

CASE DIGEST: *U.S. Dep't of the Army, Army Materiel Command, Army Sec. Assistance Command, Redstone Arsenal, Ala., 73 FLRA 356 (2022) (Member Kiko dissenting)*

The Agency filed interlocutory essence exceptions to the Arbitrator's interim award finding the grievance procedurally arbitrable. The Authority revisited the standard regarding review of interlocutory exceptions to arbitration awards, clarifying that such review is warranted only when the excepting party demonstrates *both* that the arbitrator lacks jurisdiction as a matter of law *and* that resolving the exceptions would bring an end to the entire dispute that the parties submitted to arbitration. Applying the revised standard, the Authority dismissed the Agency's exceptions without prejudice.

Member Kiko dissented to both the change in the standard for reviewing interlocutory exceptions and the majority's dismissal of the exceptions. In her view, the previous interlocutory-review standard more closely adhered to the directives of the Federal Service Labor-Management Relations Statute, improved government efficiency, and demonstrated greater respect for parties' collective-bargaining agreements.

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.