

CASE DIGEST: *U.S. Dep't of VA, John J. Pershing Veterans Admin.*, 71 FLRA 511 (2020)

In this case, the Agency filed exceptions challenging an arbitrator's awarded remedy and his determination that the grievance was timely filed. Because the Agency could have – but did not – raise its arguments concerning the remedy at arbitration, the Authority found that §§ 2425.4(c) and 2429.5 of the Authority's Regulations barred the Authority from considering those arguments. Regarding the timeliness of the grievance, the Arbitrator did not state the filing date in the award. Under § 2425.4(a)(2) and (3) of the Authority's Regulations, the excepting party must ensure that its exceptions are self-contained and include supporting documentation. But the Agency did not provide the Authority any documentary evidence to support its alleged filing date. Accordingly, the Authority denied the Agency's exception as unsupported.

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.