

**63 FLRA No. 109**

UNITED STATES DEPARTMENT OF THE AIR  
FORCE  
355 FIGHTER WING  
DAVIS MONTHAN AIR FORCE BASE  
TUCSON, ARIZONA  
(Agency)

and

AMERICAN FEDERATION OF GOVERNMENT  
EMPLOYEES  
LOCAL 2924  
(Union)  
  
0-AR-4505

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DECISION

May 18, 2009

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Before the Authority: Carol Waller Pope, Chairman and  
Thomas M. Beck, Member

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

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 United States Dep't of the Air Force, Lowry Air Force Base, Denver, Colo.*, 48 FLRA 589, 593-94 (1993) (award not deficient as based on a nonfact where excepting party either challenges a factual matter disputed at arbitration or fails to demonstrate that the central fact underlying the award is clearly erroneous, but for which a different result would have been reached by the arbitrator).

Accordingly, the Agency's exception is denied.