



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

October 15, 2024

CBCA 7979-RELO

In the Matter of JONATHAN K.

Jonathan K., Claimant.

Robert M. McDermott, Office of Counsel, Supervisor of Shipbuilding, Conversion & Repair, Gulf Coast, Navy Sea Systems Command, Pascagoula, MS, appearing for Department of the Navy.

VOLK, Board Judge.

Claimant seeks reimbursement for temporary quarters subsistence expenses (TQSE) that he incurred after returning to the United States from an overseas assignment as a civilian employee of the Department of the Navy (Navy). We dismiss the claim because a collective bargaining agreement (CBA) displaces our authority to resolve the claim.

In July 2022, after completing a multi-year assignment with the Navy's Forward Deployed Regional Maintenance Center in Bahrain, claimant relocated to the Pascagoula, Mississippi, area, returning to work with the Navy's Supervisor of Shipbuilding, Gulf Coast (SSGC) as a Quality Assurance Specialist. Before his departure, the Navy provided claimant with a travel authorization that did not authorize TQSE. Claimant then requested a TQSE allowance, but SSGC denied the request. In January 2024, claimant requested review by the Board.

At the time of his relocation, claimant was covered by a CBA that was negotiated between SSGC and the National Association of Government Employees. Article 39, section 3(c)(2), of that CBA contains a grievance procedure covering "[a]ny claimed violation, misinterpretation, or misapplication of any law, rule, or regulation affecting conditions of employment." There is no exclusion for TQSE claims. Therefore, in accordance with

5 U.S.C. § 7121(a)(1) (2018), the CBA's grievance procedure constitutes the exclusive administrative procedure for resolving the claim at issue in this case, and the Board lacks authority to consider it. *E.g.*, *Alan K.*, CBCA 7594-RELO, 23-1 BCA ¶ 38,275.

Decision

The claim is dismissed.

Daniel B. Volk

DANIEL B. VOLK

Board Judge