

**64 FLRA No. 99**

AMERICAN FEDERATION  
OF GOVERNMENT EMPLOYEES  
LOCAL 53  
(Union)

and

UNITED STATES  
DEPARTMENT OF THE NAVY  
FLEET AND INDUSTRIAL SUPPLY CENTER  
CRANE DETACHMENT  
CRANE, INDIANA  
(Agency)

0-AR-4578

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DECISION

March 16, 2010

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Before the Authority: Carol Waller Pope, Chairman,  
and Thomas M. Beck and Ernest DuBester, Members

This matter is before the Authority on an exception to an award of Arbitrator S. Jesse Reuben filed by the Union under § 7122(a) of the Federal Service Labor-Management Relations Statute (the Statute) and part 2425 of the Authority's Regulations. The Agency did not file an opposition to the Union's exception.

Under § 7122(a) of the Statute, an award is deficient if it is contrary to any law, rule, or regulation; or it is deficient on other grounds similar to those applied by federal courts in private sector labor-management relations. Upon careful consideration of the entire record in this case, and Authority precedent, the Authority concludes that the award is not deficient on the grounds raised in the exceptions and set forth in § 7122(a). See *U.S. Dep't of the Air Force, Lowry Air Force Base, Denver, Colo.*, 48 FLRA 589, 593-94 (1993) (award not deficient as based on a nonfact where excepting party either challenges a factual matter that the parties disputed at arbitration or fails to demonstrate that the central fact underlying the award is clearly erroneous, but for which a different result would have been reached by the arbitrator).

Accordingly, the Union's exception is denied.