



2009

ANNUAL REPORT

Peer Review Services

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Conflict Resolution System

	Page
CHAIRMAN'S MESSAGE	3
AN OVERVIEW OF PEER REVIEW SERVICES	5
I. The Role of the Peer Review Services in the World Bank Group's.....	5
Conflict Resolution System	
II. How the Peer Review Services Functions.....	5
III. Principal Differences Between The Appeals Committee Process and.....	6
The Peer Review Process	
THE YEAR IN REVIEW	9
I. Case Workload Disposition of Cases.....	9
II. Issues Before The Appeals Committee/Peer Review Services.....	9
1. Categories of Issues.....	9
2. Comparison Between CY2009 and CY2008	11
III. Resolutions	11
1. Statistical Review.....	11
2. Case Processing Time	14
3. Summary Discussion of Resolutions.....	15
IV Panel Recommendations – Lessons Learned.....	16
V. Demographics.....	17
1. Part I and Part II Nationals.....	17
2. Gender	17
3. Grade Level.....	18
4. Headquarters Staff and Country Office Staff.....	18
VI. Training and Outreach	18

APPENDICES

A. Peer Review Panel Members	20
B. Peer Review Services Counselors	30
C. Peer Review Secretariat Staff.....	31
D. The Peer Review Process	32
E. Guidelines for Relief. REDACTED: FOR OFFICIAL USE ONLY	34
F. <i>What to Expect at The Hearing: A Guide to Requesting Staff Members</i> and Responding Managers	37
G. Request for Review Form	41
H. Manager's Response Form	50
I. Staff Rule 9.03 Peer Review Services (Cases filed on or after July 1, 2009)	59

When I wrote the Chair's Message for last year's Annual Report, I noted that the World Bank Group was working on reforms of the Conflict Resolution System. Among those entities scheduled for change was the Appeals Committee. I noted that under proposals then being discussed the Appeals Committee would be transformed into the Peer Review Services (PRS), whose structure would be altered so that it would better reflect the Appeals Committee's origins as a peer review system. The reforms were designed to both restore genuine peer review rather than court-like judicial proceedings, and to streamline the system by reducing or eliminating obstacles impeding the administration of fair decision-making, and hence it was hoped that one of the important features of any system of justice—speed of resolution—would be improved. I am pleased to report that the proposed reforms have become a reality during calendar year 2009.



Henceforward, the PRS will be able to compare the results under the new PRS procedures with the years that preceded it to determine whether the objectives of the changes were achieved. We at the PRS—myself, the Peer Review Secretariat, the Panel members, and the entire World Bank Group community—will carefully follow the progress of the PRS for the purpose of determining whether, and to what extent, the objectives of the reforms have been achieved. The early results are encouraging.

I wish to directly address those of you who have volunteered unselfishly to serve in a special way as panel members, under both the Appeals Committee and now the PRS systems. To you, I say a simple "Thank you." Your work and judgment ensure that management actions are subjected to careful scrutiny. This, in turn, creates an appropriate and effective climate within which managers are encouraged to comply with the Bank Group's policies and practices, the Staff Rules, and the terms of each staff member's contract of employment. You are invaluable to the credibility of the PRS process. Your participation enhances the likelihood that, not only is the letter of the Bank Group's rules and policies carried out, but also that common sense fairness is the order of the day when it comes to the treatment by the Bank Group of its staff members.

Theodore O. Ahlers
Chair, Peer Review Services



An Overview of Peer Review Services

This Report covers the period January 1, 2009 through December 31, 2009. During this period, the Peer Review Services replaced the Appeals Committee effective July 1, 2009. Hence, this Report provides an overview of the work of both the Appeals Committee and the Peer Review Services for Calendar Year 2009.

I. The Role of the Peer Review Services in the World Bank Group's Conflict Resolution System

Staff members have several services they can access in the World Bank Group's (WBG or Bank Group) Conflict Resolution System (CRS) to assist them in addressing workplace concerns. For example, in addition to raising issues directly with their managers, staff members may seek assistance from the Respectful Workplace Advisors, a group of volunteers who are trained to listen and to assist in providing information about where to seek assistance within the WBG. Staff may seek guidance and assistance from one of the Bank Group's Ombudsmen, who assist staff in analyzing their concerns and ways to address them in a safe and confidential environment. Staff members may also utilize the Office of Mediation Services to attempt to find a resolution to their concerns through a process in which both sides participate in an effort to find common ground. More may be learned about the CRS by viewing its web site at crs.worldbank.org.

In addition to these informal services, the WBG has created processes and resources to assist staff members to pursue their concerns through more formal avenues. One of these avenues, peer review, was formerly called the Appeals Committee (ACO) and, following the implementation of the CRS reforms during CY2009, is now called Peer Review Services (PRS).

II. How the Peer Review Services Functions

Overview. The PRS system was designed to provide a forum where staff can raise their workplace concerns and have the case reviewed by peers who share an understanding of the Bank Group's working environment. These peers, known as Panel Members, volunteer their time to serve on panels consisting of three Panel Members each per case. Each panel includes Peer Review members at both the managerial and non-managerial level. In each case, the Panel Members review the facts and evidence, listen to testimony, and examine the relevant Staff Rules, Bank Group procedures and policies, World Bank Administrative Tribunal (Administrative Tribunal) precedent, and other relevant sources. In reviewing a case, the Panel considers whether the managerial decision, action, or inaction was consistent with the staff member's contract of employment or terms of appointment. In doing so, the Panel is not limited to assessing whether any particular Staff Rule or Bank Group procedure was violated. A Panel may and should examine whether the Bank Group's Principles of Employment requiring the Bank Group to treat staff with "fairness and impartiality" at all times and "follow a proper process" has been met.

The Peer Review Secretariat. The Secretariat of the PRS is responsible for providing administrative support to the Panel Members in a neutral and impartial manner. The Secretariat also serves as an information resource regarding the peer review process.

Jurisdictional Questions and Stays. Matters brought before the PRS may be resolved in several ways. For some matters, the Panel may not have the authority to review the claims, either because they involve issues that have been excluded from review under Staff Rule 9.03, or because the matters raised are not eligible for review because they are untimely. In other words, they occurred too long prior to the filing of the Request for Review, and hence are time-barred. The PRS does not have the discretion to accept a matter that is time-barred. Other matters may be stayed for a period of time while the parties attempt to resolve the employment-related dispute, either informally or in mediation.

Resolution on the Merits. Matters which are not resolved in any of the ways discussed above proceed to determination by a PRS Panel. This process can take the form of either a written proceeding or, more commonly, a hearing in which the staff member and the manager present evidence to the Panel and the Panel questions relevant witnesses. After the conclusion of the hearing, the Panel will deliberate and issue a written recommendation regarding its findings, including suggestions concerning appropriate relief, if any. This recommendation takes the form of a written report.

In determining what remedy to provide, the Panel may consult the "Guidelines for Relief," a document prepared during CY2009 by a committee made up of various segments of the Bank Group's staff, including managers, Staff Association members, a representative from PRS, and a representative from LEGIA, and chaired by the Coordinator of the Conflict Resolution System. The Guidelines are reproduced as Appendix E. In addition to recommending relief, the Panel may have observed during its review of the case that the Bank could improve on its processes or procedures, notwithstanding whether it recommended relief for the staff member. In such situations, the PRS notifies the Vice President of Human Resources (HRSVP) its observations, usually in the form of a written memorandum. This Annual Report contains a summary of the ACO/PRS activity in this regard, at section IV hereof.

The peer review process is graphically depicted in Appendix D. A summary of the peer review process is on the WBG's website at peerreview.worldbank.org.

Referrals of Cases to the Integrity Vice Presidency (INT) or the Office of Ethics and Business Conduct (EBC). From June 10, 2008 through June 30, 2009, the Bank Group had in effect Staff Rule 8.02, paragraph 3.03 (a) which provided as follows: "When a staff member files an appeal with the Appeals Committee that alleges retaliation for activities protected under this Rule, the Appeals Committee panel designated to consider the appeal shall refer the allegation to INT or, in cases involving INT, to the President, for review and potential disciplinary proceedings as may be appropriate. Such referral shall not automatically suspend or delay the staff member's appeal." During CY2009, the ACO referred a total of seven appeals under this provision, six of which were filed by the same person.

III. Principal Differences Between The Appeals Committee Process and The Peer Review Process

Leveling the Playing Field. The PRS reforms were based upon reflection about what facets of the ACO process could be improved. The existing ACO system operated well, but had become more and more technically complicated and more adversarial over time. Hence, the major emphasis of the reforms was to move away from an adversarial process which the ACO had become, and to one that was more conducive to resolution of conflict. In the ACO process, the parties were each entitled to be represented by attorneys. The Bank Group's management whose actions or decisions were the

subject of the appeal was always represented by an attorney and frequently, staff hired an attorney as well. This placed an economic burden on staff members and also tended to lengthen the process to accommodate additional arguments and requests for discovery by counsel. It also made scheduling more difficult because not only did the parties' and relevant witnesses' availability have to be considered, but also that of both attorneys.

Thus, one of the centerpieces of the reforms of the peer review process is the elimination of attorney involvement in both the hearing and in the drafting of documents. The objective of this reform is to place both staff and management on the same level playing field and to reduce the antagonisms that attorneys sometimes engender. To further make the process easier for staff and more on par with management, the Bank Group agreed to fund the hiring of an attorney who will work in the Staff Association to provide legal assistance to staff members contemplating filing or have filed a Request for Review with the PRS. The elimination of attorneys at peer review hearings should also make scheduling easier, thus increasing the efficiency of the process.

Simplified Process. Another significant change brought about by the reforms is the streamlining of the process. Once a Request for Review is filed, an initial check will be made to determine whether the matter falls within the subject matter of the PRS and whether the issue that has been raised is timely. Also, a determination will be made whether some form of alternative process, such as mediation, might be fruitful to resolution of the matter. Further streamlining of the process included the elimination of the paperwork and effort required for obtaining an extension of time to file a Request for Review, substituting an across-the-board 120 calendar day filing deadline, rather than a 90 calendar day deadline that could be extended up to 120 calendar days upon request. The new system also eliminated the rarely successful request for provisional relief. It is hoped that such requests will be made unnecessary in light of the anticipated increased speed of processing.

Further streamlining occurred by conforming the description of matters that could be the subject of a Request for Review before the PRS to the description used by the Administrative Tribunal. Under the ACO, review was limited to "administrative decisions," thus resulting in numerous challenges to jurisdiction. The new PRS standard specifies that review may be had over any disputed employment matter that is further defined to include a managerial action, inaction, or decision that was not consistent with the staff member's contract of employment or terms of appointment. Another helpful addition was the clarification of when the time for filing a Request for Review is triggered. Specifically, a staff member who wishes to request peer review must submit a Request for Review with the Peer Review Secretariat within 120 calendar days of receiving notice of the disputed employment matter. A staff member receives "notice" of a disputed employment matter when he or she receives written notice or ought to have been aware that the disputed employment matter occurred. A final noteworthy change eliminates the requirement, in cases where termination of employment is the issue, to go through peer review before filing a case with the Administrative Tribunal. Thus, in these instances, staff members are permitted, but not required, to have their matter reviewed by a Peer Review Panel prior to proceeding with a claim before the Administrative Tribunal.

Peer Review Members. One of the most significant changes to the peer review process is the composition of the Peer Review members and the way they are selected to serve on the PRS. The reforms greatly increased the pool of Peer Review members that can be designated to hear cases. For example, 36 volunteer staff members comprised the membership of the ACO. The PRS, however, draws from a slate of over 60 staff members to serve as Peer Review members (three Peer Review members are appointed to serve on a Panel for each case). Appointment of the Peer Review members is made by

the Managing Director serving as the Chair of the Council for Internal Justice based upon the joint recommendations from the Staff Association and by HRSVP. Thus, the pool of Peer Review members is significantly larger, more representative of the World Bank community as a whole, and hence more diverse. Each Panel must include both managerial and non-managerial staff, and each Panel, to the extent feasible, must contain a member at the same grade level or who possesses similar work experience as the staff member bringing the Request for Review.

Provisional Relief. Under the ACO system, pursuant to Staff Rule 9.03, paragraph 7.01, an appellant could request an award of Provisional Relief in exceptional circumstances where urgent and immediate relief from undue hardship, resulting from an administrative decision, was required in advance of the resolution of the appeal. This provision was eliminated in the PRS system. The improvements in speed for processing requests, combined with the historically low incidence in which requests for Provisional Relief were raised and were subsequently successful suggested that the Provisional Relief process was no longer needed. In CY2009, there were two requests for Provisional Relief among the 26 appeals filed. In both cases, the Panel did not recommend providing Provisional Relief.

Jurisdiction. Another significant substantive change between the jurisdiction of the PRS and the ACO is that the PRS no longer has jurisdiction over any claim that relates to misconduct. "Actions, inactions, or decisions taken in connection with staff member misconduct investigations conducted under *Staff Rule 3.00*, *Staff Rule 8.01*, or *Staff Rule 8.02*, including decisions not to investigate allegations, decisions to place a staff member on administrative leave, alleged procedural violations, factual findings, performance management actions taken pursuant to *Staff Rule 3.00*, and the imposition of disciplinary measures" are excluded from PRS jurisdiction. Thus, decisions related to misconduct investigations by INT or by EBC, previously reviewable before the ACO, may not be brought for review to the PRS. Such matters may now be brought by filing an application directly to the Administrative Tribunal.

Decision-Making Process. Under the ACO system, reports were submitted to the Vice President of Human Resources (HRSVP) who reviewed the Panel's recommendation and made the ultimate decision on the matter. The HRSVP was empowered to accept all or part of the Panel's recommendation, including any recommended relief, or to decline it altogether. If the HRSVP took no action, the recommendation became binding on the WBG after 60 days. Afterwards, affected staff members dissatisfied with the result were entitled to pursue relief further by filing with the Administrative Tribunal.

Under the PRS system now in effect, reports are submitted to the Vice President of the WBG department that employs the affected staff member (who is now called the Requesting Staff Member) and the involved manager (who is now called the Responding Manager). The Vice President then consults with the HRSVP and makes a decision concerning whether to present to the staff member some or all of any corrective measures recommended by the Panel. The outcome of this process will result either in resolution of the matter, or the staff member may pursue his or her claim before the Administrative Tribunal. It is anticipated that by involving Bank Group management in the decision concerning whether corrective measures are appropriate in a given case, managerial accountability will be increased.

Appendix D sets out in graphic form the process under both the new PRS and the ACO.

THE YEAR IN REVIEW

I. CASE WORKLOAD DISPOSITION OF CASES

The ACO/PRS processed a total of 62 cases in CY2009: 52 were processed under ACO procedures; 10 were processed under PRS procedures. Of these, 26 were new cases filed in CY2009 under ACO processes, with the same number being carried over from the previous year. Of course, all 10 of the cases processed using PRS procedures were filed during CY2009.

The above discussion is depicted graphically in Table 1-1.

Table 1-1: ACO/PRS Workload for CY2009

From 2008	New Filings		Total Processed		Total Resolved		Total Pending at Year End	
	ACO	PRS	ACO	PRS	ACO	PRS	ACO	PRS
26	26	10	52	10	47	4	5	6
COMBINED	26	36	62		51		11	

II. ISSUES BEFORE THE APPEALS COMMITTEE AND THE PEER REVIEW SERVICES

1. Categories of Issues

The ACO was charged under Staff Rule 9.03 with reviewing administrative decisions of the Bank Group to determine whether they altered or were in breach of terms of appointment or conditions of employment, and with reviewing any formal disciplinary action based on misconduct (e.g., formal reprimands). When the ACO reviewed decisions that were within the discretion of management, the ACO examined whether management abused its discretion, in that it was arbitrary, discriminatory or carried out in violation of the applicable Bank Group procedures. Certain types of decisions were expressly excluded from review, most of which continue to be excluded under the PRS procedures as well.

The scope of review of the PRS is now described using different terminology. The PRS is charged with determining whether a managerial action, inaction, or decision was consistent with a staff member's contract of employment or terms of appointment. The phrases "contract of employment" and "terms of appointment" include the terms in a staff member's letter of appointment and all pertinent rules and policies, including the Principles of Staff Employment and the Staff Rules in effect at the time of the alleged action, inaction, or decision.

As noted above, misconduct that was previously reviewable by the ACO is no longer reviewable by PRS. Other matters that were excluded from review under the ACO are also excluded from review in the PRS, including decisions by the Benefits Administrator, the Finance Administrator, or the Pension Benefits Administration Committee of the World Bank Group Staff Retirement Plan; decisions about claims for workers' compensation benefits, disability insurance benefits or health insurance benefits provided to enrolled staff and dependents by the Medical Insurance Plan or the Medical Benefits Plan.

The principal issues that were reviewed by the ACO and now by PRS are described below, together with a brief description of the managerial decision, action or inaction.

Misconduct. In ACO appeals of formal disciplinary action based on misconduct, Appellants typically challenged the HRSVP's finding that the Appellant engaged in misconduct and the HRSVP's decision to impose discipline upon the Appellant based upon such misconduct. Appellants often also challenged the underlying investigation of the alleged misconduct conducted by the Integrity Vice Presidency (INT). In reviewing these types of appeals, Panels evaluate whether the HRSVP abused his/her discretion in finding that misconduct occurred and in imposing the disciplinary action in question. In its analysis, Panels consider such matters as whether INT notified the Appellant of the specific charges against him and provided him with a fair opportunity to respond; whether the HRSVP's decision was supported by the evidence in the INT Report; whether the disciplinary action imposed by the HRSVP was permitted or required under the Staff Rules; and whether the disciplinary measures the HRSVP imposed were consistent with others taken in similar circumstances. Panels do not re-open the INT investigation; rather, they evaluate whether INT and the HRSVP followed a proper process and reached their conclusions on an observable and reasonable basis. As noted, misconduct matters of this sort are no longer reviewable through the PRS process.

Ending Employment. When reviewing termination decisions, Panels typically consider whether the decision was made on an observable and reasonable basis and whether management followed the applicable Bank Group Staff Rules and procedures in making the decision. Some matters that might be examined in this context include: the reason the Bank offered for the termination; whether the evidence in the record supports the reasons; and whether the Bank provided the staff member with the appropriate notice of the decision. This category would also include matters relating to decisions not to renew term contracts to ascertain whether the applicable WBG's policies and procedures were followed and/or whether the reasons given for non-renewal, if any, were true. In the case of a redundancy, another area of inquiry would be whether the Bank provided the staff member with the appropriate assistance in finding another position within the Bank. Other matters that would be classified as falling within this issue would be matters related to or associated with the end of employment. For example, determinations to place a terminated staff member on administrative leave while the separation procedures are being effected, and barring separated employees from the premises.

Benefits and Compensation. When reviewing a challenge to a Salary Review Increase (SRI), the Panel evaluates the SRI in the context of the policy established by Human Resources (HR) for SRIs in the year in question. The Panel typically also looks at the overall process followed within the unit in question to ensure that the staff member was treated fairly and consistently relative to peers at the same level of responsibility and the same grade. Some questions that may be evaluated in this context include: whether the manager compared the staff member's performance with that of other staff members at the same grade and level of responsibility; whether the staff member's manager used the salary matrix provided by HR; whether the manager deviated from the standard salary matrix, and if so, why; and whether the manager explained the rationale for the SRI to the staff member. Because the SRI process involves the comparison of *relative* performance, Panels do not solely look at the staff member's Overall Performance Evaluation (OPE) to decide what an appropriate SRI would have been for that staff member, but also compares the performance of the staff member with his/her peers at the same grade level.

Performance Management. In reviewing challenges to a manager's assessment of a staff member's performance in an OPE, the Panel will not substitute its own judgment for that of management as to

what constitutes satisfactory performance. Rather, the Panel typically assesses whether: the manager followed the OPE process according to established Bank Group guidelines; the manager's assessment of the staff member's performance was consistent with the manager's own observations and the feedback received from others; the OPE took into account all relevant and significant factors that existed for that period of review, balancing positive and negative factors in a manner which is fair to the person concerned; the manager's comments in the OPE substantiated the ratings assigned to the staff member; and the manager presented a reasonable and observable basis for the staff member's evaluation and performance ratings. Some questions that may be evaluated in this context include whether the manager solicited feedback prior to awarding the ratings; whether the ratings reflect the feedback received; and whether the manager met with the staff member to review the OPE prior to finalizing the OPE.

2. Comparison Between CY2008 and CY2009

In 2009, Appellants and Requestors alleged more employment concerns involving Benefits and Compensation than with respect to any other issue. Nearly 39 percent of the matters filed in 2009 involved Benefits and Compensation. The issue that was raised the next highest number of times in 2009 was the issue of Misconduct. One quarter of all filings had Misconduct as an issue. Prior to July 1, 2009, when the new PRS processes and rules came into effect, staff members could contest issues relating to claims that they engaged in misconduct, or that they were being improperly investigated by INT. It is important to note that the classification of Misconduct also includes cases where staff members allege that discrimination played a role in management's decision, action or inaction being contested.

There was a dramatic decrease in the number and percentage of cases filed involving claims of Retaliation between 2008 and 2009. In 2008, Retaliation was claimed in 14 appeals, representing 35 percent of all appeals that were filed. In 2009, the number dropped to 2, or to only 5.6 percent of Appeals and Requests for Review that were filed.

As expressed as a percentage of workload—counting cases brought into the year from the previous calendar year—Benefits and Compensation also was the leading subject on which Appellants and Requestors sought relief from ACO/PRS in 2009. Over one-third (33.9 percent) of the ACO/PRS workload in 2009 involved claims relating to this issue. In CY2008, the predominant issue in ACO workload was instead matters relating to Performance Management, which was involved in 36.7 percent of all appeals in 2008, surpassing Retaliation (30 percent) and Benefits and Compensation (28.33 percent).

Table 1–2 shows graphically the issues raised in appeals and Requests for Review.

In previous Annual Reports, the issue comparison was based on the number of cases reviewed and processed, rather than on by cases filed. PRS provides that comparison in Table 1–3.

III. RESOLUTIONS

1. Statistical Review

The number of cases resolved in a calendar year is affected by a number of variables including: the number of cases filed during the year; the number of extensions of time requested by and granted to the parties to an appeal; the availability of the parties and Panel members to attend hearings, particularly given meeting and mission obligations, as well as vacation schedules; and the time consumed in

Table 1-2: Comparison between CY2009 and CY2008 – Issues Raised in Appeals and Requests for Review¹

	2009 Filings				2008 Filings	
	ACO	PRS	Total	%	Total	%
TOTAL	26	10				
TOTALS combined	36				40	
ISSUES:						
Benefits and Compensation	8	6	14	38.9%	9	22.5%
Compliance	2	0	2	5.6%	4	10.0%
Ending Employment	4	1	5	13.9%	10	25.0%
Misconduct	6	3	9	25.0%	5	12.5%
Performance Management	4	2	6	16.7%	12	30.0%
Promotion	3	1	4	11.1%	2	5.0%
Reassignment/Selection	5	0	5	13.9%	6	15.0%
Retaliation	1	1	2	5.6%	14	35.0%
Other issues	2	2	4	11.1%	1	2.5%
TOTAL	35	16	51		63	

¹ Note: There was a minor change in the manner in which issues were characterized between 2008 and 2009.

Chart 1-1: Comparison between CY2009 and CY2008 – Issues Raised in Appeals and Requests for Review

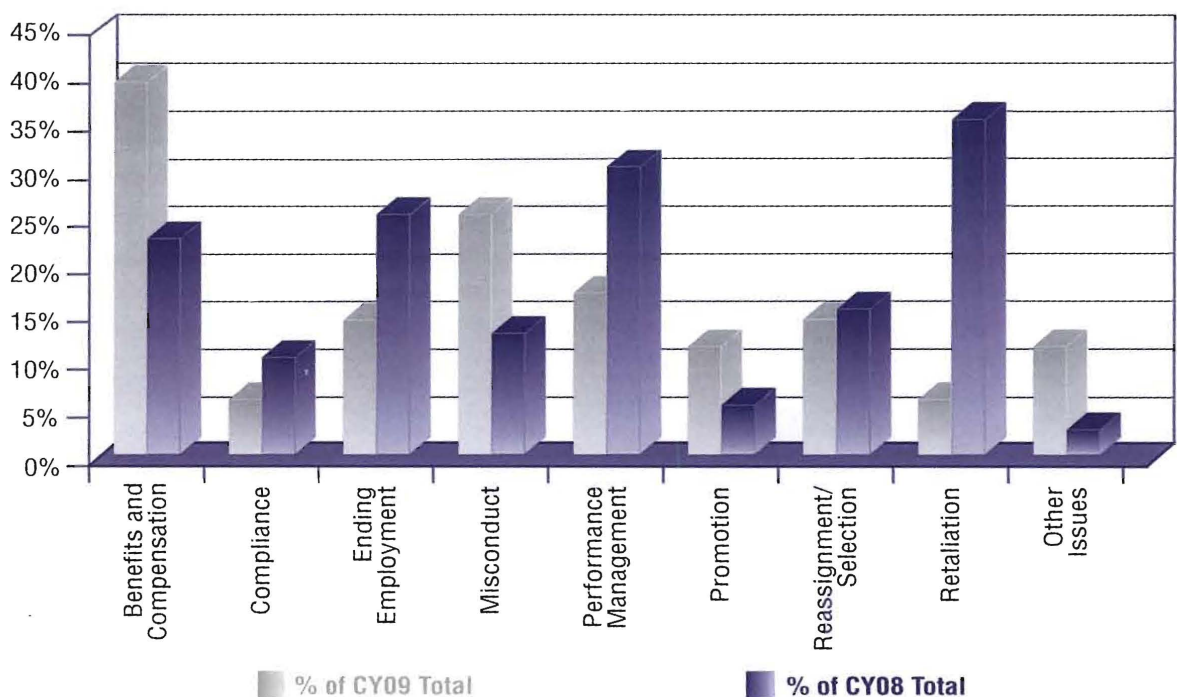


Table 1-3: Comparison Between CY2009 and CY2008 – Issues Raised Based on Cases Reviewed and Processed.

	2009 Total Reviewed			2008 Total Reviewed		
	ACO	PRS				
TOTAL	52	10			60	
	62					
Benefits and Compensation	15	6	21	33.9%	17	28.33%
Compliance	6	0	6	9.7%	4	6.67%
Ending Employment	1	1	2	3.2%	16	26.67%
Misconduct	8	3	11	17.7%	10	16.67%
Performance Management	13	2	15	24.2%	22	36.67%
Promotion	3	1	4	6.5%	2	3.33%
Reassignment/Selection	8	0	8	12.9%	8	13.33%
Retaliation	12	1	13	21.0%	18	30.00%
Other Issues	14	2	16	25.8%	7	11.67%

the resolution of disputes between the parties regarding document requests and witnesses. Because of these variables, the number varies from year to year.

In the calendar year 2009, the ACO/PRS resolved 51 cases, 47 under the ACO system and 4 under the PRS system. Of the 47 resolved under the ACO system, 29 cases were resolved by Panel members making recommendations on the merits of the cases (i.e. via written reports to senior management), 12 resulted from withdrawals because claims were settled, five cases were dismissed because there was no jurisdiction, and one matter was withdrawn so that the staff member could pursue relief before the Administrative Tribunal.

There were four cases under the PRS system resolved. One was resolved in the form of a report that supported the management action. Two PRS requests were dismissed on jurisdictional grounds. One case was referred to mediation where it was resolved.

Of the 29 appeals that were resolved by Panels submitting written recommendations based on the merits of the case, four resulted in recommendations by the Panel that the staff member receive relief; the remaining 25 appeals, and one request for review, resulted in recommendations that supported the decisions of management.

The 51 matters resolved in 2009 represents a fifty percent (50%) jump over the number resolved in 2008 when 34 appeals were resolved. As noted above, this increase was accounted for by a number of factors, including better success at mediation of claims, increased production of reports to management, and a sizeable increase in the number of cases that were filed that were non-jurisdictional, mostly because of untimeliness.

The total number of matters that were resolved that involved corrective relief of some form increased slightly from 16 in 2008 to 17 in 2009. These figures include those cases that were resolved in

mediation in addition to the Panel's recommendations in favor of Appellants/Requestors. In 2009, the Panel made recommendations in favor of Appellants/Requestors in four cases.

The above results are exhibited graphically on Table 1–4.

Table 1–4: Comparison of Cases Resolved – CY2009 vs. CY2008

	2009			2008
	ACO	PRS	TOTAL	
Cases Resolved	47	4	51	34
Cases resulting in recommendations to Mgt.	29	1	30	23
Cases withdrawn – claims settled/mediated	12	1	13	7
Cases dismissed for lack of jurisdiction	5	2	7	1
Cases withdrawn (proceeded to Tribunal)	1		1	3
Total	47	4	51	34
Cases Resolved w/ recommendations for relief	4	0	4	9
Total Resolved w/ relief	16	1	17	16

2. Case Processing Time

The peer review process can be a difficult period that is filled with anxiety and uncertainty for both the staff member and the manager. To alleviate these concerns, the Peer Review Services, through the Peer Review Secretariat, is committed to making the process as efficient as possible without sacrificing integrity, quality and transparency.

Processing time is calculated from the date a case is filed through the date the Panel finalizes its report and sends its recommendation to HRSVP, excluding any time that a case is stayed, if applicable.

In the ACO, the average processing time is longer compared with that of cases filed under the PRS because of the significant number of steps involved in processing the case, the exchange of written pleadings, the requests for discovery, and the difficulty scheduling a hearing given the number of participants which are required to be present, including parties' counsel.

For example, for cases filed under the ACO that were resolved by a written recommendation to management in the form of a report by a Panel (29 cases), the average processing time was 10.6 months to process, excluding time spent stayed. In the four appeals where the Panel awarded relief to the staff members, the average processing time was 12.25 months.

Under the PRS for CY2009, only one case proceeded to a hearing which resulted in the Panel submitting a written recommendation to management. The processing time for this case was 3.1 months.

Although these statistics apply to the very short time that the PRS has operated, the PRS hopes that they represent the future, and that processing time under the PRS will in fact continue to be shortened as a result of the new procedures and policies. The Peer Review Secretariat anticipates that as the number of cases filed and processed under the PRS increases, the average processing time will be between four to five months per case, a significant difference from that of the ACO.

3. Summary Discussion of Resolutions

As noted, in 2009 the PRS recommended relief in four cases, all of them processed under the ACO system. The following is a brief summary of those four appeals.

Case #1. In one of the four appeals, the Appellant's claim centered upon the allegation that the Appellant's OPE was not completed in a timely manner. Evidence showed that the OPE was not completed—i.e., not signed off by the staff member, his supervisor and the reviewing manager—until June of the year after the OPE year under review. Management had taken the position that the delay was justified because, among other things, management had been trying to address alleged shortcomings in the OPE ratings that the Appellant had raised, that the Appellant himself was responsible for some of the delay, and that the process had been adversely affected by factors such as vacation schedules and mission travel.

Acknowledging good faith on the part of management, the Panel concluded that certain periods of delay were not adequately explained or justified, and that there was no question that the OPE was not completed on time. In view of the fact that the Appellant received a more favorable OPE as a result of the process that resulted in the delay, however, the Panel concluded that the only relief it would award was attorney fees. Therefore, the Panel awarded \$5,000 in attorney fees.

Case #2. In a second appeal, the issue involved an Appellant removed from employment on the grounds of abandonment of position. The Appellant had experienced medical setbacks and began missing work time, often failing to communicate directly with the Appellant's supervisors/managers. Management encountered difficulty in contacting the Appellant to determine the nature of problem resulting in the absences. Further, management had no information concerning the length of time the situation resulting in the absences would continue. Seeking information from Bank experts on the preferred way to deal with the absenteeism problem, management directed the Appellant not to come to work until the Appellant was able to complete a fitness for duty examination, to be conducted by the Bank pursuant to procedures set out in Staff Rule 6.07, paragraph 3.03. After the Appellant completed the examination which concluded that the Appellant was fit for duty, the Bank thereupon terminated the Appellant under Staff Rule 7.01, paragraph 9.01 (Abandonment of Office), finding that the Appellant had abandoned office by being absent from work continuously for at least 20 days, as set out in the Staff Rule. Appellant had in fact been away from the Bank in excess of 80 days.

The Panel concluded that management abused its discretion in terminating the Appellant. The Panel found that there was inadequate support for management's conclusion that the Appellant had abandoned office, and hence that there was a reasonable basis for it. Not only had the Appellant's actions demonstrated that the Appellant expected to return to employment, the Bank had improperly concluded that the Appellant's absence was "unauthorized and unjustified" even though most of the absence occurred during a period when management had directed the Appellant not to come to work. The Panel also concluded that management had improperly used the provision about abandonment of office to discipline the Appellant for related acts of misconduct, without providing the Appellant with the due process safeguards that the Staff Rules provide.

As a result, the Panel recommended an award that included rescission of the termination, reinstatement, purging the personnel records of references to the termination, back pay, restoration of lost annual and sick leave not otherwise properly charged, six months' compensation for injuries, and \$10,000 in attorney fees.

Case #3. A third appeal involved a series of allegations relating to misconduct investigations undertaken by the Integrity Vice Presidency (INT) and resultant decision-making process concerning discipline. The Appellant had been the subject of investigations into whether the Appellant's relationship with organizations that in turn had business relationships connected with the Bank implicated issues of conflict of interest, and also whether the Appellant abused the Appellant's position for personal gain. Because the facts of Appellant's alleged misconduct was referred to the United States Department of Justice for possible prosecution under United States laws and failed to timely notify the Appellant about it, the Appellant also alleged that management violated the Appellant's rights relating to that process, as well.

After a hearing, the Panel concluded that the Bank had erred in two ways. The Panel found that INT had failed to give the Appellant notice of one of the several issues INT investigated at the onset of the investigation—abuse of office for personal gain—and thus that the Bank did not provide the Appellant with proper due process.

The Panel concluded that the Bank also abused its discretion in failing to give the Appellant timely notice of the fact and the content of the Bank's referral of certain issues to the DOJ for investigation and possible prosecution. The Panel noted that the Staff Rules permit exceptions to the usual rules of confidentiality in cases of referrals for law enforcement efforts. However, those same rules provide for notification to the affected staff member "as soon as reasonably possible." Administrative Tribunal precedent and Bank guidelines further clarified the Bank's obligation in this regard. The Panel concluded that, although there was a justifiable basis to withhold informing the Appellant for approximately ten months after the referral to DOJ that a referral had been made, the Bank erred when it continued to withhold notice for an additional 16 months thereafter.

The Panel recommended that the Bank compensate the Appellant in the amount of \$30,000 and also pay attorney fees of \$10,000.

Case #4. The fourth appeal in which a PRS Panel during 2009 recommended relief to an Appellant was premised upon allegations of gender discrimination. That appeal involved claims that the Appellant was denied an *in situ* promotion to a level GH position on the basis of sex. After a hearing, the Panel concluded that, although there was insufficient evidence to conclude that the Appellant would have received a promotion absent consideration of gender, there was evidence that management factored in gender into the process leading up to the promotion decision. The Panel believed that the Appellant's gender accounted for the failure of the Appellant to receive consideration during the process, and hence the Panel found that the Appellant was subjected to an improper process.

Consistent with its findings, although the Panel did not recommend reinstatement into a level GH position, it recommended payment of \$15,000 to the Appellant for intangible harm, and \$5,000 in attorney fees. The Panel also recommended that the Bank provide the Appellant with a coach to enhance opportunities for promotion.

IV. PANEL RECOMMENDATIONS – LESSONS LEARNED

In addition to issuing reports on the merits of claims in cases, ACO and PRS Panels volunteer suggestions for ways in which WBG processes and policies could be improved, based upon situations disclosed to those Panels. For matters reviewed during 2009, ACO Panels issued eight (8) such memoranda. Of these, two (2) were issued in cases for which relief was proposed. The remaining six (6) were in cases in which the Panels concluded that management had not abused its discretion and thus no relief was recommended.

Among the matters that were subject to Panel recommendations for improvement, the following topics and suggestions were involved:

Performance Management. Recommendation to provide personnel guidance on who may participate on a Sector Board reviewing a proposed reclassification of position so as to avoid undue influence by someone who knows and/or is in the supervisory chain of potentially affected staff. Recommendation to consider issuing written guidance on the procedures for issuing supplementary or supplemental performance reviews.

Reassignment and Selection Process. Recommendation to clarify the Short-Listing process by issuing guidelines for composition of the Short-Listing Committee (SLC), including whether the hiring manager should be included in the SLC. Recommendation to improve transparency by posting selection process guidelines on the Bank's intranet. Recommendation to improve the process in which the Bank makes a determination to reassign staff in the "interests of the Bank," by a procedure that provides the reasons for the reassignment in time for the staff member to respond before the reassignment takes effect. Recommendation to establish guidelines when INT/EBC or other investigative Bank entity is charged with conducting an "accountability review" or similar type of review, to ensure adequate protections are afforded to affected staff such as the potential use of the results of such information and an opportunity for them to respond before the Bank makes any final determinations.

Ending Employment. Recommendation to develop and implement procedures to improve accountability when the Bank's Security Staff make informal contacts with local law enforcement for the purpose of making a security check related to persons accessing the Bank's premises. Another recommendation related to improving the Bank's processes when it utilizes its authority to request a Fitness for Duty Exam, by ensuring that affected staff members know the purpose and the process to be used.

Benefits and Compensation. Recommendation to improve administrative aspects of the Tax Allowance system by the sending of "alerts" or other notifications to affected staff members that they should carefully compare their records to the Bank's records, especially when it comes to overseas travel information that affects whether the staff member must have their tax returns prepared by a Bank Group approved accounting firm.

Misconduct. Recommendation to provide standards guiding the length of INT investigations.

V. DEMOGRAPHICS

1. Part I and Part II Nationals

Of the 36 matters filed in CY2009, 11 (31%) were filed by staff members from Part I countries and 21 (58%) by staff members from Part II countries; (4 cases were filed by staff members from unspecified countries). This percentage is close to the breakdown among Part I and Part II staff members in CY2008, when Part I staff members accounted for 30% of filings. The composition of the overall Bank Group population is 39% Part I and 69% Part II staff members.

2. Gender

Males accounted for 22 matters filed (61%) and females accounted for 14 matters filed (39%). This was close to the same gender breakdown for the prior year, when males accounted for 58% of cases

filed, and females for 42%. The male/female breakdown for the overall Bank Group population is 48% and 52%, respectively. Thus, males filed disproportionately more appeals/requests for review than their percentage in the overall Bank population. It should be noted, however, that males occupied 57% of Bank Group positions at level GE and above, the grouping that accounted for 83% of matters filed. Accordingly, the male/female difference in the matters filed is roughly correlated with the difference in the male/female populations in positions at those salary levels.

3. Grade Level

Staff members at levels GE and above, who comprise 66% of Bank Group staff, were responsible for 30 (83%) of the matters filed in CY2009. Five cases (14%) were filed by staff at levels GA-GD. Such staff comprise 26% of Bank Group staff. One matter filed in CY2009 (3%) was submitted by a consultant, down from 6 or 15% in CY2008.

4. Headquarters Staff and Country Office Staff

Staff members based in Washington, D.C., filed the bulk of the cases with the ACO/PRS. In CY2009, 29 (81%) of the matters filed in CY2009 were by Washington, D.C. based staff, while staff in country offices filed 7 (19%). This continues the pattern seen in CY2008 when Headquarters' staff filed 90% of the appeals. Of all Bank Group staff, 59% work in Washington, D.C., while 41% are based in country offices.

Table 1-5 provides a demographic breakdown of the cases, categorized by gender, grade level, and location.

VI. TRAINING AND OUTREACH

PRS works to ensure that all Bank Group staff members, irrespective of grade level and geographical location, are aware of, have access to, and feel comfortable using PRS and the entire CRS. In CY2009, PRS worked with the other services of the CRS to educate staff, particularly country office-based staff members, about the CRS.

Table 1-5: Demographic Distribution of ACO/PRS Cases Filed in CY2009

	Washington, DC		Country Offices		Grand Total	
	No. Of Cases	%	No. Of Cases	%	No. Of Cases	%
No. of Cases	29	81%	7	19%	36	100%
Part I Nationals	9	31%	2	29%	11	31%
Part II Nationals	16	55%	5	71%	21	58%
Other	4	14%	0		4	11%
Male	15	52%	7	100%	22	61%
Female	14	48%	0		14	39%
Levels GA-GD	5	17%	0	0%	5	14%
Levels GE and Above	23	79%	7	100%	30	83%
Consultants and Temporary Staff	1	3%	0	0%	1	3%

Some of the efforts made by ACO/PRS during CY2009 include: educating staff of the differences between the ACO/PRS by conducting informational workshops and overviews; providing comprehensive mandatory training to the Panel Members of the new PRS procedures and processes; distributing to all of the Country Offices information about the PRS including an instructive video highlighting key aspects of the new PRS process; and participating in various informative sessions throughout the institution such as Internal Justice Day.





Appendix A

PEER REVIEW PANEL MEMBERS

The PRS operates with a membership of 60 or more staff members. The Peer Review members are volunteers appointed by a Managing Director, based upon the joint recommendations of the Vice President, Human Resources, and the Staff Association. There are three members on every Panel assigned to review a request for review. Each Panel is designated by the Peer Review Secretariat and includes members from management and from non-managerial level. The Peer Review Secretariat, where feasible, designates at least one Panel member who is either at the same grade level as the staff filing the request, or who shares similar work experiences.

Staff who are interested in serving on the PRS as Members are encouraged to contact Human Resources, the Staff Association, or the PRS. Below is a list of the current Peer Review members.







Peer Review Panel Members – Biographical Data






	<p>AHLERS, Theodore O. (Chairman)</p>	<p>Member since 2008. Joined the Bank Group in 1985, and is a Director, Strategy and Operations, Europe and Central Asia Region.</p>
	<p>AUDIGE, Michel</p>	<p>Member since 2007. Joined the Bank Group in 1991 and is currently Sector Manager, Transport, South Asia Sustainable Development Unit, South Asia Region.</p>
	<p>BENNETT, Cherilynn</p>	<p>Member since 2009. Joined the Bank Group in 1978, and is a Health Promotion Analyst, Office of the Director, Health Services Department.</p>
	<p>BETANCOURT, Maria Victoria</p>	<p>Member since 2009. Joined the Bank Group in 1995, and is a Coordinator, Community Outreach, Office of the Director, General Services Department.</p>








	<p>BJERDE, Anna</p>	<p>Member since 2009. Joined the Bank Group in 1997, and is a Sector Manager, Urban and Social Development, Middle East and North Africa Region.</p>
	<p>BOSTWICK, Lisa</p>	<p>Member since 2009. Joined the Bank Group in 2007, and is a Senior Investigator, Integrity Vice Presidency.</p>
	<p>BOUBACAR, Sidi</p>	<p>Member since 2009. Joined the Bank Group in 1991, and is a Lead Operations Officer for Djibouti, Egypt, Yemen, Middle East and North Africa Region. Based in the Egypt Country Office.</p>
	<p>BRICKNELL, Marie-Helene</p>	<p>Member since 2009. Joined the Bank Group in 1981, and is the Country Program Coordinator for Comoros, Eritrea, Kenya, Rwanda, Seychelles, and Somalia, Africa Region.</p>
	<p>BYAM, Gerard</p>	<p>Member since 2007. Joined the Bank Group in 1988 and is currently Director, Operational Services and Quality, Europe and Central Asia Region.</p>
	<p>CASTELLANOS, Marcelo</p>	<p>Member since 2009. Joined the Bank Group in 2005, and is an Investment Officer, Operations and Portfolio, Global Financial Markets Department, IFC. Based in the Mexico Country Office.</p>
	<p>CASTRO, Javier</p>	<p>Member since 2009. Joined the Bank Group in 1998, and is a Program Officer, International Centre for Settlement of Investment Disputes.</p>


	CAVE, Alison	Member since 2008. Joined the Bank Group in 1994, and is a Senior Urban Development Specialist, Sustainable Development Sector Unit, Europe and Central Asia Region.
	CHIDIAC, Rodolph	Member since 2009. Joined the Bank Group 1998, and is a Financial Analyst, Treasury Pension Operations.
	CONDE, Jack	Member since 2008. Joined the Bank Group in March 1999, and is a Senior Information Officer, General Services Department Program Coordinator's Office, GSD.
	CONDON, Philip	Member since 2009. Joined the Bank Group in 1990, and is Head, Turkey Country Office, Southern Europe and Central Asia Department, IFC. Based in the Turkey Country Office.
	CORMAN, Elena	Member since 2009. Joined the Bank Group in 1999, and is an Executive Assistant, Moldova Country Office, Europe and Central Asia Region. Based in the Moldova Country Office.
	DAR, Amit	Member since 2009. Joined the Bank Group in 1992, and is a Sector Manager, Education, South Asia Region.
	De MAGALHAES, Numa	Member since 2001. Joined the Bank Group in 1989, and is currently Senior Information Officer in Corporate Office, MIGA.







	<p>EUROPE GREENE, Auriol E.</p>	<p>Member since 2009. Joined the Bank Group in 1984, and is an Information Officer, Information Solutions Group, Enterprise Architecture (ISGAC).</p>
	<p>FISZBEIN, Ariel</p>	<p>Member since 2007. Joined the Bank Group in 1991, and is currently Chief Economist, Human Development Network, Chief Economist's Office.</p>
	<p>GEORGE, Morallina Fanwar</p>	<p>Member since 2003. Joined Bank Group in 1981, and is currently Senior Learning Officer, Human Resources Learning Board.</p>
	<p>GRANDOLINI, Gloria</p>	<p>Member since 2007. Joined the Bank Group in 1990 and is currently Country Director, Mexico and Columbia, Latin America and Caribbean Region. Based in the Mexico Country Office.</p>
	<p>HARPER, Caroline</p>	<p>Member since 2007. Joined the Bank Group in 1995 and is currently Lead Operations Officer in the Trust Fund Quality Assurance and Compliance Group.</p>
	<p>HUYBENS, Elisabeth</p>	<p>Member since 2009. Joined the Bank Group in 2000, and is a Sector Manager, Social Development Department, Sustainable Development Network.</p>
	<p>KAMAU, Wangari</p>	<p>Member since 2009. Joined the Bank Group in 1986, and is an Accounting Analyst, Finance and Risk Management Group, MIGA.</p>

	<p>KHUU, Kathy</p>	<p>Member since 2009. Joined the Bank Group in 2002, and is an Operations Officer, Investment Climate Advisory Services, Cambodia Country Office, East Asia Pacific, IFC. Based in the Cambodia Country Office.</p>
	<p>KIBUTHU, Grace Wambui</p>	<p>Member since 2009. Joined the Bank Group in 2006, and is an Operations Analyst, Securities Markets, Sub-Saharan Africa Department, IFC. Based in the Kenya Country Office.</p>
	<p>KIOKO, Makanda</p>	<p>Member since 2009. Joined the Bank Group in 1998, and is a Program Manager, A2F Products, IFC.</p>
	<p>KOEBERLE, Stefan</p>	<p>Member since 2009. Joined the Bank Group in 1993, and is a Director, Strategy and Operations, Latin America and Caribbean Region.</p>
	<p>LACOMBE, Jean Pierre</p>	<p>Member since 2009. Joined the Bank Group in 1991, and is Head/Financial Engineering, Office of the Director, Corporate Strategy Department, IFC.</p>
	<p>LASSITER, Brad</p>	<p>Member since 2009. Joined the Bank Group in 1998, and is a Team Assistant, Administrative and Corporate Legal Matters, Legal Vice Presidency, IFC.</p>
	<p>LENOBLE, Nathalie</p>	<p>Member since 2009. Joined the Bank Group in 1992, and is a Senior Program Assistant, Human Development Front Office, Africa Region.</p>


	<p>LIWEWE, Linda</p>	<p>Member since 2009. Joined the Bank Group in 2003, and is a Resource Management Officer, South Asia Region.</p>
	<p>LULE, Elizabeth</p>	<p>Member since 2009. Joined the Bank Group in 2001, and is a Manager, Operational Quality and Knowledge, Africa Region.</p>
	<p>MACARTHUR, Lilian</p>	<p>Member since 2009. Joined the Bank Group in 1989, and is a Program Assistant, Sustainable Development Department, South Asia Region.</p>
	<p>MACDONALD, Donald</p>	<p>Member since 2009. Joined the Bank Group in 1998, and is a Knowledge and Learning Coordinator, Development Effectiveness, Latin American and Caribbean Region.</p>
	<p>MEHTA, Atul</p>	<p>Member since 2009. Joined the Bank Group in 1990, and is a Director, Latin America and Caribbean Department, IFC.</p>
	<p>MILAD, Caroline Makram</p>	<p>Member since 2009. Joined the Bank Group in 1988, and is a Senior Executive Assistant, Sustainable Development Department, East Asia and Pacific Region.</p>
	<p>MITCHELL, Bruce W.</p>	<p>Member since 2002. Joined the Bank Group in 1985, and is currently Office Manager in the Energy & Infrastructure Unit, South Asia Region.</p>

	NDIAYE, Sadiya	Member since 2009. Joined the Bank Group in 1999, and is a Senior Executive Assistant, Sustainable Development Department, Latin America and Caribbean Region.
	OYEWOLE, Funke	Member since 2009. Joined the Bank Group in 1997, and is a Special Assistant to the Vice President, Operations Policy and Country Services.
	PAPATHANASIOU, Demetrios	Member since 2009. Joined the Bank Group in 1999, and is a Senior Infrastructure Specialist, Pacific Islands, Sustainable Development Department, East Asia and Pacific Region. Based in the Australia Country Office.
	PURI, Sanjay	Member since 2009. Joined the Bank Group in 1989, and is a Chief Investment Officer, Middle East, North Africa and Southern Europe Department, IFC. Based in the United Arab Emirates Country Office.
	RIGAUD, Kanta Kumari	Member since 2009. Joined the Bank Group in 1997, and is a Senior Environmental Specialist, Sustainable Development Department, Middle East and North Africa Region.
	ROBITAILLE, Denis	Member since 2008. Joined the Bank Group in 1995, and is a Manager, Development Effectiveness, Latin America and Caribbean Region.
	RODRIGUES, Dave Francis	Member since 2009. Joined the Bank Group in 2001, and is a Business Process Analyst, Knowledge Services, IFC. Based in the Chennai, India Country Office.

	<p>ROGO, Khama</p>	<p>Member since 2005. Joined the Bank Group in 2001, and is currently Lead Health Specialist, Health Investment Policy, Investment Climate Director's Office.</p>
	<p>SAADAH, Fadia</p>	<p>Member since 2004. Joined the Bank Group in 1992, and is currently Manager, Human Development Sector Unit, Investment Lending Unit, Operations Policy and Country Services Vice Presidency.</p>
	<p>SCHAFER, Hartwig</p>	<p>Member since 2005. Joined the Bank Group in 1990, and is currently Director, Strategy and Operations, Sustainable Development Network.</p>
	<p>SKORBIANSKY, Shirley</p>	<p>Member since 2007. Joined the Bank Group in 1996 and is currently Information Officer in the Office of Corporate Secretary, Information Services/ Memberships.</p>
	<p>STRUDWICKE, Edward A.</p>	<p>Member since 2009. Joined the Bank Group in 1984, and is an Information Officer, Office of Consumer Solutions and Support, Information Solutions Group.</p>
	<p>TAVERA, Sandra</p>	<p>Member since 2009. Joined the Bank Group in 2006, and is a Program Assistant, Global Industries, IFC.</p>
	<p>TSIKATA, Yvonne M.</p>	<p>Member since 2009. Joined the Bank Group in 1991 and is a Country Director for the English-speaking Caribbean, Dominican Republic, Haiti and Suriname, Latin America and Caribbean Region.</p>

	van de FLIERT, W. Gijs	Member since 2009. Joined the Bank Group in 1992, and is a Senior Risk Officer, Office of the Director, Business Risk, IFC.
	von FRIEDEBURG, Stephanie	Member since 2005. Joined the Bank Group in 1992, and is currently Director, Corporate Business Informatics, IFC.
	WAGLE, Udayan	Member since 2009. Joined the Bank Group in 1980, and is a Director, Business Risk, IFC.
	YOON, Seo-Jeong	Member since 2009. Joined the Bank Group in 2001, and is a Risk Analyst, Office of the Director, Business Risk, IFC.
	ZAKI, Fares T.	Member since 2009. Joined the Bank Group in 1980, and is a Manager, Global Manufacturing and Services, IFC. Based in the Brazil Country Office.
	ZEIJLON, Sally	Member since 2007. Joined the Bank Group in 1985, and is currently Manager, Operational Services and Policy, Office of the Executive Director, USA.

In Memory

	MAVADDAT, Shahbaz	It was with great sadness that we learned of Shahbaz's tragic death on May 10, 2010. Shahbaz was a dedicated panel member with the PRS since January 2009. On every case he served, he carefully reviewed the facts and ensured that the staff were treated fairly. The compassion, professionalism, analytical rigor, and integrity he brought to every case he reviewed set the bar very high. He will be greatly missed.
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The PRS would like to acknowledge the Panel members whose service ended in 2009:

Kulsum Ahmed
Inger Andersen*
Keith E. Hansen
Amira R. Iqbal
Jonathan S. Kamkwalala
Hisao Kimura
Raju A. Laburam
Jan Weetjens
Carl Wessman

*service ended in 2010.

PEER REVIEW SERVICES COUNSELORS

Peer Review Services Counselors continued to provide assistance to Appellants and to Requestors in the appeal process and the peer review process during CY2009. Peer Review Services Counselors are an all-volunteer group of staff members who serve as Counselors for the peer review process and are under the supervision of the Staff Association. The voluntary support the Counselors provide includes: confidential counseling and advocacy assistance; guidance in preparing case-related documentation; and accompanying staff members to the hearing. Staff interested in volunteering as a counselor are encouraged to contact their Human Resources Officer, the Staff Association, or the Peer Review Secretariat.

Abadzi, Helen (x80375)

Position: Sr. Education Specialist, Education for All Fast Track Initiative, HDNFT

Languages Spoken: English, Spanish, French, Portuguese, some Arabic, Hindi

Interest in Counseling (Personal Statement): I have been a counselor for over 13 years, and I work hard to help staff. I am available at all times, whether at the office or outside.

Mahmoudi, Soheyla (x84405)

Position: Operations Officer, Capacity Dev., AFTCD

Languages: English, Farsi

Interest in Counseling (Personal Statement): I truly believe that everyone in the Bank is equal, regardless of race, rank, and religion. All staff should receive equal, fair, and unbiased treatment. So, with my solid experience with INT procedures / policies, and Appeal Committee process, I would like to help whenever I could to help my colleagues.

Puckett, Sharon (x30920)

Position: Sr. Information Officer, Consumer Solutions and Support, ISGCV

Languages: English

Interest in Counseling (Personal Statement): I want to get more involved in the people side of the organization, become more knowledgeable about the issues we Bank staff face, and help others work through difficulties arising from conflict at work.

Ross, Shenna (x87829)

Position: Program Assistant, Human Resources Department Client Services, CHRCS

Languages Spoken: English

Interest in Counseling (Personal Statement):

Tamakloe, Abigail (x39169)

Position: Communications Analyst, CCRBM

Languages Spoken: English, French

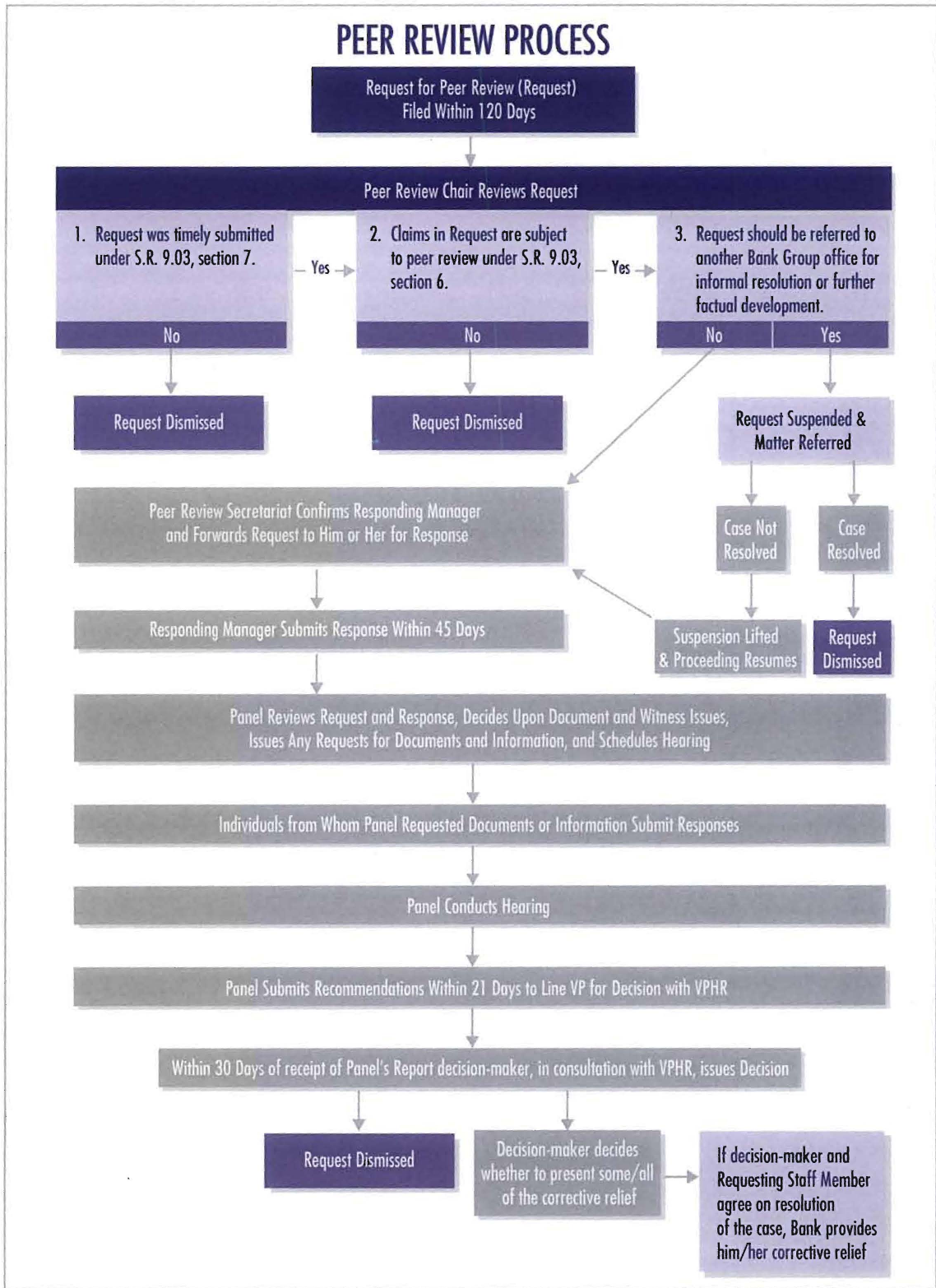
Interest in Counseling (Personal Statement): A great opportunity for me to learn more about various issues that arise within the institutions while assisting and supporting staff to resolve these issues using my listening and counseling skills.

PEER REVIEW SECRETARIAT STAFF

The work of the PRS is coordinated by a Secretariat, which provides administrative and legal support to the PRS while maintaining a neutral and independent character. The Secretariat staff is also available as a resource to potential Requesting Staff Members and parties with questions about the peer review process. *Contact information is listed on the inside front cover.*

Peer Review Secretariat Biographical Data

	Jodi T. GLASOW	Executive Secretary. Joined the World Bank Group in 2002.
	Marie BAECHLI	Senior Counsel. Joined the World Bank Group in 2010.
	Shirley FARAGHER	Senior Program Assistant. Joined the World Bank Group in 1998.
	Safura BUDUKOVA	Program Assistant. Joined the World Bank Group in 2009.



WHAT TO EXPECT AT THE HEARING: A Guide for Requesting Staff Members and Responding Managers

The PRS has prepared this Guide to help parties to a Request for Review understand the process they will encounter if the Panel reviews the case on the basis of a hearing. The PRS is governed by the processes and procedures as set forth in Staff Rule 9.03, "Peer Review Services."¹

The Panel conducts a Hearing to gather additional relevant information from the parties and witnesses to enable it to make an informed assessment of the decision, action, or inaction (hereinafter "disputed employment matter") under review. The purpose of the hearing is for the Panel to obtain information that clarifies the circumstances and facts surrounding the disputed employment matter.

The Panel's analysis of a disputed employment matter is as follows:

In reviewing a case, a Panel shall consider whether the disputed employment matter was consistent with a Requesting Staff Member's contract of employment or terms of appointment.² The phrases "contract of employment" and "terms of appointment" include the terms in a staff member's letter of appointment and all pertinent rules and policies, including the Principles of Staff Employment and the Staff Rules in effect at the time of the alleged action, inaction, or decision.³

With this in mind, it is important to understand that the role of the Panel is not to analyze what a different decision-maker would have done in the same situation or to substitute the Panel's judgment for that of the decision-maker. Rather, the role of the Panel is to determine whether the decision-maker based his/her decision on an observable and reasonable basis, and whether the policy or practice at issue was applied properly and consistently.

Listed below are some tips to assist the Parties at the Hearing.

CONFIDENTIALITY OF THE PROCESS

Peer Review Members, the Peer Review Secretariat, the parties, their advisers, and individuals asked to participate in the peer review process by providing advice or testimony or by producing documents or information shall treat all information obtained in connection with the peer review process in a confidential manner. "Confidential" means that such information may not be disclosed except to persons who require access to it for legitimate business purposes of the Bank Group.⁴

¹ Staff Rule 9.03 govern the peer review process. If there is any inconsistency between this Guide and the Staff Rule, the Staff Rule will prevail.

² Staff Rule 9.03 (Peer Review Services), paragraph 6.05.

³ Staff Rule 9.03 (Peer Review Services), paragraph 6.01.

⁴ Staff Rule 9.03 (Peer Review Services), paragraph 12.01.

Please note that hearings shall be recorded. The Panel designated to hear the case, the parties, and the Secretariat may listen to the recording. Hearing transcripts will not be provided to the parties.⁵

FAIRNESS OF THE PROCESS

Prior to the hearing, the Panel ensures that each party is aware of the issues raised in the Request for Review by way of the submission to the Peer Review Secretariat of the written pleadings. Introducing new allegations and/or new documents at the hearing is not allowed. If a party attempts to introduce something new during the hearing, the Panel will determine whether it will consider it, taking into account its relevance and any potential harm to the other party.

During the hearing, both parties will have the opportunity to speak and the Panel may allow them to ask questions of each other and the witnesses. Members of the Peer Review Secretariat are present to see that both sides have an equal opportunity to have their position heard.

ADVISERS

At hearings, the Requesting Staff Member and Responding Manager may each be accompanied by an adviser who is a current or former staff member. An adviser may not be a witness in the matter and may not be engaged in the practice of law. An adviser must also agree to be bound by the rules of confidentiality governing the proceedings. The Requesting Staff Member and Responding Manager are encouraged to present their own cases, and advisers may play a speaking role at the hearing *only with the consent of the Panel*.⁶

Members of the Legal Departments of the Bank, IFC, or MIGA may not represent, advise, or otherwise assist Requesting Staff Members in preparing or presenting their cases in the peer review process.⁷

ATTENDANCE AT THE HEARING

Attendance at hearings shall be limited to the following individuals: (i) the Panel; (ii) the Secretariat staff; (iii) the Requesting Staff Member; (iv) the Responding Manager; (v) the parties' advisers pursuant to Staff Rule 9.03, section 8; (vi) approved witnesses, who may only be present in the hearing while testifying; and (vii) an observer, such as a Peer Review Counselor in training, if both parties consent.⁸

Those participating in the hearing may do so by personal appearance, teleconference, videoconference, or other technological means at the discretion of the Panel. Individuals present at the hearing location on the day of the hearing shall participate in person.⁹

PREPARING FOR THE HEARING

In advance of the hearing, the Panel will issue pre-hearing rulings, identifying the names of the witnesses and any additional documents required by the Panel. On the day of the hearing, the PRS will

⁵ Staff Rule 9.03 (Peer Review Services), Annex A, paragraph 31.

⁶ Staff Rule 9.03 (Peer Review Services), paragraphs 8.05.

⁷ Staff Rule 9.03 (Peer Review Services), paragraph 8.06.

⁸ Staff Rule 9.03 (Peer Review Services), Annex A, paragraph 27.

⁹ Staff Rule 9.03 (Peer Review Services), Annex A, paragraph 28.

provide each party with the final witness list, and the anticipated time that the witness will testify. In further preparation for the hearing, each party should review the Request for Review and Manager's Response and any documents submitted by the parties. The parties also may wish to review the Staff Rules pertaining to PRS and its procedures, at Staff Rule 9.03.

The parties should remember to present their position with confidence. They should prepare what they would like to tell the Panel in a way that will help the Panel understand the facts and information it needs to make a recommendation. Remember to include only the items that: (i) are relevant to the issues under review; and (ii) pertain to the circumstances that led to the decision in question, not those that may have occurred after the disputed employment matter happened. In doing so, the parties should keep in mind that the Panel members have carefully read all of the written material prior to the hearing so there is no need to repeat what is already in the record.

The parties should try to anticipate the questions the Panel may ask. Each party may wish to prepare a list of questions that he/she may want to ask the other party and the witnesses.

THE HEARING

The Panel will be responsible for the conduct of hearings. At the beginning of the hearing, the Panel Chair will make short introductory remarks welcoming the parties to the hearing and briefly describe the procedures for the day. At the conclusion of the remarks, each party will be asked to make the following Declaration of Truthfulness that is effective for the duration of the hearing: "I solemnly declare upon my honor and conscience that I will speak the truth, the whole truth, and nothing but the truth."

Following the opening remarks, the Panel may permit the parties to make a brief statement (not to exceed 5 minutes) regarding the case and to answer questions.

TESTIMONY OF WITNESSES

Following the questioning of the parties, the Panel will then call each witness separately to testify in the presence of the parties. The Panel decides which witnesses are called, and in what order they are called. Each witness will be asked to make the Declaration of Truthfulness. After the Panel concludes its questioning of the witnesses, the Panel may allow the parties to ask the witnesses relevant questions that the Panel has not already asked.

When questioning the witnesses, the parties should be respectful to each witness. If a party is asking a witness a question pertaining to a document, the party should give the witness the document for reference. The party also should inform the Panel members where to locate the document in the record (for example, "Exhibit B" to the Request for Review).

Upon the conclusion of the testimony of the witness, the witness will be excused. Witnesses are not allowed to be present in the hearing room when other witnesses are testifying. Parties should not tell a witness about the substance of prior witnesses' testimony. Parties should also not give their opinion of a witness's testimony in front of a witness.

It is possible that either party may not agree with the testimony of a witness. Rather than raising the concern during the actual testimony, each party should either: (i) wait until testimony is completed and then seek clarification from the witness; or, (ii) after the witness leaves, make their concern known to the Panel.

KEEPING QUESTIONS CLEAR AND FOCUSED ON RELEVANT ISSUES

When parties ask questions to the witnesses, they should ask short questions. Avoid compound questions. For example, ask, "Did you seek feedback from other colleagues in assessing his performance?" and "Did you notify him he would be made redundant?" *Instead of*, "Did you seek feedback from other colleagues in assessing his performance and did you notify him he would be made redundant?" Similarly, limit questions to one at a time.

Parties should avoid asking questions that require speculation; the purpose of the hearing is to find out what actually happened, not what could have happened. Avoid asking questions that rely on "hearsay;" typically, witnesses should testify only about those matters to which they have personal knowledge, not what other people told them happened.

DUTY OF COOPERATION AND TRUTHFULNESS

Any Bank official or staff member called upon by a Peer Review Panel to be a witness or to produce documents or information in connection with a matter under review is obligated to cooperate fully, except to the extent that the Bank Staff Rules or policies provide otherwise, such as in the case of medical records.¹⁰

Any individual who is a witness or otherwise provides information in the peer review process is obligated to be truthful. Intentionally providing false testimony or falsifying documents or information presented in the peer review process is a form of misconduct.¹¹

CONCLUSION OF HEARING

Once all witness testimony has been heard, the Panel may ask additional questions of the parties, and may allow the parties to ask additional questions of each other. Before adjourning the hearing, the Panel may ask each party if they have any additional remarks to add.

The hearing is then closed, the parties leave, and the Panel remains to discuss and make its recommendation on the Request for Review.

Upon the conclusion of the proceedings, the Panel shall decide whether to recommend relief for the Requesting Staff Member and/or other corrective action. The Panel shall summarize its findings and recommendations in a Report. The Secretariat shall submit the Panel's Report to the decision-maker as specified in Staff Rule 9.03, paragraph 11.01. The Panel's Report shall be submitted as soon as possible after the conclusion of deliberations and every effort will be made to do so within 21 calendar days of the deliberations.

NOTE:

The above describes what typically happens in a hearing. However, because every hearing is unique, the order of events may vary to accommodate the individual circumstances of each hearing.

¹⁰ Staff Rule 9.03 (Peer Review Services), paragraph 9.01.

¹¹ Staff Rule 9.03 (Peer Review Services), paragraph 9.02.

For PRS Office Use Only	Received	By Whom	Request No.
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Request for Review

Name:	<input type="text"/>	UPI:	<input type="text"/>
Position Title:	<input type="text"/>	Department:	<input type="text"/>
Duty Station:	<input type="text"/>	Grade Level:	<input type="text"/>

I. Disputed Employment Matter(s)

1. Identify the Disputed Employment Matter(s) you are requesting review:

2. When did you receive notice of the Disputed Employment Matter(s) and how?
 (Please attach notice of decision(s) if applicable).

3. Identify the responsible manager(s)/supervisor(s) of the Disputed Employment Matter(s):

4. Please provide a brief statement of the relevant facts leading up to the Disputed Employment Matter(s):

5. Why are you challenging the Disputed Employment Matter(s)? Please explain the basis of your Request for Review. (In other words, why do you believe the Disputed Employment Matter(s) was not consistent with your contract of employment and/or terms of appointment, including the Principles of Staff Employment and the Staff Rules):

6. What relief are you seeking? (Please explain what you would like to happen)

7. Have you tried to resolve the Disputed Employment Matter(s) with your supervisor or manager?

8. Would you be agreeable to resolve your claims through mediation?

II. Documents

1. You may attach not more than ten relevant documents in support of your claims. Please identify and number them in the order you attach them to this document and provide a brief explanation of their relevance to the Disputed Employment Matter(s).

	Description	Date	Relevance
1			
2			
3			
4			
5			
6			
7			
8			

9			
10			

2. Are there any documents not in your possession you would like management to produce in support of your claims? If so, please identify them.

	Description	Date	Relevance
1			
2			
3			
4			
5			

III. Type of Review

1. How would you like your request to be reviewed?

Written Proceeding

OR

Hearing

If you have selected a hearing, then please specify the location:

Headquarters

Country Office

If Country Office, then please specify the following:

Country Office Location:

Hearing Type:

On site at the Country Office

Video Conference with Washington

Teleconference with Washington

If you selected a Hearing, please indicate your availability to participate in a hearing within the period two to four months from the date of the submission of your Request for Review:

IV. Witnesses

If you elected to proceed on the basis of a hearing, you may suggest witnesses you wish the Peer Review Panel to interview who may have relevant information in support of your claims. Please identify them along with their contact information, and provide a brief explanation of the relevant information they could share with the Panel:

	Name and Title	Contact Information	Relevance
1			
2			
3			
4			
5			

V. Copy to Ombudsman

Please be advised that in accordance with Staff Rule 9.03, Annex A, para. 34, a copy of the final decision on the Request for Review, along with the Peer Review Panel’s Report, will be provided to the Office of the Ombudsman unless the Requesting Staff Member objects. If you object, please check the box below:

I object. Please do not forward to the Ombudsman a copy of either the final decision on my Request for Review or the Peer Review Panel’s Report.

VI. Contact Information

I prefer to receive documents and to be contacted at Work Home

If you have selected “Home”, please provide the following information:

Home Address: Home Telephone:

Personal eMail:

Requesting Staff Member’s signature: _____ Date: _____

The Requesting Staff Member is required to draft submissions in his/her own words. Attorneys may not draft submissions.

PEER REVIEW

Request for Review

INSTRUCTIONS

The Requesting Staff Member is required to draft submissions in his/her own words. Attorneys may not draft submissions.

If you require assistance, please contact the Peer Review Secretariat at (202) 473-5884 or peerreview@worldbank.org

II. Disputed Employment Matter(s). You may enter details on up to three Disputed Employment Matters. Please read the following definitions/instructions carefully:

1. A **"Disputed Employment Matter"** is a managerial decision, action, or inaction that you believe is inconsistent with your contract of employment or terms of appointment (see S.R. 9.03, para. 6.01), and that you wish to have reviewed in the peer review process. Please note that not all matters may be reviewed by the Peer Review Services. (See S.R. 9.03, para. 6.04).

2. The **date of "notice"** is the date you received written notice of the disputed employment matter or ought reasonably to have been aware that the disputed employment matter occurred. (See S.R. 9.03, para. 7.02).

3. The **"responsible manager"** is the manager with direct responsibility over the disputed employment matter. Generally, this person will also serve as the Responding Manager. (See S.R. 9.03, Annex A, para. 10).

4. Describe the **Relevant Facts** relating to the disputed employment matter. Specifically, describe in numbered paragraphs, in chronological order if feasible: (i) the relevant facts immediately leading up to the disputed employment matter; (ii) the rationale management gave for the disputed employment matter; and (iii) any facts that would tend to show that the disputed employment matter was contrary to your contract of employment or terms of appointment.

5. **Basis for the Request for Review.** To prevail in the peer review process, you must show that the disputed employment matter was not consistent with your contract of employment or terms of appointment. These include the terms in your letter of appointment and all pertinent Bank Group rules and policies, including the Principles of Staff Employment and the Staff Rules. (See Staff Rule 9.03, para. 6.01). State why you believe the disputed employment matter was not consistent with your contract of employment or terms of appointment.

6. **Requested Relief.** Describe the relief you request and explain why you believe it is appropriate.

7. **Steps Taken.** For each disputed employment matter, describe the steps you have taken to attempt to resolve it.

8. **Mediation.** The Panel or Chair of the Peer Review Services has the authority to refer cases to the Office of Mediation or any other office or individual within the Bank for informal resolution.

(See S.R. 9.03, para. 10.03). Please indicate whether you would like your case referred for informal resolution.

II. Documents. For many types of Disputed Employment Matters, there are certain documents Panels routinely wish to review. For the sake of efficiency, you are asked to produce any such document(s) in your possession with this form. Attached a list of commonly Disputed Employment Matters and the documents the Panel requests the parties to submit in connection with each.

III. Type of Review Requested. You may request review of a Disputed Employment Matter via hearing or a written proceeding. (See S.R. 9.03, paras. 10.05 and 10.06). Hearings may be held in person, telephone conference or videoconference. (See S.R. 9.03, Annex A, para. 28.).

IV. Witnesses. You may identify witnesses you wish the Panel to interview who have relevant information to support your claims.

V. Copy to Ombuds. Indicate whether you wish the Ombuds to receive a copy of the Panel's recommendation.

VI. Contact Information. To assist the Peer Review Secretariat in its efforts to preserve confidentiality and to reduce delays in the processing of your request, it is required that you maintain a current telephone number and address at which documents can be sent, at all times, during the peer review process. If you change your address while your case is pending, you must immediately notify the Peer Review Secretariat. Failure to maintain contact with this office and/or provide accurate timely contact information may lead to your request being administratively closed for failure to pursue.

DISPUTED EMPLOYMENT MATTER	KEY DOCUMENTS
A. Benefits and Compensation	
1. Failure to provide benefit	<ul style="list-style-type: none"> a. Copy of Staff Rule in existence at time of disputed employment matter b. Evidence of practice of applying Staff Rule to other staff members
B. Ending Employment	
1. Non-extension of contract	<ul style="list-style-type: none"> a. Letter of Appointment b. Any documents the Requesting Staff Member believes evidence a promise or obligation to extend the contract c. Any documents the Responding Manager believes evidence the lack of a promise or obligation to extend the contract d. Documents notifying the staff member of the termination of the contract, if any e. Documents notifying the staff member of reasons for the non-extension of contract, if any
2. Redundancy	<ul style="list-style-type: none"> a. Request for Approval of Severance Payment with redundancy rationale and signed approvals b. Notice of Redundancy c. List of vacancies opened and filled in the relevant unit within [a specified period] relative to the effective date of the redundancy
3. Poor Performance	a. See MWP/PIP , below
C. Performance Management	
1. OPE	<ul style="list-style-type: none"> a. The OPE for the year in question b. The written feedback from feedback providers (if feedback is confidential, then it will be reviewed only by the Panel)
2. SRI	a. Bell curve distribution of SRI ratings (identifying grade level; OPE ratings; and SRI—redacting confidential information)
3. MWP/PIP	<ul style="list-style-type: none"> a. PIP Memorandum b. Written feedback provided to staff member during the process c. Written assessment of performance at end of process



For PRS Office Use Only	Received	By Whom	Request No.
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Manager's Response

Name:	<input type="text"/>	UPI:	<input type="text"/>
Position Title:	<input type="text"/>	Department:	<input type="text"/>
Duty Station:	<input type="text"/>	Grade Level:	<input type="text"/>

I. Disputed Employment Matter(s)

1. Please explain what role you played in the Disputed Employment Matter(s):

2. Do you have any reason to contend that the Request for Review is not timely filed or the subject matter is outside the review of the PRS? If so, please explain the basis:

3. Please provide a brief statement of the relevant facts leading up to the Disputed Employment Matter(s):

4. Please explain the basis or rationale for the Disputed Employment Matter(s). (In other words, why do you believe the Disputed Employment Matter(s) was/were consistent with the Requesting Staff Member's terms of appointment and/or conditions of employment):

5. Have you discussed the Disputed Employment Matter with the Requesting Staff Member?

6. Would you be agreeable to resolving the Requesting Staff Member's claims through mediation?

II. Documents

1. You may attach not more than ten relevant documents in support of your position. Please identify and number them in the order you attach them to this document and provide a brief explanation of their relevance to the Disputed Employment Matter(s):

	Description	Date	Relevance
1			
2			
3			
4			
5			
6			
7			
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9			
10			

2. Are there any documents not in your possession that are important for the Panel to review? If so, please identify them:

	Description	Date	Relevance
1			
2			

3			
4			
5			

III. Availability

If the Requesting Staff Member elected to have his/her Request reviewed on the basis of a hearing, please indicate your availability to participate in a hearing within the period *one to three months* from the date of your submission of this Response:

IV. Witnesses

If the Requesting Staff Member elected to proceed on the basis of a hearing, you may suggest witnesses you wish the Peer Review Panel to interview who may have relevant information in support of your position. Please identify them along with their contact information, and provide a brief explanation of the relevant information they could share with the Panel:

	Name and Title	Contact Information	Relevance
1			
2			
3			
4			
5			

V. Contact Information

I prefer to receive documents and to be contacted at Work Home

If you have selected "Home", please provide the following information:

Home Address: Home Telephone:

Personal eMail:

Responding Manager's Signature: _____ Date: _____

The Responding Manager is required to draft submissions in his/her own words. Attorneys may not draft submissions.

PEER REVIEW

Manager's Response

INSTRUCTIONS

The Responding Manager is required to draft submissions in his/her own words. Attorneys may not draft submissions.

If you require assistance, please contact the Peer Review Secretariat at (202) 473-5884 or peerreview@worldbank.org

I. Disputed Employment Matter(s). A "Disputed Employment Matter" is a managerial decision, action, or inaction that the Requesting Staff Member believes is inconsistent with his/her contract of employment or terms of appointment (see S.R. 9.03, para. 6.01), and that he/she wishes to have reviewed in the peer review process. Please note that not all matters may be reviewed by the Peer Review Services. (See S.R. 9.03, para. 6.04).

1. Please identify what **Role** you played in the disputed employment matter(s).
2. For a Request for Review to be "**timely filed**", the Requesting Staff Member must have filed his or her request within the applicable time period. The **date of "notice"** is the date the Staff Member received written notice of the disputed employment matter or ought reasonably to have been aware that the disputed employment matter occurred. (See S.R. 9.03, para. 7.02).
3. Describe the **Relevant Facts** relating to the disputed employment matter. Specifically, describe in numbered paragraphs, in chronological order if feasible: (i) the relevant facts immediately leading up to the disputed employment matter; (ii) the rationale management gave for the disputed employment matter; and (iii) any facts that would tend to show that the disputed employment matter was consistent with the Requesting Staff Member's contract of employment or terms of appointment.
4. **Basis for the Request for Review.** Please explain why you believe that the disputed employment matter was consistent with the Requesting Staff Member's contract of employment and terms of appointment. These include the terms in the Requesting Staff Member's letter of appointment and all pertinent Bank Group rules and policies, including the Principles of Staff Employment and the Staff Rules. (See Staff Rule 9.03, para. 6.01).
5. **Steps Taken.** For each disputed employment matter, describe the steps you have taken to attempt to resolve it.
6. **Mediation.** The Panel or Chair of the Peer Review Services has the authority to refer cases to the Office of Mediation or any other office or individual within the Bank for informal resolution. (See S.R. 9.03, para. 10.03). Please indicate whether you would be agreeable to resolve this case informally.

II. Documents. For many types of Disputed Employment Matters, there are certain documents Panels routinely wish to review. For the sake of efficiency, you are asked to produce any such document(s) in your possession with this form. Attached a list of commonly Disputed Employment Matters and the documents the Panel requests the parties to submit in connection with each.

III. Availability. If the Staff Member requested a hearing, the Panel will hold a hearing within 90 calendar days of receipt of the Manager's Response. (See S.R. 9.03, paras. 10.05 and 10.06). Hearings may be held in person, telephone conference or videoconference. (See S.R. 9.03, Annex A, para. 28.).

IV. Witnesses. You may identify witnesses you wish the Panel to interview who have relevant information to support your position.

V. Contact Information. To assist the Peer Review Secretariat in its efforts to preserve confidentiality and to reduce delays in the processing of this case, it is required that you maintain a current telephone number and address at which documents can be sent, at all times, during the peer review process. If you change your address while the case is pending, you must immediately notify the Peer Review Secretariat.

DISPUTED EMPLOYMENT MATTER	KEY DOCUMENTS
A. Benefits and Compensation	
1. Failure to provide benefit	<ul style="list-style-type: none"> a. Copy of Staff Rule in existence at time of disputed employment matter b. Evidence of practice of applying Staff Rule to other staff members
B. Ending Employment	
1. Non-extension of contract	<ul style="list-style-type: none"> a. Letter of Appointment b. Any documents the Requesting Staff Member believes evidence a promise or obligation to extend the contract c. Any documents the Responding Manager believes evidence the lack of a promise or obligation to extend the contract d. Documents notifying the staff member of the termination of the contract, if any e. Documents notifying the staff member of reasons for the non-extension of contract, if any
2. Redundancy	<ul style="list-style-type: none"> a. Request for Approval of Severance Payment with redundancy rationale and signed approvals b. Notice of Redundancy c. List of vacancies opened and filled in the relevant unit within [a specified period] relative to the effective date of the redundancy
3. Poor Performance	<ul style="list-style-type: none"> a. See MWP/PIP, below
C. Performance Management	
1. OPE	<ul style="list-style-type: none"> a. The OPE for the year in question b. The written feedback from feedback providers (if feedback is confidential, then it will be reviewed only by the Panel)
2. SRI	<ul style="list-style-type: none"> a. Bell curve distribution of SRI ratings (identifying grade level; OPE ratings; and SRI—redacting confidential information)
3. MWP/PIP	<ul style="list-style-type: none"> a. PIP Memorandum b. Written feedback provided to staff member during the process c. Written assessment of performance at end of process

09 Conflict Resolution

09.03 Peer Review Services (Cases filed on or after July 1st 2009)

- [01. Subject and Applicability](#)
- [02. Peer Review Terminology](#)
- [03. The Peer Review Process, Objectives and Principles](#)
- [04. Peer Review Membership](#)
- [05. The Peer Review Secretariat](#)
- [06. Review of Disputed Employment Matters](#)
- [07. Time Limitations for Submitting Requests for Review](#)
- [08. Assistance Available to Participants in the Peer Review Process](#)
- [09. Duties of Cooperation and Truthfulness](#)
- [10. Consideration of Requests for Review](#)
- [11. Decisions on Requests for Review](#)
- [12. Confidentiality](#)
- [Annex A: Peer Review Procedures](#)
- [Annex B: Service of Peer Review Members](#)

01. Subject and Applicability

Subject

1.01 This Rule describes the purpose and operation of the World Bank Group's ("Bank") Peer Review Services. This Rule is effective as of July 1, 2009 and applies to Requests for Review submitted on or after July 1, 2009.

Applicability

1.02 The provisions of this Rule apply to all current and former staff members.

[Back To Top](#)

02. Peer Review Terminology

2.01 The terms below are used in this Rule and the Procedures at Annex A:

- a. **Disputed Employment Matter.** A managerial action, inaction, or decision that is the subject of a staff member's Request for Review and that is reviewable under paragraph 6.01 below.
- b. **Request for Review.** The document a staff member must submit to request peer review of a disputed employment matter.
- c. **Requesting Staff Member.** A staff member who has filed a Request for Review.
- d. **Responding Manager.** The manager designated to respond to a Request for Review.

03. The Peer Review Process, Objectives and Principles

3.01 Process. Peer review is a service offered by the Bank to facilitate the resolution of staff members' employment-related concerns. During the peer review process, a staff member and his or her manager present evidence regarding a disputed employment matter to a panel of peers. The panel reviews the evidence and considers whether the manager's actions were consistent with the staff member's contract of employment and terms of appointment, including the pertinent Bank rules and policies. The panel may recommend that the Bank award relief to the staff member and/or take other corrective measures. A panel's recommendations generally are submitted to the Requesting Staff Member's and Responding Manager's Vice President, who renders a decision in consultation with the Vice President, Human Resources or, in IFC cases, with the Vice President, Human Resources and Administration, IFC.

3.02 Objectives. The objectives of the peer review process are to provide staff with a means to obtain review of disputed employment matters by their peers; to reach just, fair, and efficient resolution of such matters; and to ensure managers' accountability for their actions affecting staff.

3.03 Principles. The peer review process is part of the Bank's efforts to create a conflict competent workplace, providing a structure and support to staff members who wish to obtain review of disputed employment matters. Peer review is a participatory process designed to increase mutual respect, trust, and communication between staff and management.

[Back To Top](#)

04. Peer Review Membership

4.01 Peer Review Members. The Bank's Peer Review Services shall be provided by Peer Review Members, who are volunteer staff members appointed by a Managing Director based on the joint recommendations of the Vice President, Human Resources and the World Bank Group Staff Association, according to the process described in Annex B to this Rule. The Vice President, Human Resources shall consult with the Vice President, Human Resources and Administration, IFC prior to making recommendations regarding IFC staff members. Each Peer Review Member shall hold a three-year term, renewable once for a second three-year term. There shall be 60 or more Peer Review Members.

4.02 Peer Review Chair. A Chair of the Peer Review Services shall also be appointed by a Managing Director based on a joint recommendation from the Vice President, Human Resources and the World Bank Group Staff Association. The Peer Review Chair shall serve on a volunteer basis for a three-year term, renewable once for a second three-year term. The Peer Review Chair is responsible for advising the Peer Review Secretariat on matters relating to the operation of Peer Review Services and for representing Peer Review Services in various Bank forums. In addition, the Peer Review Chair is vested with the authority to decide certain matters relating to cases, as specified within this Rule. The Peer Review Chair is also considered a Peer Review Member and may participate in the review of cases.

4.03 Peer Review Panels. The Peer Review Secretariat shall designate a Panel consisting of three Peer Review Members to review each Request for Review. Each Panel will include Peer Review Members at both the managerial and non-managerial level. Where feasible, each Panel will include at least one Peer Review Member who is either at the same grade level as, or shares similar work experience with, the Requesting Staff Member, and at least one Peer Review Member from the same Bank Group institution as the Requesting Staff Member and the Responding Manager. All Peer Review Members must complete the training course offered by the Peer Review Secretariat prior to serving on a Panel.

[Back To Top](#)

05. The Peer Review Secretariat

5.01 The Peer Review Secretariat shall consist of an Executive Secretary and other staff members reporting to him or her.

5.02 The President shall appoint the Executive Secretary, after consultation with representative members of the staff selected by the World Bank Group Staff Association. The Executive Secretary will report directly to the Office

of the President. He or she will be appointed to serve for a period of five years with the possibility of one five-year renewal.

5.03 The Peer Review Secretariat is responsible for providing administrative support to the Peer Review Members in a neutral and impartial manner. The Secretariat also serves as an information resource regarding the peer review process.

[Back To Top](#)

06. Review of Disputed Employment Matters

Matters Subject To Review

6.01 Except as set forth in paragraph 6.04 below, a Panel may review any Request for Review in which a Requesting Staff Member alleges that a managerial action, inaction, or decision was not consistent with his or her contract of employment or terms of appointment. The phrases "contract of employment" and "terms of appointment" include the terms in a staff member's letter of appointment and all pertinent rules and policies, including the Principles of Staff Employment and the Staff Rules in effect at the time of the alleged action, inaction, or decision.

6.02 A staff member seeking a review of a disputed employment matter is required to submit the matter first to the Peer Review Services prior to appealing to the World Bank Administrative Tribunal, unless the matter comes under one of the exceptions listed in paragraphs 6.03 or 6.04 below.

6.03 A staff member seeking review of a decision to terminate his or her employment may elect to bypass the peer review process and file an application concerning the matter directly with the World Bank Administrative Tribunal pursuant to [Staff Rule 9.05](#).

6.04 Panels may not review Requests for Review concerning:

- a. decisions made by the Outside Interests Committee;
- b. decisions of the Benefits Administrator, the Finance Administrator, or the Pension Benefits Administration Committee of the World Bank Group Staff Retirement Plan;
- c. decisions about claims for workers' compensation benefits, disability insurance benefits or health insurance benefits provided to enrolled staff and dependents by the Medical Insurance Plan or the Medical Benefits Plan;
- d. actions, inactions, or decisions taken in connection with staff member misconduct investigations conducted under [Staff Rule 3.00](#), [Staff Rule 8.01](#), or [Staff Rule 8.02](#), including decisions not to investigate allegations, decisions to place a staff member on administrative leave, alleged procedural violations, factual findings, performance management actions taken pursuant to [Staff Rule 3.00](#), and the imposition of disciplinary measures;
- e. a challenge to the enforceability of a settlement agreement or memorandum of understanding between the Bank and a staff member;
- f. any decision where the Request for Review is in violation of Section 7 of this Rule; and
- g. any other type of decisions for which specialized appeal procedures may be established or in relation to which it is specifically provided that peer review is not available.

6.05 **Analysis of Disputed Employment Matters.** In reviewing a case, a Panel shall consider whether the disputed employment matter was consistent with the Requesting Staff Member's contract of employment or terms of appointment, as defined above in paragraph 6.01.

[Back To Top](#)

07. Time Limitations for Submitting Requests for Review

7.01 A staff member who wishes to request peer review must submit a Request for Review with the Peer Review Secretariat within 120 calendar days of receiving notice of the disputed employment matter. In cases of challenges to redundancy decisions, the staff member must submit the Request for Review no later than 120 days after the staff member's *termination* date from the Bank Group (as opposed to 120 days from receipt of *notice* of the

redundancy and termination).

7.02 A staff member receives "notice" of a disputed employment matter when he or she receives written notice or ought reasonably to have been aware that the disputed employment matter occurred.

7.03 If a staff member requests mediation of the disputed employment matter with the Office of Mediation Services prior to the expiration of the 120-day deadline for submitting a Request for Review, then following the termination of an unsuccessful mediation, the staff member has the greater of 30 calendar days or the remainder of the 120 calendar-day period to submit a Request for Review.

7.04 An Ombudsman may, on behalf of the staff member and within the 120-day deadline for submitting a Request for Review, request and receive from the Peer Review Chair an extension of the submission deadline for a reasonable and specific period of time to facilitate informal resolution of a disputed employment matter.

[Back To Top](#)

08. Assistance Available to Participants in the Peer Review Process

8.01 The Peer Review Secretariat provides assistance to the parties regarding the peer review process. In keeping with its neutral and impartial character, the Peer Review Secretariat may not provide advice to parties concerning the substance or merits of their cases.

8.02 The Bank has provided the World Bank Group Staff Association with funds for an attorney to be available to advise Requesting Staff Members in connection with the peer review process. The Staff Association also maintains a roster of Peer Review Counselors to provide advice and assistance in relation to the peer review process.

8.03 Responding Managers may receive advice from the Bank's Legal Vice Presidency.

8.04 Attorneys advising Requesting Staff Members or Responding Managers may provide information regarding the peer review process and give advice regarding the matters at issue. The Requesting Staff Member and Responding Manager are required to draft submissions in their own words. Attorneys may not draft submissions, and attorneys will not be permitted in the hearings.

8.05 At hearings, the Requesting Staff Member and Responding Manager may each be accompanied by an adviser who is a current or former staff member. An adviser may not be a witness in the matter and may not be engaged in the practice of law. An adviser must also agree to be bound by the rules of confidentiality governing the proceedings. The Requesting Staff Member and Responding Manager are encouraged to present their own cases, and advisers may play a speaking role at the hearing only with the consent of the Panel.

8.06 Members of the Legal Departments of the Bank, IFC, or MIGA may not represent, advise, or otherwise assist Requesting Staff Members in preparing or presenting their cases in the peer review process.

[Back To Top](#)

09. Duties of Cooperation and Truthfulness

9.01 Any Bank official or staff member called upon by a Peer Review Panel to be a witness or to produce documents or information in connection with a matter under review is obligated to cooperate fully, except to the extent that the Bank Staff Rules or policies provide otherwise, such as in the case of medical records.

9.02 Any individual who is a witness or otherwise provides information in the peer review process is obligated to be truthful. Intentionally providing false testimony or falsifying documents or information presented in the peer review process is a form of misconduct.

[Back To Top](#)

10. Consideration of Requests for Review

Peer Review Procedures

10.01 The procedures governing the peer review process are contained in Annex A to this Rule.

Powers of the Peer Review Chair and Panels

10.02 Prior to the designation of a Panel, the Peer Review Chair may exercise the powers set out in paragraphs 10.03 a.-f., below.

10.03 At any stage in a proceeding, a Panel may:

- a. Refer a matter to the Office of Mediation Services, the Ombuds Services Office, the Office of Ethics and Business Conduct, or any other office or individual within the Bank for review or to encourage informal resolution of a disputed employment matter;
- b. Dismiss a Request for Review, or one or more of the claims made therein, when circumstances warrant, including when:
 - (i) The Request for Review was not timely submitted pursuant to Staff Rule 9.03, section 7;
 - (ii) The disputed employment matter falls outside the scope of Peer Review Services described in Staff Rule 9.03, section 6;
 - (iii) The disputed employment matter has already been challenged in the peer review process or before the World Bank Administrative Tribunal;
 - (iv) The Secretariat is unable to contact the Requesting Staff Member after reasonable efforts to do so; or
 - (v) The Request for Review represents an abuse of the peer review process.
- c. Reject a submission that is not permitted under, or is not in conformity with, this Rule or Annex A to this Rule;
- d. Make an interim recommendation regarding resolution of a case;
- e. Suspend the review of a Request for Review for a reasonable period of time as warranted under the circumstances;
- f. Consolidate for review one or more Requests for Review filed by the same staff member;
- g. Decide upon the parties' document and witness requests;
- h. Request any individual, including those involved in the matter under review, to produce documents or information relevant to the disputed employment matter within a specified period of time. A Panel may not obtain: (i) medical records without the express consent of the individual concerned; (ii) documents covered by the attorney-client privilege; or (iii) records of an ongoing investigation until the completion of all formal proceedings. In addition, the Staff Rules protect certain offices, such as the Ombuds Services Office, from being required to disclose information. A Panel may request individuals who are not Bank staff members to produce documents or information but cannot compel them to do so.
- i. Request any individual to appear as a witness at a hearing. A Panel may request individuals who are not Bank staff members to appear as a witness but cannot compel them to do so. In addition, the Staff Rules protect individuals from certain offices, such as the Ombuds Services Office, from being required to be a witness in such proceedings.
- j. Make findings of fact and reach conclusions with respect to disputed employment matters; and
- k. Recommend to management that the Bank award relief to the Requesting Staff Member and/or take other corrective measures as appropriate.

Duty of Impartiality

10.04 The Peer Review Chair, Peer Review Members, and the Peer Review Secretariat shall, in the exercise of their duties, act impartially.

Methods of Review

10.05 The peer review process shall generally include a hearing (in person, by videoconference, or by teleconference).

10.06 The Panel may issue a recommendation based on the written submissions without a hearing when: (i) the Requesting Staff Member so requests; (ii) it appears based upon review of the written submissions that there are no genuine issues of material fact; (iii) the Requesting Staff Member has failed to make himself or herself available for a hearing within 90 days after the Responding Manager submits his or her Response; or (iv) the Panel determines that it is not feasible to conduct a hearing.

The Report

10.07 The Panel shall prepare a Report summarizing its findings and the corrective measures and other relief, if any, recommended by the Panel. The Panel may also include in its Report observations and recommendations regarding areas for potential improvement in Bank practices and procedures that came to light through its review of a matter. The Peer Review Secretariat shall submit the Panel's Report to the decision-maker, as described in paragraph 11.01 below.

[Back To Top](#)

11. Decisions on Requests for Review

11.01 The Requesting Staff Member's and Responding Manager's Vice President shall, in consultation with the Vice President, Human Resources, decide whether to present to the Requesting Staff Member some or all of the corrective measures and relief recommended by the Panel to resolve the case. For Requests for Review submitted by an IFC staff member, the decision shall be made in consultation with the Vice President, Human Resources and Administration, IFC. In any case where a Vice President referenced in this paragraph was the Responding Manager or has a conflict of interest affecting his or her ability to decide a case, or the Responding Manager does not report directly or indirectly to a Vice President, then the President or a Managing Director shall designate an appropriate, alternative decision-maker at the level of Vice President or above.

11.02 If a decision on the Panel's recommendations is not provided to the Requesting Staff Member within 30 calendar days of receipt by the designated decision-maker of the Panel's Report, then the Panel's recommendations will be deemed final and the Requesting Staff Member will be so informed.

11.03 If a decision-maker and the Requesting Staff Member agree on resolution of the case, the Bank shall promptly provide to him or her the agreed corrective measures and relief.

[Back To Top](#)

12. Confidentiality

12.01 Peer Review Members, the Peer Review Secretariat, the parties, their advisers, and individuals asked to participate in the peer review process by providing advice or testimony or by producing documents or information shall treat all information obtained in connection with the peer review process in a confidential manner. "Confidential" means that such information may not be disclosed except to persons who require access to it for legitimate business purposes of the Bank Group.

[Back To Top](#)

Annex A: Peer Review Procedures

GENERAL PROVISIONS

- A. Application of Procedures
- B. Submissions and Transmittal of Documents
- C. Extensions of Time
- D. Suspension of Proceedings

INITIAL PROCEEDINGS

- E. Submitting a Request for Review
- F. Initial Review of a Request for Review
- G. Responding to a Request for Review

THE PANEL

- H. Panel Designation
- I. Voting Quorum

REVIEW OF THE MERITS

- J. Written Proceedings
- K. Pre-Hearing Matters
- L. Hearings
- M. The Panel's Report

DECISIONS

- N. Decisions on Requests for Review

GENERAL PROVISIONS

A. Application of Procedures

1. These procedures govern the World Bank Group ("the Bank") peer review process pursuant to Staff Rule 9.03 (Peer Review Services) and apply to cases submitted to the Peer Review Secretariat on or after July 1, 2009.

B. Submission and Transmittal of Documents

2. All documents intended for consideration in the peer review process shall be submitted to the Peer Review Secretariat ("Secretariat") and shall conform to the requirements contained in Staff Rule 9.03 and this Annex (collectively, the "Rule"). All forms referenced in this Annex are available from the Peer Review Services website or from the Peer Review Secretariat. Requesting Staff Members and Responding Managers may not submit any documents unless expressly permitted to do so under this Rule or requested by the Peer Review Chair or a Panel to do so.
3. Staff members who submit hard copies of documents to the Secretariat shall provide the original plus five copies of the document. Staff members whose official duty station is outside of Washington, D.C. are exempted from this requirement and are permitted to submit the original document with no copies.
4. The Secretariat is responsible for: (i) transmitting copies of the submissions it receives from a party to the other party and to the Peer Review Chair or Panel, as appropriate; (ii) recording the dates upon which it receives and transmits such submissions; (iii) transmitting the requests and rulings of the Peer Review Chair and Panel to parties; and (iv) notifying a party when a response on his or her part is permitted or required, and if so, when such a response is due.

C. Extensions of Time

5. Except as provided under Staff Rule 9.03, section 7, no extensions of time will be granted for submitting Requests for Review or Responses. The Peer Review Chair may, upon written request of a party, grant an extension of time of up to seven calendar days for any other deadline for submissions to the Panel.

D. Suspension of Proceedings

6. The Peer Review Chair or a Panel may at any time, independently or upon the written request of either party, temporarily suspend the proceedings for a reasonable period of time to allow for efforts at informal resolution or for other good cause.

INITIAL PROCEEDINGS

E. Submitting a Request for Review

7. A Requesting Staff Member may request review of a disputed employment matter by completing a Request for Review Form and submitting it, along with its attachments, to the Peer Review Secretariat within the deadlines set out in Staff Rule 9.03, section 7. **Both the Request for Review Form and associated attachments must be received by the Peer Review Secretariat on or before the deadline to be considered timely. They may be submitted as follows:**
 - electronically at peerreview@worldbank.org;
 - in person at Room MC13-210;
 - by mail to Room MSN-MC13-1312; or
 - by fax at (202) 477-1259.
8. To complete the Request for Review Form, the Requesting Staff Member must: (i) describe the disputed employment matter; (ii) state when he or she received notice of the disputed employment matter; (iii) identify the manager responsible for the disputed employment matter; (iv) provide the relevant facts; (v) explain the basis upon which he or she believes the disputed employment matter was inconsistent with his or her terms of appointment and/or conditions of employment; (vi) list and attach not more than 10 supporting documents not exceeding 50 pages in length and identify any other documents he or she requests the Panel to consider; (vii) list persons that he or she would suggest the Panel call as witnesses at the hearing; (viii) describe the relief he or she is requesting; and (ix) sign the Request for Review Form.

F. Initial Review of a Request for Review

9. After the Secretariat's receipt of a Request for Review, the Chair or a Panel may: (i) dismiss the Request for Review, in whole or in part, as untimely under Staff Rule 9.03, section 7; (ii) dismiss the Request for Review, in whole or in part, because it raises an issue outside the permitted scope of Peer Review under Staff Rule 9.03, section 6; (iii) refer the case to another office or individual within the Bank for informal resolution or review, pursuant to Staff Rule 9.03, paragraph 10.02 or 10.03; or (iv) take other action to facilitate the fair and efficient resolution of the case, consistent with the provisions of Staff Rule 9.03, paragraph 10.02 or 10.03. Alternatively, the Secretariat may forward the Request for Review to management for a response.
10. When the Secretariat forwards a Request for Review to management for a response, the Responding Manager will be the manager with direct responsibility over the disputed employment matter, even if he or she was not present when it occurred.

G. Responding to the Request for Review

11. Within 45 calendar days of receiving a Request for Review from the Secretariat, the Responding Manager shall submit a Response Form to the Secretariat. In doing so, the Responding Manager must: (i) provide the relevant facts; (ii) explain the basis upon which he or she believes the disputed employment matter was consistent with the Requesting Staff Member's terms of appointment and/or conditions of employment; (iii) list and attach not more than 10 supporting documents not exceeding 50 pages in length and identify any other documents he or she requests the Panel to consider; (iv) list persons that he or she would suggest the Panel call as witnesses at the hearing; and (v) sign the Response Form. If the Responding Manager fails to submit a Response to the Request for Review within 45 calendar days, then the Request for Review will proceed to the next stage of the peer review process.

THE PANEL

H. Panel Designation

12. Whenever a Request for Review is submitted, the Peer Review Secretariat shall, no later than 10 calendar days after receiving the Responding Manager's Response, designate a Panel to review the case. The Panel shall consist of three Peer Review Members. In designating the Panel, the Secretariat shall pay due regard to: (i) the criteria set out in Staff Rule 9.03, paragraph 4.03; (ii) the Peer Review Members' impartiality, as discussed in paragraph 13 below; and (iii) the Peer Review Members' availability to participate in the timely review of the case, including attending a hearing.
13. Before assigning a Peer Review Member to review a case, the Secretariat shall consult with the Peer Review Member to determine whether he or she is in a position to review the case impartially. A Peer Review Member shall recuse himself or herself from participating in the review of any case

if: (i) it involves a matter with which he or she has dealt administratively; (ii) it involves a staff member with whom he or she has or has had a close personal or professional association; or (iii) for any reason the Peer Review Member believes he or she cannot be impartial in reviewing the case.

14. The Secretariat shall promptly notify the parties of the Peer Review Members designated to serve on the Panel in their case and of the parties' right to object to any designated Panel Member's impartiality. The parties shall have 7 calendar days from receipt of such notice to object in writing to the impartiality of a designated Panel Member.
15. The Peer Review Chair shall determine whether a challenge to a Panel Member's impartiality is justified. If the Peer Review Chair finds the challenge to be justified, the Peer Review Secretariat shall designate a new Panel Member to replace the challenged Panel Member.
16. If at any time a designated Panel Member becomes unavailable or ineligible to continue serving on a case, the Secretariat shall follow the procedures set forth above to designate a new Panel Member.

I. Voting Quorum

17. For hearings and meetings to decide based on the written submissions of the parties, all three Panel Members shall attend (either by being physically present or by videoconference, teleconference, or other technological means), participate in the deliberations, and decide by majority vote questions relating to the merits of the case and the Panel's recommendations relating to its final disposition.
18. For any other act or thing required or permitted to be done by a Panel, only the concurrence of two Panel members is required.

REVIEW OF THE MERITS

J. Written Proceedings

19. Although Panels will ordinarily hold a hearing for every Request for Review submitted, a case may be reviewed based only on the written submissions under the conditions set forth in Staff Rule 9.03, paragraph 10.06. This is known as a "Written Proceeding."
20. A Requesting Staff Member may elect at the time he or she submits a Request for Review not to have a hearing. After the Secretariat receives the Responding Manager's Response, the Requesting Staff Member may change his or her election only with the agreement of the Responding Manager and the Panel.
21. Cases reviewed on the written submissions alone shall proceed as follows:
 - a. After the Responding Manager has submitted his or her Response, the Panel shall resolve any outstanding issues relating to the documents that the Panel needs to review the case.
 - b. Once the Panel has all the documents that it needs to review the case, the Secretariat shall notify the Requesting Staff Member that he or she has 14 calendar days to file a Reply Form. In the Reply, the Requesting Staff Member may only address evidence and arguments presented in the Response, and may not raise new issues.
 - c. The Responding Manager shall have 14 calendar days from receipt of the Reply to file a Final Response Form. In the Final Response, the Responding Manager may only address evidence and arguments presented in the Reply, and may not raise new issues.
 - d. Within 30 calendar days of receiving the Final Response, the Panel will meet to review the case based on the written submissions. Attendance at the meeting shall be limited to the Panel and Secretariat staff. No party or witness shall be allowed to appear or give evidence at the meeting.

K. Pre-Hearing Matters

22. In cases that will include a hearing, the Panel, or if a Panel has not been designated, then the Peer

Review Chair, ordinarily will take the following steps after receipt of the Response to facilitate its review of the case:

- a. Resolve any questions regarding the timeliness of the Request for Review under Staff Rule 9.03, section 7, and the Peer Review Panel's authority to review the Request under Staff Rule 9.03, section 6;
 - b. Consider whether the case should be referred to another office or individual in the Bank for informal resolution or review, as permitted under Staff Rule 9.03, paragraph 10.03(a);
 - c. Resolve any outstanding document and witness issues, including whether to obtain any additional documents or to request additional witnesses as suggested by the parties or as otherwise needed by the Panel;
 - d. Hold a scheduling conference with the parties to discuss the hearing date and location;
 - e. Select a hearing date that is within 90 calendar days of the date the Response was submitted or as soon thereafter as possible; and
 - f. Select a hearing location, taking into consideration such factors as: (i) the location of the parties, witnesses, and Panel; (ii) the wishes of the parties; (iii) fairness to the parties; (iv) available technology; (v) administrative burden; and (vi) cost.
23. The Secretariat shall notify the parties, the witnesses, and the responsible Country Director or Country Office Manager (when the hearing will be held at or in coordination with a country office) in writing of the hearing date and location. Once such notice is issued, the hearing date cannot be changed, absent exceptional circumstances as determined by the Panel.
 24. In cases where the hearing will not be held at the Requesting Staff Member's duty station (or his or her last duty station in the case of a former staff member), the Requesting Staff Member may submit a Request for Travel Expenses within 7 calendar days of receiving written notice of the hearing date and location. The Panel may recommend that the Requesting Staff Member's travel expenses be reimbursed in whole or in part if it believes that the Requesting Staff Member's personal presence at the hearing is necessary to avoid prejudice.
 25. If the Panel supports the Request for Travel Expenses, in whole or in part, the Secretariat shall submit the Panel's recommendation to the decision-maker identified in Staff Rule 9.03, paragraph 11.01 for decision. The authorized class of travel is economy class at excursion fares where available. All travel arrangements must be approved by the Peer Review Secretariat. No more than 4 days of per diem and hotel expenses will be approved.

L. Hearings

26. The Panel will be responsible for the conduct of hearings and will decide which witnesses are called, in what order they are called, and who questions the witnesses.
27. Attendance at hearings shall be limited to the following individuals: (i) the Panel; (ii) the Secretariat staff; (iii) the Requesting Staff Member; (iv) the Responding Manager; (v) the parties' advisers pursuant to Staff Rule 9.03, section 8; (vi) approved witnesses, who may only be present in the hearing while testifying; and (vii) an observer, such as a Peer Review Counselor in training, if both parties consent.
28. Those participating in the hearing may do so by personal appearance, teleconference, videoconference, or other technological means at the discretion of the Panel. Individuals present at the hearing location on the day of the hearing shall participate in person.
29. At the hearing, the Panel may permit the parties to make a brief statement; to answer questions; and to question witnesses.
30. The parties and all witnesses who testify at the hearing shall, before giving testimony, make the following declaration: "I solemnly declare upon my honor and conscience that I will speak the truth, the whole truth, and nothing but the truth."
31. Hearings shall be recorded. The Panel designated to hear the case, the parties, and the Secretariat may listen to the recording. Hearing transcripts will not be provided to the parties.

M. The Panel's Report

32. Upon the conclusion of the proceedings, the Panel shall decide whether to recommend relief for the Requesting Staff Member and/or other corrective action. The Panel shall summarize its findings and recommendations in a Report.
33. The Secretariat shall submit the Panel's Report to the decision-maker as specified in Staff Rule 9.03, paragraph 11.01. The Panel's Report shall be submitted as soon as possible after the conclusion of deliberations and every effort will be made to do so within 21 calendar days of the deliberations.

DECISIONS

N. Decisions on Requests for Review

34. A decision whether to present the Panel's recommendation to the Requesting Staff Member shall be made according to the provisions of Staff Rule 9.03, section 11. If the decision-maker would find it helpful to meet with the Panel to discuss the rationale for the Panel's recommendations, such a meeting may be held. Once the decision-maker reaches a decision, he or she shall provide written notice of the decision, along with a copy of the Panel's Report to: the parties; the Peer Review Executive Secretary; and, if the staff member has not objected, the Ombuds Services Office. Any individuals or offices who need to be notified of a case's resolution in order to implement it may be notified.

[Back To Top](#)

Annex B: Service of Peer Review Members

Selection of Members

1. Pursuant to Staff Rule 9.03, section 4, Peer Review Members shall be appointed periodically, as the need for the service of additional members arises.
2. Staff holding term and open-ended appointments with at least two years of service within the Bank Group as of the time of their nomination are eligible to serve.
3. The selection process for Peer Review Members shall begin with an open call from the Managing Director serving as Chair of the Council for Internal Justice for nominations and volunteers.
4. Nominated candidates will be asked to complete an application providing background information about themselves. Candidates will be vetted by the Human Resources Vice Presidency and the World Bank Group Staff Association ("Staff Association"). Due consideration will be given in the selection process to maintaining a roster of Peer Review Members that broadly represents Bank Group staff. For example, Peer Review Members will need to come from a wide array of positions, including those at managerial and non-managerial levels, from headquarters and from country offices, and from within the different Bank Group organizations. Additional criteria for the selection of Peer Review Members may be identified in the call for nominations.
5. Appointments of the Peer Review Members shall be made by the Managing Director serving as Chair of the Council for Internal Justice based upon joint recommendations from the Vice President, Human Resources, and the Staff Association.
6. Peer Review Members will hold three-year terms, subject to renewal for one additional term of three years as set forth in Staff Rule 9.03, paragraph 4.01. Decisions to reappoint shall be made by the Managing Director serving as Chair of the Council on Internal Justice based upon joint recommendations from the Vice President, Human Resources, and the Staff Association.
7. Individuals serving as members of the Appeals Committee as of July 1, 2009 will automatically become Peer Review Members and may serve out the remainder of their terms, with the option for reappointment as provided in Staff Rule 9.03, paragraph 4.01.



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