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staff members who had been on strike on two shifts, days would be covered by a 50% payroll deduction from the next payroll and a 50% deduction from annual leave, and that 100% payroll deduction would be made for all staff who were absent from work on another shift, day; constitutes an acceptable administrative decision. The Appeals Tribunal found that the Circular contained all the necessary components referred to in Andronov to give rise to legal consequences for the striking staff; and that it contained information which affected the rights of the staff members in question given that it was being clearly communicated to the relevant staff members that deductions were going to be made from their salaries; hence; i-sHLH-is the striking staff members it had individual application.

39. It is the considered view of this Tribunal that the situation in the case at hand differs from the case of Al Surkhi et al. The Circular in Al Surkhi et al) was addressed and applied to a certain and clearly definable group of staff members who had been on strike on two or three shifts, days and whose therefore by their own concrete actions were subjected to a certain decision by the Administration I to whts a deduction from payroll/annual leave on the basis of the principle of no pay for days not worked. Thus; the decisions though collectives was of individual applications and its application was clearly defined in scope and time. In the present case; however; the salary freeze applies to a group of staff members defined exclusively by their status and category within the !rganization; and; as noted above; its application in time and duration cannot be determined. Accordingly; the Tribunal concludes that in applying the test of Andronov; the decision to freeze existing salary scales until the ;gap is closed; as contained in !E*" scale of 6 8ebruary 2012; does not constitute an administrative decision for the purpose of art. 2.13a4 of the Tribunal/s 7tatute.

40. This part of the application is therefore equally not receivable; and has to be dismissed.

41. "oreoves the Tribunal recalls that decisions by which the 7ecretary#Genera/ fixes salary scales in accordance with the above#9uoted

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Judge Jeanᴴ8(anᴹo+s Cous+n

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