

CASE DIGEST: *U.S. Dep't of VA, Veterans Health Admin., 73 FLRA 855 (2024)*

The Arbitrator found a grievance arbitrable and sustained it on the merits. The Agency filed exceptions to the award on essence, nonfact, and contrary-to-law grounds. Because the Agency did not raise several of its arguments to the Arbitrator, the Authority partially dismissed some of the exceptions. The Authority denied the essence and contrary-to-law exceptions challenging the Arbitrator's arbitrability determination, because the Agency did not challenge all of the findings on which that determination was based, and the unchallenged finding served as a separate and independent ground for the Arbitrator's determination. The Authority also denied the Agency's remaining nonfact exception because the Agency did not demonstrate that the award was deficient. Because the Authority could not determine whether the award was contrary to management's right to assign work, it remanded the award to the parties for resubmission to the Arbitrator, absent settlement.

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.