

Before: Judge Teresa Bravo

Registry: Geneva

Registrar: René M. Vargas M.

CHAWLA ET AL.¹

٧.

SECRETARY-GENERAL OF THE UNITED NATIONS

SUMMARY JUDGMENT

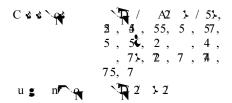
Counsel for Applicant:

Self-represented

Counsel for Respondent:

UNDP

Notice: This Judgment has been corrected in accordance with ar



Introduction

1. In August 2016, the Applicants, 19 locally-recruited General staff members of the United Nations Development Programme ("UNDP") based in India, filed separate applications challenging the adoption of the new salary scales posted on 1 October 2014 on the website of the Office of Human Resources Management ("OHRM"), and entailing the freeze of the salary scales for staff on board prior to 1 November 2014. This measure resulted from the Comprehensive Local Salary Survey conducted in India in June 2013, which concluded that salaries for the locally-recruited staff were above the labour market.

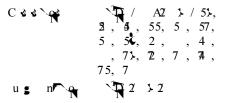
Facts

2. A Comprehensive Salary Survey was conducted in New Delhi in June 2013. The results of it were published by OHRM in its website, as reflected in its cable dated 1 October 2014, that read as follows:

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 percent 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 GS61 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;
 - 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;
- 34,104 applicable to staff members for whom the allowance becomes payable prior to one November 2014;

(3) Second language

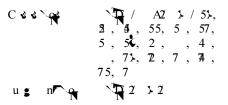
- a. 14,766 applicable to staff members for whom the allowance becomes payable on or after one November 2014;
- b. 17,052 applicable to staff members for whom the allowance becomes payable prior to one November 2014.

Consideration

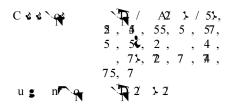
3. As a preliminary matter, the Tribunal finds appropriate to adjudicate jointly the various applications at bar by one single judgment, considering that all of them challenge identical decisions, arise from common facts, raise the same factual and legal issues, and share the same Respondent, since all of the Applicants are staff members of UNDP in India.

C & & & A2 1 / 51, 2 , 5 , 55, 5 , 57, 5 , 56, 2 , , 4 , , 71, 2 , 7 , 74 ,

C & & A2 1 / 51, 2 , 4 , 55, 5 , 57, 5 , 56, 2 , , 4 , , 71, 2 , 7 , 4 , 75, 7



the Applicants have deemed that they were taken based on advice by a technical body, i.e., the Comprehensive Salary Survey.



Entered in the Register on this $\mathbf{4}^{th}$ day of November 2016

(Signed)

René M. Vargas M., Registrar, Geneva