



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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July 27, 2016

CBCA 5358-RELO

In the Matter of CHAD M. FLEMING

Lawrence Berger, General Counsel, Federal Law Enforcement Officers Association, Glen Cove, NY, appearing for Claimant.

Jeffrey Good, Office of General Counsel, Federal Bureau of Investigation, Department of Justice, Washington, DC, appearing for Department of Justice.

**CHADWICK**, Board Judge.

Chad M. Fleming works for the Federal Bureau of Investigation. Mr. Fleming accepted a transfer within the agency in August 2009. In January 2010, he requested a relocation bonus. The agency notified him on June 1, 2010, that the bonus was denied. In March 2016, Mr. Fleming's union representative filed a request for Board review. The Clerk's Office did not docket the claim. On June 14, 2016, Mr. Fleming's representative filed the request again, and it was docketed on June 16, 2016.

The Board does not settle claims for bonuses or other compensation. The Director of the Office of Personnel Management (OPM) does. 31 U.S.C. § 3702(a)(2) (2012); *Robin D. Hibler*, CBCA 4852-RELO, 15-1 BCA ¶ 36,083, at 176,182. The agency argued that we should not transfer the claim to OPM because it is untimely under 31 U.S.C. § 3702(b)(1), which required receipt by OPM "or by the agency that conduct[ed] the activity from which the claim ar[ose] within 6 years after [it] accrue[d]." Whether the claim is timely is not obvious. We transfer the claim to OPM and leave the determination of timeliness to OPM.

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KYLE CHADWICK  
Board Judge