

CASE DIGEST: *U.S. Dep't of VA, Veterans Benefits Admin.*, 71 FLRA 315 (2019) (Member DuBester concurring)

This case concerned an agency's late response to a show-cause order (SCO). The Authority's Office of Case Intake and Publication issued an SCO after the Agency filed incomplete exceptions prior to midnight on the thirtieth day after an arbitrator served the award, and then continued to file portions of the exceptions after midnight and continuing for another two weeks. The Authority found that the response to the SCO was late; therefore, the entire exceptions were dismissed without a merits-based review.

Member DuBester concurred in the decision to dismiss the Agency's exceptions for the sole reason that they were untimely filed.

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.