

CASE DIGEST: *NLRB*, 72 FLRA 334 (2021)

The Arbitrator issued an award finding arbitrable two grievances alleging bad-faith bargaining by the Agency. After a hearing on the merits, he issued a separate award sustaining one of the Union's allegations of bad-faith bargaining and denying, as moot, the Union's allegation that the Agency committed an unfair-labor practice (ULP) when it submitted permissive subjects of bargaining to the Federal Service Impasses Panel (FSIP). The Authority denied the Agency's exceptions to both awards and granted the Union's contrary-to-law exception to the merits award. Because the Arbitrator had jurisdiction to resolve the Union's ULP claims, the Authority found that the Arbitrator could determine whether the Agency brought permissive subjects of bargaining to FSIP. Accordingly, the Authority remanded the case for further proceedings.

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.