

UNDT/2013/099, Wang

UNAT Held or UNDT Pronouncements

The Tribunal found that the contested decision was lawful and that the selected candidate met the required work experience for the post. Computation of part-time experience: The conversion of part-time work experience to relevant work experience is within the discretion of the administration as long as the method used is not arbitrary or irregular. Written tests: Though there are no established rules and or guidelines for the rating system and the distribution of points for a written test exercise, a hiring manager has discretion in developing a standard to be used to govern the awarding of scores and ratings for a written test. Tribunal's role in appointment and promotion exercises: is to examine whether the selection process was carried out in an improper, irregular or otherwise flawed manner, to assess whether the resulting decision was tainted by extraneous factors, undue consideration or was manifestly unreasonable. Rescission of selection decisions: The Tribunal can only rescind a selection decision in appointment-related matters, where there is evidence of bias whether actual or apparent, discrimination, failure to give a party full and fair consideration and in the face of irrefutable procedural irregularities. The fact of being invited to a competency-based interview after a successful written test should not be interpreted to mean that this would prevail over any flaws that may have been detected concerning the written test.

Decision Contested or Judgment/Order Appealed

The Applicant appealed the non-selection of his candidature to the post of Chinese Reviser at the P-4 level on the grounds that one of the selected candidates did not have the requisite relevant work experience required for the post and that the evaluators of the written test were biased against him.

Legal Principle(s)

N/A

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Wang

Entity

UNOG

Case Number(s)

UNDT/GVA/2012/65

Tribunal

UNDT

Registry

Geneva

Date of Judgement

30 Jul 2013

Duty Judge

Judge Laker

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Staff selection (non-selection/non-promotion)

Interview

Selection decision

Written test

Applicable Law

Administrative Instructions

- ST/AI/2010/3

Related Judgments and Orders

2010-UNAT-045

2011-UNAT-110

2011-UNAT-122

2012-UNAT-200

2012-UNAT-242