

CASE DIGEST: *Tidewater Region Mkt., Def. Health Agency, U.S. DOD,*
73 FLRA 687 (2023).

An FLRA Regional Director (the RD) issued a decision and order finding the Defense Health Agency, Tidewater Market is the successor employer of professional and non-professional employees – represented by three different unions – who organizationally transferred to Tidewater Market from various Department of Defense facilities. She also found an election was not necessary to determine which union would represent the employees, because the American Federation of Government Employees represented a sufficient number of the employees. However, she directed an election to allow the professional employees to decide whether they want to be included in a unit with non-professional employees.

The National Association of Independent Labor (NAIL), which represented some of the transferred employees, filed an application for review of the RD’s decision. The Authority found NAIL did not demonstrate the RD failed to apply established law or committed clear and prejudicial errors concerning substantial factual matters. Therefore, the Authority denied the application for review.

This case digest is a summary of an order 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.