



Decision on Unit Determination  
and Direction of Election  
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The unit sought by AFGE is as follows:

"[A]ll professional and non-professional employees of the Department of Public Works, Water and Sewer Utility Administration, Bureau of Wastewater Treatment, Laboratory Division; excluding all management officials, supervisors, confidential employees engaged in personnel work in other than a purely clerical capacity and employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139."

D.C. Code § 1-618.9(a) requires that a community of interest exist among employees for a unit to be found appropriate by the Board for collective bargaining over terms and conditions of employment. An appropriate unit must also promote effective labor relations and efficiency of agency operations.

Our review of the Petition and attached exhibits reveals that the proposed unit currently consists of the following employee positions: physical science technician, engineering technician, chief of laboratory services, secretary, chemist, and environmental engineer. They all share a common mission within the same organizational structure of DPW, i.e., the Water and Sewer Utility Administration, Bureau of Wastewater Treatment, Laboratory Division, as well as common supervision.

In view of the above, sufficient factors exist for the Board to find that these employees share a community of interest. A unit of all employees that share a common purpose with respect to one of DPW's missions would, in our view, promote effective labor relations and efficiency of agency operations.

Regarding the question of representation, the Board orders that an election be held to determine the will of the eligible employees in the unit described above regarding their desire to be represented by AFGE for purposes of collective bargaining with DPW on compensation and other terms and conditions of employment. To conform with the requirements of D.C. Code Sec. 1-618.9(b)(5), concerning the inclusion of professional employees and non-professional employees in the same unit, and consistent with Board Rule 510.5, eligible professional employees shall indicate their choice on separate ballots as to (1) Whether they desire to be represented for bargaining on terms and conditions of employment by AFGE; and (2) Whether they wish to be included in the consolidated unit with the non-professional employees. Eligible non-professional employees, in the same election, shall

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indicate their choice only as to the former question. <sup>1/</sup>

**ORDER**

**IT IS HEREBY ORDERED THAT:**

1. The following unit is an appropriate unit for collective bargaining over terms and conditions of employment:

"[A]ll professional and non-professional employees of the Department of Public Works, Water and Sewer Utility Administration, Bureau of Wastewater Treatment, Laboratory Division; excluding all management officials, supervisors, confidential employees engaged in personnel work in other than a purely clerical capacity and employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139."

2. Furthermore, an election shall be held in accordance with the provisions of D.C. Code Sec. 1-618.10 and Sections 510-515 of the Rules of the Board to determine whether or not (1) all eligible employees desire to be represented for bargaining on terms and conditions of employment by the American Federation of Government Employees, Local 631, AFL-CIO; and (2) eligible professional employees wish to be included in the consolidated unit with the non-professional employees. Eligible non-professional employees, in the same election shall indicate their choice only as to the former question.

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

June 14, 1995

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<sup>1/</sup> Pursuant to D.C. Code Sec. 1-618.9(b)(5), a unit of professional employees will not be included in a unit with non-professional employees unless the majority of the professional employees vote for inclusion, as directed above.