

# **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/OrderAppealed**

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