



**FEDERAL LABOR RELATIONS AUTHORITY**

OALJ 17-08

Office of Administrative Law Judges  
WASHINGTON, D.C. 20424

DEPARTMENT OF VETERANS AFFAIRS  
VETERANS AFFAIRS REGIONAL OFFICE  
DENVER, COLORADO

RESPONDENT

AND

AMERICAN FEDERATION OF GOVERNMENT  
EMPLOYEES, LOCAL 1557

CHARGING PARTY

Case No. DE-CA-16-0044

Paige A. Swenson  
For the General Counsel

Thomas R. Kennedy  
For the Respondent

Lance Stewart  
For the Union

Before: CHARLES R. CENTER  
Chief Administrative Law Judge

**DECISION AND ORDER REMANDING CASE**

On November 13, 2015, the American Federation of Government Employees, Local 1557 (Union/Local 1557) filed an unfair labor practice charge against the Department of Veterans Affairs, Veterans Affairs Regional Office, Denver, Colorado (Respondent). After an investigation into the charges, the Denver Regional Director of the Federal Labor Relations Authority (Authority) issued a Complaint and Notice of Hearing on March 14, 2016. The Complaint alleged that the Respondent violated § 7116(a)(1) and (2) of the Federal Service Labor-Management Relations Statute (Statute) by discriminating in connection with hiring, tenure, promotion, or other conditions of employment of its employees and thereby, discouraging membership in a labor organization in violation of the Statute. On April 1, 2016, the Respondent filed its Answer to the Complaint denying that it violated the Statute.

A hearing was held on June 28, 2016, in Denver, Colorado, where testimony was taken and documentary evidence introduced into the record. The General Counsel and Respondent timely filed post-hearing briefs.

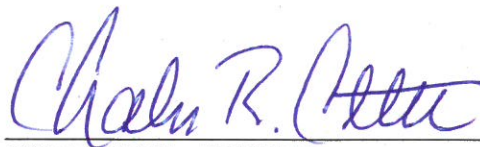
On December 22, 2016, Counsel for the General Counsel filed a Motion to Remand Case to the Denver Region, indicating that an informal settlement had been reached with the Respondent. The motion indicated that the Respondent did not oppose the motion. Neither the Respondent or Union filed a response to the motion within the five days allotted by 5 C.F.R. § 2423.21(b)(3).

Absent an explanation for opposition, pursuant to § 2423.31(e)(1) of the Rules and Regulations of the Authority, I conclude that the withdrawal of the Complaint is appropriate in light of the uncontested assertions set forth in the motion to remand. Therefore, I find that remanding the case to the Regional Director for further action is appropriate.

### ORDER

The General Counsel's Motion to Remand Case is **GRANTED**. The case is hereby Remanded to the Regional Director for further action as he deems appropriate to effectuate the purposes and policies of the Statute.

Issued, Washington, D.C., January 10, 2016



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CHARLES R. CENTER  
Chief Administrative Law Judge