Policy on Family Relationships
Effective 1 July 2009

Description

1. In order to avoid real or perceived family influence or conflict of interest, the Staff Rules provide that “An appointment shall not be granted to a person who is the father, mother, son, daughter, brother or sister of a staff member, unless another person equally well qualified cannot be recruited” (see Staff Rule 4.7 (a)).

2. This prohibition applies to the recruitment of individuals at UNDP, irrespective of the type of contractual modality including Fixed-Term Appointments (FTA), Temporary Appointments (TA), Continuing Appointments (CA), Permanent Appointments (PA), as well as Service Contract or Special Service Agreement (SSA). It also applies to UNDP staff currently holding ALDs1. In other terms, if a person who works for UNDP under any contractual modality is the father, mother, son, daughter, brother or sister of a candidate for a UNDP position under any type of contractual modality, that candidate cannot be appointed as a UNDP staff member or offered a non-staff contract. United Nations Volunteers are not included in this prohibition but any family relations between a UNDP staff member or employee and a UNV must be disclosed when it becomes known.

3. This prohibition is extended to a candidate who applies for a position with UNDP Country Offices or Regional Centres under any type of contractual modality and who is related to a staff member of another UN Organization working in the same country.

4. For individuals who are recruited by UNDP on behalf of another UN entity or who are hired to work for another UN entity under a UNDP administered contract, UNDP will, prior to the recruitment, advise that organization of the existence of the family relationship with the individual already employed by UNDP in the same duty station.

Obligation of the Applicants

5. All applicants for a UNDP position, in whatever contractual modality, are required to disclose their family relationships with a person already employed by UNDP as staff member or non-staff and for positions in Country Offices and Regional Centres, with a person employed by a UN agency working in the same country.

6. The disclosure is not limited to father, mother, son, daughter, brother or sister but also extend to any other family relationships.

7. The disclosure of family relationships must be made, in writing, in the P.11 form, at the time of the application. The requirement to disclose family relations in the P.11 form applies to staff and non-staff positions as the P.11 form is a pre-requisite document for all hiring processes including staff and non-staff positions.

8. If the candidate has concealed that he or she was related to an individual employed by UNDP in whatever contractual modality and irrespective of the nature of the family relationship, this may

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1 ALD with an expiry date beyond 1 July 2009 will be honored until their expiry date. In accordance with Staff Rule 13.6 (b), there will no ALDs running beyond 31 December 2010.
constitute a basis for withdrawing the offer of employment or if the employment has started, to terminate it without notice or indemnity.

Obligation of the Staff Members

9. Staff members holding a UNDP letter of appointment are required to disclose their family relationship with a candidate as soon as they become aware of his or her application, selection or hiring.

10. Any changes to a staff member’s family relation with another UNDP staff member must be disclosed as soon as the relation is known. If a staff member becomes aware of the existence of a family relationship, including but not limited to mother, daughter, sister, brother, father or son, of which he or she was previously unaware, he or she should inform the HR Business Advisor and the Head of office immediately in writing. In the case of individuals under other non-staff contractual modalities, he or she should immediately notify the supervisor and the Head of office in writing.

Obligation of the Hiring Unit

11. The hiring unit has the duty to enquire about the candidates’ possible existence of family relationships and to ensure that the candidates provide this information in their P.11, updated in necessary.

12. If an individual, who is one of the six prohibited relations to a current staff member or employee in the same duty station, has been identified as a potential candidate for either a staff or non staff position, the hiring unit must make clear to the applicant that he/she cannot become a candidate while the relation is a staff member or non staff holding a UNDP letter of appointment or contract.

13. All hiring units are encouraged to exercise careful judgment when hiring candidates who bear family other relationships than the six prohibited with a person already employed by UNDP which would create the perception or actual conflict of interest.

Exceptional Waiver

14. If the individual already employed by UNDP and related to a candidate does not resign, the hiring unit cannot hire the candidate in question without having first obtained a waiver from the Director OHR. The request for waiver must provide supporting documentation substantiating that “another person equally well qualified cannot be recruited” (see Staff Rule 4.7 (a)). A waiver must be obtained at the point of short-listing candidates prior to interview; waivers cannot be granted retroactively. The waiver can only be granted by the Director, Office of Human Resources (OHR).

15. If the exceptional waiver is granted, the newly recruited individual who is the father, mother, son, daughter, brother or sister of an individual already employed by UNDP (see Staff rule 4.7 (c)):

   i) “Shall not be assigned to serve in a post which is superior or subordinate in the line of authority to the staff member to whom he or she is related;

   ii) Shall not participate in the process of reaching or reviewing an administrative decision affecting the status or entitlements of the staff member to whom he or she is related.”
16. The same provisions also apply to two individuals employed by UNDP in whatever contractual modalities and bearing any family relationship.

17. In the event that an individual is seconded, transferred or loaned to UNDP by a UN common system organization or government, the disclosure of any family relation to a UNDP staff member or employee must be disclosed prior to the secondment, transfer or loan. Such a relation would not necessarily prohibit the loan or secondment as long as the parent organization retained administrative rights and the position was not directly in the same line of authority as with the current UNDP staff member. However, the prohibition and waiver from the Director, OHR would have to apply for such a transfer.

Spouses

18. Pursuant to Staff rule 4.7 (b) and (c), the spouse or recognized partner of a UNDP staff member may be appointed to an FTA or TA position within the parameters described in UNDP’s spouse employment policy [link] and provided that:

a) He/she is fully qualified for the position for which he/she is being considered;
b) He/she has been selected in accordance with UNDP recruitment and selection policy requirements including a full, transparent and open competitive selection process where other qualified candidates were reviewed and short-listed;
c) He/she is not given undue preference by virtue of his/her marriage or common law partnership;
d) He/she is not assigned to serve in a position which is superior or subordinate in the same line of authority to the other; and
e) Prior approval is obtained from the Director, OHR

19. The spouse or recognized partner of a UNDP staff member may be appointed to a non-staff position provided that the conditions provided for in paragraph 18 above, from (a) to (d) are met; the prior approval of the Director, OHR is not required.

Relatives of Heads of Office

20. Under no circumstances shall a relative, including a spouse, be assigned to, or recruited under, any other contractual modality in the same UNDP office as the staff member who heads it (e.g. not in the same Country Office where the relative is the Resident Representative; or not in the same Regional Centre where the relative is the Regional Director, or not in the same Liaison Office or Headquarters Bureau where the relative is the Director).

21. The spouse of a Resident Coordinator may serve in another common system organization at the same duty station provided no operational conflict exists.