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UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NY/2017/080  
Order No.: 162 (NY/2017)  
Date: 16 August 2017  
Original: English

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**Before:** Judge Alessandra Greceanu

**Registry:** New York

**Registrar:** Morten Albert Michelsen, Officer-in-Charge

WILSON

v.

SECRETARY-GENERAL  
OF THE UNITED NATIONS

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**ORDER ON APPLICATION FOR  
SUSPENSION OF ACTION**

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**Counsel for Applicant:**  
Self-represented

**Counsel for Respondent:**  
Alan Gutman, ALS/OHRM, UN Secretariat





- (5): On 15 April 2016, the position of Director, Global Services Division, OICT was advertised as Job Opening #58856 for Umoja position #30005194 [reference to annex omitted]
- (6): On 13 June 2016, I applied for the position [reference to annex omitted]
- (7): On 29 June 2016, I was invited for a competency based interview. [reference to annex omitted]. After some scheduling issues, the interview was scheduled for 15 July 2016 at 11:00 am. I was advised that the composition of the assessment panel was [the Chief Information Technology Officer CITO , name redacted, Mr. AO] and [name redacted, Mr. MT] (WHO). [reference to annex omitted]
- (8): Mr. MT had previously been screened in for JO #54326 (Director, Global Operations Division, D-2) after being improperly being afforded the opportunity to submit a second application after the advertising period for JO #54326 had been illegally extended by one month to 29 April 2016. The entire circumstances of this, JO #63461 and TJO #52485 are documented in cases UNDT/NY/2017/012 and UNDT/NY/2017/063 currently before this tribunal.
- (9): On 15 July 2016, I was interviewed for the position by phone. During the interview, I continually protested that the questions being asked being were not in compliance with the requirements of a competency based interview and assessment.
- (10): After the interview, I wrote to the interview panel members, to the Executive Office and [the Office of Human Resources Management ] formalizing my protest of the conduct of the Panel members during the interview been selected.
- (11): On 21 July 2016, I received a response from the Hiring Manager denying any irregularities [reference to annex omitted]
- (12): On the same day, I wrote to the Senior Review Board with my concerns [reference to annex omitted]. On 4 August 2016, I also reported this to [the Assistant Secretary-OHRM.
- (13): On 4 August 2016, I forwarded this to the ASG/OHRM as well as other reports of irregularities for JO #54326 and [temporary TJO #52485.
- (14): After no action for more than 10 months, on 14 June 2017, I received information that the case had been submitted to the Senior Review Group for endorsement and selection. I also determined that I was not one of the recommended applicants.



being pending (See *SAREVA*, Order No. 127 (GVA/2017),  
*SAREVA*, Order No. 142 (GVA/2017) Paragraph 11)

(20): On 10 August 2017, I was advised that an applicant had been selected and that [Mr. SA], the incumbent of the upgraded D-2 position #30005194 for the past 20 months, had been selected. The status of my candidacy for the Job Opening in Inspira still

decision has been made and endorsed. The selection decision represents a promotion for [Mr. SA], therefore the date of implementation is 1 September 2017.

(21): On the same day as filing this application, I again requested management evaluation of the decision to not give me full and

b. As per *Wilson*

e. The JO violated the provisions of sec. 4.1.8 of the Inspira Manual for Recruiters. No action was taken between the completions of the interviews on 16 July 2016 through at least early June 2017;







relation to the accountability competency and therefore had no probative value in determining whether or not the Applicant met the requirements of the accountability competency. The question, trust with your building trust which is an entirely separate managerial clq









statutory requirements specified in art. 2.2 of its Statute have been met in the case at hand.

17. to be rejected.  
Regarding the request for hearing filed on 14 August 2017, the Tribunal considers that it is related to the considerations included in the 11 August 2017 management evaluation decision and therefore not admissible in the present case since, pursuant to the jurisprudence of the Appeals Tribunal, management evaluation decisions are not by themselves appealable administrative decisions in accordance with art. 2.1 of the (see, for instance, *Kalashnik* 2016-UNAT-661 and *Nwuke* 2016-UNAT-697). The Tribunal has therefore no competence to review any such decisions.

### **Conclusion**

18. In the light of the foregoing, the Tribunal ORDERS:

The application for suspension of action is dismissed.

*(Signed)*

Judge Alessandra Greceanu

Dated this 1