

Office of Administrative Law Judges

WASHINGTON, D.C. 20424-0001

DEPARTMENT OF VETERANS AFFAIRS
NORTH FLORIDA/SOUTH GEORGIA

VETERANS HEALTH CARE SYSTEM

GAINESVILLE AND LAKE CITY, FLORIDA

Respondents

and

FREDRICK L. BRITTAIN

Case Nos. AT-CA-90535

AT-CA-00167

And

AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES, LOCAL 1976

Charging Parties

Kathleen C. Freeble Counsel for the Respondent

Ruth Pippin Dow Counsel for the General Counsel, FLRA

Before: GARVIN LEE OLIVER Administrative Law Judge

DECISION AND ORDER ON REMAND

On July 31, 2000, I issued a decision finding that the Respondent violated section 7116(a)(1) and (2) of the Federal Service Labor-Management Relations Statute (the Statute), by revoking Fredrick Brittain's arrest authority, confiscating his police badge and weapons and identification cards, detailing him outside the police department, and proposing his removal. Remedies were proposed for the violations including restoration to duty for Brittain, back pay, expungement of adverse personnel records, and a posting at both the Respondent's Gainesville and Lake City facilities. On August 29, 2000, the Respondent filed exceptions to my Decision with the Authority.

On September 7, 2000, the Respondent withdrew its exceptions "to effectuate a settlement agreement . . . between the parties in this cause[.]" On September 22, 2000, the Authority remanded this case to me for consideration of the Counsel for the General Counsel's Motion to Remand the case to the Atlanta Regional Office for final disposition.

Counsel for the General Counsel represents that the Respondent and the Charging Party reached a private settlement agreement with regard to, *inter alia*, these cases on September 6, 2000. As a part of the settlement, Respondent withdrew its exceptions, and the Union has agreed to withdraw the unfair labor practice charges underlying the complaints in Case Nos. AT-CA-90535 and AT-CA-00167. Counsel for the General Counsel

requests that the cases be remanded to the Atlanta Regional Office for final disposition, as further set out in the settlement agreement executed by the parties on September 6, 2000.

ORDER

Pursuant to 5 C.F.R. § 2423.31(e)(1), the General Counsel's Motion is Granted, and this case is hereby remanded to the Acting Regional Director, Atlanta Regional Office, for final disposition or such further action as she may deem appropriate consistent with the settlement agreement of the parties.

GARVIN LEE OLIVER

Administrative Law Judge

Dated: September 27, 2000

Washington, DC