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10 March 2013

Mr Michael Stefanovic
Director
OIOS Investigations Division
380 Madison Ave
New York

Dear Director,

Complaint

Although it pains me to get involved in such behaviour, this is a formal complaint of a) Harassment and b) Abuse of Authority, against;

- 1) Roberta Baldini
- 2) Vlad Dzuro
- 3) Michael Dudley, and
- 4) Sophia Richter.

Synopsis

Roberta Baldini, who is my Second Reporting Officer, claims my performance is unsatisfactory and has decided that I should be subject to a Performance Improvement Plan under para 10.2 of ST/AI/2010/5.

Personally, I do not believe that those shortcomings that I may have actually merit a PIP, but I do not dispute the decision, and I have never refused to agree to one, only that it be reasonable and that the objectives be measurable.

The draft PIP provided to me on 28 February 2013 falls short on both those counts. I am being denied the information I require to identify precisely what I may have done that is wrong and without that information, I fail to see how a meaningful PIP can be formulated.

Moreover, I believe the subjects of this complaint are abusing their authority by seeking to prevent me signing the Letter of Appointment for the extension of my contract.

Mine happens to be a Regular Budget post, and my current contract expires on 16 March.

Given the current reorganisation plans, and given the precedents for the opportunistic movement of staff sideways from QSA posts to regular budget posts, I suspect I am the intended victim of a



conspiracy designed to force me to resign, in order that another staff member be afforded the relative 'security' that my position carries.

All of this takes place in a working environment with a very negative culture, and I believe constitutes harrasment and abuse of authority.

Professional Improvement Plan

On 20 February, in a meeting with Vlad Dzuro (my First Reporting Officer) and Roberta Baldini, I was told that my contract would be renewed for a period of two years but that it would be "subject to conditions" and would require me to be put on a PIP.

Roberta Baldini informed me that this was because she had not seen a noticeable improvement in my performance since the last meeting several months earlier, in August 2012. She specifically complained about typographical and punctuation errors in a Note to File and what she perceives to be an inability to focus on the core elements of an investigation.

Regardless of my personal views on these matters, I agreed to the idea of a PIP.

At lunchtime on Thursday 28 February, I received an e-mail from Roberta Baldini attaching a draft PIP that she wished me to sign immediately, to take effect from the following day; 1 March.

Upon reading that draft PIP, I found it went further than the issues I recall were discussed on 20 February. Read as a whole, I concluded that the document was insulting. It was vague and it lacked measurable objectives. As such, I was unable and unwilling to accept it in that form.

On Monday, 4 March, I informed Roberta Baldini that in order to clarify the issues I had to deal with, I wished to have a list of the things I might have done which I was to avoid repeating. If I am to have any meaningful discussions about the PIP, I believe I nbeed to know specifically what I may have done wrong, and I do not see how I can be expected to comply with any PIP if there is no objective way of measuring whether or not I have met the objectives.

At 11:33am that same day, Roberta Baldini declined to provide any such information but insisted I begin by addressing the PIP. She then sent a copy of the e-mail she had sent me after our meeting on 23 August 2012. This was the basis of her argument on 20 February, in that this lists the actions she said she had not seen improve.

At 3:53pm on Monday 4 March, Roberta Baldini sent an e-mail headed "Must meet before eob". For reasons I cannot explain, this e-mail was copied to Michael Dudley and Sophia Richter. I replied that I still needed time to consider my response to the e-mails I had received just a few hours earlier in the working day.

This was followed by another e-mail from Vlad Dzuro (again copied to Michael Dudley and Sophia Richter) insisting that we discuss the matter at 3pm the following day. I was never asked how much time I thought I might need to consider the matter, he just arbitrarily decided that would



allow me sufficient time.

At home during the evening of Monday 4 March, I spent some time considering how I might amend the draft PIP so as to best comply with it.

Given that Roberta Baldini's rationale for the need for a PIP in the first place, was her perception that my performance after the 24 August was still lacking. She is entitled to that opinion, but it is apparent that she cannot quantify it.

On Tuesday 5 March, I asked for a list (or at least some examples) of what I had done from 24 August 2012 to 28 February 2013. No one will provide me with this information.

The email I received from Vlad Dzuro at 4:13pm on Tuesday 5 March makes it clear that the PIP was being imposed on the basis of historical comments but that nobody was going to specify why it should be needed at all, to say nothing of setting achievable objectives.

Accordingly, I am being coerced to sign the egregious draft PIP while, at the same time, denied the information I believe is required to render it achievable.

I have never been resistant to the idea of a PIP, nor have I ever objected to any constructive suggestion as to how my work might be improved. I remain willing to agree to a PIP, provided only that it is reasonable and that the objectives are measurable.

Renewal of Contract

In parallel to all of the foregoing pressure to to sign a PIP, I am now also being prevented from signing the renewal of my employment contract which is about to expire.

On Monday 4 March, I received an e-mail from Charmaine Opinion advising me that the Letter of Appointment for the extension of my contract had been prepared and was ready for me to sign.

In my reply, I asked her to hold it as I was concerned it may not have been entirely appropriate for me to sign if it was conditional on agreement of the PIP. I copied my reply to both Roberta Baldini and Vlad Dzuro.

At 3:28pm, I received an e-mail from Sophia Richter telling me I was to sign my PIP *before* signing the contract.

Considering the timing of the PIP and the imposition of this as a condition precedent on the renewal of my contract, I believe this whole situation has been engineered with either a total disregard for, or a complete ignorance of, the risk of exposing the UN to a constructive dismissal action.

Working Environment

The foregoing is illustrative of what I now hold to be a hostile working environment.



I have to consider this whole PIP/contract renewal issue against a background of what I believe to be an unhealthy culture of rampant favouritism in the New York office.

The system appears to be manipulated for the benefit of the select few when appointments and promotions are available and the perception of favouritism can also be seen in the allocation of cases and overseas trips, as well as selective manner in which criticisms are leveled.

It is not for me to make complaints on behalf of other people, but I do believe you will find the number of active job-seekers in the office exceeds the number of people on QSA posts.

I am not in the habit of making petty complaints and have never hitherto made my objections public, but I have never appreciated being spoken down to. The reason I have not taken issue with any of Roberta Baldini's opinions on my performance can be attributed more to good manners on my part than acceptance of everything she might have said.

The draft PIP presented for my signature is, I believe, testimony to the disinterest in actively pursuing wrongdoing that exists within this organisation. The wilful blindness with which I am expected to operate simply beggars belief.

Only a few weeks ago, I was informed I was not to raise the issue of a staff member being on Certified Sick Leave from a Peacekeeping Mission for four months when the evidence already gathered in the cases indicated she was not sick.

I was employed as an investigator, my supervisors patently do not want me to do the very thing I was employed to do. While the restructuring may create some career opportunities, I would happy just to get some basic job satisfaction. As an investigator in this organisation, I have found that almost impossible.

Investigative challenges aside, as a professional person I find it incomprehensible that I am compelled to follow work practices that are so inefficient that in the private sector they would constitute grounds for a malpractice complaint – and every suggestion for procedural improvement I have ever come up with has been met with an immediate refusal to even consider the possibility. I stopped even trying a long time ago.

This the first organisation I have ever known where anyone at a managerial level has openly said that “*the game here is to get paper off your own desk and on to somebody else's*” - with complete disregard for professionalism, quality or the actual purpose for which we are actually employed.

I consider it highly unprofessional that the Deputy Director choses to discuss policy issues openly and in a public place on an almost daily basis. Years of travelling on public transport in Asia has given me the ability to filter out a lot of background conversation, and I have to make such a conscious effort not to listen.

When Roberta Baldini describes Florin Postica as “the snake” - I am not actually offended, I consider such behaviour beneath contempt.

On a personal level, I particularly do not appreciate disparagement of my military background, and it has repeatedly been made apparent to me that this organisation has no respect for any experience gained outside the UN system.

The facts and my beliefs and other supporting comments spelt out above lead me to conclude that the explanation for the events described lies in the abuse of the authority that is inherent in management level positions within your Division, and that it is being exercised to the detriment of my career.

Requests

In addition to looking into the foregoing for disciplinary purposes, I wish to know if you would be prepared to consider three things as a matter of some urgency:

- 1) I would appreciate it if you would issue a direct and immediate instruction to the Executive Office to the effect that I be permitted to sign the extension of my contract.
- 2) Regrettably, given the loss of confidence and lack of trust that now exists in my workplace, I do not believe I can usefully continue to work in that environment in the manner I believe the Organisation deserves of me. Would you consider the options for moving me to an alternative role?
- 3) As I have never expressed any unwillingness to being subject to a reasonable Performance Improvement Plan – provided only that it is clear and reasonable - would you appoint a Third Party to review the grounds and the proposed terms of such a plan and oversee my fulfilment of it?

In the meantime, I intend to proceed on the basis that the PIP is to proceeding and I am only asking for clarification.

In conclusion, please allow me apologise for the escalation of what I believe to be an unjustifiably petty matter of such little substance. I joined this organisation to actually do some work, not to play games.

Thank you



Peter A Gallo