



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

October 10, 2014

CBCA 3994-RELO

In the Matter of DEVANG I. THAKER

Devang I. Thaker, Belair, MD, Claimant.

Eric J. Feustel, Administrative Law Attorney, Department of the Army Installation Management Command, Aberdeen Proving Ground, MD, appearing for Department of the Army.

GOODMAN, Board Judge.

Claimant, Devang I. Thaker, is a civilian employee of the Department of the Army. He seeks this Board's review of the agency's decision denying reimbursement of costs incurred during his relocation in July 2013.

The agency has submitted information that claimant is a member of the American Federation of Government Employees (AFGE) Local 1904 and subject to a bargaining agreement in place at the time of his relocation. Accordingly, the agency has asked that this case be dismissed, as the procedures in the bargaining agreement are the claimant's sole remedy. The claimant, while submitting a response as to why he believes he is entitled to reimbursement of the costs claims, has not denied that he is subject to the bargaining agreement. We therefore conclude that claimant is a member of the bargaining unit.

Our decisions in *Todd Maniscalki*, CBCA 2665-RELO, 12-1 BCA ¶ 34,981, and *Kelly A. Williams*, CBCA 2840-RELO, 12-2 BCA ¶ 35,116, confirm that members of this bargaining unit subject to the bargaining agreements in place since 2012 are bound by the procedures and remedies set forth in those bargaining agreements. Statute commands that the grievance procedures in any collective bargaining agreement involving federal employees be "the exclusive administrative procedures for resolving grievances which fall within [their] coverage." 5 U.S.C. § 7121(a)(1) (2006).

Review of the agency's determination by this Board is not included in the grievance procedure enumerated in the collective bargaining agreement. Accordingly, we lack authority to review the agency's decision. This case is dismissed.

ALLAN H. GOODMAN
Board Judge