

**CASE DIGEST:** *NTEU*, 73 FLRA 101 (2022) (Chairman DuBester concurring)

In this consolidated decision, the Authority considered the Union's exceptions to two related awards. In the first award, an Arbitrator denied a Union grievance that challenged the Agency's declaration of impasse during renegotiation of the parties' collective-bargaining agreement. In the second award, a different Arbitrator sustained an Agency grievance, alleging that the Union violated the parties' ground-rules agreement by refusing to execute a completed agreement. Because the Union did not establish that either award was deficient, the Authority upheld both awards.

Chairman DuBester concurred, noting that because the Union did not allege that either arbitrator exceeded their authority by failing to decide whether the Agency's actions preceding its declaration of impasse constituted bad-faith bargaining, the Authority is constrained from addressing that question.

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.