

# 2010-UNAT-085, Beaudry

## UNAT Held or UNDT Pronouncements

UNAT considered an appeal by the Secretary-General. UNAT held that an expression of interest by a staff member in the renewal of his or her appointment does not create a right of renewal. UNAT held that the document that Ms Beaudry signed acknowledging her performance rating and the recommendation of her supervisor for no further extension of her appointment was decisive documentary evidence in the case; she knew that the section of the form, providing details of the justification for the recommendation for non-extension, was not completed and nonetheless acknowledged the recommendation. UNAT held that the Administration was entitled to rely on Ms Beaudry's acknowledgement and acceptance of the recommendation of non-renewal. UNAT held that UNDT erred on a question of fact resulting in a manifestly unreasonable decision in finding that the non-renewal of the Appellant's appointment was in breach of her rights. UNAT held that there were no grounds to support the UNDT finding that Ms Beaudry was entitled to compensation. UNAT held that there was no basis for the orders of UNDT with respect to Ms Beaudry's request for a waiver of the time limit to allow her to submit a rebuttal of her performance appraisal. UNAT vacated the UNDT judgment and affirmed the decision not to renew Ms Beaudry's appointment.

## Decision Contested or Judgment/Order Appealed

Ms Beaudry contested the non-renewal of her appointment of limited duration. UNDT found for Ms Beaudry.

## Legal Principle(s)

Fixed-term appointments and appointments of limited duration have no expectancy of renewal or conversion to any other type of appointment.

## Outcome

Appeal granted

## Full judgment

[Full judgment](#)

## Applicants/Appellants

Beaudry

## Entity

MINUSTAH

## Case Number(s)

2010-083

## Tribunal

UNAT

## Registry

New York

## Date of Judgement

27 Oct 2010

## President Judge

Judge Simón

## Language of Judgment

English

## Issuance Type

Judgment

## Categories/Subcategories

Non-renewal

No expectancy of renewal

Separation from service

Expiration of appointment (see also, Non-renewal)

## Applicable Law

Administrative Instructions

- ST/AI/2002/3

Former Staff Rules

- Rule 304.4(a)
- Rule 304.4(b)

## Related Judgments and Orders

UNDT/2010/039

2010-UNAT-061