the appellant must provide the same evidence in support of the appeal application that he/she would have submitted if a complaint had been filed.

1.3 The individuals involved in the impugned decision shall be requested to provide the reasons for the decision and provide evidence refuting the allegations of the appellant that the decision derived from harassment, sexual harassment, discrimination or retaliation.

1.4 Upon receipt of the response, the Secretary General or the Head of the Executive Structure to whom the appeal is addressed may decide to have the appeal reviewed by an Internal Review Board (IRB) (Appendix 12 of the SRSR) without further investigation or to establish an investigative team prior to review by the IRB. In the latter case, the IRB will review the case on the basis of the facts established by the investigative team.

1.5 In accordance with Staff Regulation 10.03, the filing of an appeal against an administrative or disciplinary decision shall not imply suspension of the execution of the impugned decision.

2. Filing a formal complaint alleging violation of the Professional Working Environment

2.1 OSCE officials who consider that they have been subjected to harassment, sexual harassment, discrimination or retaliation, which was not or could not be settled informally or through mediation, may file a formal complaint in writing using the form contained in Annex 4 to this Staff Instruction. The written complaint shall be addressed to the Secretary General or to the Head of the respective Executive Structure, with a copy to the Secretary General and the Director, DHR.

2.2 All complaints must be signed and dated. No anonymously filed complaints of harassment, sexual harassment, discrimination or retaliation shall be accepted. The complaint should be as detailed and documented as possible. The complainant must be aware that, for due process, his/her complaint and/or information from the complaint will be shared with the alleged offender to allow the latter to provide countervailing arguments and evidence.

2.3 The filing of a complaint shall not imply suspension of the execution of any administrative measures, such as the extension or expiration of a contract, reassignment, PAR completion, deferral of step increment.

2.4 The report of allegations should be made as soon as the complainant considers that violations of the OSCE policy on professional working environment took place after

determining that informal processes are not appropriate or that they have failed. The complainant should be mindful that, if there is no record that an attempt was made to reach informal resolution or that the allegations had been raised previously, filing a complaint only upon notification of the comments of the supervisors on his/her PAR or filing an appeal only upon notification of an administrative decision that the complainant wants to challenge, may cast doubt on the credibility of the allegations.

2.5 The complaint must be made in **good faith**. The dissemination of rumours in which there is no reasonable basis for the allegations, or the submission of a complaint or a report of allegations of misconduct that is deliberately false or misleading is not a protected activity under this policy. Making a deliberately false report, verbally or in writing, constitutes misconduct for which disciplinary measures, including dismissal, or other appropriate measures may be imposed.

2.6 The complainant will be protected against any retaliation during and after the whole process (see paragraph 6.6 of this Staff Instruction). It is the responsibility of supervisors/managers, including the Heads of Executive Structures, to ensure that complainants do not suffer from any retaliation by officials under their supervision/management.

2.7 According to Staff Rule 2.03.2 (c), by filing a formal complaint the complainant undertakes to co-operate with the investigation and during the disciplinary proceedings, if any. If the complainant resigns in the course of the investigation or of the disciplinary proceedings, the Secretary General or the Head of the respective Executive Structure will determine whether or not such a resignation brings the case to an end. If it is determined that the allegations have been made in bad faith, a note will be left in the personnel file of the complainant, disclosing that he/she resigned while his/her allegations were at the investigative or disciplinary stage and that they appear to have been made in bad faith. The complainant and the alleged offender will be informed accordingly.

Steps after the receipt of a formal complaint

2.8 Upon receipt of a complaint, the Secretary General or the Head of the respective Executive Structure shall provide the alleged offender with a copy of the complaint at the earliest practicable time, to enable him/her to submit his/her own version of the facts, in accordance with Staff Rule 9.02.1. The alleged offender shall be advised in the same communication to abstain from any action that is retaliatory or might be perceived as such against the complainant and any other persons involved in the case (e.g. witnesses, investigative team, Disciplinary Committee, etc.).

2.9 Upon receipt of the response of the alleged offender, the Secretary General or the Head of the respective Executive Structure, in consultation with the Secretary General for international staff/mission members, shall review the case and determine whether:

- a) The allegations should be investigated;
- b) The allegations are *prima facie* unsubstantiated; or
- c) The allegations fall outside the scope of application of this present Staff Instruction.

The complainant and the alleged offender will be advised accordingly.

2.10 If it is decided to investigate the allegations, an investigative team will be established by the Secretary General or the Head of the respective Executive Structure, unless the latter

requests in writing that the case including the investigation be handled by the Secretariat. It is recommended that the investigative team should consult OIO in order to ensure that the investigation is conducted appropriately and may also request DHR's guidance on the interpretation and application of this Staff Instruction and the HR management aspects of the case.

2.11 After the formal complaint has been filed and prior to the establishment of an investigative team, the parties may enter into a mutual agreement in writing or advise in writing that they do not wish to proceed, in which case they shall inform the Secretary General or the Head of the respective Executive Structure, copy to the Director, DHR, through the Chief of Fund Administration, if applicable. Such a notification shall close the case unless the Secretary General or the Head of the respective Executive Structure, considers that an investigation is in the interest of the Organization. If a case is closed, it may be re-opened if later on allegations of retaliation in relation to that case are raised.

2.12 Where the allegations are referred to an investigative team, the mediator shall not be involved in this process. He/she may be summoned only to confirm that a mediation process took place and did not produce the desired outcome, but shall not be compelled or obliged to reveal the contents of the mediation discussions.

2.13 The investigation report shall be submitted to the Secretary General or to the Head of the respective Executive Structure, with a copy to OIO. At that stage Staff Regulation 9.03 applies:

“(a) Following the response of the staff/mission member to the allegations raised against him/her and the investigation if one has been conducted, the following courses of action may be taken:

(i) Full exoneration from the allegations;

(ii) Partial exoneration from the allegations;

(iii) Submission of the case to the Disciplinary Committee in accordance with Regulation 9.06, unless the staff/mission member decides in writing to waive his/her right for the review of his/her case by the Disciplinary Committee;

(iv) Dismissal in accordance with Rule 9.04.2.”

And, if disciplinary action is initiated, Article IX of the SRSR shall apply. This also includes the option to place the alleged offender on administrative leave in accordance with Staff Regulation 9.05 and Staff Rule 9.05.1.

2.14 If a Disciplinary Committee is established, it may recommend that:

- a) A disciplinary measure be imposed on the offender if his/her misconduct is corroborated, in accordance with Staff Regulation 9.04;
- b) Any appropriate measure be taken against the complainant if evidence substantiates that the complainant made knowingly false accusations or otherwise acted in bad faith, and any appropriate rehabilitation measures for the wrongly accused OSCE official;

- c) Appropriate action be taken to determine the responsibility of an OSCE official, including managers, in the case where the investigation showed that they may have failed to take the appropriate measures as required by paragraph 7.2 above or contravened any provision of this policy.

2.15 Copies of the investigation report and of the Disciplinary Committee's report, together with the decisions made by the Secretary General or Head of the respective Executive Structure in relation to the formal complaint shall be placed in the personnel file of the alleged offender. The official correspondence on the outcome of the complaint shall be placed in the personnel file of the complainant.

2.16 In addition to the documents listed in paragraph 2.15 above, allegations of violations of this policy, whether corroborated or found to be unsubstantiated, which have not been made through formal complaints shall be reported by the Head of Executive Structure on an annual basis to DHR.

Formal Procedure for Handling Complaints or Grievances Alleging Violation of the OSCE Policy on the Professional Working Environment (Harassment, Sexual Harassment, Discrimination and/or Retaliation)*

1. OSCE officials may file a formal complaint against the alleged offender in writing using the form provided in Annex 4 of SI 21 and submit it to the Secretary General or the Head of the respective Executive Structure. (see SI 21, Annex 2 para 2 and Annex 4)

2. Upon receipt of a formal complaint a copy of the complaint is given to the alleged offender who may respond with his/her own version of the facts. (see SI 21, Annex 2 para 2.8)

3. Upon receipt of the response, the SG or Head of the respective Executive Structure reviews the case and decides whether:
 a) The allegations should be investigated;
 b) The allegations are *prima facie* unsubstantiated; or
 c) The allegations fall outside the scope of application of SI 21. (see SI 21, Annex 2 para 2.9)

4. If a decision is taken to investigate the allegations an investigative team is set up by the SG or Head of the respective Executive Structure unless they request the case be handled by the Secretariat. It is recommended that the investigative team seek guidance from OIO on how to conduct the investigation. (see SI 21, Annex 2 para 2.10).

5. Following receipt of the Investigation Report, the SG or Head of the respective Executive Structure reviews the findings and decides on the course of action:
 a) Full exoneration from allegations;
 b) Partial exoneration from allegations;
 c) Submission of the case to a Disciplinary Committee (DC);
 d) Dismissal. (see SI 21, Annex 2 para 2.13)

6. If a Disciplinary Committee is established, it may recommend to the SG or Head of the respective Executive Structure measures be imposed (see SI 21, Annex 2 para 2.14)

Copies of the Investigation Report and of the Disciplinary Committee Report, together with decisions made by the SG or the respective HOI/HOM in relation to the formal complaint are placed in the personnel file of both the alleged offender and complainant (see SI 21, Annex 2, para 2.15)

The person who believes that they have been subject to harassment, sexual harassment, discrimination and/or retaliation (see SI 21, para 6. Definitions) should gather relevant facts which support their perception (see SI 21, para 8.2), and speak to a person of confidence, if appropriate.

OSCE officials are encouraged to seek guidance from the Personnel/Administrative Officer in the respective Institution/Field Operation or the Department of Human Resources in the Secretariat, in case they require clarification on the correct procedures to be followed in filing or responding to formal complaints alleging violation of the OSCE Policy on the Professional Working Environment.

Institutions and Field Operations are requested to inform the Director for Human Resources of all allegations of violation of the OSCE Policy on the Professional Working Environment (SI 21) and the outcome

* The information provided is for illustrative guidance only and the provisions contained within the Staff Instruction 21 govern.

Date of receipt of the complaint by the OSCE:
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**COMPLAINT FORM
ALLEGATIONS OF VIOLATIONS OF THE OSCE POLICY
ON PROFESSIONAL WORKING ENVIRONMENT
STAFF INSTRUCTION 21**

1. Complainant²				
Family name		First name(s)		Mr./Mrs./Ms.
Date of birth: Day / Month / Year		Nationality/ies		
Duty station <i>Tick one.</i>				
1 <input type="checkbox"/> Secretariat. Please specify the name of the Department and the Unit:				
.....				
2 <input type="checkbox"/> Field Operation. Please specify the name of the Field Operation:				
.....				
3 <input type="checkbox"/> Institution. Please specify the name of the Institution:				
.....				
Type of contract <i>Tick one.</i>		Type of post <i>Tick one.</i>		
1 <input type="checkbox"/> Contracted 2 <input type="checkbox"/> Seconded		1 <input type="checkbox"/> International post 2 <input type="checkbox"/> Local post		
Date of commencement of contract	Expiry date of contract	Title of post	Grade of post <i>If applicable</i>	
Current postal address for correspondence.				
Current e-mail address for correspondence. Please indicate if you do <u>not</u> wish to be contacted by e-mail.				

²Please provide the required information in the relevant boxes. The submissions shall consist of (1) this form, (2) any brief attached by you and (3) any supporting documents, in that order.

2. Complaint concerning *Tick as appropriate.*

1 **Harassment**, *e.g. improper and unwelcome conduct that has caused or might reasonably be expected or be perceived to cause offence or humiliation to another (see more on the definition in paragraphs 6.1 and 6.2 of SI 21).*

Please indicate the name(s) of the alleged offender(s).

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2 **Sexual Harassment**, *e.g. 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 has caused or might reasonably be expected or be perceived to cause offence or humiliation to another (see more on the definition in paragraphs 6.3 and 6.4 of SI 21).*

Please indicate the name(s) of the alleged offender(s).

.....

3 **Discrimination**, *e.g. improper use of a position of influence, power or authority by an OSCE official against another OSCE official or non OSCE-staff or a group thereof, on the basis of gender, race, religion or belief, nationality, ethnic or social origin, age, sexual orientation, marital status, disability or other aspects of personal status (see more on the definition in paragraphs 6.5 of SI 21).*

Please indicate the name(s) of the alleged offender(s).

.....

4 **Retaliation**, *e.g. action taken against an OSCE official because he/she made a good faith report of harassment, sexual harassment or discrimination or co-operated in good faith with an investigation into or a disciplinary procedure for the violation of the OSCE Professional Working Environment or participated in good faith in any other investigative or disciplinary proceedings initiated in accordance with the OSCE rules and regulations.(see more on the definition in paragraph 6.6 of SI 21)*

Please indicate the name(s) of the alleged offender(s).

.....

Single event or if a continuing event, date when event began.

Tick one.

1 Date of Event: (D / M / Y)

2 Continuing event since: (D / M / Y)

3. Complaint

Briefly describe your complaint below and any supporting facts and witnesses. In addition you may set out the facts and any other particulars of your complaint in a brief attached to this form. Please indicate whether or not mediation has been undertaken or requested. If your complaint alleges retaliatory action(s) against you, please specify the circumstances of your reporting of misconduct or co-operation with an investigation or disciplinary procedure which allegedly led to retaliation.

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Supporting documents, if any

For your complaint to be considered and investigated, documentation supporting your allegations may be required. This documentation may include administrative correspondence, emails and statements from witnesses. Please number each of the supporting documents you append to this form and list them below in chronological order.

Number	Date			Nature	Author	Addressee
	D	M	Y			

Witnesses, if any

For your complaint to be considered founded, verbal corroboration by witnesses may be required, particularly if the supporting documentation is not sufficient to corroborate your allegations. Please provide the names, titles, contact details of the witnesses of the facts you have alleged.

Name	Contact details			Title
	Email address	Telephone	Address	

I _____ (name of complainant) certify the contents of this complaint to be true to the best of my knowledge.

_____ (Signature)

_____ (Date)