

CASE DIGEST: *AFGE, Local 2338*, 71 FLRA 1131 (2020) (Member Abbott dissenting in part)

The Arbitrator denied the Union's grievance, finding that the Union failed to demonstrate that bargaining-unit pipefitters were entitled to environmental differential pay. The Union filed exceptions to the award based on bias, fair-hearing, nonfact, contrary-to-law, and essence grounds. Because the Union did not establish that the award is deficient on any of these grounds, the Authority denied the exceptions.

Member Abbott dissented in part because he did not agree with the Authority's determination that the scope of the grievance could be read so narrowly as to exclude the Union's claim concerning exposure to asbestos. Member Abbott would have remanded the matter to the Arbitrator to address the Union's claims concerning exposure to asbestos.

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.