
UNITED NATIONS DISPUTE TRIBUNAL

Case No.: UNDT/NBI/2022/113

Judgment No.: UNDT/2023/013

Date: 2 March 2023

Original: English

Before: Judge Francesco Buffa.

Registry: Nairobi

Registrar: Abena Kwakye-Berko

NG'ANG'A

v.

SECRETARY-GENERAL
OF THE UNITED NATIONS

including posts at the G-7 level, except where the appeal involves a request for reclassification of such a post to the Professional category.

6.2 Appeals must be accompanied by the job description on the basis of which the post was classified.

6.3 *Appeals must be submitted within 60 days from the date on which the classification decision is received.*

6.4 The appeal shall be referred for review to: (b) In the case of appeals submitted to the head of office, the local human resources service or section, which will submit a report with its findings and recommendation for decision by, or on behalf of, the head of office.

6.5 If the review results in an upgrading of the classification to the level sought by the appellant, the appellant shall be notified in writing of the decision.

6.6 If it is decided to maintain the original classification or to classify the post at a lower level than that claimed by the appellant, the appeal, together with the report of the reviewing service or section, shall be referred to the appropriate Classification Appeals Committee established in accordance with the provisions of section 7 below.

6.7 The Secretary of the Appeals Committee shall transmit a copy of the report of the reviewing service or section to the appellant for comments, which must be submitted within a period of three weeks. The appellant's comments will be provided to the Office of Human Resources Management or the human resources service or section concerned, as appropriate, for their observations, which must be submitted within a period of two weeks.

6. It results from the record that on 26 May 2010, the United Nations Office at Nairobi ("UNON") finalized the reclassification process for the G-4 and G-6 positions in line with the procedure in ST/AI/1998/9 and that the Applicant was notified of the negative outcome of the reclassification process only on 8 September 2022.

7. The Applicant has not filed an appeal for the reclassification outcome.

9. The Tribunal agrees. Where statutory provisions exist to provide internal remedies, it is proper that staff memberit is