

2011-UNAT-185, Leboeuf et al.

UNAT Held or UNDT Pronouncements

UNAT noted that the language on overtime was interpreted for around 50 years in one way and then was changed and that there was some ambiguity in the provision. UNAT noted that it was still unclear on some issues surrounding whether it was proper for Staff Rules to apply differently in different duty stations and that UNDT should hear evidence on the issue, including on potential differences in application amongst departments in New York. UNAT vacated the UNDT judgment and remanded it to UNDT for further proceedings.

Decision Contested or Judgment/Order Appealed

The Applicants contested what they considered to be new practices on overtime and compensatory time off, namely that a staff member must have actually worked eight hours before becoming eligible for payment of overtime. UNDT found against the Applicants.

Legal Principle(s)

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Outcome

Appeal granted

Full judgment

[Full judgment](#)

Applicants/Appellants

Leboeuf et al.

Entity

DGACM

Case Number(s)

2011-193

Tribunal

UNAT

Registry

New York

Date of Judgement

21 Oct 2011

President Judge

Judge Painter

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

TEST -Rename- Benefits and entitlements-45

Applicable Law

Former Staff Rules

- [Appendix B](#)

Staff Rules

- [Rule 3.1](#)

Related Judgments and Orders

[UNDT/2010/206](#)