

## **ASIAN DEVELOPMENT BANK ADMINISTRATIVE TRIBUNAL**

**Decision No. 63  
(8 August 2003)**

**Ruben R. Salvino  
v.  
Asian Development Bank**

**Robert A. Gorman, President  
Martti Koskenniemi, Vice-President  
Flerida Ruth P. Romero**

1. The Applicant, a Records Assistant, Support Staff level 4, in the Office of Administrative Services, Records and Archives Section ("OAFM-RA"), responding to an invitation for applications for the position of Senior Records Assistant, level 5, OAFM-RA, which appeared on the Human Resources Division ("BPHR") Intranet, submitted an application for said vacancy.
2. Along with seven other applicants for the Senior Records Assistant position, he was interviewed by a Selection Panel of three on 12 December 2000. On 24 January 2001, all the Applicants were informed that Ms. A was chosen for the position.
3. The Applicant, with four others, requested administrative review of the decision, first by the Manager, BPHR, and later by the Manager, Budget, Personnel and Management Systems Department ("BPMSD"), both of whom denied the requests.
4. The five then appealed to the Appeals Committee, which rejected their claims on 17 December 2001. On 19 December 2001, the President approved the Report of the Appeals Committee.
5. The Applicant and his four companions filed separate Applications with the Tribunal on 2 April 2002. Their requests to consolidate their cases were denied by the Tribunal.
6. The Applicant's claims for relief consist principally of compensation for lost opportunity for advancement, for moral injuries and costs.
7. The Tribunal concludes, for the reasons stated in *Guioguo vs. ADB*, Decision No. 59 [2003], delivered this day, that there has been no abuse of discretion or failure of due process on the part of the Respondent in awarding the contested promotion to Ms. A.

### **Decision**

The Tribunal unanimously dismisses the Application.