

66 FLRA No. 66

AMERICAN FEDERATION
OF GOVERNMENT EMPLOYEES
LOCAL 1167
(Union)

and

UNITED STATES
DEPARTMENT OF THE AIR FORCE
HOMESTEAD AIR FORCE BASE
HOMESTEAD, FLORIDA
(Agency)

0-AR-4784

DECISION

November 22, 2011

Before the Authority: Carol Waller Pope, Chairman, and
Thomas M. Beck and Ernest DuBester, Members

This matter is before the Authority on exceptions to an award of Arbitrator Thomas M. O'Brien filed by the Union under § 7122(a) of the Federal Service Labor-Management Relations Statute (the Statute) and part 2425 of the Authority's Regulations. The Agency filed an opposition to the Union's exceptions.

Under § 7122(a) of the Statute, an award is deficient if it is contrary to any law, rule, or regulation, or it is deficient on other grounds similar to those applied by federal courts in private sector labor-management relations. Upon careful consideration of the entire record in this case and Authority precedent, the Authority concludes that the award is not deficient on the grounds raised in the exceptions and set forth in § 7122(a). *See, e.g., U.S. Dep't of Homeland Sec., Customs & Border Prot. Agency, N.Y.C., N.Y.*, 60 FLRA 813, 815 (2005) (exceptions that directly challenge procedural arbitrability determinations on essence and nonfact grounds provide no basis for finding the award deficient).

Accordingly, the Union's exceptions are denied.