

63 FLRA No. 179

AMERICAN FEDERATION
OF GOVERNMENT EMPLOYEES
LOCAL 53
(Union)

and

UNITED STATES
DEPARTMENT OF THE NAVY
NAVY PUBLIC WORKS CENTER
NORFOLK, VIRGINIA
(Agency)

0-AR-4532

DECISION

August 13, 2009

Before the Authority: Carol Waller Pope, Chairman
and Thomas M. Beck, Member

This matter is before the Authority on an exception to an award of Arbitrator Louis Dene filed by the Union under § 7122(a) of the Federal Service Labor-Management Relations Statute (the Statute) and part 2425 of the Authority's Regulations. The Agency filed an opposition to the Union's exception.

Under § 7122(a) of the Statute, an award is deficient if it is contrary to any law, rule, or regulation, or it is deficient on other grounds similar to those applied by federal courts in private sector labor-management relations. Upon careful consideration of the entire record in this case and Authority precedent, the Authority concludes that the award is not deficient on the grounds raised in the exception and set forth in § 7122(a). *See Prof'l Airways Sys. Specialists, Dist. No. 1, MEBA/NMU (AFL-CIO)*, 48 FLRA 764, 768-69 (1993) (award not deficient as contrary to law where excepting party fails to establish that the award is in any manner contrary to the law, rule, or regulation on which the party relies).

Accordingly, the Union's exception is denied.