

UNITED NATIONS DISPUTE T



the position of Chief of Section, Centralized Warehouse, P-5 within MINUSCA MSD with retroactive effect from 29 October 2020.<sup>3</sup>

6. On 24 May 2021, the Applicant wrote to the MINUSCA Chief Human Resources Officer (“CHRO”) raising concerns and seeking clarification on the validity of his reassignment. He did not receive any response.<sup>4</sup>

7. The Applicant’s personnel action (“PA”) was processed on 26 November 2021 through UMOJA transferring the Applicant’s post from Chief of Engineering Section to Chief of Section, Centralized Warehouse within MINUSCA.<sup>5</sup>

8. On 30 November 2021, the Applicant submitted a request for management evaluation, challenging his reassignment and requesting his reinstatement to his initial position of Chief of Engineering Section.<sup>6</sup>

9. The Applicant confirms receipt of the 5 May 2021 memorandum<sup>7</sup> in his application, however, he indicates that between the May memorandum and the November personnel action, he was not sure of the date of the impugned decision.

### **Considerations**

10. Staff rule 11.2(c) provides that:

A request for a management evaluation shall not be receivable by the Secretary-General unless it is sent within sixty calendar days from the date on which the staff member received notification of the administrative decision to be contested. This deadline may be extended by the Secretary-General pending efforts for informal resolution conducted by the Office of the Ombudsman, under conditions specified by the Secretary-General.

11. Article 8(3) of the UNDT Statute stipulates that,

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<sup>3</sup>MINUSCA-DMS, *Interoffice Memorandum* dated 5 May 2021.

<sup>4</sup> Application, annex A/6.

<sup>5</sup> *Ibid.*, at section V (1). (And at annex A/4, page2 and reply, annex R/2).

<sup>6</sup> *Ibid.*, at annex A/3, page 5.

<sup>7</sup> *Ibid.*, at annex A/3, page 4.

Case No.: UNDT/NBI/2022/040  
Judgment o.: