

Decision No. 248

Yang-Ro Yoon (No. 2),  
Applicant

v.

International Bank for Reconstruction and Development,  
Respondent

1. The World Bank Administrative Tribunal has been seized of an application, received on December 21, 2000, by Yang-Ro Yoon against the International Bank for Reconstruction and Development. The case has been decided by a Panel of the Tribunal, established in accordance with Article V(2) of its Statute, composed of Robert A. Gorman (President of the Tribunal) as President, A. Kamal Abul-Magd and Jan Paulsson, Judges. The usual exchange of pleadings took place. The case was listed on June 28, 2001.

2. The Applicant challenges the Bank's decision of September 29, 1998 declaring her position redundant under Staff Rule 7.01, paragraphs 8.02(c) and 8.03. She maintains that the decision was arbitrary, improperly motivated and in violation of Staff Rule 7.01, as well as the Principles of Staff Employment. She alleges that she was targeted for redundancy and that the rationale given for the decision was pretextual. The Applicant also accuses the Bank management of interfering manipulatively and willfully in her internal job search.

3. For these and other related violations alleged by the Applicant, she requests reinstatement at the level where she would have been had she been treated fairly. She also requests, among other things, compensation for foregone earnings and for professional and moral damage, in addition to legal costs.

4. The presentation of the Applicant's case to the Tribunal is exceptionally detailed and voluminous. At times it addresses extensively matters that are neither contested nor directly related to the subject of her application. In order to decide on the application, the Tribunal will have to clarify the factual background of the case and then identify the major issues to be addressed and resolved by the decision.

### ***Factual background***

5. The Applicant, a South Korean national, first began her work with the Bank in 1987 while she was undertaking a Ph.D. program at Cornell University. In 1991, she was recruited as a Long-Term Consultant. She was regularized in 1993 as a Human Resources Economist in the Population and Human Resources Division of the Eastern Africa Department (AF2PH). In February 1994, she was assigned the responsibility of task management for the Kenya Micro and Small Enterprise Training and Technology Project, otherwise known as the Jua Kali Project.

6. The Applicant received good performance reviews for her work from 1993 to 1995, although it was consistently remarked that it would be desirable for the Applicant to improve her communication skills. Effective June 1, 1996, the Applicant was promoted to Level 23.

7. In July 1996, the Africa Region was reorganized pursuant to the Africa Region Renewal Program. The Applicant's unit was regrouped with two other units to form the Africa Technical Families: Human Development 1 (AFTH1). The Applicant alleges that immediately thereafter she began to experience difficulties with her supervisor, the Sector Manager of AFTH1, who allegedly informed her that she would have to leave because there were too many economists in AFTH1. The AFTH1 Sector Manager admitted that she did consider the Kenya portfolio one of the most difficult in the Region at the time at which she took over.

8. In October 1996, a cost overrun of about \$15 million was discovered in the Implementation Completion Report of the Kenya Sixth Education Project, which had been written by the Applicant and published in December 1995. This became a serious issue. An Africa Region managerial meeting looked into the matter on November 13, 1996. The Applicant pointed to numerous factual errors in the minutes of that meeting. The Africa Region Chief of Staff thereafter met with the Applicant and agreed both to correct certain errors and to involve the Applicant in the follow-up project status report. The Applicant alleges that neither promise was kept, and that her intervention was not well regarded.

9. The Applicant nevertheless received a positive performance review for her work in 1996. In her evaluation, her supervisor, the AFTH1 Sector Manager, noted that further oral communication and technical training were planned for her.

10. On September 30, 1996, the Chairman of one faction of the Kenya National Federation of the Jua Kali Associations involved in the management of the Jua Kali Project wrote to the President of the Bank to complain about the management of the Project. The President of the Bank forwarded the letter to the Africa Vice Presidency for review and response, but this process was apparently mishandled at lower levels. The Applicant alleges that her role and authority were at this time undermined by interference from her supervisor, the AFTH1 Sector Manager. The Applicant nevertheless led a subsequent restructuring mission for the Jua Kali Project in January 1997, which the Applicant claims was successful.

11. The AFTH1 Sector Manager believed that the Human Development (HD) Sector did not have the expertise to be managing the Project, except for the voucher aspect, and that a specialist from the Private Sector Development (PSD) unit should take over as Task Manager. As a result of a decision by the Country Director of Kenya, the Applicant's task management responsibilities for the Jua Kali Project were removed in the spring of 1997 and transferred to the PSD unit. The Applicant was consequently underprogrammed and in need of new assignments. The Applicant alleges that during this time the AFTH1 Sector Manager failed to aid her in the search for a new work program.

12. In July 1997, the HD 4 Unit, Africa Region (AFTH4) was created, encompassing, inter alia, a number of Francophone African countries. The Applicant was required to join AFTH4 due to the lack of work for her in AFTH1 countries, despite the fact that she did not speak French and had only minimal prior involvement with the Anglophone countries covered by AFTH4. By the fall of 1997, the Applicant was warned by the HD Sector Director that she could be declared redundant if a skills-mix problem were revealed by an inability on her part to establish a credible work program.

13. In FY98, no work program and almost no demand-driven work emerged for the Applicant beyond that created especially for her. Efforts by the Acting AFTH4 Sector Manager, as well as by the Africa HD management team, led mainly to nothing more than allowing the Applicant to complete the organization of two study tours to South Korea, and to carry out some follow-up tasks after the mission of the President of the Bank to Kampala, as well as some implementation details for the Jua Kali Project. In their testimony before the Appeals Committee, the HD Sector Director and the Acting AFTH4 Sector Manager attributed the Applicant's lack of success in finding further work to her poor communication skills.

14. In June 1998, the Acting AFTH4 Sector Manager again warned the Applicant that she could be declared redundant, given her lack of Country Assistance Management programming. He also claimed that management had no role in developing her work program, given the newly launched matrix-management system. A few days later, however, he asked her whether he could help her find a job by discussing her case with the Sector Boards. The HD Sector Director at this time advised the Applicant that she had to move quickly if she thought she could move to a position outside of the Region. In the Applicant's overall performance evaluation for January 1, 1997 through March 31, 1998, the Acting AFTH4 Sector Manager again recognized the need for the Applicant to develop a new work program. The Management Review Group meanwhile decided that the Applicant would be declared redundant as of August 1, 1998 if she had not established a work program for FY99.

15. The HD Sector Director thereafter consulted with the Applicant on methods for obtaining a new position in the Bank or for finding work in her current position. The Acting AFTH4 Sector Manager, in consultation with a Senior Human Resources Officer, also assisted the Applicant by making inquiries about available work programs and promoting the Applicant to relevant managers. Nevertheless, no FY99 work program emerged for the Applicant.

16. On July 17, 1998, the HD Sector Director brought the Applicant's redundancy case to the attention of the Africa Region's Vice Presidents, as her redundancy would have implications for the Region's diversity contract. Both the Applicant's task management role in the Jua Kali Project and her inability to find significant work for FY98 and FY99 were criticized in the HD Sector Director's communication to the Vice Presidents. On July 20, 1998, it was agreed by the Vice Presidents that the Applicant should be declared redundant if no creative solution could be found.

17. At this time the Applicant unsuccessfully interviewed for a position in the Education Sector Unit, South Asia Region (SASED). The reason given by the selecting manager for her non-selection was her poor oral communication and team interaction skills, including an inability to present a reasoned, sequential, sustained argument in a concise manner.

18. On or about September 9, 1998, the HD Sector Director signed with respect to the Applicant a Request for Approval of Severance form for submission to the Severance Review Group (SRG). The accompanying letter was supplied by the Acting AFTH4 Sector Manager, who pointed out that the Anglophone units were completely staffed, and that the demand for work was in macroeconomic issues originating largely from Francophone countries. The Acting AFTH4 Sector Manager pointed out that the Applicant lacked knowledge of macroeconomics and did not speak French.

19. The Request for Approval of Severance noted that the redundancy was sought pursuant to Staff Rule 7.01, paragraph 8.02(c): "redesign of position." The request referred to the differences between the Applicant's position and a new envisaged position, that of a Senior Economist who was to be fluent in French and who was to perform macroeconomic and microeconomic analyses of labor issues and poverty in one or more countries in the region. The redundancy request explained that the Applicant did not meet the requirements of the new position description, namely the emphasis on Francophone countries and the need for work on macroeconomic issues. At the same time that the Request for Approval of Severance form was submitted to the SRG, a document entitled "New Position Description" was also submitted.

20. The request was approved by the SRG on September 24, 1998. On September 29, 1998, the Applicant was informed that her employment would become redundant pursuant to Staff Rule 7.01, paragraphs 8.02(c) and 8.03, effective October 1, 1998.

21. On December 16, 1998, the Applicant requested administrative review of the redundancy decision. On February 16, 1999, an administrative review by the Sector Manager of the Social Development Department (SDV) found extenuating circumstances in favor of the Applicant, including the Applicant's transfer to AFTH4, the removal of her responsibility over the Jua Kali Project, and the failure to provide training earlier promised to the Applicant by the AFTH1 Sector Manager in her 1996 OPE. The SDV Sector Manager suggested that the Applicant be hired in a "clean slate" environment that matched her skills.

22. On February 26, 1999, the two Vice Presidents for Africa sent to the Applicant the findings of the administrative review. The Vice Presidents found that due process had been followed and that no misapplication of Bank rules or principles had taken place in the redundancy decision. However, they suggested that the Applicant discuss with her Human Resources Officer the arrangement mentioned in the administrative review. While some communications resulted from this suggestion, there was no agreed resolution.

23. On April 30, 1999, the Applicant filed an appeal with the Appeals Committee in which she contested the redundancy decision and requested reinstatement. On June 28, 2000, the Appeals Committee issued its

Report. It found no evidence of personal animus, retaliation, bad faith or deliberate effort to harm in the decisions leading up to the Applicant's redundancy. The Committee also found the Applicant's transfer to AFTH4 to have been motivated by legitimate business reasons.

24. The Appeals Committee nevertheless concluded that the redundancy decision had been carried out in violation of the governing Staff Rules, in that the actual reasons for the redundancy were quite different from the one given, namely the redesign of position. The Committee found that the redesign of position had been conducted post hoc simply to satisfy formal requirements, and that the real reason for the Applicant's redundancy was a lack of demand for her services due to a mismatch arising from her poor communication skills. The Committee noted that performance considerations are supposed to be irrelevant in redundancies occurring under Staff Rule 7.01, paragraph 8.02(c).

25. The Appeals Committee further found that the Applicant had been deprived of the protections conferred by the Staff Rules, and that a perception of improper motivation had been created. The Committee concluded that while the Applicant's managers had not intended to harm the Applicant, the procedural errors and the contradiction between what the Applicant had been told as the basis for her redundancy decision and what was subsequently recorded in the form submitted to the SRG had led the Applicant understandably to suspect bad faith.

26. The Appeals Committee did not recommend reversal of the redundancy decision, but recommended an award in the amount of six months' net salary to compensate the Applicant for the aforementioned procedural violations. On August 1, 2000, the Acting Vice President of Human Resources informed the Applicant that he had accepted the Committee's recommendations.

27. The parties thereafter attempted unsuccessfully to resolve their differences through the Office of Mediation. The Applicant filed her application with the Tribunal on December 21, 2000, contesting the redundancy decision, the decision to give her notice of termination, and the decision not to hire her for the aforementioned position in SASSED for which she had interviewed.

### ***Redundancy decision***

28. The first issue to be addressed by the Tribunal is the validity of the Respondent's decision to declare the Applicant's position redundant. On several occasions the Tribunal has recognized the discretionary nature of redundancy decisions, and that the Bank's powers in this respect are subject only to limited review by the Tribunal. Consequently, the exercise of such discretion will not be overruled by the Tribunal unless it constitutes an abuse of discretion, being arbitrary, discriminatory or improperly motivated, or otherwise in violation of the Staff Rules, the Principles of Staff Employment or any element of due process. (See *Montasser*, Decision No. 156 [1997]; *Mahmoudi* (No. 2), Decision No. 227 [2000]; *Lee*, Decision No. 241 [2001]). At the same time, however, it must be recognized that it may be exceedingly difficult for a staff member to substantiate his or her allegation of arbitrariness or lack of fairness amounting to abuse of discretion. It is, therefore, incumbent on the Tribunal to require the strictest observance of fair and transparent procedures in implementing the Staff Rules dealing with redundancy. Otherwise, ill-motivated managers would too often be able to pay lip service to the required standards of fairness, while disregarding the principle that their prerogatives of discretion must be exercised exclusively for legitimate and genuine managerial considerations in "the interests of efficient administration."

29. In the present case, the Applicant challenges the redundancy decision on various grounds that the Tribunal will now examine.

30. The Applicant's position was declared redundant under Staff Rule 7.01, paragraph 8.02(c), which provides that

[e]mployment may become redundant when the Bank Group determines in the interests of efficient administration that ... [a] position description has been revised, or the application of an occupational

standard to the job has been changed, to the extent that the qualifications of the incumbent do not meet the requirements of the redesigned position.

As stated by the Tribunal in paragraph 27 of *Mahmoudi* (No. 2) (Decision No. 227 [2000]), “paragraph 8.02(c) [of Staff Rule 7.01] does not entitle the Bank to invent post hoc rationalizations.” In other words, the redesigning of the position should precede the redundancy decision, and the incumbent of the position should be informed beforehand of the revised design of the position.

31. The record does not show that the position occupied by the Applicant prior to the redundancy decision was redesigned, or that a new, substantially different, job description of the new position was developed. Nor does the record show that the Applicant was informed of either the description of her purportedly redesigned position, or the definition of the skills required for occupying such a redesigned position. As correctly noted by the Appeals Committee in its Report:

The first time in the record that any discussion appears of a “redesign” of Appellant’s position, such that the position would now require a significantly different set of skills from those required for Appellant’s previous position, is in the SRG form and “Revised Position Description” that [the HD Sector Director] submitted to the SRG in September of 1998. In the Committee’s view, the redundancy rationale as stated in those documents contradicts not only all the previous communications in the record; it also contradicts [the HD Sector Director’s] and [the Acting AFTH4 Sector Manager’s] hearing testimony, and the arguments presented at length in Respondent’s Answer.

32. The Respondent effectively concedes that no document substantiates its contention that the job of the Applicant was timely and formally redesigned before the redundancy decision was made. To the contrary, a memorandum dated February 16, 1999 from the Sector Manager, SDV, who responded to the Applicant’s request for administrative review, unequivocally stated that the Applicant “never saw a job description of the new profile the sector was seeking (as described in the Proposed Staff Severance Form) so she never had the opportunity to learn why she did not fit the profile.”

33. This recognition of the absence of a formal and clear-cut redesign of the Applicant’s position may explain the administrative review manager’s proposal of a conciliatory and amicable solution to the situation resulting from the lack of compliance with Staff Rule 7.01, paragraph 8.02(c). It is noteworthy that that manager stopped short of validating the redundancy decision under Staff Rule 7.01, but rather admitted that “what I have sought to conclude is not so much who’s right and who’s wrong, but what would lead to a mutually desirable outcome.”

34. This conclusion is further confirmed by the fact that the department where the Applicant was working at the time of the redundancy decision, namely AFTH4, advertised a Human Resources Economist position at the same grade as that of the Applicant. The job description of the advertised position was quite different from the allegedly revised job description for the Applicant. Contrary to the latter description, the advertisement required neither macroeconomic knowledge nor fluency in French, the very skills the Applicant was criticized for lacking.

35. The conclusion that the Tribunal draws from the record on this issue is that at the time the redundancy decision was made, there was no formal revised position description to serve as the basis for redundancy under Staff Rule 7.01, paragraph 8.02(c).

36. The Respondent maintains, however, that the “Applicant’s situation was one which the Bank would ultimately in all likelihood have been forced to deal with by redesigning Applicant’s position or proceeding under another redundancy regime”; and that in accordance with the language of paragraph 8.02(c) HD management produced a description of the “old position or occupational standard” and the “revised position description or occupational standard,” as well as of the “differences between the old and the revised position description or occupational standard” and the reasons why the incumbent did not meet those revised requirements. (The Respondent here refers to the form submitted by the HD Sector Director on or about September 9, 1998 to the SRG.)



37. The Tribunal cannot subscribe to the Respondent's arguments. As to the first, the validity of a redundancy decision cannot be based on such casual speculation as to what would eventually happen in the future. Nor can the Tribunal subscribe to the view that if Staff Rule 7.01, paragraph 8.02(c), is found to be inapplicable then resort to another redundancy regime can just as readily be made. The basic elements of due process and the rule of law mandate that a staff member be clearly notified of the exact and correct Staff Rule under which his or her employment is being terminated. That the Bank must invoke the proper subdivision of the Staff Rule dealing with redundancy is not a mere technicality since each of the situations covered by the different subdivisions may have different procedural and substantive requirements. (*See Arellano (No. 2)*, Decision No. 161 [1997], para. 31.) In the absence of such notification, the staff member would indeed be put at a great disadvantage in preparing her defense and presenting her case to her managers and ultimately through the Bank's grievance system.

38. In its answer to the application, the Respondent admits that it invoked the wrong Staff Rule and that the "Applicant's managers reasonably, but nonetheless incorrectly, believed that the procedure utilized in this redundancy, [paragraph] 8.02(c), was the correct path."

39. However, the fact that the Applicant's managers may have acted with good intentions does not neutralize the prejudice to the Applicant. As the Tribunal stated in *de Raet* (Decision No. 85 [1989], para. 62):

The probability, in an organization such as the Bank, where every position has its job description, is that the correct understanding of sub-section (c) is that formal "redesign" is called for and that a written product of that redesign, in the shape of a new job description, is required. Otherwise, there is a risk that staff members may be deprived of the benefits of the predictability of their activities and the standards implicit in an expressly formulated job description.

A timely notification of a formal new job description also gives the staff member the opportunity to assess his or her own fitness for the redesigned post.

40. The record in fact strongly suggests that the real rationale for terminating the Applicant's employment for redundancy was the absence of demand for her services within the Region. The Tribunal has concluded in a previous decision that the mere fact of a low demand for a staff member's services cannot, per se, be used as a legitimate basis for redundancy under paragraph 8.02(c). In *Mahmoudi (No. 2)* (Decision No. 227 [2000], para. 45), the Tribunal ruled that "to motivate a redundancy decision under paragraph 8.02(c), it is not enough to observe that a staff member is underemployed. Such a conclusion might justify redundancy under paragraph 8.02(b) (abolition of position), but the fact of underemployment, standing alone, does not lead to an unavoidable inference that the position 'has been redesigned.'"

41. The Tribunal went on to state that

[m]anagers understandably have discretion to assign staff members in accordance with their perception of suitability and effectiveness. This discretion would be abused if staff members could be forced into redundancy by the mere fact of underassignment. ... The way to resolve that problem, however, cannot be to apply paragraph 8.02(c) – unless the staff member's position has *truly* been redesigned. It would be an abuse of discretion, let alone language, to conclude that a position must somehow have been unintentionally "redesigned" simply because there is a low demand for the incumbent's services. [Emphasis in original.]

42. On the basis of the above, the Tribunal concludes that the Bank violated the Staff Rules when it based the redundancy decision on the alleged lack of demand for the Applicant's services.

43. The Applicant contends, contrary to the Respondent's allegations, that there was a demand for her skills and services and that her supposed lack of communication skills was a pretext to get rid of her.

44. In view of its conclusion regarding the Bank's improper redundancy decision, the Tribunal does not find it necessary to rule on the contentions of either of the parties in these respects. It notes, however, in summary form, several weaknesses in the Respondent's position. First, a major reason the Applicant was

underemployed was that she was transferred without any prior consultation to a division where most work was in French and where there was no potential for work in the principal Anglophone country (Ethiopia).

45. Second, the Bank's insistence on the Applicant's underprogramming, and its claim that the search for work assignments is basically the staff member's responsibility, run against the position of Bank senior management warning against the use of the work programs process to assess staff skill mix. In a memorandum dated November 3, 1998, the President of the Bank condemned the misuse of the Work Program Agreement system.

46. Third, without reviewing the parties' various and detailed claims and rebuttals on the question of the Applicant's communication skills, it suffices to state that the record is not clear on this issue. While, as the Respondent contends, there has frequently been mention in the Applicant's annual evaluation reports of the need for improvement in this field, on other occasions the Applicant received very good ratings for qualities that, by their very nature, require strong communication skills. One example of such admission by the Bank of the Applicant's competence in communication skills is the 1996 performance evaluation where the Applicant's direct supervisor states that "Ms. Yoon stands out for her strong commitment to the client," and then goes on to rate her as "exceptionally effective," in "building relationships with country stakeholders" and in "coordinating with internal and external partners." On this evidence, even if deficiencies in the Applicant's skills were at issue, the Bank has not substantiated its contentions.

47. The Applicant also contends that her redundancy was vitiated by discrimination against an East Asian woman from a country lacking influence within the Bank. The Tribunal has not found any evidence substantiating this allegation.

### ***Internal job search***

48. The Applicant alleges that management of the Bank willfully and manipulatively interfered in her job search, particularly in connection with an Economic/Financial Analyst position in SASSED in September 1998. The Applicant insists that she was denied a job for which she had proved herself to be the most qualified and best-rated candidate. She maintains that by such denial the Bank violated Principle 2.1 of the Principles of Staff Employment, which stipulates that "[t]he Organizations shall at all times act with fairness and impartiality and shall follow a proper process in their relations with staff members. They shall not differentiate in an unjustifiable manner between individuals or groups within the staff .... Furthermore, the Organizations shall ... provide staff members security in their employment consistent with the terms of their appointments ...." The essence of the Applicant's contention, with relation to the Economist/Financial Analyst position in SASSED, is that against the views of the majority of those who participated in the interview, the manager of the Division who led the interview decided to hire another candidate, a consultant, whom, according to the Applicant, the manager had intended to select all along.

49. An examination of the record does not lead to a complete substantiation of the Applicant's contention. It does, however, create a legitimate basis for concern and suspicion not only on the part of the Applicant, but in the mind of any independent observer. The supervisor managing the interview admitted in an e-mail to the Human Resources Officer dated September 24, 1998 that the qualifications on paper of Ms. Yoon were "excellent (indeed better than [the consultant]) and .... [the consultant] impressed some members of the panel much less favorably than I or his mentors at SASSED had anticipated." Without substituting its own judgment on the two candidates for that of the interviewers or the Bank's management, the Tribunal has reviewed all the reports submitted by the members of the interviewing panel to search for any evidence which may possibly corroborate the Applicant's contention of abuse of discretion in carrying out the interviews. The Tribunal determines that the majority of the panel members rated the Applicant very highly. One interviewer, in fact, commented favorably on her communication skills, stating: "[D]espite her English being a bit accented, she is articulate and very responsive; it seemed to me that she was more responsive than [the consultant]." A source of serious concern for both the Applicant and the Tribunal was a statement by one of the panel members that "[i]f I were to choose someone for my Region, I would go with Ms. Yoon. She has stronger analytical skills, more breadth, more leadership, more potential. She has vision but is also down to earth." The same panel

member went on to state: "If we are to go by the job description, then you would have to go with [the consultant], but this is a catch-22 situation since the job description was written with him in mind." Without being conclusive in substantiating the Applicant's accusations of the whole interview process, the above statements create a strong basis for the suspicion entertained by the Applicant.

### ***General conclusions***

50. On the basis of the above, the Tribunal finds that the Respondent did not abide by the terms and conditions stipulated by Staff Rule 7.01, paragraph 8.02(c), when it declared the Applicant's position redundant on the basis of the Applicant's underemployment. Such decision of redundancy must therefore be rescinded.

51. The Tribunal also finds that the Applicant has been in several respects treated unfairly, which impacted negatively on her ability to develop many of the required skills conducive to obtaining new assignments and which would have avoided her underemployment, eventually invoked as the basis for the redundancy decision:

1. She was never adequately made aware of any professional shortcomings or lack of skills until she was given negative feedback from her new managers soon after the reorganization under the Africa Region Renewal Program.
2. In spite of her recognized success in managing the Kenya vocational training program, the program was transferred to another division soon after setting up the Africa Region Renewal Program.
3. She was transferred without prior consultation to a division where most of the work was in French, in spite of the fact that her managers were aware that she did not speak French.
4. She was not assisted by the Bank to receive any sort of training to improve her communication skills.
5. There was no formal redesign of her position and the description of the new job appearing on the form submitted to the SRG was very carefully prepared after the fact to justify the redundancy decision.
6. She was declared redundant without even seeing a job description of the new profile that the sector was seeking.

### **Decision**

For the above reasons, the Tribunal unanimously decides that:

- (i) the decision terminating the Applicant's employment for redundancy shall be rescinded;
- (ii) the Respondent shall reinstate the Applicant to a position comparable to the one she was occupying at the time of the termination of her employment;
- (iii) in the event the Respondent decides not to reinstate the Applicant, it shall compensate her for both material and moral damage resulting from the termination decision, in an amount equivalent to two years' net salary in addition to the six months' compensation already awarded to her by the Bank;
- (iv) costs in the amount of \$16,000 shall be awarded to the Applicant; and
- (v) all other pleas shall be dismissed.

/S/ Robert A. Gorman  
Robert A. Gorman



President

/S/ Nassib G. Ziadé

Nassib G. Ziadé

Executive Secretary

At London, England, July 23, 2001