

CASE DIGEST: *U.S. Dep't of VA., Nashville Reg'l Off., VA Benefits Admin., 72 FLRA 371 (2021) (Member Abbott concurring)*

After regularly permitting the grievant – a disabled veteran – to take leave without pay (LWOP) for medical treatment, the Agency informed him that he would need to provide certain medical documentation to receive future approvals. Subsequently, the Agency charged him as absent without leave (AWOL). The Arbitrator found that the parties' agreement required the Agency to grant the grievant LWOP for his service-connected treatments, and that the Agency had impermissibly changed a past practice. On exceptions, the Agency argued that the award was contrary to an executive order requiring agencies to grant LWOP to disabled veterans under certain circumstances. Because no conflict existed between the award and the executive order, the Authority denied the exception.

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.