

**CASE DIGEST:**     *NATCA*, Case No. 0-AR-5877, 74 FLRA 524 (2026)

The Agency processed employees' revocations of dues authorizations without promptly notifying the Union as required by the two applicable collective-bargaining agreements (the agreements). The Arbitrator found that the Agency properly processed the revocations, but violated the agreements for failing to promptly provide the Union with notice of the employees' revocations. The Arbitrator issued an award, ordering the Agency to comply with the agreements' notice requirements and provide the Union with a monetary remedy equal to the employees' dues payments between revocation and notice. The Union filed exceptions alleging the award was contrary to law, in part. The Agency filed exceptions challenging the Arbitrator's monetary remedy on a number of grounds, including on the basis that it violated the doctrine of sovereign immunity. The Authority denied the Union's exceptions, granted the Agency's sovereign-immunity exception, and found it unnecessary to reach the Agency's other exceptions.

Member Wagner concurred in part and dissented in part. She agreed that the monetary award was contrary to law for the reasons stated by the majority. She also agreed with the denial of the Union's contrary-to-law exception, but she reached that conclusion for reasons different from the majority's. Specifically, she noted that the Arbitrator interpreted the parties' collective-bargaining agreements as providing that government-wide regulations that took effect before the agreements were extended governed over the extended agreements. Accordingly, she found that the Arbitrator did not err by applying 5 C.F.R. § 2429.19 to resolve the parties' dispute.

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.