

CASE DIGEST: *U.S. Dep't of Transp., FAA*, 74 FLRA 433

The Union filed a grievance arguing that the Agency violated the Federal Service Labor-Management Relations Statute and the parties' collective-bargaining agreement when the Agency redesignated several gender-neutral, single-occupancy restrooms as single-sex restrooms without providing the Union notice or an opportunity to bargain over the change. The Arbitrator addressed only the Union's contractual arguments, found that the Agency violated the contract, and directed the Agency to bargain over the impact of the change. Citing the *de minimis* and *covered by doctrines*, which are defenses to alleged violations of a statutory bargaining obligation, the Agency challenged the award on contrary-to-law, exceeded authority, and essence grounds. Because the Agency did not demonstrate that the Arbitrator should have applied statutory standards in her contractual interpretation, the Authority denied these exceptions. The Agency also argued that the bargaining remedy exceeded the scope of the framed issue. Finding the remedy directly responsive to the issue, the Authority denied this 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.