

CASE DIGEST: *U.S. Dep’t of HUD*, 74 FLRA 636 (2026) (Member Wagner dissenting)

The Union requested that the Authority reconsider its decision in *U.S. Department of HUD*, 72 FLRA 450 (2021) (*HUD*) (Chairman DuBester dissenting). Because the Union’s motion did not establish extraordinary circumstances warranting reconsideration, the Authority denied it.

Member Wagner dissented. She would have granted reconsideration because the majority in *HUD* made an error of law in its application of the standard for assessing whether an arbitrator’s award draws its essence from a collective-bargaining agreement. On reconsideration, applying the principles set forth in her dissent in *SSA*, 74 FLRA 555 (2026) (Dissenting Opinion of Member Wagner) – and noting that arbitrators’ determinations regarding procedural matters are entitled to even greater deference than those involving substantive matters – she would have denied the Agency’s essence exception.

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.