GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:

Teretha Spain, Carlton Butler,
Ernest Durant and Deon Jones,
Complainants,

v.

Fraternal Order of Police/
Department of Corrections
Labor Committee,

and

District of Columbia
Department of Corrections,

Respondents.

PERB Cases Nos. 98-S-01
and 97-S-01
Opinion No. 536

Motion for Reconsideration
and to Dismiss

ORDER

IT IS HEREBY ORDERED THAT:

On January 23, 1998, we issued a Decision and Order in the
above-captioned case, i.e., Slip Op. No. 534, granting the
Complainants' Motion for Enforcement of our Order in PERB Case
No. 97-S-01, Slip Opinion No. 516. On February 6, 1998, the
Respondent, the Fraternal Order of Police/Department of
Corrections Labor Committee (FOP), filed a document styled
"Motion for Reconsideration and to Dismiss."

Paragraph 9 of our Order in Opinion No. 534 stated that
"[p]ursuant to Board Rule 559.1, and for the purposes of D.C.
Code Sec. 1-618.13(c), this Decision and Order is effective and
final upon issuance." Board Rule 559.2 provides that "[t]he
Board's Decision and Order shall not become final if any party
files a motion for reconsideration within ten (10) days after
issuance of the decision, or if the Board reopens the case on its
own motion within ten (10) days after issuance of the decision,
unless the order specifies otherwise." (Emphasis added.)
Therefore, in this case the Motion for Reconsideration and to Dismiss has no effect because the Board's Order in Slip Op. No. 534 has already become final. In this regard, the Board's Decision and Order in Slip Op. No. 534 became subject to judicial review when issued on January 23, 1998.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD
Washington, D.C.

February 18, 1998
CERTIFICATE OF SERVICE

This is to certify that the attached Order in PERB Cases Nos. 97-S-01 and 98-S-01 was faxed and/or mailed (U.S. Mail) to the following parties on this the 18th day of February, 1998.

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PERB Case No. 97-S-01
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CERTIFICATE OF SERVICE

This is to certify that the attached Decision and Order in PERB Case No. 97-S-01 was faxed and/or mailed (U.S. Mail) to the following parties on this the 11th day of March, 1998.

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PUBLIC EMPLOYEE RELATIONS BOARD

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Washington, D.C.

February 18, 1998