

**65 FLRA No. 208**

AMERICAN FEDERATION  
OF GOVERNMENT EMPLOYEES  
LOCAL 2022  
(Union)

and

UNITED STATES  
DEPARTMENT OF THE ARMY  
BLANCHFIELD ARMY  
COMMUNITY HOSPITAL  
(Agency)

0-AR-4756

—  
DECISION

June 30, 2011

Before the Authority: Carol Waller Pope, Chairman,  
and Thomas M. Beck and Ernest DuBester, Members

This matter is before the Authority on exceptions to an award of Arbitrator James T. Ellis filed by the Union under § 7122(a) of the Federal Service Labor-Management Relations Statute (the Statute) and part 2425 of the Authority's Regulations. The Agency filed an opposition to the Union's exceptions.

Under § 7122(a) of the Statute, an award is deficient if it is contrary to any law, rule, or regulation, or it is deficient on other grounds similar to those applied by federal courts in private sector labor-management relations. Upon careful consideration of the entire record in this case and Authority precedent, the Authority concludes that the award is not deficient on the grounds raised in the exceptions and set forth in § 7122(a). *See AFGE, Local 3955, Council of Prison Locals 33*, 65 FLRA 887, 890 (2011) (Member Beck dissenting as to other matters) (denying exceeded-authority exception where excepting party failed to support its exception); *Fraternal Order of Police, Pentagon Police Labor Comm.*, 65 FLRA 781, 784-85 (2011) (denying contrary-to-law exception where excepting party did not cite any law with which the arbitrator's

award conflicted);\* *U.S. Dep't of the Air Force, Lowry Air Force Base, Denver, Colo.*, 48 FLRA 589, 593-94 (1993) (award not deficient as based on a nonfact where excepting party challenges a factual matter that the parties disputed at arbitration).

Accordingly, the Union's exceptions are denied.

---

\* We note that, as with the Union's contrary-to-law exception, the Union's public policy exception does not cite to a public policy with which the award conflicts.