

Translated from French

Introduction

1. By application dated 9 April 2012, the Applicant requested suspension of action on the decision dated 5 April 2012 by which she was given notice that her failure to report for duty no later than 17 April 2012 would be considered abandonment of post and would lead to a recommendation for her separation.

Facts

2. The Applicant entered the service of the United Nations on 11 December 1989 at the P-2 level on a short-term appointment in the Department of Economic and Social Affairs (“DESA”). On 1 April 1995, she was granted a permanent appointment and in 1997, she was promoted to the P-3 level as a Statistician in the Statistics Division of DESA.

3. On 31 May 2011, after seven months’ sick leave, the Medical Services Division of the Office of Human Resources Management (“OHRM”) medically cleared the Applicant to return to work, specifying that it would be advisable for her to do so in a different location and under a different supervisory arrangement.

4. The following day, the Chief of the Personnel Section of the DESA Executive Office invited her to a meeting to discuss her return to active duty.

5. By e-mail dated 3 June 2011, a Human Resources Officer from OHRM requested the Applicant to continue to work within DESA while an alternative placement was sought. That request was reiterated on 10 June 2011.

6. Between June 2011 and January 2012, the Applicant and the DESA Executive Officer had several discussions concerning the arrangements for the Applicant’s return for duty.

7. On 31 January 2012, the DESA Executive Officer informed the Applicant that, in order for the existing arrangements to continue, it was necessary for the Medical Services Division to conduct a medical evaluation.

May 2011, that she should be redeployed to a different location. In Case

ST/AI/400 on abandonment of post was instituted and the provisions of that instruction were followed;

Urgency

e. Any urgency in the present case has been created by the Applicant herself since the procedure laid down by administrative instruction ST/AI/400 was instituted over three weeks ago and she did not submit her application for suspension of action until the week preceding the deadline for her to return to work;

Irreparable damage

f. The Applicant has failed to demonstrate that reporting for work would cause her irreparable damage. She has not provided any evidence to suggest that the medical clearance issued by the Medical Services Division is incorrect, nor has she indicated what damage she might suffer should smemwewYcbçwKHO S

conduct an evaluation of her condition that would supersede the previous evaluation.

36. Rule 6.2(g) of the Staff Rules provides that:

Conclusion

40. In view of the foregoing, the application for suspension of action is rejected.

(Signed)

Judge Jean-François Cousin

Dated this 16th day of April 2012

Entered in the Register on this 16th day of April 2012

(Signed)

René M. Vargas M., Registrar, Geneva