

Summary of GJ (No. 2) v. IBRD, Decision No. 692 [2023]

The Applicant served with the Bank as a Senior Economist at Grade Level GG and his employment with the Bank ended in December 2018 due to the non-renewal of his term appointment. In September 2018, the Applicant suffered a “grand mal seizure” and was approved for Short-Term Disability (STD) benefits which extended through the maximum 24-month benefit period and the Applicant sought to transition to Long-Term Disability (LTD) benefits. The Applicant’s request to transition to LTD benefits was denied by the Bank’s Claims Administrator. The Bank’s Administrative Review Panel (ARP) upheld the Claims Administrator’s decision to deny the Applicant LTD benefits. The Applicant challenged the ARP decision with the Tribunal.

The Applicant contended that he was eligible for LTD benefits. The Applicant asserted that he has a seizure disorder which causes him to have cognitive deficits which in turn reduce his ability to perform at a profession in line with his qualifications and experience as a PhD-trained economist. The Applicant submitted that the Claims Administrator applied the wrong standard in determining his eligibility for LTD. He further submitted that the Bank’s determination was contrary to the opinion of his long-term attending physicians, and he questioned the validity of Independent Medical Examinations (IMEs) requested by the Claims Administrator. The Applicant further alleged that the Bank breached proper procedure in reviewing his claim for LTD benefits.

The Bank responded that the ARP decision was reasonable and was based on a careful review of the medical evidence, which the Bank contended fell below the eligibility threshold for LTD benefits because it did not demonstrate that the Applicant’s illness prevented him from performing the material duties of any suitable occupation. The Bank further contended that the ARP followed the applicable rules and procedural requirements, and that the Applicant was also treated fairly in the Claims Administrator’s review of his claim for LTD benefits.

The Tribunal stated that it would determine whether the ARP’s denial of the Applicant’s LTD claim could be reasonably sustained and whether the ARP acted in accordance with the relevant legal rules and procedural requirements. The Tribunal observed that the ARP applied the correct standard under Staff Rule 6.22, paragraph 6.02, in reviewing the Applicant’s claim. The Tribunal noted the medical evidence reviewed by the ARP and observed that the record included different medical opinions related to the Applicant’s eligibility for LTD benefits. The Tribunal found that the ARP reasonably assigned more weight to the IME conducted by Dr. H. The Tribunal observed that “the standard for eligibility for LTD benefits does not depend on whether a staff member is limited from performing the materials duties of their own job,” and explained that “the LTD standard is not met if a staff member is able to perform another job—whether that be a somewhat different type or level of job or a job with some accommodations—for which they are nevertheless reasonably suited by education, training or experience, despite their illness or injury.” The Tribunal concluded that the Applicant’s claim for LTD benefits was properly denied by the ARP. The Tribunal found that there were processing delays on the part of the Claims Administrator for which the Applicant should be compensated.

Decision: The Bank was ordered to pay the Applicant compensation in the amount of \$10,000.00 and all other claims were dismissed.

This summary is provided to assist in understanding the Tribunal’s decision. It does not form part of the reasons for the decision. The full judgment of the Tribunal is the only authoritative document. Judgments are available at www.worldbank.org/tribunal.