

**CASE DIGEST:**     *NTEU*, 72 FLRA 151 (2021) (Member Abbott concurring)

The Arbitrator denied the Union's grievance alleging that the Agency violated the parties' agreement and the Federal Service Labor-Management Relations Statute (the Statute) when it failed to execute a Memorandum of Understanding (MOU) between the parties. The Union filed exceptions to the award on contrary to law, nonfact, and essence grounds. Because the Arbitrator found that the Agency was not required to execute the MOU even though the parties had reached an agreement, the Authority found that the award was contrary to § 7114(b)(5) of the Statute and granted the Union's contrary-to-law exception.

Member Abbott concurred and wrote separately to discuss his concerns with the implications of the Authority's precedent on this matter and today's decision and the intent of § 7114(b)(5).

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.