

UNDT/2015/011, Ronved

UNAT Held or UNDT Pronouncements

Ultra vires - Whereas procedures and guidelines may be developed by the Organisation to implement promulgated issuances, it is unreasonable for said guidelines to be so far reaching as to effectively add new provisions to the overarching issuance. This would amount to a usurpation of the legislative powers of the General Assembly.

Decision Contested or Judgment/Order Appealed

The Applicant is employed as a Logistics Officer at the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (“MONUSCO”) at the P3 level. He filed an Application contesting the calculation of a lump-sum amount for his reverse education grant travel. He submitted that he was underpaid for his lump-sum travel as he was not compensated for the taxes, fees and surcharges added to the carrier’s fare. The Tribunal found that the Applicant is entitled to judgment. The Respondent is ordered to pay the Applicant USD475.75 plus interest at the US Prime Rate applicable at the date the entitlement was due to the Applicant to the date of payment of the compensation awarded by the Tribunal.

Legal Principle(s)

N/A

Outcome

Judgment entered for Applicant in full or in part

Full judgment

[Full judgment](#)

Applicants/Appellants

Ronved

Entity

MONUSCO

Case Number(s)

UNDT/NBI/2013/24

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

3 Feb 2015

Duty Judge

Judge Izuako

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Benefits and entitlements

Education grant

Compensation

Applicable Law

Administrative Instructions

- ST/AI/2006/4
- ST/AI/2013/3

Other UN issuances (guidelines, policies etc.)

- UN Headquarters Travel and Transportation Section Guidelines

Related Judgments and Orders

UNDT/2010/015