

CASE DIGEST: *Dep't. of VA and AFGE, Local 17*, 72 FLRA 616 (2022)
 (Chairman DuBester, concurring)

After declaring the grievant absent without leave, the Agency imposed a three-day suspension. Based on the parties' collective bargaining agreement, the Arbitrator found a written reprimand more appropriate and rescinded the suspension. The Agency filed a contrary-to-law exception arguing that Executive Order 13,839 superseded the parties' agreement. Because the Agency could have, but failed to, present this argument to the Arbitrator, the Authority dismissed its exception.

Chairman DuBester concurred in the decision to dismiss the Agency's 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.