

# **UNDT/2010/146, Beaudry**

## UNAT Held or UNDT Pronouncements

Compensation: The elements of Applicant's compensation were: applicable salary, plus post adjustment, less staff assessment, less pension contribution made by Applicant, less amounts paid to Applicant on separation, less mitigation damages earned by Applicant, plus accrued vacation, plus personal distress award of USD4,000, plus e-PAS violation of USD6,000. Pension: Since, based on the facts from Beaudry UNDT/2010/039, it was unlikely that the Applicant would have had her contract renewed until her retirement, the Applicant would not have qualified for any retirement benefits, including pension, and were not entitled to compensation for pension benefits, pursuant to art. 28 of the Regulations, Rules and Pension Adjustment System of UNJSPF. Outcome: Under art. 10.5 of the Statute, the respondent is ordered to pay the Applicant USD112,082.

## Decision Contested or Judgment/Order Appealed

Non-renewal of fixed-term contract

## Legal Principle(s)

N/A

## Outcome

Judgment entered for Applicant in full or in part

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Beaudry

## Entity

MINUSTAH

## Case Number(s)

UNDT/NY/2009/061/JAB

## Tribunal

UNDT

## Registry

New York

## Date of Judgement

18 Aug 2010

## Duty Judge

Judge Kaman

## Language of Judgment

English

French

## Issuance Type

Judgment

## Categories/Subcategories

Benefits and entitlements

Pension (see also, UNJSPF)

Compensation

Non-renewal

United Nations Joint Staff Pension Fund (UNJSPF)

## Applicable Law

Administrative Instructions

- ST/AI/2002/3

UNDT Statute

- Article 10.5

## Related Judgments and Orders

UNDT/2010/039