

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of

Fraternal Order of Police
Metropolitan Police Department
Labor Committee,

Complainant,

and

District of Columbia
Metropolitan Police Department,

Respondent,

and

International Brotherhood of
Police Officers, Local 442,

Respondent.

PERB Case No. 81-U-09

Opinion No. 31

DECISION AND ORDER

On July 24, 1981, the Fraternal Order of Police, Metropolitan Police Department Labor Committee (hereafter FOP), filed an Unfair Labor Practice Complaint with the D.C. Public Employee Relations Board (hereafter Board) against the District of Columbia Metropolitan Police Department (hereafter District) and the International Brotherhood of Police Officers, Local 442 (hereafter IBPO). In the complaint FOP charges the District with violations of D.C. Code, Section 1-618.4 (a)(1)(2)(3) (Comprehensive Merit Personnel Act) and IBPO with violations of D.C. Code, Section 1-618.4(b)(1)(2) (CMPA). The District and IBPO responded denying the charges raised by FOP.

On September 15, 1981, FOP filed an amendment to its complaint. In its amendment FOP sought the Board's determination as to its jurisdiction to decide whether or not IBPO and the City could charge an agency shop fee prior to the implementation of the remainder of the contract. On October 8, 1981, IBPO and the City filed their responses to the amended complaint.

After reviewing the facts and circumstances involving the issue of agency shop deductions, the Board concludes that it does not have the jurisdiction to consider the contractual rights and interests of the parties in this regard.

Page Two

ORDER

It is ordered that:

This case is hereby dismissed.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

February 1, 1982