

2020-UNAT-992, Manoharan 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 management evaluation. UNAT dismissed the appeal and affirmed the UNDT judgment.

Decision Contested or Judgment/Order Appealed

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

Legal Principle(s)

To waive the requirement of management evaluation is the prerogative of the Secretary-General and the Tribunals have no authority in this respect.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Manoharan et al.

Entity

DPI

Case Number(s)

2019-1299

Tribunal

UNAT

Registry

New York

Date of Judgement

27 Mar 2020

President Judge

Judge Neven

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Management Evaluation

Time limit

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/2019/103

2014-UNAT-479

2016-UNAT-695

2015-UNAT-559

2018-UNAT-820

2019-UNAT-936