

UNDT/2018/008, Risasi

UNAT Held or UNDT Pronouncements

The Tribunal found that the Applicant was notified of the contested decision on 7 June 2017. In accordance with the time-limits provided by staff rule 11.2(c), the Applicant had until 6 August 2017 to submit his request for management evaluation. Rather, the Applicant submitted his request on 21 August 2017. Accordingly, his request was timebarred and his application before the Tribunal not receivable *ratione materiae*. Consequently, the application was dismissed.

Decision Contested or Judgment/Order Appealed

The Applicant contested the OCHA's decision not to pay him termination indemnities.

Legal Principle(s)

a) Pursuant to staff rule 11.2(c), a request for management evaluation shall not be receivable by the Secretary-General unless it is sent within 60 calendar days from the date on which the staff member received the notification of the administrative decision to be contested. b) According to art. 8.3 of its Statute and based on the established jurisprudence of the Appeals Tribunal, the Dispute Tribunal has no discretion to waive the deadline for management evaluation.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Risasi

Entity

OCHA

Case Number(s)

UNDT/NBI/2018/001

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

22 Jan 2018

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

TEST -Rename- Benefits and entitlements-45

Management Evaluation

Time limit

Termination (of appointment)

Applicable Law

Staff Rules

- Rule 11.2(c)

UNDT Statute

- Article 8.3