

CASE DIGEST: *U.S. Dep't of the Air Force, Scott Air Force Base, Ill.*, 72 FLRA 526 (2021) (Chairman DuBester concurring)

The Authority dismissed, in part, and denied, in part, exceptions to a merits arbitration award that required the Agency to abide by a contractual commitment that employees' scheduled, required training would occur during their normally assigned shifts unless special circumstances necessitated otherwise. The Authority also denied an exception contending that an attorney-fee award was premature because it was issued before the merits award was final and binding.

Chairman DuBester concurred, but noted his continued disagreement with the test set forth in *U.S. DOJ, Federal BOP*, 70 FLRA 398 (2018) (then-Member DuBester dissenting), for evaluating whether an award impermissibly affects a management right.

This case digest is a summary of an order 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.