

CASE DIGEST: *NLRB Union*, 74 FLRA 230 (2025)

After the Agency denied a grievance disputing a probationary employee's performance appraisal, the Union invoked arbitration. The Arbitrator dismissed the grievance, finding that the parties' collective-bargaining agreement specifically excludes such disputes from the grievance procedure. The Union filed exceptions challenging the award on contrary-to-government-wide-regulation, nonfact, and essence grounds. As the Union did not raise its regulatory arguments at arbitration, but could have, the Authority dismissed these arguments under §§ 2425.4(c) and 2429.5 of its Regulations. Because the Union did not demonstrate that the award was based on a nonfact, or that it failed to draw its essence from the parties' agreement, the Authority denied these exceptions.

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.