

CASE DIGEST: *U.S. Dep't of HUD, 73 FLRA 287 (2022)*

The Arbitrator issued an award finding that the Agency violated the parties' agreement by refusing to approve the grievant's request for compensatory time off for travel to engage in midterm negotiations as a Union representative. The Authority found that the award was contrary to 5 C.F.R. § 550.1403, granted the Agency's contrary-to-law exception, and set aside the award.

Member Grundmann concurred. She expressed concerns about the equities of the case but agreed that § 550.1403 did not permit the payment at issue, and she noted that the Authority may not invalidate an Office of Personnel Management regulation.

Chairman DuBester dissented. In his view, the Arbitrator's finding that the parties' agreement permitted the Agency to designate the time spent in negotiations as duty time supported the conclusion that the Agency could approve the compensatory time at issue.

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.