

In the Matter of)
)
National Association of Government Employees)
)
Petitioner)
and)
)
American Federation of Government Employees,)
Local 2978)
)
Intervenor)
and)
)
District of Columbia)
Department of Forensic Sciences)
)
Respondent)
)

PERB Case No. 19-RC-01

Opinion No. 1764

CERTIFICATION OF ELECTION RESULTS

The results of a secret mail ballot election in the above-captioned proceeding have been duly reported to the parties on November 20, 2020. Pursuant to the Decision and Order of the Public Employee Relations Board in Opinion No. 1741, a mail-in secret ballot election was conducted for the following unit:

All employees of the Public Health Laboratory, both professional and nonprofessional, and all other professional employees of the Department of Forensic Sciences, excluding all management officials, supervisors, confidential employees or any employees engaged in personnel work other than in 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.

The mail ballot election was conducted by Honest Ballot Company. Forty-four employees were eligible to vote. Honest Ballot Company mailed each eligible voter a ballot(s) on September 2, 2020. Professional employees received two ballots, one on unit preference and a second on choice of representative. Nonprofessional employees received one ballot on choice of representative. Only the ballots returned to Honest Ballot Company and received by November 16, 2020, were deemed eligible. On November 20, 2020, the Board scheduled a virtual teleconference via WebEx to conduct the ballot tally and determine the outcome of the election based on the majority of the eligible votes cast.¹ Each party, except the Department of Forensic Sciences,² had an observer present for the ballot tally.

¹ PERB Rule 514.1

² The Department's Representative declined the invitation to observe the ballot tally.

The unit preference ballot for professional employees stated: "I desire to be included in a bargaining unit with nonprofessional employees" and offered a choice of yes or no.

The results are hereby reported as follows:

Yes	4 votes
No	0 votes
Spoiled Ballots	0 votes
Challenged Ballots	0 votes
Void Ballots	1 vote

Five professional employees of the Department of Forensic Sciences cast ballots. No ballot was challenged. One ballot was void because the voter was inadvertently identified.

Five professional and sixteen nonprofessional employees were eligible to vote on choice of representative. The ballot for choice of representative stated: "I desire to be represented for the purpose of collective bargaining on terms and conditions of employment by:" and offered a choice of the National Association of Government Employees (NAGE), the American Federation of Government Employees (AFGE), or No Union.

The results are hereby reported as follows:

National Association of Government Employees (NAGE)	20 votes
American Federation of Government Employees (AFGE)	0 votes
No Union	1 vote
Challenged Ballots	0 votes
Spoiled Ballots	0 votes
Void Ballots	0 votes

Twenty-one employees of the Department of Forensic Sciences cast ballots on choice of representative. No ballot was challenged.

Pursuant to Board Rule 515.2, "within seven (7) days after the tally of ballots has been served, any party to the election may file with the Board objections to the election procedure, or to any conduct which may have improperly affected the results of the election." The Board did not receive any objections from the parties regarding the election.

Having received no objections concerning the conduct of the above-described election proceeding, pursuant to Board Rule 515.5, the results of the election, as reported, are hereby certified.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

**Washington, D.C.
December 9, 2020**


Clarene Phyllis Martin
Executive Director

CERTIFICATE OF SERVICE

This is to certify that the attached Certification of Election Results was served on the following parties on this 9th day of December 2020.

via File & ServeXpress

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/s/ Royale Simms
Public Employee Relations Board