

**CASE DIGEST:**     *AFGE, Council 170 and U.S. Dep't of Defense, Defense Contract Management Agency, 71 FLRA 1259 (2020) (Member DuBester concurring)*

This case involved one proposal that allegedly implicated management rights under 5 U.S.C. § 7106(a). The Agency generally asserted that the proposal interfered with management rights; however, it failed to support its argument. Therefore, the Authority found that the Agency waived its argument that the proposal was outside the duty to bargain. Accordingly, the Authority granted the petition for review.

Member DuBester concurred in the decision to grant the Union's petition.

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.