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Considerations

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The issue before this Tribunal, *see* *id.*, *supra*, note 10, is whether the Respondent's actions were in violation of the applicable law.

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29. In the present case, Mr. Pierre has no expectancy of renewal of his fixed-term appointment so therefore, the short-term renewals are considered in his favour. He has not provided sufficient evidence that the contested decision produced adverse consequences or “material harm” as part of a series of renewals for short periods.

30. Therefore, the Dispute Tribunal correctly concluded that the contested decision to extend Mr. Pierre’s appointment for six months did not have adverse consequences to his employment contract or terms of appointment; as such, it did not amount to an appealable administrative decision.

31. Further, the subsequent renewal of his fixed--

34. In the present case, Mr. Pierre reiterates similar claims of continuous harassment starting in 2017 due to his opposition to his reassignment. He says the short-term renewals without a “clear rationale” amount to “retaliation” which continues to the present day. He refers to conduct that was also raised in No. 1. But the only contested decision before us is the decision to renew his appointment for six months until 31 December 2021. Any alleged conduct prior to the date of this contested decision is not before us. In addition, any complained of conduct raised in the previous appeal has already been adjudicated in No.1, and cannot be brought forward again, a year later, in contesting a different renewal decision.

35. In order for the contested decision before us (i.e., the six-month renewal to

THE UNITED NATIONS APPEALS TRIBUNAL

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Judgment

40. The appeal is dismissed, and Summary Judgment No. UNDT/2021/123 is affirmed.

Original and Authoritative Version: English

Decision dated this 28th day of October 2022 in New York, United States.

Judge Sandhu, Presiding

Judge Murphy

Judge Raikos

Judgment published and entered into the Register on this 27th day of December 2022 in New York, United States.

Juliet Johnson, Registrar