

September 4, 1991. Attempts to resolve the outstanding compensation and non-compensation items were unsuccessful despite the lengthy mediation process.

Having considered the respective positions of the parties, including their mutual desire to submit the non-compensation items to final and binding arbitration, the Board has concluded that the next logical step in this proceeding is to order that a Board of Arbitration be established to resolve, through final and binding arbitration, the non-compensation issues that remain in dispute. We are not authorized to consolidate this proceeding with the compensation impasse proceeding in PERB Case No. 91-I-04; however, since a Board of Arbitration has been appointed in the compensation proceeding, we hereby order the appointment of that same Board of Arbitration to preside over this interest arbitration proceeding concerning the non-compensation items at issue.

ORDER

IT IS HEREBY ORDERED THAT:

1. Pursuant to D.C. Code Section 1-618.2, the non-compensation items at issue in the contract negotiations between Teamsters Local Union Nos. 639 and 730 are hereby referred to final and binding arbitration;
2. The non-compensation issues are to be heard by a tripartite Board of Arbitration to be composed of M. David Vaughn, Chairman; Ellis A. Boston and John Catlett.
3. The Board of Arbitration will have forty-five (45) days from the commencement of the arbitration hearing on the non-compensation issues to render an award, unless both parties agree, in writing, to an extension.
4. The Board of Arbitration will be responsible for all procedural matters, including the selection of the procedure(s) utilized to resolve the dispute.

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

October 3, 1991

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Washington, D.C.

October 3, 1991

(Footnote 2 Cont'd)

the compensation impasse proceedings. Nevertheless, both compensation and non-compensation issues were mediated by the same mediator.

public... 1/2

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

_____)	
In the Matter of:)	
Teamsters Local Union)	
Nos. 639 and 730,)	
)	
Petitioners,)	
)	
and)	PERB Case No. 91-I-01
)	Opinion No. 291
District of Columbia)	
Public Schools,)	
)	
Respondent.)	
_____)	

DECISION AND ORDER ^{1/}

On October 18, 1990, Teamsters Local Union Nos. 639 and 730 (Union) filed with the D.C. Public Employee Relations Board (Board) a "Declaration of Automatic Impasse and Request for Impasse Resolution." Pursuant to D.C. Code Sec. 1-618.17(f)(1) and Board Rules 526 and 527, the Teamsters asserted that the negotiations for a successor agreement between the Union and D.C. Public Schools (DCPS), covering a unit of operating engineers, custodians, cafeteria workers and managers and transportation and warehouse personnel, began on July 18, 1990, and continued until October 5, 1990. According to the Union, the parties met approximately five times, failed to reach a pre-negotiation agreement, and remained in dispute over nearly all matters pertaining to both compensation and terms and conditions of employment. The Union requested that the Board appoint a mediator and a Board of Arbitration to resolve the impassed negotiations.

Following an informal inquiry and a meeting with the parties, the Board determined that further negotiations between the parties would not be productive and appointed a mediator to facilitate the resolution of the impasse in the non-compensation negotiations. ^{2/} According to the Union, mediation concluded on

^{1/} Members Kohn and Danowitz did not participate in the discussion or decision of this case.

^{2/} Although the Teamsters had requested then, as they do now, that the compensation and non-compensation impasse proceedings be consolidated, the Board advised the parties by letter (continued...)

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

October 3, 1991

²(...continued)
dated April 1, 1991, that it did not have the statutory authority to implement the compensation impasse proceedings. Nevertheless, both compensation and non-compensation issues were mediated by the same mediator.