

UNDT/2013/087, Vandamme

UNAT Held or UNDT Pronouncements

The Applicant's separations from service were the result of the expiration of his fixed-term appointments in the natural course of business. There were no legal provisions or administrative decision requiring that the Applicant take any breaks in service between his FTAs. The time period between his separation from service on one FTA and his re-employment on another FTA, which was not followed by any type of reinstatement, results in the Applicant's continuity of service being broken. Therefore, one of the cumulative conditions of ST/SGB/2009/10, to have five years of continuous service before 30 June 2009, was not fulfilled.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decision that he was ineligible for consideration for conversion to a permanent appointment due to his breaks in service being that he was reappointed within less than a month of each of his breaks in service.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Vandamme

Entity

OHRM

Case Number(s)

UNDT/NY/2011/002

Tribunal

UNDT

Registry

New York

Date of Judgement

6 Nov 2013

Duty Judge

Judge Greceanu

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Administrative decision

Appointment (type)

Fixed-term appointment

TEST -Rename- Benefits and entitlements-45

Applicable Law

Administrative Instructions

- ST/AI/2010/4
- ST/AI/2010/4/Rev.1

Secretary-General's bulletins

- ST/SGB/2009/10
- ST/SGB/2009/7
- ST/SGB/2013/1

Related Judgments and Orders

UNDT/2011/126

UNDT/2011/189

UNDT/2011/196