



Before: Judge Joelle Adda
Registry: New York
Registrar: Nerea Suero Fontecha

DORJI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:
Self-represented

Counsel for Respondent:
Alan Gutman, ALD/OHR, UN Secretariat

Introduction

1. On 11 August 2021, the Applicant, a former staff member of the United Nations Joint Staff Pension Fund (“UNJSPF”), filed an application contesting the “60 days time bar for [his] coerced resignation before [his] permanent contract expired”.

2. On 26 August 2021, the Respondent filed a motion for summary judgment on the grounds that the application is manifestly non-receivable.

Consideration

3. The Applicant states that he was forced to submit his resignation on 4 March 2019 despite holding a permanent contract until 2027.

4. The Applicant alleges that he “requested the [Office of Staff Legal Assistance (“OSLA”)] and the [Management Evaluation Unit (“MEU”)] for review of compensation for the remaining period of [his] contract and for damages to [his] health and emotional trauma as a result of the toxic workplace created by the UNJSPF”.

5. The Applicant further avers that both OSLA and MEU “emphasized and denied for a reason time barred of 60 days without thorough investigation”.

6. The Respondent seeks a summary judgment in this case on two grounds: (1) the Applicant failed to identify an appealable administrative decision given that MEU’s determinations do not constitute administrative decisions under the scope of art. 2.1 (a) of the Dispute Tribunal’s Statute, and (2) in any event, the Applicant did not seek timely management evaluation of any administrative decision given that he resigned on 4 March 2019 and only submitted a request for management evaluation concerning the circumstances of his separation on 26 June 2021.

7. The Respondent further seeks the suspension of the deadline to file his reply.

8. Having reviewed the documents on file, the Tribunal considers that there can be no dispute as to the facts in this case and the matter can be adjudicated as a matter of law under art. 9 of its Rules of Procedure.

9. Therefore, the Tribunal suspends the deadline for the submission of his reply, pending the determination of the Respondent's motion for summary judgment.

10. In light thereof,

IT IS ORDERED THAT:

11. This case is assigned to Judge Adda for adjudication under art. 9 of the Tribunal's Rules of Procedure.

12. The deadline for the filing of the Respondent's reply is hereby suspended.

(Signed)

Judge Joelle Adda

Dated this 27th day of August 2021