

# UNDT/2020/063, A Ali

## UNAT Held or UNDT Pronouncements

Applying the plain meaning of staff rule 9, it is clear that the Administration bears no obligation to place staff members who hold a fixed-term appointment whose posts are abolished. There is no obligation to place such staff members onto other posts outside of the regular selection process.

## Decision Contested or Judgment/Order Appealed

Failure to retain the Applicant whose post is abolished.

## Legal Principle(s)

The first step of the interpretation of any rule is to pay attention to its literal terms. The Administration has no obligation to make efforts to retain a staff member holding a fixed-term appointment whose posts are set for abolition. Expiration of a fixed-term appointment is not termination under staff rule 9.6.

## Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

A Ali

Entity

UNS

Case Number(s)

UNDT/NY/2019/013

Tribunal

UNDT

Registry

New York

Date of Judgement

4 May 2020

Language of Judgment

English

French

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Applicable Law

Staff Rules

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

## Related Judgments and Orders

2012-UNAT-225

2016-UNAT-705

2018-UNAT-847

2018-UNAT-892