

**CASE DIGEST:** *AFGE, Local 2338*, 71 FLRA 371 (2019)

This case involved a grievance alleging that the Agency refused to bargain over official time for certain bargaining-related activities. The Arbitrator found that the parties' master collective-bargaining agreement, mid-term local ground rules agreement, and a Decision and Order (the Order) issued by the Federal Service Impasses Panel (the Panel) required the parties to negotiate in good faith over the official time. However, the Arbitrator found that the Agency was not required to bargain until the Union fulfilled various obligations imposed on it by the Panel. Finding that the Union had not fulfilled its obligations, the Arbitrator denied the grievance. But he directed the parties to bargain pursuant to their agreements and the Order.

On exceptions, the Union argued that the Arbitrator's award failed to draw its essence from the parties' agreements and that it was ambiguous. The Authority found that the Union failed to specify which parts of the agreements the Arbitrator allegedly interpreted in a way that was irrational, unfounded, implausible, or in manifest disregard of the agreements and that the Union's allegations were mere dissatisfaction with the Arbitrator's interpretation of the agreements. Consequently, the Authority denied both exceptions.

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.