

AT-60938

Office of Administrative Law Judges

WASHINGTON, D.C. 20424-0001

DEPARTMENT OF DEFENSE
DOMESTIC DEPENDENT ELEMENTARY

AND SECONDARY SCHOOLS

FORT RUCKER DEPENDENTS SCHOOLS

FORT RUCKER, ALABAMA
Respondent

and

FORT RUCKER EDUCATION ASSOCIATION

STATESIDE REGION
Charging Party

Case No. AT-CA-60938

Maureen George, Esquire

For the Respondent

Brent S. Hudspeth, Esquire
Before: ELI NASH, JR.

For the General Counsel
Administrative Law Judge

DECISION

This case was initiated by an unfair labor practice charge filed on September 30, 1996, alleging a violation of section 7116(a)(1) of the Federal Service Labor-Management Relations Statute by attempting to interfere with the Charging Party's right to choose its own representatives. The Complaint and Notice of Hearing issued on June 5, 1997, scheduling a hearing for August 19, 1997, pursuant to which a hearing was subsequently held on October 9, 1997, in Abbeville, Alabama, before the undersigned. At the conclusion of the hearing, a date for the mailing post-hearing briefs was set, which time subsequently was extended to November 21, 1997 on Motion of Counsel for the Respondent, to which Counsel for the General Counsel did not object. Thereafter, on November 14, 1997, pursuant to section 2423.31(d)(1) of the Rules and Regulations of the Federal Labor Relations Authority, Counsel for the General Counsel filed a motion to remand the Complaint to the Atlanta Regional Office for disposition based on the parties' agreement to issue a memorandum. The memorandum, according to Counsel for the General Counsel constitutes an adequate resolution of the above captioned Complaint. It appears to the undersigned that the policies and purposes of the Federal Service Labor-Management Relations Statute would be effectuated by Remanding this matter to the Atlanta Region for disposition. It is, therefore,

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ORDERED

Pursuant to section 2423.11(e)(1) of the Rules and Regulations, 5 C.F.R. section 2423.11(e)(1) that this matter be, and is hereby, remanded to the Regional Director for further action consistent herewith.

Issued, Washington, DC, November 25, 1997

ELI NASH, JR.

Administrative Law Judge