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Accordingly, he had no stake in the administrative decision and his rights and terms of employment were not affected.

20. The Respondent submits that the facts of this case are indistinguishable from *Pellet*. The Tribunal agrees. As a General Service staff member at the GS-5 level, the Applicant was not eligible to apply for the vacancy advertised in the JO, which was a post in the Professional category at the P-5 level. Section 6.1 of ST/AI/2010/3 (Staff selection system) states that staff members holding a permanent, continuing, probationary or fixed-term appointment shall not be eligible to apply for positions

The Applicant submits that he has legal standing, as an individual staff member, to challenge the breach of his contractual rights under staff regulations 8.1 and 8.2. However, he does not claim that he has a right to be consulted as an individual staff member, but rather, in his capacity as a staff representative.

23. The Tribunal has previously held that, based on the clear wording of its Statute, it does not have jurisdiction to consider applications filed by or on behalf of *(Kisambira* Order No. 36 (NY/2011)). As noted by the Respondent, the General Assembly considered and rejected a proposal to grant staff associations standing before the Dispute Tribunal to bring applications to (a) enforce the rights of staff associations; (b) appeal an administrative decision on behalf of a group of named staff members, or (c) support an application filed by one or more staff members (see Annex I of the Report of the Secretary-General on Administration of Justice, A/62/782, 3 April 2008). The proposed articles were not

24. The Tribunal considers that the Applicant is acting in his capacity as a staff representative to enforce his rights as a staff representative, and the rights of staff associations in general, to be consulted about human resources policies. This Tribunal has held that non-compliance with the duty to maintain consultations with staff representatives is reviewable in the context of assessing the legality of an administrative decision affecting the rights of an individual staff member (*Matadi* et al. UNDT/2014/132). However, in this case, the Applicant is not identified as an individual staff member whose rights were affected by the contested decision. Accordingly, the Tribunal does not have jurisdiction to consider such a claim. Having found the application not receivable *ratione personae*, it is not necessary for of the application.





The Applicant may well be frustrated by what he perceived as a failure to consult the staff representatives on a matter over which they feel that they had a right to be consulted. However, a