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

In the Matter of:)
)

Charles Bagenstose,)
)

Complainant,)
)

v.)
)

District of Columbia)
Public Schools,)
)

Respondent.)
_____)

PERB Case No. 88-U-33
Opinion No. 342
(Motion for
Reconsideration of
Opinion No. 270)

ORDER

On December 29, 1992, the Complainant in the above-captioned proceeding filed a Motion For Reconsideration of Opinion No. 270 issued in this case by the Public Employee Relations Board (Board) on June 6, 1991. No response to the Motion was filed by Respondent District of Columbia Public Schools. In the main, Complainant's Motion takes issue with the scope of the Board's remedial Order in Opinion No. 270.

Complainant's Motion follows a Board Order issued on December 3, 1992, denying a previously filed Motion to appear and argue before the Board. There, we informed Complainant that "[w]e f[ound] nothing inconsistent in the views expressed by the Executive Director with the Board's interpretation of its final remedial Order in Opinion No. 270, or with what the Order requires." (Emphasis added.) Charles Bagenstose v. District of Columbia Public Schools, ___ DCR ___, Slip Op. No. 341 at n.2, PERB Case No. 88-U-33 (Motion to Appear Before the Board).

Complainant presents nothing in the instant Motion, not previously presented and considered by the Board, which warrants the reconsideration of the Board's final Order in Opinion No. 270. ^{1/}

The Complainant's Motion, therefore, is hereby denied.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

Washington, D.C.

January , 1993

^{1/} Complainant is of the mistaken impression that the Board's Order in Opinion No. 270 was not a final order of the Board. The Board has always recognized, and the D.C. Superior Court has affirmed, that nothing in the Board's Rules nor the filing and/or consideration of post Decision and Order motions alters the finality of the Board's Decision and Order for purposes of seeking its review. Teamsters Local Union No. 639 a/w International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, AFL-CIO v. Public Employee Relations Board, Civil Action No. 91 MPA 07 (J. King, January 17, 1992).