

UNDT/2013/034, Dunda

UNAT Held or UNDT Pronouncements

It is not disputed by either party that the Applicant was not employed by the Organization during the one week period between the curtailment, requested by himself, of his employment with UNECA and his appointment at UNHQ. Furthermore, the Applicant “does not seek to challenge the 2005 decision creating the break in service, but, [in light of the Tribunal’s decision in Gomez], the later decision not to consider him eligible for conversion to permanent appointment on the basis of that earlier decision”. The Tribunal finds that the Applicant was ineligible for consideration for conversion to permanent appointment as the break in service resulted in him not having acquired five years of continuous service on a fixed-term appointment. The Applicant requests that he be considered for conversion to a permanent appointment or that his contract “be converted to a continuing contract”. The UNDT found that the decision that the Applicant was not eligible for consideration for conversion to a permanent appointment was lawful.

Decision Contested or Judgment/Order Appealed

The Applicant contests the decision finding him ineligible for consideration for conversion to a permanent appointment due one week break in service in 2005 which resulted in him not having acquired five years of continuous service on fixed-term appointments. T

Legal Principle(s)

N/A

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Dunda

Entity

DSS

Case Number(s)

UNDT/NY/2011/065

Tribunal

UNDT

Registry

New York

Date of Judgement

27 Feb 2013

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Appointment (type)

Continuing appointment

Permanent appointment

Applicable Law

Secretary-General's bulletins

- ST/SGB/2009/10

Related Judgments and Orders

UNDT/2009/075

UNDT/2010/042

UNDT/2011/126

UNDT/2011/189

UNDT/2011/196

2010-UNAT-037