

UNDT/2012/059, Kamanou

UNAT Held or UNDT Pronouncements

Receivability/administrative decision: Preparatory measures such as the decision not to prepare a work plan for the purpose of appraising a staff member's performance can only be reviewed within the context of the assessment of the final decision, that is, the outcome of the staff member's performance appraisal. Rebuttal procedure: It results from ST/AI/2002/3 that a staff member may not challenge before the Tribunal his/her performance rating unless he/she has previously initiated the rebuttal process provided for in this administrative instruction.

Decision Contested or Judgment/Order Appealed

The Applicant challenged her 2007-2008, 2008-2009, 2009-2010 and 2010-2011 performance appraisals. The Tribunal observes that the Applicant failed to initiate a rebuttal process in relation to her 2007-2008 and 2009-2010 performance appraisals. It further rejects as unsubstantiated her contention that the rebuttal process was not finalised in relation to her 2008-2009 performance appraisal. Lastly, it observes that she failed to request management evaluation of the rating given for the 2010-2011 performance cycle. Accordingly, it rejects the Application.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Kamanou

Entity

DESA

Case Number(s)

UNDT/GVA/2011/76

Tribunal

UNDT

Registry

Geneva

Date of Judgement

28 May 2012

Duty Judge

Judge Cousin

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Administrative decision

Jurisdiction / receivability (UNDT or first instance)

Management Evaluation

Applicable Law

Administrative Instructions

- ST/AI/2002/3