

2013-UNAT-382, Adewusi

UNAT Held or UNDT Pronouncements

UNAT held that UNDT correctly concluded that the placement of the Appellant on SLWOP enabled him to preserve his pension benefits, granted him the opportunity of remaining a staff member for the purpose of applying as an internal candidate for other positions, and made his relocation possible. UNAT held that there was no abuse of authority or deliberate attempt to harm, as argued by the Appellant, but rather the Organisation adopted a protective approach. Noting that, due to the downsizing exercise related to the Appellant's post and his reassignment, he was not entitled to SLWOP and his consent was not required for SLWOP, the administrative decision was lawful. UNAT held that whatever relevant harm the Appellant suffered for the delay had already been compensated by UNDT. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested a number of decisions, including his placement on Special Leave Without Pay (SLWOP). UNDT found partly for the Applicant, awarding compensation for the delay in informing him of his placement on SLWOP.

Legal Principle(s)

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Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Adewusi

Entity

MINURCAT

Case Number(s)

2013-436

Tribunal

UNAT

Registry

New York

Date of Judgement

17 Oct 2013

President Judge

Judge Simón

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Benefits and entitlements

Special leave (with or without pay)

Related Judgments and Orders

UNDT/2012/161