

Summary of *Njinkeu v. IBRD (Merits)*, Decision No. 554 [2017]

Following an exchange of pleadings on the Bank's preliminary objection in *DQ* (Preliminary Objection), Decision No. 549 [2016], the Tribunal held that "the Applicant's claim regarding the Bank's alleged failure to provide clear and consistent guidelines regarding his separation options" was admissible. This judgment addresses the merits of that claim.

The Applicant began working at the Bank on a two-year term contract in August 2009. His contract was renewed several times with the final contract extension being from 1 August 2015 until 31 January 2016. On 23 June 2015, the Applicant's Manager informed the Applicant by email that his contract would end on 31 January 2016 and would not be extended.

Human Resources (HR) representatives met with and emailed the Applicant several times and provided the Applicant with a comprehensive guideline outlining all separation benefits provided by the Bank. The Applicant inquired as to which separation option applied to his circumstances, and identified the one he felt was most applicable, redundancy. The HR representative replied stating, "I think that starting to discuss the parameters of a Redundancy or an MAS could be a good start." Following internal consultations with the Applicant's management, the HR representative then informed the Applicant that the redundancy separation option was not applicable to his terms of separation, and that a mutually agreed separation of 100% severance would be considered.

The Applicant claims that the Bank changed its mind on his separation benefits and provided the Applicant information in a piecemeal manner, depriving the Applicant of his rights for a smooth separation from the Bank on 31 January 2016.

While an HR representative provided the Applicant with a comprehensive guideline outlining all separation benefits afforded by the Bank, the Applicant was notified via email and in person, several months prior to his date of separation, that a redundancy separation option was not available to the Applicant. The Tribunal found that the Bank timely responded to the Applicant's inquiries relating to his separation options and made reasonable efforts to provide clear and consistent guidelines regarding the Applicant's separation options.

Decision: Application dismissed.