

CASE DIGEST: *SSA, Balt., Md. & AFGE, Council 215, AFL-CIO*, Case No. 69
WA-CA-20-0257, 74 FLRA 441 (2026)

The Federal Labor Relations Authority's Acting General Counsel issued a complaint alleging the Respondent violated § 7116(a)(1) and (5) of the Federal Service Labor-Management Relations Statute (the Statute) by failing to provide the Charging Party notice and an opportunity to bargain before implementing a new requirement that employees maintain an accurate Skype status while at their official duty stations. In a recommended decision, Administrative Law Judge Richard A. Pearson (the Judge) recommended dismissing the complaint, finding the Agency had no duty to bargain over the new requirement because its effects on bargaining-unit employees' conditions of employment were de minimis. On exceptions filed by the Charging Party, the Authority found the Judge did not err in determining that the change's effects were de minimis. As such, the Authority affirmed the recommended decision and dismissed the complaint.

Member Wagner concurred in part and dissented in part. She detailed why the de minimis standard is the appropriate standard for the Authority to apply, but she disagreed with the majority's and the Judge's conclusion that the change to the Agency's Skype policy was de minimis.

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.