

64 FLRA No. 102

AMERICAN FEDERATION
OF GOVERNMENT EMPLOYEES
LOCAL 2585
COUNCIL OF PRISON LOCALS C-33
(Union)

and

UNITED STATES
DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS
FEDERAL CORRECTIONAL INSTITUTION
BENNETTSVILLE, SOUTH CAROLINA
(Agency)

0-AR-4576

DECISION

March 18, 2010

Before the Authority: Carol Waller Pope, Chairman,
and Thomas M. Beck and Ernest DuBester, Members

This matter is before the Authority on exceptions to an award of Arbitrator George R. Mayer filed by the Union under § 7122(a) of the Federal Service Labor-Management Relations Statute (the Statute) and part 2425 of the Authority's Regulations. The Agency filed an opposition to the Union's exceptions.

Under § 7122(a) of the Statute, an award is deficient if it is contrary to any law, rule, or regulation, or it is deficient on other grounds similar to those applied by federal courts in private sector labor-management relations. Upon careful consideration of the entire record in this case and Authority precedent, the Authority concludes that the award is not deficient on the grounds raised in the exceptions and set forth in § 7122(a). *See U.S. Dep't of Health and Human Serv., Gallup Indian Med. Ctr., Navajo Area Indian Health Serv.*, 60 FLRA 202, 206 (2004) (award not deficient based on arbitrator bias where excepting party fails to establish that award was procured by improper means, that there was partiality or corruption on the part of arbitrator, or that arbitrator engaged in misconduct that prejudiced the rights of the party); *AFGE, Local 1617*, 51 FLRA 1645, 1647 (1996) (award not deficient on grounds that arbitrator exceeded his authority where excepting party fails to establish that arbitrator did not resolve an issue submitted to arbitration, resolved an issue not submitted to

arbitration, disregarded specific limitations on his authority, or awarded relief to those not encompassed within the grievance).

Accordingly, the Union's exceptions are denied.