

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:)	
)	
Johnny Jones)	
)	
Petitioner)	PERB Case No. 21-A-03
)	
v.)	Opinion No. 1788
)	
District of Columbia)	
Metropolitan Police Department)	
)	
Respondent)	

DECISION AND ORDER

On April 7, 2021, Johnny Jones (Petitioner) filed a Motion for Reconsideration (Motion), seeking reconsideration of the Public Employee Relations Board’s Opinion No. 1777, which denied Petitioner’s Arbitration Review Request (Request).¹

In Opinion No. 1777, the Board found that (1) MPD had not violated the Petitioner’s right to due process; (2) the two-day delay in proposing the Petitioner’s termination was *de minimis* and nonprejudicial; and (3) the hearsay evidence presented was sufficiently reliable that, when combined with the other evidence available, it supported the Panel’s guilty findings. In the Motion, the Petitioner reiterates the arguments he advanced in the Request. He does not introduce any new arguments or evidence.

The Board has repeatedly held that a Motion for Reconsideration cannot be based solely on a mere disagreement with its initial decision.² The Petitioner has not provided any authority

¹ Considering its review of this matter, the Board does not deem it necessary to wait for a response from MPD.
² *AFSCME District Council 20, Local 2921 v. DCPS*, 62 D.C. Reg. 9200, Slip Op. No. 1518 at p. 3-4, PERB Case No. 12-E-10 (2015). *See also FOP/MPD Labor Comm. v. MPD*, Slip Op. No. 1554 at 8-9, PERB Case No. 11-U-17 (Nov. 19, 2015); *Rodriguez v. MPD*, 59 D.C. Reg. 4680, Slip Op. No. 954 at 12, PERB Case No. 06-U-38 (2010).

that would compel the Board to reach a different result. Absent such authority, the Board will not overturn its decision.³ Therefore, the Motion is denied.

ORDER

IT IS HEREBY ORDERED THAT:

1. Petitioner's Motion for Reconsideration is hereby denied; and,
2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Chairperson Douglas Warshof and Members Barbara Somson, Mary Anne Gibbons, and Peter Winkler.

May 20, 2021

Washington, D.C.

APPEAL RIGHTS

A final decision by the Board may be appealed to the District of Columbia Superior Court pursuant to D.C. Official Code §§ 1-605.2(12) and 1-617.13(c), which provides 30 days after a decision is issued to file an appeal.

³ *FOP/MPD Labor Comm. v. MPD*, 60 D.C. Reg. 12058, Slip Op. No. 1400 at p. 6, PERB Case No. 11-U-01 (2013).

CERTIFICATE OF SERVICE

This is to certify that the attached Decision and Order in PERB Case No. 21-A-03, Opinion No. 1788 was sent by File & ServeXpress to the following parties on this the 21st day of May 2021.

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/s/ Elizabeth Slover
Public Employee Relations Board