

# UNDT/2022/058, YODJEU NTEMDE

## UNAT Held or UNDT Pronouncements

In the current case, the Applicant only filed his request for management evaluation one calendar day before his application to the Dispute Tribunal and is yet to receive a response by management to his submission. Under staff rule 11.2(d), the Administration has 30 days to provide the management evaluation if the staff member is stationed in New York and 45 days if s/he is stationed outside New York. In the circumstances, the Applicant's application is premature and therefore not receivable.

## Decision Contested or Judgment/Order Appealed

The Applicant filed an application challenging a number of difficult to identify decisions.

## Legal Principle(s)

The Tribunal notes that pursuant to art. 8.1(d)(i)(a) of the Dispute Tribunal's Statute, applications on the merits shall be filed within "90 calendar days of the applicant's receipt of the response by management to his or her submission". Article 7.1(a) of the Dispute Tribunal's Rules of Procedure similarly requires that applications shall be submitted to the Dispute Tribunal within "90 calendar days of the receipt by the applicant of the management evaluation, as appropriate". The above-mentioned provisions ensure that the management evaluation unit is afforded the appropriate time to review and respond to a request for management evaluation. The Appeals Tribunal has consistently held that "the purpose of management evaluation is to afford the Administration the opportunity to correct any errors in an administrative decision so that judicial review of the administrative decision is not necessary" (see Applicant 2013-UNAT-381).

## Outcome

Dismissed as not receivable

Outcome Extra Text

Full judgment

[Full judgment](#)

Applicants/Appellants

YODJEU NTEMDE

Entity

UN Secretariat

Case Number(s)

UNDT/NY/2022/031

Tribunal

UNDT

Registry

New York

Date of Judgement

16 Jun 2022

Duty Judge

Judge Adda

Language of Judgment

English

Issuance Type  
Judgment  
Categories/Subcategories  
Appointment (type)  
Applicable Law  
UNDT Statute  
Related Judgments and Orders  
2013-UNAT-381