

68 FLRA No. 42

UNITED STATES
DEPARTMENT OF DEFENSE
PENTAGON FORCE PROTECTION AGENCY
(Agency)

and

AMERICAN FEDERATION
OF GOVERNMENT EMPLOYEES
AFL-CIO
(Labor Organization/Petitioner)

WA-RP-12-0005

NOTICE

January 28, 2015

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

In *FDIC*,¹ the Authority held that, under § 7105(f) of the Federal Service Labor-Management Relations Statute,² the Authority had sixty days from the date on which it regained its quorum – November 12, 2013 – to undertake to grant an application for review that had been filed while the Authority lacked a quorum.³ The Authority further held that, because it had not undertaken to grant review within that sixty-day period, the regional director’s decision and order in that case became “the action of the Authority” after January 11, 2014.⁴

The application for review in this case also was filed when the Authority lacked a quorum. For the same reasons set forth in *FDIC*, because the Authority did not undertake to grant review of the application by January 11, 2014, the Regional Director’s decision and order in this case became the action of the Authority after that date. Accordingly, consistent with *FDIC*, we hereby notify the parties that the Authority is taking no further action in this case.

¹ 68 FLRA 260 (2015).

² 5 U.S.C. § 7105(f).

³ *FDIC*, 68 FLRA at 260.

⁴ *Id.* at 262 (internal quotation marks omitted).