

# **2014-UNAT-489, Sidell**

## UNAT Held or UNDT Pronouncements

UNAT considered Mrs Sidell's two Applications, one for correction and the other for interpretation of the judgment. With respect to the Application for correction, UNAT held that there were no clerical or arithmetical mistakes in the relevant paragraphs and that Mrs Sidell merely disagreed with the referenced portions of the judgment. With respect to the Application for interpretation, UNAT held that the referenced paragraphs were clear in meaning on the face of the record and did not need any interpretation. UNAT denied both Applications.

## Decision Contested or Judgment/Order Appealed

Mrs Sidell challenged the UNJSPB's decision not to pay her a widow's benefit because she had not been reported to UNJPSF as being married to Mr Sidell at the time of his separation from service in 2002. UNAT concluded that the UNJSPF's Administrative Rules did not prevent a participant such as Mr Sidell from changing his record to acknowledge the valid marriage that he had entered into before his separation and that it was unreasonable to deny Mrs Sidell a widow's benefit. However, UNAT also concluded that the Sidells were negligent in not reporting their marriage before their respective separations from service and that the negligence on the part of the Sidells caused the UNJSPF to incur additional new obligations. Accordingly, UNAT ordered that the payment of the widow's benefit to Mrs Sidell should start from 21 June 2013, the date of the judgment.

## Legal Principle(s)

Neither the correction nor the interpretation procedures create an opportunity for a party to reargue his or her case.

## Outcome

Revision, correction, interpretation or execution

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Sidell

## Entity

UNJSPF

## Case Number(s)

2013-523

2013-525

## Tribunal

UNAT

## Registry

New York

## Date of Judgement

17 Oct 2014

## President Judge

Judge Adinyira

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Judgment-related matters

Correction of Judgment

Interpretation of Judgment

## Applicable Law

UNAT RoP

- Article 25
- Article 26

UNAT Statute

- Article 11.2
- Article 11.3

## Related Judgments and Orders

2013-UNAT-348

2013-UNAT-321