

Office of Administrative Law Judges

U.S. DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF PRISONS

FEDERAL CORRECTIONAL INSTITUTION

(FCI) MCKEAN

BRADFORD, PENNSYLVANIA

Respondent

and

Case No. BN-CA-90515

AMERICAN FEDERATION OF GOVERNMENT

EMPLOYEES, LOCAL 3974, AFL-CIO

Charging Party

William C. Lindsey, Esquire

For the Respondent

Lawrence L. Kuo, Esquire  
Counsel, FLRA

For the General

Before: SAMUEL A. CHAITOVITZ

Chief Administrative Law Judge

**DECISION AND ORDER REMANDING CASE**

This case was initiated by an Unfair Labor Practice charge filed by the American Federation of Government Employees, Local 3974 (AFGE Local 3974), alleging a violation of section 7116(a)(1), (5) and (8) of the Federal Service Labor-Management Relations Statute (the Statute), by the U.S. Department of Justice, Federal Bureau of Prisons, Federal Correctional Institution (FCI) McKean, Bradford, Pennsylvania (FCI McKean). A Complaint and Notice of Hearing was issued on September 29, 1999.

A hearing in the above case was opened on November 4, 1999, in Pittsburgh, Pennsylvania. At the request of all parties, the hearing was adjourned without a continuation date. A Notice was then issued setting the hearing to resume on January 5, 2000, and then the hearing was rescheduled at the request of the General Counsel of the Federal Labor Relations Authority (GC), to reopen on February 3, 2000.

The GC filed a Motion to Withdraw Complaint and Notice of Hearing, which stated that the parties had advised the GC that they have reached a settlement which has resulted in withdrawal of the underlying charge.

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Accordingly, the GC has moved to withdraw the complaint without prejudice.

In light of the foregoing, it is **ORDERED**, that the hearing in this case is Closed; and pursuant to section 2423.31(1) of the Authority's Rules and Regulations, this case is hereby **REMANDED** to the Regional Director, Boston Regional Office, Federal Labor Relations Authority, for further action consistent herewith.

Issued, Washington, DC, January 14, 2000.

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SAMUEL A. CHAITOVITZ

Chief Administrative Law Judge