

Summary of EH v. IFC, Decision No. 568 [2017]

The Applicant challenged the disciplinary decision of the Vice President, Human Resources (HRVP) of 14 April 2016 to terminate his employment for misconduct. In its Final Investigative Report, the Office of Ethics and Business Conduct (EBC) found that the Applicant repeatedly entered incorrect transactions in the Systems, Applications, and Products (SAP) software of the World Bank Group (WBG) from November 2012 through August 2015 to hide the fact that his handling of WBG's travel-related funds and assets was in breach of the Staff Rules and Accounting Standards. Based on the findings of the EBC, the HRVP concluded that the Applicant had engaged in misconduct as defined under Staff Rule 3.00, paragraphs 6.01(a), (b) and (c).

The Tribunal found that the facts of the case were established and legally amounted to misconduct. In determining whether the disciplinary measures were proportionate to the misconduct, the Tribunal took due account of the mitigating factors invoked by the Applicant. The Tribunal found, however, that the factors pleaded by the Applicant were unpersuasive. To the Tribunal, the Applicant's misconduct was aggravated by the frequency of his actions and by the fact that he was not forthcoming during EBC's investigation. The Tribunal observed that it was also in the IFC's interests to terminate the Applicant's employment because the Applicant's failure to conduct himself with honesty and due care in the handling of IFC's funds violated the trust vested in him by the organization. Regarding the requirements of due process, the Tribunal held that due process was observed in this case. The Tribunal concluded that the sanctions imposed on the Applicant, including termination, were not significantly disproportionate to his misconduct.

Decision: Application dismissed.