

**SUBJECT:** *U.S. Dep't of VA, John J. Pershing VA Med. Ctr.*, 71 FLRA 426 (2019) (Member DuBester Concurring)

**CASE DIGEST:**

In this case, the Authority's Office of Case Intake and Publication issued a deficiency order (DO) directing the Agency to correct a procedural deficiency with the filing of its exceptions. The Agency failed to respond timely to the DO and later argued its human resources and executive offices never received the order. The Authority determined that the Agency failed to establish extraordinary circumstances warranting waiver of its failure to respond to the DO within the time limit and, therefore, dismissed the Agency's exceptions.

Member DuBester concurred in the decision to dismiss the Agency's 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.