

CASE DIGEST: *SSA, Office of Hearings Operations & Ass'n of Admin. Law Judges, IFPTE, 72 FLRA 108 (2021) (Chairman DuBester dissenting in part)*

This case involves a grievance regarding an Agency directive to schedule more hearings in order to meet a performance standard, and a subsequent reprimand for the grievant's failure to follow the directive. The Arbitrator found the Agency violated federal law and the parties' agreement because the directive was unreasonable and the discipline was neither warranted and reasonable nor for good cause. The Authority held that the award failed to draw its essence from the parties' agreement, in part, because the Arbitrator found a violation of a contract provision that was not at issue. The Authority also vacated portions of the award as contrary to law because the Arbitrator's attempt to prohibit the Agency from applying its performance standards excessively interfered with the Agency's management rights.

Chairman DuBester dissented, finding that the Arbitrator properly found a contractual violation based on the Agency's misapplication of a standard related to telework eligibility.

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.