

CASE DIGEST: *U.S. DOJ, Fed. BOP, Fed. Corr. Complex, Coleman, Fla.*, 71 FLRA 815 (2020) (Member DuBester dissenting)

This case concerns whether the local supplemental agreement was already expired when the grievance was filed. Because the former master agreement was expired when the grievance was filed, the Authority found that the local supplemental agreement had expired. Accordingly, the Authority found that the award failed to draw its essence from the local supplemental agreement, and set aside the award.

Member DuBester dissented on grounds that the majority's decision to set aside the award was based upon an argument that was not raised in the Agency's exceptions. And noting that the Arbitrator found that the local supplemental agreement was unclear and ambiguous with respect to whether its terms continued after its expiration, Member DuBester found that the Authority could not properly assess the Arbitrator's findings on this issue unless the relevant wording of the agreement was part of the record.

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.