

UNDT/2011/018, Bridgeman

UNAT Held or UNDT Pronouncements

The Applicant's due process rights were violated when his computer hard drive was seized in violation of sec. 8.5(a) of ST/STGB/2004/15. However, by giving him notice and inviting him to be present when the ICT data were being accessed the Administration accorded him his due process rights in accordance with sec. 8.5(b)(i) of ST/STGB/2004/15; The JAB's review of his case was unconscionably delayed and procedurally flawed. The Respondent bears responsibility for this; The JDC process was proper and fair. The consideration by the investigation panel and the Report of the JDC were soundly based on the available evidence, and the recommendation as to appropriate sanction was not disproportionate; The disciplinary sanction imposed on the Applicant was disproportionate. The Tribunal rescinds the decision to impose a loss of two steps in grade and a two year deferment of within grade salary increments.

Decision Contested or Judgment/Order Appealed

The Applicant contested the imposition of a disciplinary measure.

Legal Principle(s)

N/A

Outcome

Judgment entered for Applicant in full or in part

Full judgment

[Full judgment](#)

Applicants/Appellants

Bridgeman

Entity

DPKO

Case Number(s)

UNDT/NY/2010/052/AT/1660

Tribunal

UNDT

Registry

New York

Date of Judgement

25 Jan 2011

Duty Judge

Judge Meeran

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Disciplinary matters / misconduct

Misuse of or failure to exercise reasonable care in relation to UN property or assets

Sexual harassment
Investigation

Applicable Law

Secretary-General's bulletins

- ST/SGB/2004/15
- ST/SGB/2009/11

Staff Regulations

- Regulation 1.2

Related Judgments and Orders

2010-UNAT-095