



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2020/018  
Order No.: 81 (NY/2020)  
Date: 24 April 2020  
Original: English

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**Before:** Judge Alexander W. Hunter, Jr.

**Registry:** New York

**Registrar:** Nerea Suero Fontecha

HAMMOND

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER**

**ON CASE MANAGEMENT**

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**Counsel for Applicant:**  
Self-represented

**Counsel for Respondent:**  
Nusrat Chagtai, ALD/OHR, UN Secretariat

## **Introduction**

1. On 1 November 2019, the Applicant, a former P-4 Administrative Officer with the African Union - United Nations Hybrid Operation in Darfur (“UNAMID”), filed an application contesting the non-renewal of his fixed-term appointment. The case was filed with the Nairobi Registry.

2. On 4 December 2019, the Respondent filed his reply submitting, *inter alia*, that the Application is not receivable *ratione materiae* as the Applicant did not request management evaluation of the contested decision within the 60-day deadline prescribed in staff rule 11.2(c). The Respondent submits that UNAMID notified the Applicant on 23 April 2018 that his fixed-term appointment would not be renewed beyond its expiration on 30 June 2018. The Respondent further states that the Applicant’s contract was extended beyond 30 June 2018 on a monthly basis for the sole purpose of allowing the Applicant to utilize his sick leave entitlements. In this regard, the Applicant was informed in writing on 11 November 2018 by the Director of Mission Support that the non-renewal of his appointment was put in abeyance for the period of authorized sick leave pursuant to Section 3.9 of ST/AI/2005/3 (Sick leave) and that there was no expectation of renewal beyond this period. The Applicant waited until 22 June 2019 to request management evaluation of the non-renewal decision. Notwithstanding the submissions on receivability, the Respondent also contends that the application is without merit.

3. On 17 April 2020, the case was transferred to the New York Registry and assigned to the undersigned Judge.

## **Consideration**

4. Having reviewed the parties’ submissions, the Tribunal considers that the instant case raises a preliminary issue of receivability *ratione materiae*. The Tribunal considers that receivability can be dealt with on the papers as a preliminary issue.

5. Pursuant to art. 19 of the Dispute Tribunal's Rules of Procedure, for the fair and expeditious disposal of the case and to do justice to the parties,

IT IS ORDERED THAT:

6. By **4:00 p.m., on Friday, 8 May 2020**, the Applicant is to file a closing statement on the issue of receivability of his application, including a response to the Respondent's submissions on the receivability.

7. By **4:00 p.m., on Friday, 15 May 2020**, the Respondent is to file his closing statement on receivability.

8. By **4:00 p.m., on Friday, 22 May 2020**, the Applicant may file a final submission responding to the Respondent's closing statement.

9. Each party's closing statements are to be five pages maximum, using Times New Roman, font 12 and 1.5 line spacing. The closing statements are solely to be based on previously filed pleadings and evidence, and no new pleadings or evidence are allowed at this stage.

10. The Tribunal will then proceed to decide the preliminary issue of receivability on the papers before it.

*(Signed)*

Judge Alexander W. Hunter, Jr.

Dated this 24<sup>th</sup> day of April 2020