

UNDT/2020/215, Deupmann

UNAT Held or UNDT Pronouncements

The Administration is bound to comply with its applicable legal framework promulgated in accordance with the mandate of the General Assembly, regardless of the impact of its implementation on staff members' benefits and entitlement. Any changes to the benefits and entitlements scheme could have different impact to staff members, and it is not the role of the Administration to consider such impact. The Administration is bound by its own regulations, rules and administrative issuances, and there is no requirement to harmonize the application of the rules among different United Nations entities. While the Administration may consider the practice of other United Nations entities, as was the case here, the Administration is nonetheless not bound by other entities' application of the law. The Administration correctly determined that student supplies fees are inadmissible expenses. Under the new scheme, only tuition and enrolment-related fees are considered as admissible expenses, and a review of the applicable legal framework makes it clear that textbooks are no longer to be considered as admissible expenses. The extra-curricular and co-curricular services fees at issue were correctly determined as inadmissible expenses as the overall description of these fees shows that they are intended for extracurricular activities, which the ICSC specifically stated to be considered as inadmissible expenses. Specialized technology fees cover the costs of information technology infrastructure of the school. These fees are not to cover any special activities but to cover IT equipment and related service costs which are an integral part of the basic educational infrastructure. The only basis provided for considering specialized technology fees as inadmissible expenses is the assumption that these fees include costs for a laptop, which is not the case here. Thus, the Administration's decision to treat specialized technology fees as inadmissible expenses is incorrect and not in line with the applicable legal framework.

Decision Contested or Judgment/Order Appealed

The decisions to find technology services fees, student supplies fees, and extra-curricular and co-curricular services fees as inadmissible expenses for payment of the education grant.

Outcome

Judgment entered for Applicant in full or in part

Full judgment

[Full judgment](#)

Applicants/Appellants

Deupmann

Entity

UNEP

Case Number(s)

UNDT/NY/2019/088

UNDT/NY/2020/017

UNDT/NY/2020/029

Tribunal

UNDT

Registry

New York

Date of Judgement

23 Dec 2020

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Benefits and entitlements

Education grant

Applicable Law

Administrative Instructions

GA Resolutions

- A/RES/70/244

Other UN issuances (guidelines, policies etc.)

Staff Regulations

- Regulation 3.2

Staff Rules

- Rule 3.9