

CASE DIGEST: *U.S. Dep't of the Army, Fort Wainwright Law Ctr., Fort Wainwright, Alaska*, 71 FLRA 471 (2019)

This case concerned management's alleged good-faith-doubts that the certified exclusive representatives of twelve bargaining units continued to represent a majority of the employees in each of their respective units. The RD found the petitioner's doubts unsubstantiated, and he denied the requested representation elections.

The petitioner filed ten applications for review challenging the RD's denials of representation elections in ten of the twelve units, arguing that the RD failed to apply established law that required particularized findings about the majority support for the exclusive representative of each unit. The Authority held that the RD's findings were insufficient to support his rejections of the petitioner's good-faith-doubt claims regarding the ten challenged units. Accordingly, the Authority granted the ten applications and remanded the RD's decision, in part, for further findings.

While Member DuBester concurred in the decision to remand the Agency's petitions to the Regional Director (RD), he emphasized the RD's findings that the bargaining units at issue in the petitions encompass more than 1,000 employees generally located at only three Army installations across the state of Alaska, are covered by only two bargaining agreements, and the labor relations activities are handled by only two representatives for the unions and management. Based on those unique circumstances, Member DuBester concluded it is to be expected that some of the unions' actions were not explicitly devoted to the exclusive benefit of a particular bargaining unit, and that the RD's findings should not be faulted for simply reflecting these circumstances.

*This case digest is a summary of an order 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.