

CASE DIGEST: *U.S. R.R. Ret. Bd.*, 74 FLRA 490 (2026)

The Agency denied the grievant's career-ladder promotion, and the Union filed a grievance alleging the denial violated a memorandum of understanding and the parties' collective-bargaining agreement. The Arbitrator sustained the grievance. The Agency filed exceptions claiming the award was based on nonfacts, was contrary to law, and that the Arbitrator exceeded his authority. The Authority found that the Arbitrator exceeded his authority by resolving an issue not before him, and set aside that portion of the award and related remedy. The Authority denied the Agency's nonfact exceptions and did not reach the Agency's contrary-to-law exception.

Chairman Kiko and Member Arrington concurred, separately, emphasizing the real-world predicament agencies are placed in when an employee, who is on 100% official time, seeks a career-ladder promotion for work he or she is not actually performing.

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.