



## Introduction

1. The Applicant was employed by the World Food Programme (WFP) in Nairobi from 22 February 1999. She was separated from service on 20 August 2008.
2. On 23 November 2011 the Applicant filed an Application with the United Nations Dispute Tribunal (UNDT) requesting compensation arising out of her wrongful appointment at the General Service Level GS L P S X J Q H G with the United Nations. She had applied to and been selected for a Senior Officer position with WFP in Nairobi, Kenya.
3. The Applicant states that the contested decision was taken on 1 January 2001 and that she first came to know about it on 24 January 2001.
4. Concurrent with the filing of her Application the Applicant submitted a Motion requesting a waiver of time limits, since her Application was out of time. Both the Application and the Motion were served on the Respondent on 30 November 2011.
5. By Motion dated 12 December 2011, the Respondent requested the Tribunal to permit him to file a Reply on the issue of receivability alone, and that this be dealt with as a preliminary matter.
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Country Office was not going to help her. At that point, she decided to write to the Executive Director.

16. When she received no response from the Executive Director, the Applicant contacted the WFP Ombudsman. In the end, the Applicant resigned.

17. My separation with WFP in August 2008, and secondly, I just learned recently that even a

18. Applicant Application the moment she came to know of the existence of the Tribunal, and that it

Consideration

19. The Applicant, by her own admission, became aware of the impugned administrative decision on 24 January 2001.

20. At the time of the impugned decision, the Dispute Tribunal did not exist and the former 100series of Staff Rules applied to the Applicant. Former staff rule 111.2(a) was as follows:

A staff member wishing to appeal a decision, step, address a letter to the Secretary-General, requesting that the administrative decision be reviewed; such letter must be sent within two months from the date the staff member received notification of the decision in writing.

21. The Applicant should, therefore, have raised a formal request for review in March 2001. Whilst the Tribunal understands and accepts that the Applicant was not



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Judgment No. UNDT/201