

CASE DIGEST: *Defense Health Agency & AFGE, AFL-CIO et al.*, 73 FLRA 728 (2023)

After the Department of Defense transferred employees from various military branches to the Defense Health Agency (DHA), an FLRA Regional Director (the RD) issued a decision and order finding the DHA is the successor employer of those employees. The RD also considered four proposals for dividing the transferred employees among interested incumbent unions. Finding the Association of Civilian Technicians (ACT) and the National Association of Independent Labor submitted proposals that would not result in appropriate units, the RD rejected them.

The RD then determined the American Federation of Government Employees and the National Federation of Federal Employees submitted a joint proposal that would result in three appropriate units. Additionally, he found these unions represented a sufficiently predominant percentage of the proposed units to render representation elections unnecessary. Consequently, the RD approved this proposal and certified the three units. ACT filed an application for review of the RD's decision. Because ACT did not explain how the RD erred or support its argument, the Authority denied the application.

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.