

Board of Contract Appeals

General Services Administration
Washington, D.C. 20405

November 3, 2004

GSBCA 16492-TRAV

In the Matter of PAUL D. WHITE

Paul D. White, Waveland, MS, Claimant.

D. D. Lancaster, Comptroller, Naval Oceanographic Office, Department of the Navy, Stennis Space Center, MS, appearing for Department of the Navy.

DeGRAFF, Board Judge.

Claimant, Paul D. White, contends the agency incorrectly determined not to reimburse him for lodging expenses while he was assigned to temporary duty aboard a Government ship. Mr. White is a bargaining unit member covered by the terms of a collective bargaining agreement entered into by his union and the agency. The agreement explains how to determine whether an employee is entitled to be reimbursed for lodging expenses while assigned to temporary duty aboard a Government ship. Labor/Management Agreement AFGE Local 1028 art. 24, § 13 (Aug. 2003). The agreement provides the exclusive procedure available to bargaining unit members for resolving grievances, including complaints concerning the interpretation of the agreement and concerning claims of breach of the agreement. Id., art. 6, §§ 2, 3.

When a claim for travel or relocation expenses is subject to resolution under the terms of a grievance procedure mandated within a collective bargaining agreement, this Board lacks the authority to settle the claim using our administrative procedures unless the agreement explicitly and clearly excludes the claim from its procedures. Benjamin P. Wood, GSBCA 16255-TRAV, 04-1 BCA ¶ 32,574 (citing cases). According to the collective bargaining agreement that covers Mr. White, the grievance procedure is the exclusive avenue for redress available to him. Accordingly, this claim is dismissed.

MARTHA H. DeGRAFF
Board Judge