

**CASE DIGEST:** *U.S. Dep't of the Army, Nat'l Guard Bureau, Ky. Army Nat'l Guard*, 74 FLRA 89 (2024) (Member Kiko concurring)

The Arbitrator issued an award finding the Agency violated the parties' agreement when it denied the grievant the use of accrued military leave. The Agency argued on exceptions that the award was: (1) incomplete, ambiguous, or contradictory, as to make implementation of the award impossible; and (2) contrary to law. The Authority denied the Agency's first exception, but was unable to determine whether the award was contrary to law. Therefore, the Authority remanded the matter to the parties for resubmission to the Arbitrator, absent settlement, for additional findings addressing the pertinent legal standards.

Member Kiko concurred, highlighting the undisputed facts in the record that suggested the award was contrary to law, but agreeing that a remand was appropriate for the Arbitrator to further develop the factual record.

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.