

CASE DIGEST: *Nat'l Guard Bureau, Pease Air Nat'l Guard Base, Newington, N.H., 74 FLRA 64 (2024)*

This case concerned the Petitioner's application for review (application) of a Federal Labor Relations Authority Regional Director's (RD's) decision dismissing the Petitioner's election petition that would sever a group of Agency employees from an established bargaining unit represented by the Incumbent because the Petitioner did not establish unusual circumstances warranting severance. In its application, the Petitioner argued that the RD failed to apply established law and, alternatively, that established law or policy warranted reconsideration. After granting review in an unpublished order, the Authority issued a decision and order on review, finding that the RD did not fail to apply established law and that the Petitioner did not demonstrate that established law or policy warranted reconsideration. Thus, the Authority dismissed the petition.

Member Kiko dissented, finding the RD failed to apply established law in denying the election petition. In her view, unusual circumstances warranted severing the employees from the bargaining unit because the Incumbent failed to adequately represent the petitioned-for employees during a crucial transitional period.

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.