

CASE DIGEST: *NTEU*, 71 FLRA 808 (2020) (Member DuBester concurring)

This case concerned a proposal that would require the Agency to use a fifty “road mile” metric when defining an official duty station under 41 C.F.R. § 300-3.1 (FTR) and 5 C.F.R. §§ 550.112(j), 551.422(d), and 550.1403 (the regulations) for the purposes of calculating travel compensation, overtime, and compensatory time. On remand, the Authority found that the proposal was not contrary to law because the FTR and the regulations permitted the use of the “definite domain” standard when defining an official duty station. The Authority also found that the proposal was not contrary to management’s right to determine its organization and that the FTR and the regulations do not give the Agency sole and exclusive discretion when defining an official duty station.

Member DuBester concurred in the decision to grant the Union’s petition.

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.