

# 576 (2024), Jacques Cramatte et al.

## UNAT Held or UNDT Pronouncements

The UNAT did not consider the seasonal absences of legal staff to be an exceptional circumstance. The UNAT found that, on the contrary, it was routinely expected that staff will take annual leave in the summer months. The UNAT further held that the fact that the Director General had failed to view any e-mail for a period of 19 days was an error for which the consequences had to be borne by the Director General. The UNAT denied the Director General's motion for an extension of time to file a response to the staff members' motion.

## Decision Contested or Judgment/Order Appealed

Former staff members of the Universal Postal Union appealed the decision of the UPU Appeals Committee and later filed a motion for additional pleadings. The Director General did not submit a response to the staff members' motion in time. The Director General filed a motion for extension of time to file a response to the staff members' motion for additional pleadings.

## Legal Principle(s)

The Appeals Tribunal has been strictly enforcing, and will continue to strictly enforce, the various time limits. The term "exceptional" means something out of the ordinary, quite unusual, special or uncommon. For a reason or circumstance to be exceptional, it needs not be unique but it cannot be one which is regular or routinely or normally encountered. The Appeals Tribunal has denied requests for extensions of time that were premised on the absence of an Organization's legal officer due to vacation, or travel by the parties.

## Outcome

Other motion denied

Full order

[Full order](#)

Individual Party

Jacques Cramatte et al.

Entity

Other Agency/Fund/Programme/UN Entity

Case Number(s)

2024-1908

Tribunal

UNAT

Registry

New York

Date of Order

15 Aug 2024

President Judge

Judge Gao

Language of Order

English

Appeal Status

Appealed

Issuance Type

Order

Categories/Subcategories

Extension of time

Management Evaluation

Applicable Law

UNAT RoP

- Article 30

UNAT Statute

- Article 7.3

Related Judgments and Orders

2024-UNAT-1417