

2020-UNAT-1062, Mackie

UNAT Held or UNDT Pronouncements

UNAT held that UNDT did not commit any errors in procedure, fact, or law and correctly dismissed the motion for an extension of time to file an application against the contested decision. UNAT held that the application was not receivable *ratione materiae*, as the Appellant had not submitted a timely request for management evaluation and she was not exempted from doing so. UNAT dismissed the appeal.

Decision Contested or Judgment/Order Appealed

The Applicant filed a motion seeking an extension of time to file an application to challenge the decision not to make a new posting available to her following the termination of her appointment. On the basis that the Applicant had failed to request management evaluation and that her case did not fall under any of the exceptions to requesting management evaluation, UNDT dismissed the motion because the application was not receivable *ratione materiae*.

Legal Principle(s)

Requesting management evaluation is a mandatory first step in the appeal process. The Tribunals have no jurisdiction to waive deadlines for requests for management evaluation.

Outcome

Appeal dismissed on receivability

Full judgment

[Full judgment](#)

Applicants/Appellants

Mackie

Entity

UNAMID

Case Number(s)

2020-1373

Tribunal

UNAT

Registry

New York

Date of Judgement

30 Oct 2020

President Judge

Judge Knierim

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Jurisdiction / receivability (UNDT or first instance)

Subject matter (ratione materiae)

Management Evaluation

Time limit

Applicable Law

Administrative Instructions

- ST/AI/2018/7

Staff Rules

- Rule 11.2

UNDT Statute

- Article 8.1(c)
- Article 8.3

Related Judgments and Orders

UNDT/2020/015

2015-UNAT-559

2018-UNAT-820

2019-UNAT-936