AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES
LOCAL 2408
(Union)

and

UNITED STATES DEPARTMENT OF VETERANS AFFAIRS
VA CARIBBEAN HEALTH CARE SYSTEM
SAN JUAN, PUERTO RICO
(Agency)

0-AR-5885

DECISION

November 7, 2023

Before the Authority: Susan Tsui Grundmann, Chairman, and Colleen Duffy Kiko, Member

This matter is before the Authority on exceptions to an award of Arbitrator Peter E. Gillespie filed by the Union under § 7122(a) of the Federal Service Labor-Management Relations Statute and part 2425 of the Authority’s Regulations. The Agency filed an opposition to the Union’s exceptions. The Agency does not oppose the Union’s request. Upon full consideration of the circumstances of this case—including the case’s complexity, potential for precedential value, and similarity to other, fully detailed decisions involving the same or similar issues, as well as the absence of any allegation of an unfair labor practice—we grant the Union’s request.

Accordingly, we deny the Union’s exceptions.

The Union argues the award is contrary to law; contrary to regulation; and incomplete, ambiguous, or contradictory as to make implementation of the award impossible; but does not support those arguments. Therefore, we deny those exceptions under § 2425.6(e)(1) of the Authority’s Regulations. As for the Union’s essence exception, upon careful consideration of the entire record in this case and Authority precedent, we conclude that the award is not deficient on the ground raised in the exception and set forth in § 7122(a).

Accordingly, we deny the Union’s exceptions.