



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2021/018
Order No.: 40 (NY/2021)
Date: 29 April 2021
Original: English

Before: Judge Joelle Adda
Registry: New York
Registrar: Nerea Suero Fontecha

OVCHARENKO ET AL.

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER
ON AN APPLICATION FOR
SUSPENSION OF ACTION

Counsel for Applicant:
George Irving

Counsel for Respondent:
Alan Gutman, ALD/OHR, UN Secretariat

Introduction

1. On 26 April 2021, the Applicants filed an application for suspension of action in contesting the “unilateral change in the individual workload standards for translation and self-revision”.

2. On 29 April 2021, upon the instructions of the Tribunal, the Respondent replied that the application is not receivable because on 29 April 2021, “the Management Evaluation Unit provided the Applicants with the outcome of their requests for management evaluation”.

Consideration

3. Under art. 2.2 of the Dispute Tribunal’s Statute and art. 13.1 of the Rules of Procedure, the Tribunal may suspend the implementation of a contested administrative decision during the pendency of management evaluation. For an application for suspension of action to be receivable, a response to a request for management evaluation must therefore be pending.

4. To the Respondent’s reply, he appends a response from the Management Evaluation Unit to Counsel for the Applicant dated 29 April 2021 regarding their cases in which is stated that “[f]ollowing a review of your submissions, we regret to inform you that your clients’ requests are not receivable”.

5. The Tribunal therefore concludes that no management evaluation is pending in this case.

Conclusion

6. The application for suspension of action is rejected as not receivable.

(Signed)

Judge Joelle Adda

Dated this 29th day of April 2021