



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

May 22, 2009

CBCA 1289-RELO

In the Matter of FORREST S. FORD

Forrest S. Ford, Wenatchee, WA, Claimant.

Vicki Medlin, Supervisory Financial Analyst, Albuquerque Service Center, Department of Agriculture, Albuquerque, NM, appearing for Department of Agriculture.

DRUMMOND, Board Judge.

Mr. Forest S. Ford, an employee of the Department of Agriculture, Forest Service (agency), has requested reimbursement for relocation expenses he incurred in moving to a new duty station.

Mr. Ford is a member of a collective bargaining unit. If a claim concerning travel or relocation expenses is subject to resolution under the terms of a grievance procedure mandated within a collective bargaining agreement, we lack authority to settle the claim using our administrative procedures unless the agreement explicitly and clearly excludes the claim from its procedures. *Margaret M. Lally*, CBCA 791-TRAV, 07-2 BCA ¶ 33,713; *Carla Dee Gallegos*, GSBICA 14609-RELO, 99-1 BCA ¶ 30,300.

The collective bargaining agreement involving the unit of which Mr. Ford is a member requires that its procedures be used in resolving grievances. The agreement defines a grievance as any complaint by any employee concerning matter relating to his employment or "any claimed violation, misinterpretation, or misapplication of any law, rule, or regulation affecting conditions of employment." The agreement contains forms for employees to use to initiate the grievance procedure, and specific procedures to be followed thereafter. If the decision on a grievance processed under the grievance procedure is not satisfactory, either

party may refer the issue to arbitration, and the agreement contains detailed procedures for arbitration. No exception is made for an employee's claim regarding travel or relocation expenses.

Accordingly, we conclude that the Board is without the authority to resolve this claim. This claim is, therefore, dismissed.

JEROME M. DRUMMOND
Board Judge