

# UNDT/2016/006, Keegan

## UNAT Held or UNDT Pronouncements

Receivability: The Tribunal observed that the Applicant had the option of lodging a formal complaint of gender discrimination under ST/SGB/2008/5 but chose not to. However this does not prevent her from alleging, as she does, that the classification decision which she is challenging was ill-motivated by reason of gender discrimination. The Tribunal concluded that in determining whether the decision to abolish her post was ill-motivated it is competent to examine each of the Applicant's allegations against the relevant facts and circumstances.

## Decision Contested or Judgment/Order Appealed

The Applicant challenged the decision by MONUSCO to abolish her post and separate her from service.

## Legal Principle(s)

N/A

## Outcome

Judgment entered for Applicant in full or in part

Outcome Extra Text

The Tribunal found the application to be receivable.

Full judgment

[Full judgment](#)

Applicants/Appellants

Keegan

Entity

MONUSCO

Case Number(s)

UNDT/NBI/2015/087

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

19 Jan 2016

Duty Judge

Judge Shaw

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Applicable Law

Secretary-General's bulletins

- ST/SGB/2008/5

Related Judgments and Orders  
2011-UNAT-123