

UNDT/2010/059, Antaki

UNAT Held or UNDT Pronouncements

Outcome: Application dismissed, but award of a nominal compensation of USD 1,000 for procedural deficiencies in the selection process.

Decision Contested or Judgment/Order Appealed

The applicant applied for three P-5 translator positions in the Arabic Interpreters Section, DGACM. She was not recommended as a qualified candidate for two of these positions as it was found that she had not demonstrated the required competencies during a competency-based interview. This decision was expressed in a narrative evaluation of the candidate, which had been prepared by the PCO and subsequently approved by the panel members. However, the individual scores provided by the panel members indicated that the applicant apparently had the necessary qualifications. The applicant appeals the decision, which she also claims resulted in her being excluded from the third and similar P-5 position.

Legal Principle(s)

No numerical score given by a member of an interview panel can ever be more than indicative. It is therefore imperative that the panel states whether a candidate did or did not demonstrate the requisite attributes for appointment. The narrative prepared by the PCO was a fair reflection of the true consensus of the panel. Preferential treatment to women in selection processes only becomes relevant in the event that a female candidate qualifies for the post. Performance evaluations of competencies expressed in an e-PAS for a P-4 position are not necessarily indicative as to a candidate's qualifications for similar competencies at the P-5 level, since some functions may be significantly different.

Outcome

Judgment entered for Applicant in full or in part

Full judgment

[Full judgment](#)

Applicants/Appellants

Antaki

Entity

UNOV

Case Number(s)

UNDT/NY/2009/027/JAB

Tribunal

UNDT

Registry

New York

Date of Judgement

27 Apr 2010

Duty Judge

Judge Adams

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Staff selection (non-selection/non-promotion)

Full and fair consideration

Selection decision

Applicable Law

Administrative Instructions

- ST/AI/1999/9
- ST/AI/2002/4
- ST/AI/2006/3

Staff Regulations

- Regulation 4.2
- Regulation 4.3