

67 FLRA No. 136

AMERICAN FEDERATION
OF GOVERNMENT EMPLOYEES
LOCAL 2663
(Union)

and

UNITED STATES
DEPARTMENT OF VETERANS AFFAIRS
MEDICAL CENTER
KANSAS CITY, MISSOURI
(Agency)

0-AR-5043

ORDER DISMISSING EXCEPTION

August 20, 2014

Before the Authority: Carol Waller Pope, Chairman, and Ernest DuBester and Patrick Pizzella, Members

This matter is before the Authority on an exception to an award of Arbitrator Ronald Hoh filed by the Union under § 7122(a) of the Federal Service Labor-Management Relations Statute and part 2425 of the Authority's Regulations. The Agency filed an opposition to the Union's exception.

We have determined that this case is appropriate for issuance as an expedited, abbreviated decision under § 2425.7 of the Authority's Regulations.¹

The Union's argument that the Arbitrator's determination that the grievance was not timely filed is wrong and establishes a "dangerous precedent"² does not raise a recognized ground for review listed in § 2425.6(a)-(c) of the Authority's Regulations,³ and does not otherwise demonstrate a legally recognized basis for setting aside the award. Therefore, we dismiss the exception under § 2425.6(e)(1) of the Authority's Regulations.⁴

¹ 5 C.F.R. § 2425.7 ("Even absent a [party's] request, the Authority may issue expedited, abbreviated decisions in appropriate cases.").

² Exception at 8.

³ 5 C.F.R. § 2425.6(a)-(c).

⁴ *Id.* § 2425.6(e)(1); *see also AFGE, Local 2272*, 67 FLRA 335, 335 n.2 (2014) (citing *AFGE, Local 3955, Council of Prison Locals 33*, 65 FLRA 887, 889 (2011)) (exceptions are subject to dismissal under § 2425.6(e)(1) of the Authority's Regulations if

they fail to raise a recognized ground for review or, in the case of exceptions based on private-sector grounds not currently recognized by the Authority, if they provide insufficient citation to legal authority establishing the grounds upon which the party filed its exceptions).