

UNDT/2015/069, Survo

UNAT Held or UNDT Pronouncements

The UNDT rejected the application as irreceivable, for he only requested management evaluation of the two decisions years after he knew, or should have reasonably known, of the Administration's inaction.

Decision Contested or Judgment/Order Appealed

The Applicant contested the failure by the Administration to approve his workplans for the performance evaluation cycles 2010-2011 and 2011-2012.

Legal Principle(s)

Starting point for contestation time limits for implicit decisions: When an administrative decision has not been notified to the concerned staff member, he or she cannot unilaterally determine the date of the same decision; this date must be determined based on objective elements, which comes down to ascertaining when the staff member actually knew or should have reasonably known about the implied decision.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Survo

Entity

ESCAP

Case Number(s)

UNDT/GVA/2015/103

Tribunal

UNDT

Registry

Geneva

Date of Judgement

30 Jul 2015

Duty Judge

Judge Downing

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Administrative decision

Jurisdiction / receivability (UNDT or first instance)

Applicable Law

Staff Rules

- Rule 11.2(c)

UNDT Statute

- Article 8

Related Judgments and Orders

2010-UNAT-036

2013-UNAT-394

2013-UNAT-385

2013-UNAT-308

2010-UNAT-030

2010-UNAT-013

2012-UNAT-273

2014-UNAT-406