

CASE DIGEST: *U.S. DOD, Adjutant Gen. Nev., Nev. Army Nat'l Guard*, 74 FLRA 219 (2025)

The Arbitrator found that the Agency violated the parties' collective-bargaining agreement by refusing to temporarily promote the grievant when it appointed the grievant to perform the duties of a higher-graded position. The Agency filed exceptions on contrary-to-law and exceeded-authority grounds. The Authority denied the exceptions because the Agency failed to demonstrate that the award was deficient.

Chairman Kiko would have found that the grievance concerned classification within the meaning of § 7121(c)(5) of the Federal Service Labor-Management Relations Statute, because the grievance sought to reclassify the grievant's position and requested a permanent promotion. Because she would have granted the Agency's contrary-to-law exception and set aside the award on this basis, Chairman Kiko dissented.

This case digest is a summary of a decision issued by the Federal Labor Relations Authority, with a short description of the issues and facts of the case. Descriptions contained in this case digest are for informational purposes only, do not constitute legal precedent, and are not intended to be a substitute for the opinion of the Authority.