

UNDT/2020/011, Alqua

UNAT Held or UNDT Pronouncements

The Applicant did not challenge the non-renewal of her fixed-term appointment. As the Applicant held a fixed-term appointment which expired, staff rules 9.6(e) and (f) do not apply. Therefore, the Administration had no obligation to make efforts to retain the Applicant. The application is therefore not receivable.

Decision Contested or Judgment/Order Appealed

Failure to make reasonable efforts to retain the Applicant after the non-extension of her fixed-term appointment.

Legal Principle(s)

Expiration of fixed-term appointment is distinguished from termination and not covered by staff rules 9.6(e) or (f). The Administration bears no obligation to retain staff members holding fixed-term appointments whose posts are scheduled for abolition. This category of staff members have a right to apply and be considered for other positions within the Organization through the regular selection process.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Alqua

Entity

UN-WOMEN

Case Number(s)

UNDT/NY/2018/062

Tribunal

UNDT

Registry

New York

Date of Judgement

23 Jan 2020

Duty Judge

Judge Honeywell

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Abolition of post

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Non-renewal

Separation from service

Expiration of appointment (see also, Non-renewal)

Applicable Law

Staff Rules

- Rule 9.6(e)
- Rule 9.6(f)

Related Judgments and Orders

2012-UNAT-225

2016-UNAT-705

2018-UNAT-892