



UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2023/027

Order No.: 043 (NY/2024)

Date: 8 April 2024

Original: English

---

**Before:** Judge Margaret Tibulya

**Registry:** New York

**Registrar:** Isaac Endeley

CALDIN AND LANGELAAR

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

---

**ORDER**

**ON CASE MANAGEMENT**

---

**Counsel for Applicant:**

George G. Irving

**Counsel for Respondent:**

Tamal Mandal, AS/ALD/OHR, UN Secretariat

## **Introduction**

1. By application dated 14 August 2023, the Applicants, Mr. Caldin, a Reviser, at the P-4 level, with the Department for General Assembly and Conference Management (“DGACM”), and Mr. Langelaar, a Corrections Officer, at the P-5 level, with the United Nations Assistance Mission in Somalia (“UNSOM”), contest DGACM’s 23 March 2023 decision and UNSOM’s 12 March 2023 decision to reject each of their requests to be granted 16 weeks of parental leave under the Organization’s new parental leave framework, ST/AI/2023/2 (Parental leave and family leave), (“contested decisions”).

2. On 14 September 2023, the Respondent filed a reply submitting that the Application has no merit. The Respondent argues that the Applicants have no legal right to 16 weeks of parental leave. ST/AI/2023/2 (Parental leave and family leave), which implements provisional Staff Rule 6.3 and grants 16 weeks of parental leave to parents who become parents without giving birth only applies to a staff member whose child was born or adopted on or after 1 January 2023. The Respondent states that since Applicant Caldin’s child and Applicant Langelaar’s child were born before 1 January 2023, the parental leave entitlements of ST/AI/2023/2 do not apply to the Applicants.

3. On 5 January 2024, the Applicants filed a rejoinder to the Respondent’s reply.

4. On 1 April 2024, the case was assigned to the undersigned Judge.

5. On 3 April 2024, a case management discussion (“CMD”) was held remotely via MS Teams to discuss the case.

## **Consideration**

6. At the CMD the parties confirmed that the issue of receivability could be handled on a preliminary basis.

In light of the above,

IT IS ORDERED THAT:

7. By **4:00 p.m. on Thursday, 18 April 2024**, the Respondent is to file his closing statement on receivability at a maximum length of seven pages, using font Times New Roman, font size 12 and 1.5 line spacing.

8. By **4:00 p.m. on Friday, 26 April 2024**, the Applicant is to file his closing statement responding to the Applicant's closing statement at a maximum length of seven pages, using font Times New Roman, font size 12 and 1.5 line spacing.

*(Signed)*

Judge Margaret Tibulya

Dated this 8<sup>th</sup> day of April 2024

Entered in the Register on this 8<sup>th</sup> day of April 2024

*(Signed)*

Isaac Endeley, Registrar, New