

UNDT/2019/153, Mohamed

UNAT Held or UNDT Pronouncements

The Applicant did not seek management evaluation until several years after he was excluded from the lists of staff eligible for the conversion of their appointment. There is no doubt, therefore, that the Applicant did not challenge the implied decision in a timely manner.

Decision Contested or Judgment/Order Appealed

Refusal to convert the Applicant's fixed-term appointment into a continuing appointment

Legal Principle(s)

To determine what date sets off the deadline to challenge an implied decision, the Dispute Tribunal will establish the date on which the staff member knew or reasonably should have known of the implied decision. This date will set the deadline for seeking management evaluation.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Mohamed

Entity

UNAMID

Case Number(s)

UNDT/NY/2019/065

Tribunal

UNDT

Registry

New York

Date of Judgement

22 Oct 2019

Duty Judge

Judge Adda

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Management Evaluation

Applicable Law

Other UN issuances (guidelines, policies etc.)

Secretary-General's bulletins

- ST/SGB/2011/9

Staff Rules

- Rule 11.2(c)

UNDT Statute

- Article 8.3

Related Judgments and Orders 2014-UNAT-406