

Order No.: 182 (NBI/2021)

Date: 7 September 2021

Original: English

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Counsel for the Applicant
Edmond Gardner, OSLA

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Introduction

1. On 5 August 2019, the Applicant filed an application challenging the decisions of the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (“MONUSCO”) to: (a) not pay her salaries and entitlements since July 2018; (b) lack of cooperation on the part of administration to resolve the issue of her salary and entitlements for more than a year; and (c) the implied decision by the MONUSCO Administration to hold her separation notification form (PF.4), thus preventing her from receiving her disability benefits from the United Nations Staff Pension Fund (“UNJSPF”).¹

2. On 13 December 2019, the Applicant filed submissions pursuant to Order No. 186 (NBI/2019) and stated that indeed, some of her claims were resolved through informal mediation. However, the following two issues remained unresolved:

- a. payment of the amount equivalent to 72 days of sick leave on full pay; and
- b. adequate compensation for moral harm resulting from the lack of cooperation on the part of the Administration to resolve the issue for more than 14 months.²

3. In light of the submissions by the parties, the Tribunal held a case management discussion (“CMD”) on 27 July 2021 and the parties declared a possibility of informally resolving the outstanding issues.

4.

Case No.: UNDT/NBI/2019/115

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(Signed)

Judge Agnieszka Klonowiecka-Milart

Dated this