

2020-UNAT-1016, Abu Ata et al

UNAT Held or UNDT Pronouncements

UNAT held that UNRWA DT exercised its discretion to consolidate the cases lawfully and appropriately. UNAT held that there was a bona fide reason to restructure and that it was operationally rational to abolish the posts and reclassify them from full-time to part-time posts at that time. UNAT held that the Appellants' contention that their acquired rights were violated had no merit. UNAT dismissed the appeal and affirmed the UNRWA DT judgment.

Decision Contested or Judgment/Order Appealed

UNRWA DT consolidated a number of cases in which the staff members contested the decision not to renew their temporary indefinite appointments on a full-time basis due to lack of funding and to offer them new appointments on a part-time basis instead. UNRWA DT held that the contested decision was lawful, reasonable, and did not violate the staff members' acquired rights. UNRWA dismissed all the applications.

Legal Principle(s)

The overriding consideration on the consolidation of cases is convenience, expedience and judicial economy. Appointments carry no expectation of renewal or conversion to another type of appointment. If an exercise of discretion by UNRWA is legal, rational, procedurally correct, and proportional, there will be no basis for interference by UNAT.

Outcome

Appeal dismissed on merits

Outcome Extra Text

No relief ordered

Full judgment

[Full judgment](#)

Applicants/Appellants

Abu Ata et al

Entity

UNRWA

Case Number(s)

2019-1336

Tribunal

UNAT

Registry

New York

Date of Judgement

26 Jun 2020

President Judge

Judge Raikos

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Non-renewal

No expectancy of renewal

Applicable Law

UNRWA Area Staff Regulations

- Regulation 12.1

UNRWA Personnel Directives

- PD A/9/Rev.10

Related Judgments and Orders

2019-UNAT-960

2019-UNAT-902