

CASE DIGEST: *U.S. DHS, U.S. Customs and Border Protection, Laredo Sector, Laredo, Tex, 72 FLRA 171 (2021) (Chairman DuBester dissenting)*

The Arbitrator found that the Agency violated its own policy by temporarily revoking an agent's law enforcement status and assigning her to administrative duties during the pendency of a misconduct investigation – specifically pointing a service-issued firearm and a taser at a fellow agent. The Authority found that the Arbitrator's award was contrary to the Agency's policy because the award imposed a requirement which was not in the plain language of the policy. Therefore, the Authority granted the Agency's exceptions.

Chairman DuBester dissented. He found that the Arbitrator properly determined whether the Agency's decision satisfied the standard articulated in its policy.

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.