

2012-UNAT-208, Warintarawat

UNAT Held or UNDT Pronouncements

UNAT held that the Appellant had failed to demonstrate that the contested decision had adverse effects on his terms and conditions of employment, in particular his health insurance and benefits. UNAT held that the Appellant had brought no relevant arguments to challenge UNDT's finding that there was no administrative decision within UNDT's jurisdiction being contested. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision by which the Administration has entrusted an external company with the task of processing medical claims. UNDT found that the contested decision constituted a service organisation measure that did not immediately and directly affect the conditions of employment of the Applicant. UNDT dismissed the application as not receivable. The Applicant appealed.

Legal Principle(s)

UNDT and UNAT were established to adjudicate actual disputes, not to provide interpretation of the law in the absence of a case. Once there is no actual administrative decision being challenged, there is no need to adjudicate.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Warintarawat

Entity

ESCAP

Case Number(s)

2011-213

Tribunal

UNAT

Registry

New York

Date of Judgement

16 Mar 2012

President Judge

Judge Courtial

Language of Judgment

French

Issuance Type

Judgment

Categories/Subcategories

Administrative decision

Definition

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Applicable Law

Staff Regulations

- Provisional Regulation 8.1

Related Judgments and Orders

UNDT/2011/053