

UNDT/2013/166, Gehr

UNAT Held or UNDT Pronouncements

Reasons for non-renewal: A staff member has a right to ask the administration to provide for reasons of non-renewal of his/her contract; if he/she does not ask, then he/she cannot claim not to have been given reasons for the decision and seek to infer negative inference. Fraught working relationship: If a staff member's work relationship with his/her superiors has deteriorated to the extent that there is no possibility of salvaging such a relationship, it is within the Administration's discretion not to renew such a contract.

Decision Contested or Judgment/Order Appealed

The Applicant is a former staff member of UNODC. He contests the decision not to renew his contract. The Applicant alleges that the non-renewal of his contract was an act of retaliation for filing complaints of harassment against senior managers. He does not dispute that the work relationship with his superiors had completely deteriorated.

Legal Principle(s)

N/A

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Gehr

Entity

UNODC

Case Number(s)

UNDT/GVA/2012/29

Tribunal

UNDT

Registry

Geneva

Date of Judgement

11 Dec 2013

Duty Judge

Judge Laker

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Disciplinary matters / misconduct

Retaliation

Discrimination and other improper motives

Non-renewal

Reason(s)

Separation from service

Applicable Law

Secretary-General's bulletins

- ST/SGB/2011/1

Staff Regulations

- Regulation 4.5(c)

Staff Rules

- Rule 4.13(c)

Related Judgments and Orders

2010-UNAT-021

2011-UNAT-153

2011-UNAT-178

2012-UNAT-201

2012-UNAT-266