

Introduction

1. The Applicant filed on 5 & a' (2014 and 'eg'ste'ed unde' Case No. UNDT/GVA/2014/006) t(e A ""#\$%ant %ontests t(e de%\$\$son to ta*e no fu't(e' a%tson) afte' \$n+est\$gatson) on (e' %om""#a\$nt aga\$nst (e' su"e'+\$so' fo' ""'o(\$, \$ted %ondu%t unde' -e%'eta'!.Gene'a#/s ,u##et\$n -T/-G /2000/5 1P'o(\$, \$tson of d\$s%'\$m\$natson) (a'assment \$n%#ud\$ng se2ua# (a'assment) and a, use of aut(o'\$t!3.

Facts

2. T(e A ""#\$%ant 4o\$ned t(e 5 'gan\$6atson \$n 1707. - (e %u''ent#! se'+es as Te2t P'o%ess\$ng C#e'*) 8uss\$an Te2t P'o%ess\$ng Un\$t 198TPU:3) ;anguages -e'+\$#e 19; - :3) D\$+\$s\$son of Confe'en%e &anagement 19DC& :3) Un\$ted Nat\$ons 5ff\$%e at Gene+a 19UN5G :3.

<. 5n 6 June 2012) t(e A ""#\$%ant su,m\$tted to t(e t(en D\$'e%to'.Gene'a#) UN5G) a %om""#a\$nt a##eg\$ng t(at t(e C(\$ef) 8TPU) (ad engaged \$n (a'assment and a, use of "o=e') (ad fa#\$f\$ed t(e off\$%Sa# ""'odu%t\$+\$t! 'e'o'ods of t(e 8TPU and man\$"u#ated t(e data, ase to ente' fa#se \$nfo'mat\$on.

4. >o##o=\$ng t(\$s %om""#a\$nt) t(e C(\$ef) 8TPU) su,m\$tted a %om""#a\$nt to t(e D\$'e%to'.Gene'a# aga\$nst t(e A ""#\$%ant a##eg\$ng t(at s(e (ad fo'mu#ated unsu,stant\$ated a%%usat\$ons.

5. 5n 16 No+em,e' 2012) a fa%t.f\$nd\$ng "ane# 19t(e Pane#:3 =as a""o\$nted to \$n+est\$gate ,ot(%om""#a\$nts. T(e Pane# (anded \$ts 'e"o't on 11 5%to,e' 201<.

6. ! memo'andum dated 12 >e,'ua'! 2014) t(e A%t\$ng D\$'e%to'.Gene'a#) UN5G) \$nfo'med t(e A ""#\$%ant t(at afte' 'e+\$e= of t(e Pane#/s 'e"o't) (e (ad de%\$ded to %#ose t(e %ase =\$('es"e%t to (e' %om""#a\$nt) =\$(no a%tson to ,e ta*\$en on t(e g'ounds t(at t(e Pane# 9d\$d not f\$nd e+\$den%e to su""o't t(e a##egat\$ons of (a'assment and a, use of aut(o'\$t!:.:

7. T(e A ""#\$%ant f\$hed t(e "'esent a""#\$%at\$on on 5 &a' (2014.

Consideration

0. The Tribunal, upon the request of the applicant, does not consider that the administrative management evaluation of the staff member is a management evaluation.

7. The request for management evaluation of the staff member is set out in paragraph 11.2 of the decision.

13. A staff member, who is a member of the administrative management evaluation committee, is requested to submit a request for a management evaluation of the administrative decision. The request should be submitted to the Secretary-General in writing as a first step.

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13. A request for a management evaluation of the administrative decision is not a management evaluation. The request should be submitted to the Secretary-General in writing as a first step.

12. Et \$s suff\$ent#! #ea' f'om t(e a""#\$at\$on and \$ts su""'o't\$ng do%uments t(at = (at t(e A""#\$ant \$ntends to %(a##enge \$s t(e %osu'e of (e' %ase %on%e'n\$ng a##egat\$ons of (a'assment and a,use of "o=e' =st(out fu't(e' a%t\$on) as %ommun\$ated to (e' ,! memo'andum dated 12 >e,'ua'! 2014. T(\$s de%\$\$son o,+sout#! does not fa## unde' an! of t(e t=o %atego'\$es of de%\$\$sons fo' =(\$(a management e+a#uat\$on \$s not 'e?u\$'ed unde' staff 'u#e 11.2 1,3) to =st) de%\$\$sons ta*en "u'suant to ad+\$e f'om te%(n\$a# ,od\$es and t(e \$m"ost\$on of measu'es "u'suant to staff 'u#e 10.2 fo##o=\$ng a d\$s%"#na'! "'o%ess.

1<. T(e'efo'e) \$n t(e a,sen%e of a management e+a#uat\$on 'e?uest) t(e T'\$, una# %annot ,ut 'e4e%t t(e "'esent a""#\$at\$on as '\$'e%e\$a, #e.

14. T(e \$ssue d\$s%ussed a,o+e \$s a matte' of #a=) =(\$(ma! ,e ad4uo

Conclusion

16. En +\$e= of t(e fo'ego\$ng) t(e T'\$, una# DFCEDF-@

T(e a""#\$%at\$on \$s 'e4e%ted.

ISigned3

Judge T(omas ;a*e'

Dated t(\$s 11th da! of &a'%(2014

Fnte'ed \$n t(e 8eg\$ste' on t(\$s 11th da! of &a'%(2014

ISigned3

8enG &. Va'gas &.) 8eg\$st'a') Gene+a