

**CASE DIGEST:** *SPORT Air Traffic Controllers Org. & U.S. Dep't of the Air Force, Edwards Air Force Base, Cal.*, 71 FLRA 626 (2020) (Member DuBester dissenting).

This case involves a dispute over which collective-bargaining agreement (CBA) was in effect when the Agency denied official time. The Arbitrator found that the Agency lawfully implemented a new CBA and, thus, did not violate the Federal Service Labor-Management Relations Statute, Agency regulation, or the new CBA when it failed to schedule the twenty hours per week of official time to which the Union president was entitled under the previous CBA. Because the grievance and an earlier-filed unfair-labor-practice charge both raised the same issue concerning the Agency's implementation of the new CBA, the Authority found that the grievance was barred pursuant to § 7116(d) of the Federal Service Labor-Management Relations Statute.

Member DuBester dissented, finding that, under the unique circumstances of this case, § 7116(d) of the Statute would not bar the Union's grievance.

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.