

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 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:)	
)	
American Federation of)	
Government Employees, Local 631,)	
)	PERB Case No. 06-U-39
Complainant,)	
)	Opinion No. 1331
v.)	
)	
District of Columbia)	
Department of Public Works,)	
)	
Respondent.)	
)	

EXECUTIVE DIRECTOR'S DISMISSAL

I. Statement of the Case

On June 14, 2006, Complainant, American Federation of Government Employees, Local 631 ("Union" or "Complainant") filed the above-captioned Unfair Labor Practice Complaint ("Complaint"), against Respondent District of Columbia Department of Public Works ("Agency" or "Respondent") for alleged violations of sections 1-617.04(5) and 1-617.08(b) of the Comprehensive Merit Protection Act ("CMPA"). On June 30, 2006, Respondent filed a document styled Answer to Unfair Labor Practice Complaint ("Answer"), in which it denies the alleged violations and raises the following affirmative defenses:

- (1) The Complaint is untimely and therefore barred by PERB Rule 520.4;
- (2) Complainant seeks an illegal and arguably criminal remedy;
- (3) Complainant brings this unfair labor practice in bad faith; and
- (4) The elements in Complainant's prayer for relief, if granted, represent a threat to the public policy and fundamental mission of the District of Columbia.

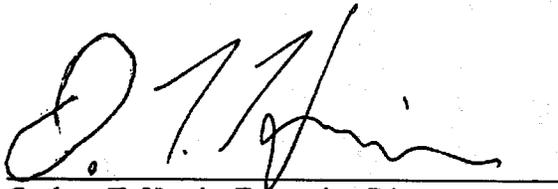
(Answer at 4).

This case was considered by the Board at its June 2012 meeting, and was ordered to mediation pursuant to Board Rule 558.4. (Slip Op. No. 1279). On October 1, 2012,

Complainant notified the Board that the parties had reached a settlement; thus, Complainant wished to withdraw the Complaint.

II. Discussion

The Board encourages the voluntary settlement of disputes. See Board Rule 558.1. Therefore, the parties have resolved the issues raised in the Complaint, and Complainant AFGE Local 631's Unfair Labor Practice Complaint is dismissed with prejudice.



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Date: October 1, 2012

CERTIFICATE OF SERVICE

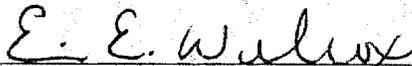
This is to certify that the attached Executive Director's Dismissal in PERB Case No. 06-U-39 was transmitted via U.S. Mail and e-mail to the following parties on this the 1st day of October, 2012.

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