

CASE DIGEST: *FEA, Stateside Reg.*, 73 FLRA 747 (2023)

The Union grieved the Agency's decision to change certain excepted-service positions to competitive-service positions when it filled vacancies or new positions. In an initial award, the Arbitrator found that the grievance was not substantively arbitrable. In *Federal Education Association, Stateside Region*, 73 FLRA 32 (2022), the Authority granted the Union's contrary-to-law exception challenging that determination, and remanded the matter to the parties for resubmission to the Arbitrator to render a decision on the grievance's merits.

In a remand award, the Arbitrator denied the grievance, finding that the Agency's action did not violate law or the parties' collective-bargaining agreement. The Union filed exceptions to the remand award on nonfact, bias, essence, and contrary-to-law grounds. Because the Union did not demonstrate that the remand award was deficient, the Authority denied the exceptions.

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.