

UNDT/2019/181, Peace

UNAT Held or UNDT Pronouncements

For the purpose of determining eligibility for a SPA, the Applicant performed higher level functions from the date of the issuance of a vacancy announcement for the higher-level post until the selected candidate assumed the higher-level post. As he performed the higher-level functions for less than four months, the Applicant failed to meet the eligibility criteria under ST/AI/2003/3. The Applicant did not satisfy the criteria for SPA and that the Administration's decision not to pay it was lawful.

Decision Contested or Judgment/Order Appealed

Decision to not grant a special post allowance (SPA).

Legal Principle(s)

Under ST/AI/2003/3, a condition for eligibility for special post allowance is that the higher-level post must have been advertised at the time the staff member is performing the higher-level functions, unless there are exceptional circumstances to justify not issuing a vacancy announcement.

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Peace

Entity

UNLB

Case Number(s)

UNDT/NY/2018/074

Tribunal

UNDT

Registry

New York

Date of Judgement

18 Dec 2019

Duty Judge

Judge Belle

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

TEST -Rename- Benefits and entitlements-45

Applicable Law

Administrative Instructions

- ST/AI/2003/3

Staff Rules

- Rule 3.10(a)
- Rule 3.10(b)