

CASE DIGEST: *U.S. Dep't of VA, Health Res. Ctr.*, 71 FLRA 1036 (2020)
(Member DuBester concurring)

The Arbitrator found that the Agency violated its Absence and Leave Policy (the policy) by requiring a bargaining-unit employee, who is a disabled veteran and teleworks, to verify her medical appointment by a method not required by the policy. Because the Arbitrator found that the policy did not address how a bargaining-unit employee should properly verify their medical appointments—when that employee exclusively teleworks and is a disabled veteran—he ordered the Agency to negotiate an addendum to the policy to address how a disabled, teleworking veteran should verify their medical appointments. Because the Agency's exception failed to establish any deficiencies in the award and constituted a mere reargument of its case, the Authority denied the Agency's essence-exception.

Member DuBester concurred in the decision to deny the Agency's 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.