

UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY
Office of Administrative Law Judges
WASHINGTON, D.C. 20424-0001

DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS FORT RUCKER DEPENDENTS SCHOOLS FORT RUCKER, ALABAMA Respondent	
and FORT RUCKER EDUCATION ASSOCIATION STATESIDE REGION Charging Party	Case No. AT-CA-60938

NOTICE OF TRANSMITTAL OF DECISION

The above-entitled case having been heard before the undersigned Administrative Law Judge pursuant to the Statute and the Rules and Regulations of the Authority, the undersigned herein serves his Decision, a copy of which is attached hereto, on all parties to the proceeding on this date and this case is hereby transferred to the Federal Labor Relations Authority pursuant to 5 C.F.R. § 2423.34(b).

PLEASE BE ADVISED that the filing of exceptions to the attached Decision is governed by 5 C.F.R. §§ 2423.40-2423.41, 2429.12, 2429.21-2429.22, 2429.24-2429.25, and 2429.27.

Any such exceptions must be filed on or before **DECEMBER 29, 1997**, and addressed to:

Federal Labor Relations Authority
Office of Case Control
607 14th Street, NW, 4th Floor
Washington, DC 20424-0001

ELI NASH, JR.
Administrative Law Judge

Dated: November 25, 1997
Washington, DC

UNITED STATES OF AMERICA
FEDERAL LABOR RELATIONS AUTHORITY
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WASHINGTON, D.C. 20424-0001

MEMORANDUM

DATE: November 25, 1997

TO: The Federal Labor Relations Authority

FROM: ELI NASH, JR.
Administrative Law Judge

SUBJECT: DEPARTMENT OF DEFENSE
DOMESTIC DEPENDENT ELEMENTARY
AND SECONDARY SCHOOLS
FORT RUCKER DEPENDENTS SCHOOLS
FORT RUCKER, ALABAMA

Respondent

CA-60938

and

Case No. AT-

FORT RUCKER EDUCATION ASSOCIATION
STATESIDE REGION

Charging Party

Pursuant to section 2423.34(b) of the Rules and Regulations, 5 C.F.R. § 2423.34(b), I am hereby transferring the above case to the Authority. Enclosed are copies of my Decision, the service sheet, and the transmittal form sent to the parties. Also enclosed are the transcript, exhibits and any briefs filed by the parties.

Enclosures

FEDERAL LABOR RELATIONS AUTHORITY
Office of Administrative Law Judges
WASHINGTON, D.C. 20424-0001

DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS FORT RUCKER DEPENDENTS SCHOOLS FORT RUCKER, ALABAMA Respondent and FORT RUCKER EDUCATION ASSOCIATION STATESIDE REGION Charging Party	Case No. AT-CA-60938

Maureen George, Esquire
For the Respondent

Brent S. Hudspeth, Esquire
For the General Counsel

Before: ELI NASH, JR.
Administrative Law Judge

DECISION

This case was initiated by an unfair labor practice charge filed on September 30, 1996, alleging a violation of section 7116(a)(1) of the Federal Service Labor-Management Relations Statute by attempting to interfere with the Charging Party's right to choose its own representatives. The Complaint and Notice of Hearing issued on June 5, 1997, scheduling a hearing for August 19, 1997, pursuant to which a hearing was subsequently held on October 9, 1997, in Abbeville, Alabama, before the undersigned. At the conclusion of the hearing, a date for the mailing post-hearing briefs was set, which time subsequently was extended to November 21, 1997 on Motion of Counsel for the Respondent, to which Counsel for the General Counsel did not object. Thereafter, on November 14, 1997, pursuant to section 2423.31(d)(1) of the Rules and Regulations of the Federal Labor Relations Authority, Counsel for the General Counsel filed a motion to remand the Complaint to the Atlanta Regional Office for disposition based on the

parties' agreement to issue a memorandum. The memorandum, according to Counsel for the General Counsel constitutes an adequate resolution of the above captioned Complaint. It appears to the undersigned that the policies and purposes of the Federal Service Labor-Management Relations Statute would be effectuated by Remanding this matter to the Atlanta Region for disposition. It is, therefore,

ORDERED

Pursuant to section 2423.11(e)(1) of the Rules and Regulations, 5 C.F.R. section 2423.11(e)(1) that this matter be, and is hereby, remanded to the Regional Director for further action consistent herewith.

Issued, Washington, DC, November 25, 1997

ELI NASH, JR.
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of this DECISION issued by ELI NASH, JR, Administrative Law Judge, in Case No. AT-CA-60938, were sent to the following parties in the manner indicated:

CERTIFIED MAIL, RETURN RECEIPT

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Dated: November 25, 1997
Washington, DC