

**CASE DIGEST:** *U.S. DHS, CPB, San Diego, Cal.*, 72 FLRA 698 (2022)  
(Member Abbott concurring; Chairman DuBester dissenting)

After the Agency temporarily revoked, and then restored, the grievant's authorization to carry a firearm, the Union filed a grievance challenging the Agency's actions. The Arbitrator found that the Union's grievance was timely, in part. Because the Union did not file the grievance until the deadline in the parties' collective-bargaining agreement had elapsed, the Authority held that the Arbitrator's procedural-arbitrability determination failed to draw its essence from the parties' agreement.

Member Abbott concurred, agreeing the grievance was untimely to avoid an impasse, but wrote separately to express his opinion that any question concerning authorization to carry a firearm in an official capacity is a matter of internal security and is left to the sole discretion of the Agency.

Chairman DuBester dissented. In his view, the Arbitrator's conclusion that the restoration of the grievant's firearm was timely grieved was a plausible interpretation of the parties' agreement.

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.