

Iqbal v IBRD, Decision No. 485 [2013]

The Applicant challenged the Bank's decision not to select her for the position of Resource Management ("RM") Assistant, Level GD, Global Partnerships and Trust Fund Operations ("CFTPO") and raises allegations of career mismanagement and retaliation.

Regarding the shortlisting process for the position, the Tribunal found that the candidate who was ultimately selected for the position had not been included in the original shortlist after a review by the Human Resources Committee ("HRC") of the Resource Management Sector Board, based on "the required relevant education and work experience." She was only included subsequently at the request of the hiring manager immediately after his conversation with the Chair of the HRC who prepared the final shortlist. The Tribunal found that the "lack of any contemporaneous and detailed documentation regarding the alteration of the HRC's decision in this case raises questions as to the observance of the guarantees of a transparent, sound and fair recruitment process which the Tribunal has found in its jurisprudence to be required for the shortlisting process."

The Tribunal was not satisfied that all the candidates were assessed fairly against the same criteria or that statements in the interview report had a reasonable basis. The Tribunal found, among other things, that the report of the interview panel did not discuss the performance and core behavioral competencies of the Applicant, but discussed those of the other two shortlisted candidates. Regarding the panel's statement that "the Panel felt that assuming this position could be a step back" for the Applicant, the Tribunal did not understand how the position in question, which would be a promotion for the Applicant from Level GC to GD – a promotion she had sought for many years – could be considered a "step back".

The Tribunal also noted the lack of transparency surrounding (and absence of contemporaneous documentation) of the basis of, the ultimate decision of the hiring manager to select the candidate he preferred, which was not the candidate rated as the top candidate by a large margin.

Decision: The Bank was ordered to pay the Applicant compensation in the amount of seven months' salary net of taxes for the irregularities in the selection process, and to pay the Applicant's legal costs. All other pleas were dismissed.