

UNDT/2020/037, Rozefort

UNAT Held or UNDT Pronouncements

The Applicant's appointment was not extended beyond its expiration due to the liquidation of the Mission. The decision not to extend the appointment was supported by the evidence and therefore lawful. The fact that the Applicant had incurred in personal debt does not generate an obligation on the Administration to find her an alternate post upon the closure of the Mission.

Decision Contested or Judgment/Order Appealed

Non-renewal of Applicant's fixed-term appointment following abolition of her post.

Legal Principle(s)

Fixed-term appointments do not carry an expectation of renewal. Separation as a result of expiration of a fixed-term appointment takes place automatically, without prior notice, on the expiration date specified in the letter of appointment. The decision not to renew a fixed-term appointment can be challenged on the grounds that the Administration has not acted fairly, justly, or transparently with the staff member or was motivated by bias, prejudice or improper motive. The applicant must prove that improper motives tainted the decision. The abolition of a post is a lawful reason not to renew a fixed-term appointment

Outcome

Dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Rozefort

Entity

MINUSTAH

Case Number(s)

UNDT/NY/2018/073

Tribunal

UNDT

Registry

New York

Date of Judgement

9 Mar 2020

Duty Judge

Judge Adda

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Abolition of post

Non-renewal

No expectancy of renewal

Applicable Law

Staff Regulations

Staff Rules

- Rule 4.13(c)
- Rule 4.5(c)