Counsel for Commissioner-General:

JUDGE GAO XIAOLI, PRESIDING.

1. Ms. Dua Smadi (Ms. Smadi),[1] a staff member of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA or the Agency), contested a decision not to reclassify her post as Deputy Head Health Centre (D/HHC) "A" at Grade HL7 (contested decision).

2. By Judgment No. UNRWA/DT/2023/016, the UNRWA Dispute Tribunal (UNRWA DT) rescinded the contested decision and ordered that the Commissioner-General was to pay to Ms. Smadi the difference from 1 August 2017 between the salaries and assr8ated(e)-3.4 (n)6.8 t(i)2.3 t(l)6.2 (e)-3.

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medium Health Centres or assisted the Senior Medical Officers, Grade 16, in managing large Health Centres.

7. Effective 1 January 2012, Ms. Smadi's appointment was converted from fixed-term appointment to temporary indefinite appointment.[6]

8. Effective 1 January 2015, the posts of Medical Officer "B" were reclassified from Grade 14 to Grade 15.[7] Soon thereafter the post title of Medical Officer "B" was changed to Medical Officer, and subsequently the Agency also began to refer to the former Medical Officers "A" as Medical

The impugned Judgment

25. By Judgment No. UNRWA/DT/2023/016 dated 30 March 2023, the UNRWA DT rescinded the contested decision, ordered that the Commissioner-General was to pay to Ms. Smadi the difference from 1 August 2017 between the salaries and associated entitlements of Grade HL6 and step which she held, and Grade HL7 and step to which she was entitled, and rejected all other pleas. The UNRWA DT decided that if the Judgment was not appealed, the US Prime Rate applicable as of 30 May 202 0.026 Tw -10.783 -2.815 Tdhou aica7006 Twdd eugs op (s)230.r3.3 (eug)-2

post description. Both continued to have managerial responsibilities. Medical Officers "A" moved between posts in differently sized Health Centres based simply on availability and vacancies. Ms. Smadi served as the Head of a small or medium HedB(sm)-7.6 (./(3.4 7[0 (PE)-6 (th)-2.4 (co)-1.8 (l

35. The Commissioner-General contends that the UNWA DT had failed to identify a causal link between the contested decision and the alleged injury. The letter of 29 July 2019 was the contested decision and, by the UNRWA DT's reasoning, a time limit of six months for the reclassification exercise was reasonable and sufficient—therefore the salary difference should be calculated from 29 January 2020.

36. The Commissioner-General submits that it was a material error to order the payment of salary for the period when no reviewable administrative decision had been taken. The UNRWA DT's competence is limited to the review of the contested decision, and does not extend to other, unchallenged administrative decisions. The contested decision was of prospective, not retroactive effect. There was no harm directly caused by the c.3 (v)1.7 (e)-1.4 ( )-0.6 (jo)-g.7 (d)2.x0 Tw 5.57 (d)0 th1.1