

UNDT/2022/075, Stepanovic

UNAT Held or UNDT Pronouncements

Where a staff member is challenging many different administrative decisions to be considered as a whole, with cumulative effect, there is no need to challenge them (by a management evaluation request and then application before the Tribunal) one by one.

The Applicant alleged that he was deprived of his core functions in 2018 and 2019, that is more than two years before the application. He only requested management evaluation in April 2021 against a 2018 decision, and not towards the subsequent administrative decisions.

Even if the Tribunal accepted that the last of the adverse decisions was taken in October 2020, his request for management evaluation and application before the Tribunal in 2021 would still be time-barred.

Decision Contested or Judgment/Order Appealed

The Applicant challenged the Respondent's decision to strip him of the core functions on the post he encumbered.

Legal Principle(s)

A staff member wishing to formally contest an administrative decision alleging non-compliance with his or her contract of employment or terms of appointment, shall, as a first step, submit a timely request for a management evaluation of the administrative decision.

Outcome

Dismissed as not receivable

Full judgment

[Full judgment](#)

Applicants/Appellants

Stepanovic

Entity

RSCE

Case Number(s)

UNDT/NBI/2021/077

Tribunal

UNDT

Registry

Nairobi

Date of Judgement

19 Aug 2022

Duty Judge

Judge Buffa

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

Management Evaluation

Temporal (ratione temporis)

Management Evaluation

Jurisdiction / receivability (UNDT or first instance)

Jurisdiction / receivability (UNAT)

Applicable Law

Staff Rules

- Rule 11.2

UNDT RoP

- Article 7

UNAT Statute

- Article 2.1(a)

UNDT Statute

Related Judgments and Orders

UNDT/2021/050

2019-UNAT-970

UNDT/2016/094