

UNDT/2013/124, Fayek

UNAT Held or UNDT Pronouncements

The MEU received the Applicant's request for management evaluation on 7 May 2013. The Applicant was therefore required to file her application with the Tribunal within 90 calendar days from 6 June 2013, namely 4 September 2013. The fact that the MEU sent a response to her request for management evaluation on 26 June 2013, after the 30 day time limit does not have the effect of extending the relevant response period. The Applicant did not submit an appeal with the Dispute Tribunal within the required time limit. The application is not receivable and is dismissed.

Decision Contested or Judgment/OrderAppealed

The Applicant is contesting the decision not to disclose to her the results of an investigation into alleged threatening messages left on her voicemail.

Legal Principle(s)

Article 8.1(d)(i) of the Tribunal's Statute provides that, in cases in which a request for management evaluation is necessary, a staff member is required to file his or her application with the Tribunal within 90 calendar days from the expiry of the relevant response period for the management evaluation if no response to the request was provided.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Fayek

Entity

DPI

Case Number(s)

UNDT/NY/2013/110

Tribunal

UNDT

Registry

New York

Date of Judgement

11 Oct 2013

Duty Judge

Judge Meeran

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Management Evaluation

Applicable Law

UNDT RoP

- Article 7

UNDT Statute

- Article 8