

CASE DIGEST: *U.S. Dep't of the Army, Corpus Christi Army Depot, Corpus Christi, Tex.*, 71 FLRA 304 (2019) (Member DuBester concurring)

This case concerned the Agency's suspension of the grievant for fourteen days. The grievance alleged that the suspension was not for just cause and, thus, violated the parties' agreement. The Arbitrator found that the Agency lacked just cause for the suspension, and he reduced it to a one-year letter of reprimand. In an exception, the Agency argued that the just-cause finding failed to draw its essence from the parties' agreement because the Arbitrator considered extraneous factors in deciding to reduce the penalty. The Authority found that the Arbitrator's considerations were properly rooted in the wording of the parties' agreement. Therefore, the Authority concluded that the award did not fail to draw its essence from the agreement, and denied the Agency's exception.

Member DuBester concurred in the decision to deny the Agency's exception.

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.