



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2022/034

Judgment No.: UNDT/2023/047

Date: 8 June 2023

Original: English

Before: Judge Alexander W. Hunter, Jr.

Registry: New York

Registrar: Isaac Endeley

ANAND

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

JUDGMENT

Counsel for Applicant:

Dorota Banaszewska, OSLA

Counsel for Respondent:

Lucienne Pierre, AS/ALD/OHR, UN Secretariat

Jenny Kim, AS/ALD/OHR, UN Secretariat

Introduction

1. The Applicant, a former Administrative Officer, contests the decision not to select him for the position of Chief at the P-5 level, Business Transformation and Accountability Unit (“BTAU”), Pension Administration, the United Nations Joint Staff Pension Fund (“UNJSPF”), Job Opening 154920 (“the post”).
2. On 15 March 2023, the case was assigned to the undersigned Judge.
3. For the reasons below, the Tribunal rejects the application.

Facts

4. On 11 February 2021, the Applicant joined UNJSPF on a temporary appointment as Chief, BTAU, serving at the P-5, step 6 level.
5. From 5 May 2021 to 18 June 2021, the UNJSPF advertised the position of Chief, BTAU, P-5. The hiring manager reviewed the 74 pre-screened applicants and conducted a preliminary evaluation against the pre-established evaluation criteria, which resulted in 39 job applicants deemed not suitable, 9 job applicants longlisted, and 26 job applicants shortlisted.
6. The UNJSPF invited the 26 shortlisted job applicants to participate in a video assessment of their technical skills. The passing mark for the technical assessment was established at 42 out of 60 points. Out of

significantly more supervisory experience. In particular, as a management consultant and senior manager at a leading consulting firm, the selected candidate led business process re-engineering, process optimization and change management projects. The selected candidate also had more technical certifications than the Applicant and demonstrated exceptional technical skills and competencies throughout the selection process.

18. The Respondent adds that the selection of the selected candidate was consistent with the Organization's policies on achieving gender parity. In this regard, the Respondent submits that at the time of the selection de612 7in -0.012 Tc(Th)JTJET005305,4(1ec)6(ti)-

Six Sigma (LSS) or *equivalent certification*". The hiring manager found that the selected candidate fulfilled this requirement for the reasons noted above. In regard to the validity of certifications, the Tribunal finds that the job opening did not require the job applicants to have renewed their certifications.

27. Based on the above, the Tribunal finds that the Applicant failed to show by clear and convincing evidence that he was denied a fair chance of selection. Accordingly, the Tribunal finds that the contested selection decision is lawful as the Administration appropriately exercised its discretion in selecting the selected candidate.

Conclusion

28. In light of the foregoing, the Tribunal rejects the application.

(Signed)

Judge Alexander W. Hunter, Jr.

Dated this 8th day of June 2023

Entered in the Register on this 8th day of June 2023

(Signed)

Isaac Endeley, Registrar, New York