



## U.S. MERIT SYSTEMS PROTECTION BOARD

### **Case Report for May 31, 2019**

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#### **NONPRECEDENTIAL COURT DECISION**

*Borza v. Department of Commerce*, No. [2018-1873](#) (Fed. Cir. May 29, 2019) (Arbitration Case No. 171202-51398-1): The court affirmed the arbitrator's decision that suspension, rather than termination, was the appropriate penalty for the petitioner's misconduct. However, the court found inadequate the arbitrator's conclusion, without explanation, that 561 days was the appropriate length of the suspension. The court vacated and remanded this portion of the arbitrator's decision for an analysis of the appropriate length of the suspension.

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