

CASE DIGEST: *U.S. Dep't of HUD, 71 FLRA 720 (2020) (Member DuBester concurring)*

In this case, the Arbitrator found that the grievant was removed without just cause and that the removal was based on retaliation for protected activity. The Agency filed exceptions. The Authority concluded that it lacked jurisdiction under § 7122(a) of the Statute because the claims advanced at arbitration relate to a removal, which is a matter that is reviewable by the Merit Systems Protection Board or the United States Court of Appeals for the Federal Circuit. The Authority dismissed the exceptions.

Member DuBester concurred in the Decision to dismiss 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.