

2010-UNAT-028, Maslamani

UNAT Held or UNDT Pronouncements

UNAT held that (1) the Commissioner-General has broad discretionary authority in disciplinary matters; (2) the facts on which the Appellant's termination was based were established; (3) the established facts legally amounted to serious misconduct; and (4) there was no substantive or procedural irregularity. UNAT further held that the Appellant's termination was legal and not disproportionate to the offenses. UNAT dismissed the appeal and affirmed the UNRWA decision.

Decision Contested or Judgment/Order Appealed

UNRWA judgment: The Applicant contested the decision to terminate his appointment. The UNRWA JAB found that the Applicant committed gross negligence by not properly reporting a case of cheating and failed to comply with the Agency's contracting procedures. The JAB recommended that the Administration's decision to terminate the Applicant be upheld and the Commissioner-General approved this recommendation.

Legal Principle(s)

The Commissioner-General has broad discretionary authority in disciplinary matters.

Outcome

Appeal dismissed on merits

Outcome Extra Text

No relief ordered; No relief ordered.

Full judgment

[Full judgment](#)

Applicants/Appellants

Maslamani

Entity

UNRWA

Case Number(s)

2010-033

Tribunal

UNAT

Registry

New York

Date of Judgement

30 Mar 2010

President Judge

Judge Painter

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Disciplinary matters / misconduct

Dismissal/separation

Failure to report misconduct

Separation from service

Termination of appointment (see also, Termination of appointment)

Termination (of appointment)

Disciplinary sanction