

2013-UNAT-325, Servas

UNAT Held or UNDT Pronouncements

UNAT held that UNDT did not err by not considering the various provisions of Staff Rule 3. 18. UNAT held that a staff member's failure to meet the requirements of either Annex IV or Staff Rule 3. 18 precluded the staff member from being eligible for a repatriation grant and, since the Appellant did not meet the requirement of Annex IV, that she relocate after separation from service, there was no need for UNDT to consider whether she met the conditions for eligibility under Staff Rule 3. 18(c). UNAT held that UNDT did not err in determining the Appellant was not eligible for a repatriation grant. UNAT held that UNDT correctly found that the Appellant was not eligible for the payment of travel expenses or home leave upon separation as she did not have two years of continuous service as a professional staff member prior to her separation from service. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision not to pay her a repatriation grant and travel expenses upon separation. UNDT dismissed her application.

Legal Principle(s)

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Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Servas

Entity

ITC

Case Number(s)

2012-353

Tribunal

UNAT

Registry

New York

Date of Judgement

28 Jun 2013

President Judge

Judge Chapman

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Benefits and entitlements

Repatriation grant

Separation travel

Applicable Law

Staff Regulations

- Annex IV
- Regulation 9.4

Staff Rules

- Rule 3.18
- Rule 3.18(a)
- Rule 3.18(b)
- Rule 3.18(c)
- Rule 3.18(e)
- Rule 4.4
- Rule 4.5
- Rule 5.2(c)
- Rule 7.1(a)(iv)
- Rule 7.1(b)

Related Judgments and Orders

UNDT/2012/102