

UNDT/2013/027, Cateaux

UNAT Held or UNDT Pronouncements

Harassment: The Tribunal held that the Applicant's actions in sending caustic emails and nude photographs of Ms. M, a MONUC staff member he had dated, to other United Nations staff members at their official United Nations email addresses and to their private email addresses constituted harassment within the meaning of ST/SGB/2008/5 in that the emails sought to belittle, humiliate and embarrass Ms. M and to compromise her reputation in a professional context. Proportionality of the sanction: The Tribunal held that the sanction was proportionate due to the fact that the Applicant's conduct on the whole was aimed at demeaning another staff member and that given that he held managerial and supervisory responsibilities the misconduct was even more serious.

Decision Contested or Judgment/Order Appealed

The Applicant is challenging the administrative decision of the Under-Secretary-General of the Department of Management (USG/DM) to separate him from service with compensation in lieu of notice and without termination indemnities due to misconduct.

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Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Cateaux

Entity

MONUSCO

Case Number(s)

UNDT/NBI/2010/066

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

21 Feb 2013

Duty Judge

Judge Boolell

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Compensation

Disciplinary matters / misconduct

Disciplinary measure or sanction

Applicable Law

Administrative Instructions

- ST/AI/371

Provisional Staff Regulations and Rules

- Rule 10.1(c)

Secretary-General's bulletins

- ST/SGB/2002/13
- ST/SGB/2004/15
- ST/SGB/2008/5
- ST/SGB/2009/7

UNDT RoP

- Article 16
- Article 17

Related Judgments and Orders

UNDT/2010/024

UNDT/2011/218

UNDT/2012/034

2010-UNAT-087