

CASE DIGEST: *U.S. DOJ, Fed. BOP, Fed. Corr. Complex, Coleman, Fla. and AFGE, Local 506, Council of Prisons Local #33, 71 FLRA 892*

The Union filed a grievance on February 14, 2017, alleging that the Agency violated the parties' agreement by unilaterally terminating a compressed work schedule. The Arbitrator issued an award finding that the Agency terminated the compressed work schedule on March 10, 2017. On exceptions, the Authority found that the award was based on a nonfact because the Agency's actions in March 2017 could not have formed the basis for the Union's February 2017 grievance. The Authority additionally found that, even if the Authority deferred to the Arbitrator's factual finding, the award fails to draw its essence from the parties' agreement.

Member DuBester concurred in part. He agreed with the decision to grant the nonfact exception and set aside the award on that basis, but found it unnecessary to address the Agency's essence exception.

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.