

UNDT/2012/149, Applicant

UNAT Held or UNDT Pronouncements

The Applicant made a range of vague references to different circumstances surrounding the question of the closing of her complaint regarding harassment and abuse of authority, but failed to clearly define any other contested administrative decisions. The Tribunal therefore finds that the only issue properly before it as that concerning the decision of the Director to dismiss the Applicant's appeal regarding harassment and abuse of authority in accepting the findings of the OIA.

Decision Contested or Judgment/Order Appealed

"Rejection of [the Applicant's her] [a]ppeal" by the Director, Division of Human Resources, UNICEF, dated 22 December 2009. A perusal of the case file reveals that this decision primarily concerned the closure of a case that the Applicant had previously brought against the Chief of OLDS for harassment and abuse of authority.

Legal Principle(s)

To be receivable, an application must properly single out each and every administrative decision that an applicant wishes to contest in a clear and concise manner. A bare reference in an application form as that made by the Applicant would generally be inadequate, since each and every administrative decision being appealed needs to be spelt out in precise terms. In general, before submitting an application to the Dispute Tribunal, a mandatory first step for an applicant is to request a management evaluation of the contested administrative decision. Furthermore, under staff rule 11.2, such request for management evaluation "shall not be receivable by the Secretary-General unless it is sent within sixty calendar days from the date on which the staff member received notification of the administrative decision to be contested".

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Applicant

Entity

UNICEF

Case Number(s)

UNDT/NY/2010/070

Tribunal

UNDT

Registry

New York

Date of Judgement

10 Oct 2012

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Applicable Law

Administrative Instructions

Staff Rules

- Rule 11.2

UNDT Statute

- Article 8.1(c)