

CASE DIGEST: *U.S. EPA and AFGE, Council 238*, 72 FLRA 114 (2021)
(Chairman DuBester concurring; Member Kiko concurring;
Member Abbott concurring)

The Arbitrator sustained two Union grievances alleging that the Agency violated the parties' agreement by denying official time for lobbying and travel. The Agency filed exceptions to the award on contrary-to-law and essence grounds. Because the Agency did not establish that the award was deficient on either ground, the Authority denied the Agency's exceptions.

Chairman DuBester concurred in the decision to deny the Agency's exceptions.

Member Kiko agreed that the Agency's exceptions failed to establish that the award was deficient. However, Member Kiko wrote separately to address her concerns with the Union's official-time requests, and the Agency's approval of those requests.

Member Abbott also wrote separately, noting that he too agreed with the concerns addressed by Member Kiko in her concurring opinion.

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.