

**CASE DIGEST:** *U.S. Dep't of the Army, U.S Army Med. Dep't Activity, Fort George G. Meade, Md.*, 71 FLRA 368 (2019) (Member DuBester concurring)

This case concerned a Union-filed grievance alleging that the grievant was entitled to a permanent promotion because his position allegedly accreted some of his supervisor's higher-graded duties. The Arbitrator sustained the grievance and directed the Agency to promote the grievant from a General Schedule (GS)-7 to a GS-9 "per accretion of grade determinative duties." Consistent with longstanding Authority precedent, the Authority found that the grievance and the award concern a classification matter. Because classification matters are not arbitrable under 5 U.S.C. § 7121(c)(5), the Authority set aside the award.

Member DuBester concurred, finding that the circumstances of this case concerned a classification matter.

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.