

2010-UNAT-097, Dumornay

UNAT Held or UNDT Pronouncements

UNAT preliminarily rejected the Appellant's request to present additional evidence. On the merits, UNAT held that the Appellant did not demonstrate that UNDT made any errors in finding that the Administration met its obligations to the Appellant as a permanent staff member under the applicable Staff Rules and administrative issuances. UNAT noted that the Appellant was given a three-month temporary appointment after her post was abolished and reasonable efforts were made by the Administration to try to find her a suitable post. UNAT held that there was no evidence to support the allegations of discrimination or any other improper purpose as the motivation behind the abolishment of her post and the creation of a new post as part of the reOrganisation of the office. UNAT held that there were no grounds to rescind the administrative decision to terminate her permanent appointment or award her any compensation. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision to terminate her permanent appointment. UNDT dismissed the application.

Legal Principle(s)

Left deliberately blank.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Dumornay

Entity

UNICEF

Case Number(s)

2010-122

Tribunal

UNAT

Registry

New York

Date of Judgement

29 Oct 2010

President Judge

Judge Simón

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Abolition of post

Appointment (type)

Fixed-term appointment
Permanent appointment
Termination (of appointment)
Abolition of position

Applicable Law

UNAT Statute

- Article 2.5

Related Judgments and Orders

UNDT/2010/004
2010-UNAT-035
2010-UNAT-046
2010-UNAT-051