

UNITED NATIONS DISPUTE TRIBUNAL

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Introduction

1. Each of the Applicants, General staff members of the United Nations Population Fund (“UNFPA”), India, in the service of the Organization from a date prior to 1 November 2014, filed a motion for extension of time to file an application against “the decision of [United Nations Office of Human Resources Management, International Civil Service Commission] (“UN/OHRM/ICSC”) that the comprehensive salary survey conducted in New Delhi, India, in June 2013 found that the current salaries for locally-recruited staff are above the labour market”, as contained in the UN/OHRM cable of 1 October 2014.

2. The Applicants state that:

[c]onsequently, there has been no revision of salary scales after the comprehensive survey for staff members already on board prior to 01/11/2014, including the Applicant. The decision communicates that the eligible staff already on board prior to 01/11/2014 will continue to be on GS 61 and NO 21, being the earlier salary scale before the comprehensive salary survey in June 2013. Amendments to salary scale revision 61 for the General Service category and revision 21 for the National Officer category, payable to eligible staff already on board prior to 1 November 2014, are issued to reflect revised allowances (the child and language allowance have been revised downward).

3. Having reviewed the Applicants’ submissions, the Tribunal is of the view that it is not necessary to grant an extension of time for filing an application, since the filings are sufficient to be regarded as—incomplete—applications.

Facts

4. A Comprehensive Local Salary Survey was conducted in New Delhi in June 2013, and the results of the survey were promulgated by OHRM on its website, as reflected in its cable dated 1 October 2014, in the following terms:

Subject: New Delhi (India) local salaries

(AAA) following the comprehensive salary survey conducted in New Delhi in June 2013, this is to advise you that the results of the survey indicate that salaries for locally recruited staff are above the labour market when compared with the remuneration package of the retained comparators by 13.4 per cent for general service (GGSS) category and 19.4 per cent for national officer category. accordingly, the following salary scales are issued:

- (1) GS 62 and no 22, both effective 1 June 2013, payable only to staff recruited on or after one November 2014. revised net salaries reflect downward adjustment of (-) 13.4 per cent for GGSS and (-) 19.4 per cent for NNOO.
- (2) amend. one to GS 61 and no 21, effective 1 July 2012, payable to eligible staff already on board prior to one November 2014, the amendments are issued to reflect revised allowances.

(BBB) revised allowances in rupees net per annum are as follows:

- (1) child, per child, subject to maximum of six children
 - a. 23,511 applicable to staff members for whom the allowance becomes payable on or after one November 2014;
 - b. 27,156 applicable to staff members for whom the allowance becomes payable prior to one November 2014;
- (2) first language
 - a. 29,532 applicable to staff members for whom the allowance becomes payable on or after one November 2014;
 - b. 34,104 applicable to staff members for whom the allowance becomes payable prior to one November 2014;

(3) second language

- a. 14,766 applicable to staff members for whom the allowance becomes payable on or after one November 2014;
- b. 17,052 applicable to staff members for whom the allowance becomes payable prior to one November 2014.

5. In the applications, it is stressed that the salary freeze is causing the Applicants grave prejudice and that to allow the Applicants to challenge the survey and the results thereof, the list of comparators interviewed and retained during the 2013 salary survey should be shared with the Applicants.

Consideration

6. As a preliminary matter, since the present individual applications concern identical decisions, rely on common facts and raise the same questions of fact and law, and since all Applicants are staff members of UNFPA, India, the Tribunal considers it appropriate to adjudicate upon them jointly. Therefore, a single judgment is issued in respect of the 31 applications.

7. The Tribunal recalls that its jurisdiction is limited, and that the General Assembly has emphasized more than once that the Tribunals of the new system of administration of justice shall not have any powers beyond those conferred under their respective statutes (see, e.g., para. 5 of A/RES/67/241, adopted on

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[the] decision is of a general order, in that it concerns all eligible General Service staff and National Officers in Bangkok on board prior to 1 March 2012. As such, the circle of persons to whom the salary freeze applies is not defined individually but by reference to the status and category of these persons within the Orgrg s do

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20. The [OHRM] promulgated the salary survey results on its

