

**65 FLRA No. 1**

AMERICAN FEDERATION  
OF GOVERNMENT EMPLOYEES  
LOCAL 2437  
(Union)

and

UNITED STATES  
DEPARTMENT OF VETERANS AFFAIRS  
NORTH TEXAS HEALTH CARE SYSTEM  
MEDICAL CENTER  
DALLAS, TEXAS  
(Agency)

0-AR-4664

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DECISION

August 20, 2010

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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 Barry E. Shapiro 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 AFGE, Local 2921*, 50 FLRA 184, 185-86 (1995) (arbitrator's determination of the procedural arbitrability of a grievance is subject to challenge only on grounds other than those that directly challenge the procedural arbitrability determination); *AFGE, Local 1840*, 45 FLRA 497, 499 (1992) (award not deficient as contrary to law where excepting party fails to specify law on which the party relies).

Accordingly, the Union's exceptions are denied.

**65 FLRA No. 2**

AMERICAN FEDERATION  
OF GOVERNMENT EMPLOYEES  
LOCAL 1906  
(Union)

and

UNITED STATES  
DEPARTMENT OF DEFENSE  
DEFENSE CONTRACT  
MANAGEMENT AGENCY  
(Agency)

0-AR-4663

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DECISION

August 20, 2010

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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 Susan R. Meredith 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 grounds raised in the exceptions and set forth in § 7122(a). *See U.S. Dep't of Transp., Fed. Aviation Admin., Portland, Me.*, 64 FLRA 772, 774 (2010) (arbitrator's determination of procedural arbitrability of a grievance is not deficient when excepting party fails to establish that the determination is contrary to procedural requirements established by statute that apply to the parties' negotiated grievance procedure or is deficient on grounds that do not directly challenge the procedural-arbitrability determination).

Accordingly, the Union's exceptions are denied.