

UNDT/2010/072 Corr. 1, Adrian

UNAT Held or UNDT Pronouncements

Articles 2(1) and 2(1) (a) of the Statute of the UNDT define a contract of employment to include “all pertinent regulations and rules and all relevant administrative issuances in force at the time of the alleged non-compliance. There is nothing before the Tribunal to evidence that the Applicant signed any LOA in relation to the offer made by the organization to employ him on the terms defined in the reassignment memorandum dated 10 June 2008. The reassignment memorandum contained terms that were not certain, that were qualified and cannot therefore besaid to have been a final and binding agreement. Such a final agreement would have taken the form of a Letter of Agreement. There is no evidence before the Tribunal or in all the pertinent regulations and rules and all relevant administrative issuances in force, to give rise to the presumption that the reassignment of a staff member would of necessity involve an increase in such a staff member’s grade or step level.

Decision Contested or Judgment/Order Appealed

The Applicant is appealing against a decision not to honour the remuneration offered to him through a reassignment memorandum.

Legal Principle(s)

N/A

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Adrian

Entity

UN-Habitat

Case Number(s)

UNDT/NBI/2009/009

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

29 Apr 2010

Duty Judge

Judge Boolell

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

TEST -Rename- Benefits and entitlements-45

Reassignment or transfer

Applicable Law

Former Staff Regulations

- Annex II
- Regulation 4.1

UNDT RoP

- Article 15.4

UNDT Statute

- Article 10.3

UNAT Statute

- Article 2.1(a)