

| **CASE DIGEST:** *U.S. Dep't of VA, Health Resources Center, Topeka, Kan.*, 71 FLRA 583 (2020)

In this case, the Arbitrator found that the Agency failed to terminate the grievant before the end of her probationary period and, as a result, denied her the due process to which she was entitled as a tenured employee. The Agency filed exceptions, but the Authority found that it lacked jurisdiction under § 7122(a) of the Statute because the award related to a matter described under § 7121(f). Specifically, the Authority found that the issue raised at arbitration, i.e., whether the grievant had completed her probationary period, was inextricably intertwined with a removal matter that could have been reviewed by the MSPB and, on appeal, by the Federal Circuit. Accordingly, the Authority 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.