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Judgment No. 2021-UNAT-1130



Counsel for Appellant:

Self-represented

Counsel for Respondent

Alfonso Ascencio-Herrera

JUDGE JOHN RAYMOND MURPHY , PRESIDING .

1. On 18 May 2019, Van Khanh Nguyen (Ms. Nguyen) contested the decision of the International Seabed Authority (ISA) to withhold her within- grade salary increment, after her supervisor had found her performance to fall below expectations. On 6 May 2020, the ISA Joint Appeal Board (JAB) dismissed her appeal finding that the case was moot and without merit since she had been granted the salary increment retroactively, when her supervisor upgraded her performance rating following a conciliation process. Ms. Nguyen now seeks review of the JAB decision on the premise that it erred on matters of fact and law resulting in a manifestly unreasonable decision that violated her basic rights. For reasons set out below, we dismiss the appeal and confirm the JAB decision.

Facts and Procedure

2. Ms. Nguyen became a staff member of the ISA on 14 February 2018 as a Finance Officer on a two-year fixed term secondment from the United Nations Population Fund Office

9. On 6 June 2019, after the parties had started the conciliation process, the D/OAS notified human resources that the overall performance for Ms. Nguyen for the period of February 2018 trar th n06 (0)1-0.001i

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The ISA Secretary -

