

CASE DIGEST: *U.S. Dep't of Educ., Fed. Student Aid*, 71 FLRA 1166 (2020) (Member DuBester concurring)

In this case, the Arbitrator found that the Agency violated the parties' collective-bargaining agreement and federal law when the Agency changed its telework policy and denied the grievant's request to continue working under her existing telework agreement. The Agency excepted on several grounds, including that the award failed to draw its essence from the parties' agreement, was contrary to law, and was ambiguous. The Authority denied the exceptions, but set aside the portion of the remedy requiring the Agency to reimburse the grievant for expenses as contrary to the doctrine of sovereign immunity.

Member DuBester concurred, but noted that he would find the award did not affect the Agency's right to direct employees and assign work and, therefore, he would not reach the question of whether the remedy excessively interfered with those rights.

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.