

**Summary of Andriamilamina (No. 4) v. IFC, (Preliminary Objection) Decision No. 654  
[2021]**

The Applicant challenged the IFC’s decision to make her employment redundant, the Peer Review Services (PRS) dismissal of her Request for Review, and Fiscal Year 2018 (FY18) performance management decisions. The IFC submitted preliminary objections challenging several of the claims raised in the Application as inadmissible on jurisdictional grounds.

The Tribunal found it clear that the Applicant’s claim concerning her FY18 performance evaluation and Salary Review Increase rating was untimely. Further, the Tribunal found the Applicant did not provide any “exceptional circumstances” to excuse the untimeliness, noting the “strict approach” required by Tribunal precedent (*Nyambal (No. 2)*, Decision No. 395 [2009]) and finding that the Applicant had sufficient time to pursue redress with the Internal Justice Services. The Tribunal also reiterated the importance of exhausting internal remedies, finding the Applicant’s claims with respect to performance management decisions in FY19 to be inadmissible on this basis.

With respect to the Applicant’s claims concerning her FY18 assignments and work program, the Tribunal found the IFC’s position that this claim was time-barred convincing and further found that the Applicant in fact received clear instructions regarding her FY18 work program via emails. Additionally, the Tribunal found no violations of the Applicant’s fundamental due process rights by PRS which would warrant the Tribunal’s intervention.

With respect to career mismanagement, the Tribunal concluded that the Applicant did not raise a distinct claim of continued career mismanagement before PRS and, accordingly, held such a claim to be inadmissible before the Tribunal for failure to exhaust internal remedies.

Finally, the Tribunal reiterated that its judgments are final pursuant to Article XI(1) of the Tribunal’s Statute and concluded that several of the Applicant’s career mismanagement claims were *res judicata*.

**Decision:** The IFC’s preliminary objections pertaining to the FY18 performance management–related decisions, FY18 assignments and work program, allegations of career mismanagement, and violations of due process were upheld. The Tribunal will consider on the merits the Applicant’s claim concerning the decision to make her employment redundant.