



**Before:** Judge Alexander W. Hunter, Jr.  
**Registry:** New York  
**Registrar:** Morten Albert Michelsen, Officer-in-Charge

TEO

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON CASE MANAGEMENT**

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**Counsel for Applicant:**  
Michael Brazao, OSLA

**Counsel for Respondent:**  
Kara D. Nottingham, HRLU/UNOG

## **Introduction**

1. On 15 March 2017, the Applicant, a Human Rights Officer at the P-3 level, step 8, with the Office of the United Nations High Commissioner for Human Rights (“OHCHR”), filed an application in which she makes the following appeal:

As the present Application will make clear, the contested decision consists of two inextricably intertwined components.

**Component “A”:** The Applicant’s assignment by her employer, OHCHR, to a General Temporary Assistance (“GTA”) post contrary to the express terms of a post-matching exercise whereby she was informed in writing that she would be laterally transferred from her former post in the Asia-Pacific Section (“APS”) at the Geneva duty station of OHCHR to a regular-budgeted post in the Sustainable Development Goals (“SDG”) Section (formerly known as the Millennium Development Goals or “MDG” Section) at the New York duty station of OHCHR.

**Component “B”:** Failure of the Applicant’s employer to assign her appropriate functions commensurate with the SDG position she accepted in good faith pursuant to the above-referenced post-matching exercise.

2. On 17 March 2017, the Registry acknowledged receipt of the application on 15 March 2017 and, pursuant to art. 8.4 of the Rules of Procedure, transmitted it to the Respondent, instructing him to file a reply by 17 April 2017 in accordance with art. 10 of the Rules of Procedure.

3. On 17 April 2017, the Respondent filed his reply in which he submits that, in its entirety, the application is not receivable as none of the contested decisions constitute administrative decisions within the meaning of staff rule 11.2(a) or the Dispute Tribunal’s Statute and jurisprudence (*ratione materiae*). Notwithstanding the submissions on receivability, the Respondent also contends that the application is without merit.

4. The present case was initially assigned to Judge Ebrahim-Carstens and it was reassigned to Judge Alexander W. Hunter, Jr. on 8 January 2018.

5. In light of the foregoing, to ensure a fair and expeditious disposal of the case and to do justice to the parties,

IT IS ORDERED THAT:

6. By **5:00 p.m., Friday, 2 February 2018**, the Applicant is to file a response to the Respondent's reply, including on the submissions on non-receivability. If the Applicant does not file her response in a timely fashion, the Tribunal will deem that the application is withdrawn.

*(Signed)*

Judge Alexander W. Hunter, Jr.

Dated this 19<sup>th</sup> day of January 2018