

CASE DIGEST: *U.S. Dep't of VA, John J. Pershing VA Med. Ctr.* 71 FLRA 533 (2020)

The grievance alleged that the grievant's retirement was not voluntary because he had been coerced into retiring when he was served with a removal letter. The Arbitrator found that the grievant's retirement should be considered a removal, and she ordered reinstatement with backpay. On exceptions, the Agency argued that the grievance was substantively not arbitrable because the grievant elected to pursue the matter through Equal Employment Opportunity procedures. The Authority found that the grievance related to a removal. Under § 7121 of the Federal Service Labor-Management Relations Statute, the Authority lacks jurisdiction to resolve exceptions to awards relating to removals. Accordingly, the Authority lacked jurisdiction and dismissed the 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.