

UNDT/2018/017, Kebede

UNAT Held or UNDT Pronouncements

The decision to refuse further medical evacuation was first notified to the Applicant on 15 July 2014 but he did not request management evaluation until 29 January 2017 after later requests for medical evacuation had been refused. The application was not receivable because subsequent reiterations of the same decision did not have the effect of resetting the clock for management evaluation.

Decision Contested or Judgment/Order Appealed

The Applicant challenged the decision to deny his request for medical evacuation and medical treatment.

Legal Principle(s)

A request for a 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 notification of the administrative decision to be contested (staff rule 11.2(c)). The reiteration of an original administrative decision, if repeatedly questioned by a staff member, does not reset the clock with respect to statutory timelines.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Kebede

Entity

ECA

Case Number(s)

UNDT/NBI/2017/024

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

7 Feb 2018

Duty Judge

Judge Meeran

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

TEST -Rename- Benefits and entitlements-45

Jurisdiction / receivability (UNDT or first instance)

Management Evaluation

Applicable Law

UNDT Statute

- Article 11.2(c)
- Article 8.1(c)