

# EUROPEAN UNION CIVIL SERVICE TRIBUNAL

**Judgment of the Civil Service Tribunal (Second Chamber) of 8 October 2015 — DD v FRA**

**(Joined Cases F-106/13 and F-25/14) <sup>(1)</sup>**

**(Civil service — FRA staff — Member of the temporary staff — Career development report — Internal appeal — Accusations of discrimination — Accusations of victimisation within the meaning of Directive 2000/43 — Administrative enquiry — Disciplinary proceedings — Disciplinary penalty — Reprimand — Articles 2, 3, and 11 of Annex IX to the Staff Regulations — Termination of a contract of indefinite duration — Article 47(c)(i) of the CEOS — Right to be heard — Article 41(2)(a) of the Charter of Fundamental Rights of the European Union)**

(2015/C 381/87)

Language of the case: English

## Parties

*Applicant:* DD (represented by: L. Levi and M. Vandebussche, lawyers)

*Defendant:* European Union Agency for Fundamental Rights (represented by: M. Kjærum, acting as Agent, and P. Jenkinson, lawyer)

## Re:

Case F-106/13: Application for annulment of the decision of the Director of the FRA imposing a disciplinary penalty, in the form of a reprimand, on the applicant.

Case F-25/14: Application for annulment of the decision terminating the applicant's contract and of the decision rejecting his complaint and an application for damages in respect of the non-material and material harm allegedly suffered.

## Operative part of the judgment

*The Tribunal:*

1. Annuls the decision of 20 February 2013 by which the Director of the European Union Agency for Fundamental Rights imposed a reprimand on DD;
2. Annuls the decision of 13 June 2013 by which the Director of the European Union Agency for Fundamental Rights terminated DD's contract of indefinite duration as a member of the temporary staff;
3. Dismisses the actions in Joined Cases F-106/13 and F-25/14 as to the remainder;
4. Declares that the European Union Agency for Fundamental Rights is to bear its own costs and orders it to bear the costs incurred by DD.

<sup>(1)</sup> OJ C 45, 15.2.2014, p. 46 and OJ 184, 16.6.2014, p. 43.