

CASE DIGEST: *Int'l Bhd. of Boilermakers, Loc. 290*, 72 FLRA 586 (2021)
(Chairman DuBester concurring; Member Abbott concurring)

The Authority concluded that the Arbitrator properly applied the standard for assessing whether a Union steward's conduct exceeded the bounds of protected activity.

Chairman DuBester concurred, noting that the Authority's existing standard for assessing protected conduct was adequate for resolving the Union's exception.

Member Abbott concurred, agreeing that the grievant's conduct was not protected under § 7102 of the Federal Service Labor-Management Relations Statute. However, he wrote separately because he believes there is an important distinction to be made between representational activity that occurs in more traditional "behind closed door" encounters and representational activity that occurs in the workplace.

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.