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GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:)
)

Council of School Officers,)
Local 4, American Federation)
of School Administrators,)

Petitioner,)
)

and)
)

District of Columbia)
Public Schools,)

Agency.)
)
)
)
)

PERB Case No. 96-UM-05
Opinion No. 490

DECISION AND ORDER

On July 8 and 29, 1996, respectively, the Council of School Officers, Local 4, American Federation of School Administrators (CSO), pursuant to Section 504 of the Rules of the Public Employee Relations Board (Board), filed a Petition and Amended Petition to Modify Bargaining Unit (Petition). The Petition concerns a unit of employees employed by the D.C. Public Schools (DCPS), previously found appropriate by the Board for collective bargaining and for which CSO is the certified exclusive representative. Council of School Officers, Local 4, American Federation of School Administrators, AFL-CIO and D.C. Board of Education, Certifications No. 19 and 51, PERB Cases No. 82-R-19 (1983) and 88-R-06 (1988), respectively.

In accordance with Board Rule 504.3, Notices concerning the Petition were posted. D.C. Public School (DCPS) filed comments to the Petition. No requests to intervene, objections or other comments to the Petition were received by the Board.

The Petitioner seeks to modify the existing non-compensation unit by adding employees with the position title, "EG-341 Administrative Officer, Grade 11" commonly referred to as "Business Managers", who work for DCPS primarily at senior high schools and some junior high schools. (Petition at 3.) In the alternative, Petitioner requests that the Board clarify the scope of the existing unit with respect to this classification of employees. The proposed addition of this classification of employees, within this unit, currently affects 10 employees. The existing unit consists of approximately 500 employees.

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Petitioner states that "Business Managers", like other classifications of employees in the unit, are paid under the EG Schedule pay system. DCPS states that the proposed modification would provide representation to a classification of employees that heretofore have been unrepresented. DCPS further states that this particular classification came into existence after CSO was certified to represent the existing unit. (Agency Resp.) DCPS states it has no objection to the inclusion of these employees in the existing unit represented by Petitioner.

Board Rule 504.1(b) provides that a unit modification may be sought "[t]o add to an existing unit unrepresented classifications or employee positions created since the recognition or certification of the exclusive representative." In view of the fact that the provisions of Board Rule 504.1(b) are met, the number of employees affected represents a de minimis impact on the existing employees in the unit, and no objection has been made by DCPS, we find that no question concerning representation exists that would render inappropriate the proposed modification. See, International Brotherhood of Teamsters, Local Union No. 639 and D.C. Public Schools, 42 DCR 5679, Slip Op. No. 338, PERB Case No. 92-R-04 and 92-R-06 (1992).^{1/}

We conclude for the foregoing reasons that the requested modification to the existing unit to include EG-341, Grade 11, Administrative Officers is appropriate.^{2/} Accordingly, we grant the Petition for modification of the non-compensation unit described below in the Order.

ORDER

IT IS HEREBY ORDERED THAT:

The non-compensation unit for which the Council of School Officers, Local 4, American Federation of School Administrators (CSO) is certified as the exclusive representative in Certifications No. 19 and 51, PERB Cases No. 82-R-19 and 88-R-06

^{1/} Like the job classification added to the existing unit in PERB Case No. 92-R-06, the classification of EG-341, Administrative Officer, Grade 11, appears to be a subclassification within the initial scope of the existing unit description.

^{2/} Notwithstanding the use of a petition for unit modification to achieve the Petitioners objective, under the particular facts of this case, a clarification petition pursuant to new Board Rule 506 would have also been appropriate.

are modified to include the job classification, EG-341, Grade 11, Administrative Officer. Nothing in this Order is to be construed as altering the scope of the bargaining unit as set forth in Certifications No. 19 and 51, except in the manner discussed in this Decision.

Unit Description:

1. ET Officers Bargaining Unit: All employees employed by the Board [of Education] in the ET-6 through ET-12 classifications; but excluding confidential employees, employees engaged in personnel work in other than a purely clerical capacity [and] employees engaged in administering the provisions of Title XVII of the Comprehensive Merit Personnel Act of 1978.

2. EG Officers Bargaining Unit: All employees employed by the Board [of Education] who are rendering educational, technical and administrative support services in EG classifications 11 and 12; but excluding management, supervisors, confidential employees, any employees engaged in personnel work in other than in purely clerical capacities and employees engaged in administering the provisions of Title XVII of the Comprehensive Merit Personnel Act of 1978.

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

September 27, 1996