

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:

Clarence Mack, Shirley Simmons,
Hazel Lee and Joseph Ott

Complainants,

v.

Fraternal Order of Police/
Department of Corrections
Labor Committee, et al.,

Respondent.

PERB Case No. 97-S-01

Motion for Reconsideration

FOR PUBLICATION

Teretha Spain, Carlton Butler,
Ernest Durant and Deon Jones,

and

Ellowese Barganier,

Complainants,

v.

Fraternal Order of Police/
Department of Corrections
Labor Committee, et al.,

Respondent.

PERB Cases Nos. 98-S-01
and 98-S-03

Motions for Reconsideration
and Motions to Dismiss

Opinion No. 546

Decision and Order
PERB Case Nos. 97-S-01,
98-S-01 and 98-S-03
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DECISION AND ORDER

On February 6, 1998, counsel for the Fraternal Order of Police/Department of Corrections Labor Committee (FOP) filed a Motion for Reconsideration and to Dismiss. The Motion requested that the Board: (1) reconsider its Decision and Order in Opinion No. 534 issued in PERB Case No. 97-S-01/98-S-01; and (2) dismiss the Complaint in PERB Case No. 98-S-01 which we ordered to be scheduled for a hearing. On March 20, 1998, FOP filed a document entitled FOP/DOC's Renewed Motion to Dismiss and Motion for Reconsideration. This Motion renewed FOP's request for reconsideration of our Decision and Order and dismissal of the Complaint in PERB Case No. 97-S-01/98-S-01, Opinion No. 534. FOP also made an initial request for reconsideration of a subsequent Order in PERB Case No. 98-S-01, i.e., Opinion No. 536, and PERB Case No. 98-S-03, Opinion No. 542. The Motion further requested dismissal of the Complaint in PERB Case No. 98-S-03 which we had also ordered to hearing in consolidation with the Complaint in PERB Case No. 98-S-01. Finally, FOP filed a Motion for Reconsideration of our Decision and Order in PERB Case No. 97-S-01, Opinion No. 541. The Complainants in PERB Case No. 98-S-01 filed an Opposition to the Motions for Reconsideration and to Dismiss.

On April 17, 1998, we issued a Decision of Clarification, Opinion No. 545, clarifying our Decision and Orders in Opinion Nos. 536 and 541. In our view, Opinion No. 545 has rendered moot many of the issues raised by FOP's Motions with respect to PERB Case Nos. 97-S-01 and 98-S-01. However, notwithstanding Opinion No. 545, upon due consideration of FOP's requests for reconsideration of Opinion Nos. 534, 536, 541 and 542, and dismissal of the Complaints in PERB Case Nos. 98-S-01 and 98-S-03, FOP's Motions are hereby denied.

ORDER

IT IS HEREBY ORDERED THAT:

The Fraternal Order of Police/Department of Corrections Labor Committee's (FOP) Motions for Reconsideration of Opinion Nos. 534, 536, 541 and 542 and to Dismiss the Complaints in PERB Case Nos. 98-S-01 and 98-S-03 are denied.

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

April 23, 1998