



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2016/086

Judgment No.: UNDT/2016/215

Date: 6 December 2016

Introduction

1. On 28 November 2016, the Applicant, a former staff member of the United Nations Industrial Development Organization (UNIDO), filed an application with the United Nations Dispute Tribunal (the Tribunal) contesting the decision not to conduct an investigation in relation to the alleged alteration of the United Nations Joint Staff Pension Fund (UNJSPF) instructions for payment of benefits that the Applicant submitted upon his retirement.

2. The Applicant is seeking two reliefs. The first that an investigation be conducted in relation to the alleged alteration of the UNJSPF form that he submitted for the payment of his pension entitlement. The second is the payment of one-third lump sum less all deductions of the UNJSPF payments done from September 2015 to date.

The case

3. The Applicant is a former staff member of UNIDO who joined the Organization in Nigeria in 2000 as a driver and rose to the rank of a senior driver at the G-3 level. He retired in August 2015.

4. All through the years that he served in UNIDO, the Applicant was a contributor to the UNJSPF. Prior to his retirement, he completed the required UNJSPF form for the disbursement of his benefits. The said form was sent through the UNIDO Regional Office in Nigeria to the UNIDO Headquarters in Vienna. In the UNJSPF form, the Applicant had indicated that he wanted the one-third lump sum payment option.

5. When the Applicant received his first pension payment in January 2016, he was bewildered to find that instead of the one-third lump sum he had opted for, he only received arrears of monthly pension payments.

6. By an email dated 16 February 2016 to the Chief of the UNJSPF Office in Geneva, the Applicant requested clarifications concerning the funds received as pension benefits.

7. He received a response dated 17 February 2016 from the Client Servicing and Records Management Unit of the UNJSPF Geneva Office. He was told in the said response that his pension benefits had been paid in accordance with the “PENS.E/7” payment instruction dated and duly signed by the Applicant on 29 April 2015 where he opted for a full monthly pension payment without a lump sum.

8. By letter dated 12 April 2016, the Applicant requested the UNJSPF Administration to investigate the discrepancies between the UNJSPF form that he submitted and the form that was received and processed by the UNJSPF.en

