

CASE DIGEST: *U.S. DOJ, Fed. BOP, Fed. Corr. Inst., Ashland, Ky.*, 74 FLRA 13
(2024)

The Union filed a grievance alleging the Agency violated the parties' collective-bargaining agreement and 5 U.S.C. § 2302 by exposing the grievant to asbestos and retaliating against the grievant for making protected disclosures. The Arbitrator sustained the grievance and, as part of the remedy, directed the Agency to pay for medical costs, care, and monitoring relating to the grievant's asbestos exposure. On exceptions, the Agency argued that the award was contrary to the Back Pay Act, the doctrine of sovereign immunity, and the Federal Employees' Compensation Act (FECA). The Authority granted the Agency's FECA exception and set aside the Arbitrator's remedy directing Agency payment of medical costs, care, and monitoring. The Authority dismissed or denied the Agency's remaining exceptions.

This case digest is a summary of an order 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.