
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2018/078
Judgment No.: UNDT/2020/128
Date: 27 July 2020
Original: English

Before: Judge Joelle Adda

Registry: New Y187p82899.02 Tm0 G[(Ne)6(w Y187p82899MC q6396.07 27 reW*nBT/F

new evidence in the form of three audio recordings of conversations she had recorded

13.

and the needs of the Country Office, she would commence recruitment for DRR Guyana post by the end of the year.

20. Further to the 15 November 2017 receipt of the Director's email, the Applicant had a skype call with the Human Resources Business Partner, RBLAC to discuss her employment options.

21. In December 2017, the Applicant applied to three UNDP DRR positions as part of the December 2017 Talent Review Exercise, including the one in Guyana, a post that was published due to the Applicant's express desire to leave this post and the Administration's

Case No.

against the DRR Guyana post for a limited amount of time thereafter. Absent the Applicant having been selected to perform functions against another position within UNDP, the Respondent argues that there was no basis to renew the Applicant's appointment.

30. The Tribunal notes that a fixed-term appointment does not carry any expectancy of renewal and expires automatically without prior notice on the expiration date pursuant to staff regulation 4.5(c) and staff rules 4.13(c) and 9.4. The Administration is, nevertheless, required to provide a reason for such a non-renewal upon the relevant staff member's request, and this reason must be lawful and based on correct facts (see, for instance, the Appeals Tribunal's ju

Director, and Director a.i., RBLAC contacted the Applicant requesting that she keep him informed of the positions she was applying to so that he could support her applications.

43.

challenged the selection process. The Applicant has no right to be informed of the contract status of her successor.

48. The Tribunal notes that the Applicant does not claim that any of the decision-makers of the contested decision were racially or discriminatorily motivated, rather that she encountered racism in Guyana. In this regard, the Applicant makes a number of generalized statements in regard to the work environment in UNDP Guyana. From the facts, it is apparent that UNDP recognised that there were issues with the work environment due to the concerns disclosed by

Conclusion

50. In light of the foregoing, the application is dismissed.

(Signed)

Judge Joelle Adda

Dated this 27th day of July 2020

Entered in the Register on this 27th day of July 2020

(Signed)

For Nerea Suero Fontecha, Registrar, New York