

CASE DIGEST: *U.S. Dep't of HUD & AFGE, Council 222*, 71 FLRA 616 (2020)
(Member DuBester concurring)

The Arbitrator found that the Agency violated § 7116(a)(1), (5), and (8) of the Federal Service Labor-Management Relations Statute (the Statute) by failing to provide the information contained in the Union's eight part information request and, therefore, failed to bargain in good faith. In its exceptions, the Agency argued that that the Union failed to establish a particularized need for all eight parts of the information request and that the information request is moot. The Authority found that the Union established a particularized need with its third and final information request and that the Union's information request is not moot because the Agency failed to demonstrate that the unfair-labor-practice will not recur. Accordingly, the Authority denied the Agency's exceptions.

Member DuBester concurred in the Decision to deny the Agency's exceptions.

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.