



UNITED NATIONS DISPUTE TRIBUNAL

UNDT/NY/2017/027,
028, 032, 034, 035,
Case Nos.: 036, 039, 040, 043,
050, 051, 054, 057,
060, 068
Judgment No.: UNDT/2019/066
Date: 24 April 2019
Original: English

Before: Judge Goolam Meeran

Registry: New York

Registrar: Nerea Suero Fontecha

SHERMET, KHAN, EL CHAAR,
ABUBAKR, COELLO MARTIN,
MACDONELL, THEUNISSEN,
COSTELLO, PEREZ GUTIERREZ,
GUSTIN-GARDELLA, KIM, PALAIRET,
MOREAU, ELIZALDE, NICOARA

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT

Counsel for Applicant:

Daniel Trup, OSLA
Natalie Puchalka, OSLA

Counsel for Respondent:

Elizabeth Gall, ALD/OHR, UN Secretariat

Introduction

1. These cases are part of a substantial number of cases challenging the decision of the Administration to reduce the salaries, benefits and entitlements of staff members. They have commonly been referred to in the Organization as the “Unified Salary Scale Cases”.

2. Not surprisingly, given the volume of cases filed and the importance of the issues raised, the applicable legal principles were comprehensively examined by the Appeals Tribunal in *Lloret-Alcaniz et al.* 2018-UNAT-840, *Quijano-Evans et al.* 2018-UNAT-841 and *Mirella et al.* 2018-UNAT-842.

3. The cases were assigned to the undersigned Judge on 1 April 2019.

4. Following the rulings of the Appeals Tribunal, the parties, who are legally represented, were ordered to make representations as to further progress in these cases. In particular, the Applicants were given the opportunity to distinguish their cases from the rulings of the Appeals Tribunal and if they were not seeking to distinguish their cases they were invited to consider an appropriate means of disposal including, if they so wished, a withdrawal of their claims.

5. The Applicants submitted that their claims were identical to the arguments considered by the Appeals Tribunal in *Lloret-Alcaniz et al.* 2018-UNAT-840, *Quijano-Evans et al.* 2018-UNAT-841 and *Mirella et al.* 2018-UNAT-842 and they declined to offer any comments or arguments to distinguish their cases from the binding rulings of the Appeals Tribunal.

6. The Tribunal considers it appropriate to subject these cases to an order for combined proceedings and it is so ordered.

7. In the absence of any arguable point of law and given the binding rulings of the Appeals Tribunal in the aforementioned judgments on the Salary Scale Cases, the Tribunal dismisses each of these claims.

Judgment

8. These claims are dismissed.

(Signed)

Judge Goolam Meeran

Dated this 24th day of April 2019

Entered in the Register on this 24th day of April 2019

(Signed)

Nerea Suero Fontecha, Registrar, New York