

2017-UNAT-749, Ayoub

UNAT Held or UNDT Pronouncements

UNAT held that there was no evidence before it to support the contention that UNRWA DT erred in law. UNAT upheld the findings of UNRWA DT that there was no evidence that the decision to abolish the Appellant's post was arbitrary or capricious, motivated by prejudice or extraneous factors, or was flawed by procedural irregularity or error of law. UNAT held that there was evidence of a process that was motivated by budgetary constraints as well as concerns about the effective management of a redundancy process. UNAT found no procedural irregularity or any error in law on the part of UNRWA DT. UNAT dismissed the appeal and upheld the UNRWA DT judgment.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision to abolish her post and declare her provisionally redundant. UNRWA DT concluded that there was a genuine redundancy situation. UNRWA DT was of the view that evaluating staff members on previous and current performance was reasonable under the special circumstances of the case and rejected the Applicant's contention that her evaluation was unfair. UNRWA DT dismissed the application.

Legal Principle(s)

Left deliberately blank

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Ayoub

Entity

UNRWA

Case Number(s)

2016-985

Tribunal

UNAT

Registry

New York

Date of Judgement

14 Jul 2017

Language of Judgment

Arabic

English

Issuance Type

Judgment

Categories/Subcategories

Separation from service

Termination of appointment (see also, Termination of appointment)

Termination (of appointment)

Abolition of position

Applicable Law

UNRWA Personnel Directives

- PD A/9