

# UNDT/2012/111, Applicant

## UNAT Held or UNDT Pronouncements

Compensation: For an administrative decision to give rise to compensation, the Tribunal must first determine that such decision is unlawful. Right to work: Staff members not only have a duty but also a right to do the work for which they have been recruited.

## Decision Contested or Judgment/Order Appealed

The Applicant, an OSLA staff member, appealed the decision to remove her from her duties as counsel. As regards the Applicant's request for rescission of the contested decision, the Tribunal found that it was moot as the decision had been reversed by the Administration. As regards the Applicant's request for compensation, the Tribunal found that the contested decision was unlawful and awarded her a lump sum of CHF 9,000 for moral prejudice.

## Legal Principle(s)

N/A

## Outcome

Judgment entered for Applicant in full or in part

Outcome Extra Text

Only financial compensation

Full judgment

[Full judgment](#)

Applicants/Appellants

Applicant

Entity

OAJ

Case Number(s)

UNDT/GVA/2012/15

Tribunal

UNDT

Registry

Geneva

Date of Judgement

19 Jul 2012

Duty Judge

Judge Cousin

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Compensation

Applicable Law  
Staff Regulations  
Staff Rules  
Related Judgments and Orders  
UNDT/2011/213