

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:

Washington Area Metal Trades Council,
AFL-CIO,

Petitioner,

and

Federal Employees and Transportation
Workers, Local Union 960, LIUNA,
AFL-CIO,

Petitioner,

and

District of Columbia Commission Mental
Health, Department of Human Services,

Co-Petitioner.

PERB Case No. 87-R-16
Opinion No. 173

DECISION AND ORDER

On September 16, 1987, the Washington Area Metal Trades Council, AFL-CIO (WAMTC), the Federal Employees and Transportation Workers, Local Union 960 (FETW) and the District of Columbia Commission on Mental Health Services, Department of Human Services (CMHS) filed "Joint Petition to Consolidate Bargaining Units and to Clarify Certification" with the Public Employee Relations Board (Board). The Petitioners seek to consolidate two (2) bargaining units transferred from St. Elizabeths Hospital to CMHS pursuant to Public Law 98-621 and to represent these employees in terms and conditions collective bargaining with CMHS. The transfer of these employees was effective October 1, 1987.

WAMTC is the certified exclusive representative of a unit of approximately 200 non-professional employees formerly employed by St. Elizabeths Hospital in the Construction, Electrical, Mechanical and Preventive Maintenance Sections. WAMTC has been the exclusive representative for this unit of employees since its certification pursuant to Executive Order 10988 in 1965. A collective bargaining agreement covering this unit, between WAMTC and St. Elizabeths Hospital, expired on October 1, 1987.

FETW, Local Union 960, LIUNA is the certified exclusive representative of a unit of approximately 25 non-professional employees in the Laundry Section at St. Elizabeths Hospital. These employees have also been transferred pursuant to Public Law 98-621 to the CMHS, effective October 1, 1987. According to the Petition and the attachments, FETW was granted exclusive recognition as the certified representative under Executive Order 10988 in 1964. A collective bargaining agreement, covering this unit, between FETW and St. Elizabeths Hospital, expired on October 1, 1987.

CMHS is a Co-Petitioner in this proceeding and currently employs the employees described above in its Facilities Support Division.

Notices concerning this Petition were posted on September 28, 1987. There were no requests to intervene or opposition to the petition and no other labor organization claims to represent these employees.

The Board, having investigated and considered this matter, finds that the consolidated unit effectuates the policy of Section 1-618.9 of the Comprehensive Merit Personnel Act of 1978, which states that "(a) unit should include individuals who share certain interests such as skills, working conditions, common supervision, physical location, organization structure..." The Board therefore concludes that the unit set forth below is appropriate for terms and conditions collective bargaining.

UNIT: "All eligible non-supervisory, non-professional employees of the Construction, Electrical, Mechanical, Preventive Maintenance, Garage and Fabric Care (Laundry) Sections and Units of the Facilities Support Division, Commission on Mental Health Services, Department of Human Services, excluding management executives, confidential employees, employees engaged in personnel work in other than a purely clerical capacity or employees engaged in administering the provisions of D.C. Law 2-139." 1/

O R D E R

IT IS ORDERED THAT:

The above unit is appropriate for terms and conditions collective bargaining.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD
November 30, 1987

1/ The Board is issuing this Opinion simultaneously with Certification No. 46, which certifies WAMTC-FETW, Local 960 as the exclusive representative of this unit of employees.