

# UNDT/2013/066, Chikuhwa

## UNAT Held or UNDT Pronouncements

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 her ineligible for consideration for conversion to a permanent appointment due to the fact that she was not on a fixed-term appointment at the time she requested that she be considered eligible for consideration for conversion to permanent appointment.

## Legal Principle(s)

For a staff member to be eligible for consideration for conversion to a permanent appointment he or she must meet each of the following requirements: (1) Be on a fixed-term appointment at the time of consideration; (2) The fixed-term appointment is with the United Nations Secretariat; (3) Have completed at least five years of continuous service by 30 June 2009; (4) The continuous service was completed on fixed-term appointments under the 100 series of the Staff Rules; (5) On the date the staff member completed the five years of qualifying service he or she was under the age of 53. At the time of consideration, as well as at the time the Judgment was rendered, the Applicant was no longer appointed on a fixed-term contract. Rather, she was, and still is, an active staff member on a temporary appointment with the United Nations Secretariat. Consequently, she did not meet at least one of the cumulative requirements to be eligible for conversion to a permanent appointment.

## Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Chikuhwa

Entity

DPKO

Case Number(s)

UNDT/NY/2011/023

Tribunal

UNDT

Registry

New York

Date of Judgement

4 Dec 2013

Duty Judge

Judge Greceanu

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Appointment (type)

Permanent appointment  
Applicable Law  
Secretary-General's bulletins

- ST/SGB/2009/10

Staff Rules

- Rule 4.12