

# **UNDT/2015/121, Hammond**

## **UNAT Held or UNDT Pronouncements**

The Tribunal found that the Applicant did not file a request for management evaluation prior to the filing of his application. Therefore, his application was dismissed as manifestly not receivable.

## **Decision Contested or Judgment/Order Appealed**

The Applicant, a fixed-term staff member of the United Nations Environment Programme, submitted an application contesting the decision to extend his contract only for one year, instead of two years.

## **Legal Principle(s)**

Requirement of management evaluation: Pursuant to art. 8.1 of the Statute of the Dispute Tribunal, as read with staff rule 11.2(a), an applicant must, as a mandatory first step (other than in cases that fall under staff rule 11.2(b)), request management evaluation of the contested decision before filing an application with the Tribunal. It is thus trite law that where an applicant has failed to request management evaluation, the Tribunal has no jurisdiction to consider his or her application. Purpose of management evaluation: The requirement for management evaluation assures that there is an opportunity to speedily resolve a staff member's complaint or dispute without the need for judicial intervention, within the time limit specified by the Statute and the Staff Rules. Extension of deadlines for management evaluation: In view of the language of art. 8.3 of the Statute and staff rule 11.2, as well as the jurisprudence of the United Nations Appeals Tribunal, the applicable deadlines may be extended only by the Secretary-General pending efforts for informal resolution conducted by the Office of the Ombudsman, under conditions specified by the Secretary-General.

## Outcome

Dismissed as not receivable

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Hammond

## Entity

UNEP

## Case Number(s)

UNDT/NY/2015/65

## Tribunal

UNDT

## Registry

New York

## Date of Judgement

23 Dec 2015

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Non-renewal

## Applicable Law

Staff Rules

- Rule 11.2

UNDT RoP

- Article 9

UNDT Statute

- Article 8.1
- Article 8.3

## Related Judgments and Orders

2010-UNAT-036

2010-UNAT-049

2010-UNAT-071

2011-UNAT-108

2013-UNAT-293

2013-UNAT-349

2015-UNAT-520

2015-UNAT-558