

CASE DIGEST: *AFGE, Loc. 3369, 72 FLRA 120 (2022)* (Chairman DuBester concurring)

In the initial award, the Arbitrator found that the Agency did not have just cause to remove the grievant, and ordered the grievant be reinstated. Thereafter, the Arbitrator issued a clarification award, finding that the grievant was not eligible for the within-grade increases that would have accrued from the date of termination to the date of reinstatement. The Union filed exceptions to the clarification award. The Authority held that it lacked jurisdiction because the clarification award ultimately resolved the grievant's removal, a matter described in § 7121(f) of the Federal Service Labor-Management Relations Statute, excluded from the Authority's jurisdiction.

Chairman DuBester concurred in the decision to dismiss the exceptions.

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.