

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 1000,)

Petitioner,)

v.)

District of Columbia, Department of)
Employment Services,)

Respondent.)
)

PERB Case No. 10-UM-02

Opinion No. 1277

DECISION AND ORDER

The American Federation of Government Employees, Local 1000 (“Petitioner”) filed a petition for unit certification modifications, seeking to modify the unit it represents in the Department of Employment Services. The Department of Employment Services submitted comments.

The sole reason the petition gives for the requested modification is that “Changes in positions as well as changes in the organization of the Department of Employment Services necessitate a change in the certification of the group of employees by this local.” Pursuant to Rule 501.13, the Executive Director notified the Petitioner in a letter dated April 26, 2012, that the petition was not filed in accordance with Rule 504.2(e), which requires that a petition for unit modification include a “statement setting forth the specific reasons for the proposed modification.” The Executive Director’s letter explained that the petition’s statement of the reason for the request “is not specific as to the changes in positions, the changes in the organization, nor is it specific as to how the alleged changes necessitate the proposed change in the certification of the group.”

“In addition,” the notice continued, “Rule 504.1 provides four purposes for which a unit modification may be sought. It cannot be discerned which of those purposes you claim is involved in this matter.” In accordance with Rule 501.4, the notice, which was sent by e-mail and U.S. Mail, allowed the Union ten days from the date of the notice to cure the deficiency.

Rule 501.13 provides, "Failure to cure deficiencies shall result in dismissal without further notice." More than ten days have passed since the notice, and as of June 12, 2012 the Petitioner has neither cured the deficiency nor submitted anything to the Board. Therefore, pursuant to Rules 501.13 and 504.5(b), the petition is dismissed.

ORDER

IT IS HEREBY ORDERED THAT:

1. The petition for unit certification modifications filed by the American Federation of Government Employees, Local 1000 is dismissed.
2. Pursuant to Board Rule 559.2, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

Washington, D.C.

June 12, 2012

CERTIFICATE OF SERVICE

This is to certify that the attached Decision and Order in PERB Case No. 10-UM-02 is being transmitted via U.S. Mail and electronic mail to the following parties on this the 13th day June 2012.

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