

# 2020-UNAT-991, Thomas et al.

## UNAT Held or UNDT Pronouncements

UNAT held that UNDT did not commit any errors of law or fact in finding that the applications were not receivable *ratione materiae*. UNAT held that the Local Salary Survey Committee (LSSC) does not constitute a technical body and therefore does not exempt the Appellants from the mandatory first step of requesting a management evaluation. UNAT dismissed the appeals and affirmed the UNDT judgments.

## Decision Contested or Judgment/Order Appealed

The Applicants wished to contest a salary survey which led to a downward salary revision. UNDT rejected the applications as not receivable *ratione materiae* because the Appellants failed to request a management evaluation before applying to UNDT.

## Legal Principle(s)

It is the Secretary-General's prerogative whether to waive the requirement for a request for management evaluation; the Tribunals have no authority in this regard.

## Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Thomas et al.

Entity

UNHCR

Case Number(s)

2019-1295

2019-1296

2019-1297

2019-1298

2019-1300

2019-1311

Tribunal

UNAT

Registry

New York

Date of Judgement

27 Mar 2020

President Judge

Judge Knierim

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Management Evaluation  
Subject matter (*ratione materiae*)  
Applicable Law  
Administrative Instructions

- ST/AI/2018/7

Secretary-General's bulletins

- ST/SGB/2009/4

Staff Rules

- Rule 11.2

Related Judgments and Orders

UNDT/2019/100  
UNDT/2019/099  
UNDT/2019/101  
UNDT/2019/102  
UNDT/2019/121  
UNDT/2019/104  
2016-UNAT-695  
2014-UNAT-479  
2015-UNAT-559  
2018-UNAT-820  
2019-UNAT-936