

**CASE DIGEST:** *LIUNA, Loc. 1776*, 73 FLRA 591 (2023) (Member Kiko concurring)

In a merits award, the Arbitrator found that the Agency did not violate the parties' collective-bargaining agreement or § 7116(a)(5) the Federal Service Labor-Management Relations Statute (the Statute) by prohibiting bargaining-unit employees from wearing jeans and athletic shoes in the workplace. In a subsequent award, the Arbitrator directed the Union to pay all of the costs of arbitration. The Union filed exceptions to the awards on essence, contrary-to-law, and exceeded-authority (“functus officio”) grounds. The Authority denied the exceptions because the Union did not demonstrate the awards were deficient.

Member Kiko concurred, stating that she would no longer raise jurisdictional objections to cases involving units of the national guard, in light of the United States Supreme Court's recent decision on that issue.

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.