



UNITED NATIONS DISPUTE TRIBUNAL

Cases Nos.: UNDT/NY/2021/021  
UNDT/NY/2021/024  
Order No.: 59 (NY/2021)  
Date: 17 June 2021  
Original: English

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**Before:** Duty Judge  
**Registry:** New York  
**Registrar:** Nerea Suero Fontecha

OVCHARENKO ET AL.  
KUTNER ET AL.

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**  
**ON APPLICATION FOR INTERIM**  
**MEASURES**

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**Counsel for Applicant:**  
George Irving

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

## **Introduction**

1. On 21 May 2021, a first group of Applicants filed an application contesting the “unilateral change in the individual workload standards for translation and self-revision”. The case was registered with Case No. UNDT/NY/2021/021.
2. On 7 June 2021, the Respondent requested that the receivability of the applications be determined as a preliminary matter.
3. On 7 June 2021, a second group of Applicants filed a second application contesting the “unilateral change in the individual workload standards for translation and self-revision”. The case was registered with Case No. UNDT/NY/2021/024.
4. On the same day, 7 June 2021, by Order No. 55 (NY/2021), the Duty Judge joined the hearing of the two cases and requested submissions from the parties on the preliminary issue of receivability.
5. On 14 June 2021, the Applicants filed a motion for interim measures requesting the suspension of the implementation of “the contested decision increasing workload standards as recommended by the Department for General Assembly and Conference Management (“DGACM”)] [W]orking Group pending a final determination on the merits”.
6. On 16 June 2021, the Respondent opposed the motion on the grounds, *inter alia*, that it is not receivable because it does not identify an individualized administrative decision impacting the Applicants’ contractual rights.

**Consideration**

7. The Tribunal notes that the application for interim measures raises the same issues of receivability as the applications on the merits. Before considering any request for interim measures the issue of receivability must be determined.

8. In these circumstances, the Tribunal rejects the application for interim measures until the parties have filed their submissions on receivability as directed in Order No. 55 (NY/2021) and the Tribunal has ruled on this question.

9. These cases have been assigned to Judge Joelle Adda for adjudication.

10. In light of the above,

**IT IS ORDERED THAT:**

11. The application for interim measures is rejected.

*(Signed)*

Judge Joelle Adda

Dated this 17<sup>th</sup> day of June 2021