

Summary of DT v. IFC, Decision No. 541 [2016]

The Applicant challenged the denial of the World Bank Group's Claim Administrator of her claim to Workers' Compensation and the IFC's decision to uphold that denial. The Tribunal noted its scope of review of Administrative Review Panel decisions was limited to determining whether the conclusion reached could be reasonably sustained on the basis of the evidence and with the Review Panel acted in accordance with relevant legal rules and procedural requirements.

The Applicant argued that her medical conditions arose while she was under an "open" contract with the IFC and on mission in October 2012. The IFC argued that the Applicant's illness did not arise out of or in the course of employment with the IFC.

The Claims Administrator was unable to approve her Workers' Compensation claim because the claim did not establish a causal link between her illness and her employment with the IFC and the claim was untimely. The Administrative Review Panel affirmed the Claims Administrator's findings that the Applicant's claim was time-barred and her injury did not arise as a direct result of her employment.

The Tribunal found that according to the record, the Applicant was not employed with the IFC during October 2012. The Tribunal held that the Applicant's Worker's Compensation claim should have been dismissed by the Claims Administrator and the Administrative Review Panel on that ground, rather than the grounds of untimeliness and failure to provide information to establish a causal link between her illness and her employment with the IFC.

Decision: The Tribunal dismissed the Application, but ordered the IFC to contribute to the Applicant's legal fees and costs.