

**69 FLRA No. 42**

BREMERTON METAL TRADES COUNCIL  
INTERNATIONAL BROTHERHOOD  
OF BOILERMAKERS  
LOCAL 290  
(Union)

and

UNITED STATES  
DEPARTMENT OF THE NAVY  
PUGET SOUND NAVAL SHIPYARD  
INTERMEDIATE MAINTENANCE FACILITY  
(Agency)

0-AR-5158

—  
DECISION

April 6, 2016

—  
Before the Authority: Carol Waller Pope, Chairman, and  
Ernest DuBester and Patrick Pizzella, Members

This matter is before the Authority on an exception to an award of Arbitrator Michael E. Cavanaugh filed by the Union under § 7122(a) of the Federal Service Labor-Management Relations Statute (the Statute)<sup>1</sup> and part 2425 of the Authority's Regulations.<sup>2</sup> The Agency filed an opposition to the Union's exception.

We have determined that this case is appropriate for issuance as an expedited, abbreviated decision under § 2425.7 of the Authority's Regulations.<sup>3</sup>

Under § 7122(a) of the Statute,<sup>4</sup> 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, we conclude that the

award is not deficient on the ground raised in the exception and set forth in § 7122(a).<sup>5</sup>

Accordingly, we deny the Union's exception.

<sup>1</sup> 5 U.S.C. § 7122(a).

<sup>2</sup> 5 C.F.R. pt. 2425.

<sup>3</sup> *Id.* § 2425.7 ("Even absent a [party's] request, the Authority may issue expedited, abbreviated decisions in appropriate cases.").

<sup>4</sup> 5 U.S.C. § 7122(a).

<sup>5</sup> *AFGE, Local 1869*, 50 FLRA 172, 174 (1995) (award not deficient as being incomplete, ambiguous, or contradictory where excepting party fails to establish that implementation of the award is impossible).