

CASE DIGEST: *AFGE, Loc. 2338 and U.S. Dep't of VA, John J. Pershing VA Med. Ctr., Poplar Bluff, Mo.* 73 FLRA 510 (2023)

In resolving a grievance concerning the Agency's decision not to select the grievant for a position, the Arbitrator found the Union untimely filed the grievance. Alternatively, the Arbitrator found that the Agency's actions did not violate the parties' collective-bargaining agreement. The Union excepted to the award's arbitrability and merits findings on several grounds, including fair-hearing, essence, fraud, and nonfact. After denying the exceptions to the award's separate and independent arbitrability finding, the Authority denied the exceptions to the merits finding.

This case digest is a summary of an order 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.