

CASE DIGEST: *U.S. Dep't of the Navy Commander, Navy Region Haw., Fed. Fire Dep't*, 72 FLRA 94 (2021) (Chairman DuBester dissenting)

The Arbitrator issued an award of attorney fees under the Back Pay Act (BPA) without an accompanying backpay award. The Authority granted the Agency's contrary-to-law exception, finding that the Arbitrator's award of attorney fees was not authorized by the BPA, and that the award had no other statutory authorization.

Chairman DuBester dissented. Under the particular circumstances of this case, where the Arbitrator found that the grievants were entitled to backpay but was unable to calculate the amount of backpay owed to the grievants because of the Agency's actions, Chairman DuBester would conclude that the fee award is not contrary to the BPA.

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.