

# UNDT/2010/149, Jemiai

## UNAT Held or UNDT Pronouncements

The Tribunal found that there was no breach of former staff rule 109.3(a) or 109.3(c) and the applicant's due process rights were respected. Outcome: Application dismissed.

## Decision Contested or Judgment/Order Appealed

The applicant contests the decision not to pay her three months' salary in lieu of notice at the termination of her permanent appointment in addition to the amount already agreed with the respondent in a Memorandum of Understanding.

## Legal Principle(s)

An agreed termination on terms negotiated free from any duress or misrepresentation is an essential feature of good employment relations and should be given effect and honoured by the contracting parties.

## Outcome

Dismissed on merits

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Jemiai

## Entity

UN Secretariat

## Case Number(s)

UNDT/NY/2010/033/UNAT/1677

## Tribunal

UNDT

## Registry

New York

## Date of Judgement

20 Aug 2010

## Duty Judge

Judge Meeran

## Language of Judgment

English

French

## Issuance Type

Judgment

## Categories/Subcategories

TEST -Rename- Benefits and entitlements-45

Compensation

In-lieu compensation

Due process

Termination (of appointment)

Agreed termination

## Applicable Law

### Former Staff Rules

- Rule 109.3