

**CASE DIGEST:** *U.S. DOJ, Fed. BOP, Fed. Corr. Inst., Mendota, Cal.*, 73 FLRA 788 (2024)

The Union filed a grievance alleging the Agency failed to pay the grievants the proper overtime-premium rate under the Fair Labor Standards Act (FLSA). In framing the issues for resolution, the Arbitrator included only one of the Agency's proposed arbitrability arguments. In a brief award, the Arbitrator determined that the grievance was timely and sustained it on the merits. The Agency raised essence, contrary-to-law, and incomplete-or-contradictory exceptions. The Authority denied one of the Agency's essence exceptions, finding that the parties' collective-bargaining agreement did not require the Arbitrator to frame all suggested arbitrability issues for resolution. However, because the award did not provide sufficient findings to resolve two of the Agency's remaining exceptions, the Authority remanded it.

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.