

Notice: This decision may be formally revised before it is published in the District of Columbia Register. Parties should promptly notify this office of any formal errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD**

In the Matter of:)	
)	
)	
Teretha Spain, Carlton Butler, Ernest Durant and Deon Jones,)	
)	
Complainants,)	PERB Cases Nos. 98-S-01 and 97-S-01 Opinion No. 536
v.)	
)	
Fraternal Order of Police/ Department of Corrections Labor Committee,)	Motion for Reconsideration and to Dismiss
)	
and)	
)	
District of Columbia Department of Corrections,)	
)	
)	
Respondents.)	
)	

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.)

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PERB Case No. 97-S-01
and 98-S-01
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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.

Carlton Butler
Vice Chairperson
FOP/DOC Labor Committee
715 8th Street, S.E.
Washington, D.C. 20003
FAX & U.S. MAIL

Teretha Spain
Recording Secretary
FOP/DOC Labor Committee
715 8th Street, S.E.
Washington, D.C. 20003
U.S. MAIL

Ernest Durant
7249 Bragg Lane
Manassas, VA 20110
U.S. Mail

Deon Jones
1610 Whist Place
Capitol Heights, MD 30743
U.S. Mail

Arthur L. Fox, II, Esq.
Lobel, Novins & Lamont
1275 K Street, N.W., Suite 770
Washington, D.C. 20005
FAX & U.S. MAIL

Dean Aqui
Deputy
Director
Office of Labor Relations
and Collective Bargaining
441-4th Street, N.W.,
Suite 200
Washington, D.C. 20001
U.S. MAIL

Courtesy Copies:

Dalton Howard, Esq.
Brooks and Howard
6701 16th Street, N.W.
Washington, D.C. 20012
U.S. Mail

James R. Klimaski, Esq.
Klimaski, Miller & Smith, P.C.
1988 L Street, NW, Suite 1250
Washington, D.C. 20036
U.S. MAIL

Certificate of Service
PERB Case No. 97-S-01
and 98-S-01
Page 2

Johnnie Landon, Esq.
4401-A Connecticut Ave., N.W.
Suite 286
Washington, D.C. 20032
Clarence Mack
Chairperson
FOP/DOC Labor Committee
715 8th Street, S.E.
Washington, D.C. 20003

U.S. MAIL

Hazel Lee
Treasurer
FOP/DOC Labor Committee
715 8th Street, S.E.
Washington, D.C. 20003

U.S. MAIL

Shirley Simmons
Executive Secretary
FOP/DOC Labor Committee
715 8th Street, S.E.
Washington, D.C. 20003

U.S. Mail

Joseph Ott
5816 Glen Eagles Drive
Fredricksburg, VA 22407

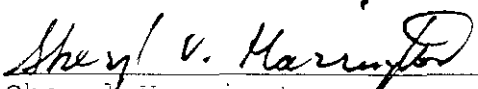
U.S. MAIL

John R. Rosser, III
11117 Lenox Drive
Upper Marlboro, MD 20772

U.S. MAIL

Margaret Moore
Director
Department of Corrections
1923 Vermont Avenue, N.W.
Suite N203
Washington, D.C. 20003

U.S. MAIL



Sheryl Harrington
Secretary/Receptionist



Certificate of Service
PERB Case No. 97-S-01
Page 2

Ellovese Barganier
2919 S. Dakota Avenue, N.E.
Washington, D.C. 20018

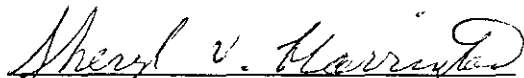
U.S. MAIL

Margaret Moore
Director
Department of Corrections
1923 Vermont Avenue, N.W.
Suite N203
Washington, D.C. 20003

U.S. MAIL

James O. Baxter, II
Director
Office of Labor Relations
and Collective Bargaining
441-4th Street, N.W.,
Suite 200
Washington, D.C. 20001

U.S. MAIL


Sheryl Harrington
Secretary/Receptionist

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.

Arthur L. Fox, II, Esq.
Lobel, Novins & Lamont
1275 K Street, N.W., Suite 770
Washington, D.C. 20005

FAX & U.S. MAIL

Johnnie Landon, Esq.
4401-A Connecticut Ave., N.W.
Suite 286
Washington, D.C. 20032

FAX & U.S. MAIL

Courtesy Copies:

Clarence Mack
Chairperson
FOP/DOC Labor Committee
P.O. Box 11
Garrisonville, VA 22463

U.S. MAIL

Hazel Lee
Treasurer
FOP/DOC Labor Committee
5918 Applegarth Place
Capitol Heights, MD 20743

U.S. MAIL

Shirley Simmons
Secretary
FOP/DOC Labor Committee
8701 Reicher Street
Landover, MD 20747

U.S. Mail

Joseph Ott
5816 Glen Eagles Drive
Fredricksburg, VA 22407

U.S. MAIL

Carlton Butler
Vice-chairperson
FOP/DOC Labor Committee
715 8th Street, S.E.
Washington, D.C. 20003

U.S. MAIL

Teretha Spain
Recording Secretary
FOP/DOC Labor Committee
4150 Silver Park Terrace
Suitland, MD 20746

U.S. MAIL

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Washington, D.C.

February 18, 1998