

# **2011-UNAT-142, El Khatib**

## UNAT Held or UNDT Pronouncements

UNAT noted there was a pattern of withholding annual performance reports and salary increments, and that those delays were coupled with the denial of a post for which the Appellant was short-listed but was not filled prior to the Appellant's retirement. UNAT noted the Appellant was also denied his post, which was abolished due to restructuring. UNAT held that the Appellant was not treated conscientiously and fairly and deserved compensation. UNAT granted the appeal in part and ordered that the Appellant be paid three months' net base salary as compensation.

## Decision Contested or Judgment/Order Appealed

UNRWA decision: Mr El Khatib contested the abolition of his post and the delay in the payment of his annual salary increments. Contrary to the recommendation of the UNRWA Joint Appeals Board (JAB), which recommended compensation and an apology for Mr El Khatib, the UNRWA Commissioner-General dismissed the appeal.

## Legal Principle(s)

Left deliberately blank.

## Outcome

Appeal granted

## Outcome Extra Text

Only financial compensation; Only financial compensation.

## Full judgment

[Full judgment](#)

## Applicants/Appellants

El Khatib

## Entity

UNRWA

## Case Number(s)

2010-139

## Tribunal

UNAT

## Registry

New York

## Date of Judgement

8 Jul 2011

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Abolition of post

Benefits and entitlements

Salary

Compensation

Separation from service

Termination of appointment (see also, Termination of appointment)

Termination (of appointment)

Abolition of position