

# UNDT/2010/193, Hepworth

## UNAT Held or UNDT Pronouncements

The applicant did not have a legitimate expectancy of renewal. No express promise by the Administration could be found. Had there been one, the letters of appointment signed by the applicant explicitly state that fixed-term appointments do not carry any expectancy of renewal. No promise could override the clear words of the letters of appointment signed subsequently. It cannot be stated that the non-renewal decision was based on improper motives or otherwise constituted an abuse of discretion. The Organization was not bound to give any justification for not extending the applicant's fixed-term appointment. Since the applicant withdrew his request for management evaluation of the decision to transfer him, that decision can only be considered as a fact which is no longer open to judicial review.

## Decision Contested or Judgment/Order Appealed

The Applicant contested the decision not to renew his contract.

## Legal Principle(s)

N/A

## Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Hepworth

Entity

UNEP

Case Number(s)

UNDT/GVA/2009/095

Tribunal

UNDT

Registry

Geneva

Date of Judgement

27 Oct 2010

Duty Judge

Judge Laker

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Appointment (type)

Fixed-term appointment

Disciplinary matters / misconduct

Abuse of authority

Non-renewal

No expectancy of renewal

Applicable Law

Administrative Instructions

- ST/AI/2006/3

Former Staff Regulations

- Regulation 1.2(c)

Former Staff Rules

- Rule 101.2(b)
- Rule 104.12(b)(ii)
- Rule 109.7

Related Judgments and Orders

UNDT/2010/005

UNDT/2010/161

UNDT/2009/003

UNDT/2010/009