

UNDT/2016/050, Boskett

UNAT Held or UNDT Pronouncements

Finding that the Applicant had been notified about the respective administrative decisions on 12 August 2014, and not in September 2014 as argued by the Applicant, the Tribunal concluded that the Applicant's request for management evaluation, dated 6 November 2014, was not submitted timely. As a result, the Tribunal ruled that it had no jurisdiction to consider the respective contentions of the parties on the merits of the case and that the Applicant's claim was not receivable. Management evaluation: the requirement of timely filing a request for management evaluation prior to submitting an application before the Tribunal has been invariably upheld by the Appeals Tribunal, and confirmed as a mandatory first step in the appeals process. The Tribunal has no jurisdiction to either waive the deadlines for the filing of requests for management evaluation with the MEU or make any exception to it; therefore, the Tribunal has no jurisdiction to review decisions that have not been subjected to a timely request for management evaluation.

Decision Contested or Judgment/Order Appealed

The Applicant contested the decisions refusing to a) pay him daily subsistence allowance ("DSA") beyond the initial period of 30 days of his assignment to Entebbe, Uganda, and b) pay him post adjustment and other entitlements at the rate applicable to his duty stations, namely Monrovia, Liberia.

Legal Principle(s)

N/A

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Boskett

Entity

OIOS

Case Number(s)

UNDT/GVA/2016/13

Tribunal

UNDT

Registry

Geneva

Date of Judgement

3 May 2016

Duty Judge

Judge Meeran

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Management Evaluation

Subject matter (*ratione materiae*)

Applicable Law

Staff Rules

- Rule 11.2
- Rule 11.2(c)

UNDT Statute

- Article 8.1(c)

Related Judgments and Orders

2012-UNAT-273

2013-UNAT-338

2015-UNAT-558

2010-UNAT-036

2010-UNAT-079

2010-UNAT-072

2010-UNAT-074

2011-UNAT-108

2011-UNAT-169

2012-UNAT-191

2013-UNAT-335

2012-UNAT-196

2012-UNAT-271