

UNDT/2012/032, McLetchie

UNAT Held or UNDT Pronouncements

Outcome: The application was rejected. The UNDT found that the Applicant failed to demonstrate that the implementation of the contested decision would cause her irreparable damage.

Decision Contested or Judgment/Order Appealed

The Applicant submitted an application for suspension of action, pending management evaluation, of the decision declaring her ineligible for consideration for a vacant post at the G-6 level. The contested decision was based on the determination that her present post was equivalent to the G-4 level, whereas under sec. 6.1 of ST/AI/2010/3 (Staff selection system) she would be eligible only if her post was equivalent to at least the G-5 level.

Legal Principle(s)

Irreparable damage: It is generally accepted that financial loss only is not enough to satisfy the requirement of irreparable damage. Depending on the circumstances of the case, harm to professional reputation and career prospects, harm to health, or sudden loss of employment may constitute irreparable damage.

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

McLetchie

Entity

UN Secretariat

Case Number(s)

UNDT/NY/2012/014

Tribunal

UNDT

Registry

New York

Date of Judgement

29 Feb 2012

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Staff selection (non-selection/non-promotion)

Suspension of action / interim measures

Applicable Law

Administrative Instructions

- ST/AI/2010/3

UNDT RoP

- Article 13

UNDT Statute

- Article 2.2