

CASE DIGEST: *U.S. DHS, U.S. CBP and AFGE, Nat'l Border Patrol Council,*
74 FLRA 343 (2026)

The Union grieved an Agency decision to assign Customs and Border Protection officials outside the U.S. Border Patrol chain of command as the deciding officials in two misconduct investigations into Border Patrol agents. At arbitration, the Agency argued the grievance was untimely filed, and, thus, procedurally inarbitrable under the parties' collective-bargaining agreement. Without addressing the Agency's arbitrability argument, the Arbitrator proceeded to the grievance's merits. The Agency filed an exception arguing that the award failed to draw its essence from the grievance-filing procedures in the parties' agreement. Because the award did not provide sufficient findings to resolve this exception, the Authority remanded it.

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.