



Before: Duty Judge
Registry: New York
Registrar: Isaac Endeley

HOSALI

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

ORDER

ON CASE MANAGEMENT

Counsel for Applicant:
Robbie Leighton, OSLA

Counsel for Respondent:
Jenny Kim, ALD/OHR, UN Secretariat

Introduction

1. On 12 June 2023, the Applicant, a Deputy Director at the D-1 level in the News and Media Division (“NMD”) of the Department of Global Communications (“DGC”), filed the application contesting her non-selection for the position of NMD Director at the D-2 level.

2. On 13 July 2023, the Respondent filed his reply contending that the application is without merit.

Consideration

Additional evidence

3. The Duty Judge notes that the Respondent submits that “[w]hile the Applicant passed the [competency-based interview], the Selected Candidate scored higher than the Applicant in demonstrating all five assessed competencies”. The contention is, however, not corroborated by reference to any evidence.

4. Also, the Applicant submits, among other arguments against the selection decision, that:

a. “Responding to the management evaluation [the British] male candidate’s selection over the Applicant was justified, *inter alia*, due to his knowledge ‘about the news and media industry’ and that he ‘was well-connected to professionals in the field’”;

b. “The Applicant was asked no question regarding knowledge of news and media industry or connections in the field”;

c. “[During] the competency-based interview [the Applicant was] asked no questions about industry trends or contacts. Nor was there any question regarding vision or change management”;

d. “The Applicant considers that if it were the case that the other candidate were posed different [interview] questions to her this would represent unequal treatment in the process vitiating the decision since the Applicant was prevented from displaying precisely the experience upon which the selection was determined”;

e. “[E]vidence exists that different questions were posed to external candidates representing unequal treatment and vitiating the decision”.

5. The Duty Judge will therefore order the Respondent to file the full record for the contested selection decision, including, at minimum, documentation for:

a. The questions asked to the job candidates during the interviews;

b. The individual scores and written assessments of each of the panelists concerning the selected candidate and the Applicant with regard to, as relevant, (i) each interview question, (ii) the five assessed competencies, and (iii) in general;

c. The overall scores and written assessments concerning the selected candidate and the Applicant with regard to, as relevant, (i) each interview question, (ii) the five assessed competencies, and (iii) in general.

6. Subsequently, the Duty Judge will order the Applicant to file a rejoinder. Based on the filings on record, the Judge to whom the case will be assigned may then assess that the case is fully informed and ready for adjudication or, as relevant, issue further orders.

IT IS ORDERED THAT:

7. By **4:00 pm on Tuesday, 3 October 2023**, the Respondent is to file the full record for the contested selection decision, including, at minimum, documentation for:

- a. The questions asked to the job candidates during the interviews;
 - b. The individual scores and written assessments of each of the panelists concerning the selected candidate and the Applicant with regard to, as relevant, (i) each interview question, (ii) the five assessed competencies, and (iii) in general;
 - c. The overall scores and written assessments concerning the selected candidate and the Applicant with regard to, as relevant, (i) each interview question, (ii) the five assessed competencies, and (iii) in general.
8. By **4:00 pm on Tuesday, 17 October 2023**, the Applicant is to file a rejoinder at a maximum of five pages, using Times New Roman font, at 12 points and 1.5 line spacing.

9. Upon receipt of the parties' submissions, the Judge to whom the case is assigned will thereafter adjudicate upon the matters before the Dispute Tribunal or, as relevant, issue additional orders.

(Signed)

Judge Joelle Adda

Dated this 12th day of September 2023

Entered in the Register on this 12th day of September 2023

(Signed)

Isaac Endeley, Registrar, New York