

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD**

In the Matter of:)	
)	
American Federation of Government Employees, District 14)	
)	
Petitioner)	
)	PERB Case No. 24-RC-03
and)	
)	Opinion No. 1945
District of Columbia Department of Corrections)	
)	
Respondent)	
)	
and)	
)	
Fraternal Order of Police/Department of Corrections Labor Committee)	
)	
Intervenor)	
)	

DECISION AND ORDER AND DIRECTION OF RERUN ELECTION

I. Statement of the Case

On April 8, 2025, at the Board’s direction, an on-site election was held in the above-captioned case to determine whether a majority of eligible employees at the District of Columbia Department of Corrections (DOC) desired recognition of the American Federation of Government Employees, District 14 (AFGE), the Fraternal Order of Police/Department of Corrections Labor Committee (FOP), or no union as their exclusive representative.¹ Following the election, PERB staff tallied the ballots and determined that a majority of the eligible employees had voted in favor of FOP.²

On April 11, 2025, AFGE timely filed objections (Objections) to the election results. AFGE asserted that (1) DOC failed to properly post the election notice, leading to diminished voter

¹ The Board ordered the election in *AFGE, District 14 and DOC and FOP/DOC Labor Comm.*, Slip Op. No. 1909, PERB Case No. 24-RC-03 (2025).

² Five hundred and twelve (512) of the seven hundred and ninety-five (795) individuals on the list of eligible employees cast ballots in the election. Two hundred and forty-five (245) ballots were cast in favor of representation by AFGE, District 14. Two-hundred and fifty-eight (258) ballots were cast in favor of FOP. Nine (9) ballots were challenged. Pursuant to Board Rule 514.4, PERB was not required to resolve the challenged ballots, as they were not determinative of the outcome of the election.

turnout and swaying the results;³ and (2) FOP violated election procedures by “engag[ing] in electioneering within 25 feet of the door to the polling place by distributing materials promoting an outcome of the election in FOP’s favor.”⁴ AFGE requested a rerun election.⁵ On April 12, 2025, FOP submitted a response to the Objections (Response), arguing that: (1) AFGE had failed to demonstrate the notice was improperly posted and, even if it was, that had no impact on the election results; and (2) if either party engaged in improper electioneering, it was AFGE.⁶

On April 17, 2025, as described in PERB’s report on objections (Report on Objections), the Board found that the electioneering dispute was appropriate for an investigatory hearing, but that AFGE had failed to support its allegations concerning DOC’s failure to adequately post notices of the election.⁷ Accordingly, a hearing was held on July 14 and July 15, 2025, at which the Hearing Examiner solely examined the allegations of improper electioneering. On November 13, 2025, the Hearing Examiner issued a report and recommendations (Report), finding evidence of improper electioneering and concluding FOP’s activity had a tendency to interfere with the employees’ freedom of choice regarding the election.⁸ The Hearing Examiner advised the Board to order a rerun election.⁹ All of the parties filed exceptions.¹⁰

For the reasons stated herein, the Board adopts the Hearing Examiner’s Report and orders that a rerun election shall be held via mail ballot.

II. Hearing Examiner’s Report and Recommendations

A. Hearing Examiner’s Factual Findings

The Hearing Examiner made the following factual findings. On March 27, 2025, the parties participated in a conference to establish procedures for the upcoming election.¹¹ The conference resulted in an election agreement which provided, in pertinent part, that no electioneering would be conducted “within twenty-five (25) feet of the door to the polling place,” to include “the dissemination of literature, as well as the display of signs, logos, t-shirts, or other materials promoting any outcome of the election.”¹² The parties designated a room near the rear entrance of the correctional treatment facility as the polling place, but did not discuss which of the three doors

³ Objections at 1-3.

⁴ Objections at 3-4.

⁵ Objections at 4.

⁶ Response at 5-7.

⁷ Report on Objections at 3. On April 22, 2025, AFGE filed a Motion for Reconsideration that sought to overturn the dismissal of the notice posting allegation. The Motion for Reconsideration failed to provide a basis that would compel the Board to reach a different decision. Therefore, the Motion for Reconsideration is denied.

⁸ Report at 41.

⁹ Report at 42.

¹⁰ FOP urges the Board to reject the Report. FOP Exceptions at 42. AFGE asks the Board to adopt the Report. AFGE Exceptions at 18. DOC requests that the Report be amended to correct an administrative error. DOC Exceptions at 1-2. PERB will contact the Hearing Examiner separately to obtain a corrected Report, in accordance with DOC’s request.

¹¹ Report at 40.

¹² Election Procedures Letter at 2-3; Report at 40.

leading to that room would serve as the measuring point for purposes of the electioneering prohibition.

On the morning of April 8, 2025, before the polls opened, an FOP representative approached an AFGE representative outside the polling place to ask which of the doors to the polling place would be used to measure the 25-foot span.¹³ The latter indicated that the starting point was Door 1, the outermost of the three doors leading to the polling room.¹⁴ Although the FOP representative did not object to this designation, he positioned himself less than twenty-five (25) feet from Door 1 and, wearing a hoodie emblazoned with FOP's insignia, began distributing leaflets to incoming voters, urging them to vote for FOP.¹⁵ He further advised AFGE supporters to "be careful" who they voted for if they desired union protection.¹⁶ A second FOP representative guided arriving voters to Door 1, showing them what was either his iPad or phone, conversing with them about the election, and instructing them to vote for FOP.¹⁷ A third FOP representative stood in the vestibule, between Doors 1 and 2, wearing an FOP t-shirt and telling voters to "do the right thing."¹⁸ An AFGE representative wearing an AFGE jacket also stood close to Door 1, opening the door for voters.¹⁹

Sometime in the early afternoon, a handful of FOP supporters set up a boombox within twenty-five (25) feet of Door 1 and began to loudly play music, dance, and chant "FOP."²⁰ This activity obstructed a portion of the sidewalk leading to the polling site.²¹ Additionally, FOP distributed drinks, snacks, and hot meals to voters less than twenty-five (25) feet from Door 1, bringing some snacks inside the polling room.²² These giveaways were sponsored by FOP, but were not restricted to FOP supporters.²³

B. Hearing Examiner's Recommendations

The issues before the Hearing Examiner were:

- (1) Whether FOP engaged in the alleged misconduct; and
- (2) If so, whether that misconduct had a tendency to interfere with the employees' freedom of choice regarding the election?²⁴

¹³ Report at 41.

¹⁴ Report at 41.

¹⁵ Report at 41.

¹⁶ Report at 41.

¹⁷ Report at 41.

¹⁸ Report at 41.

¹⁹ Report at 42.

²⁰ Report at 41.

²¹ Report at 41.

²² Report at 41.

²³ Report at 23, 41-42.

²⁴ Report at 40; Report on Objections at 2.

Regarding the first issue, the Hearing Examiner compared the two unions' interpretations of the electioneering restriction contained in the election agreement.²⁵ At the Hearing, AFGE asserted that it understood the 25-foot electioneering ban to unambiguously start at Door 1, while FOP argued that the starting point was unclear, given the existence of three separate doors at the voting location.²⁶ The Hearing Examiner concluded that AFGE's interpretation of the election agreement had the stronger rationale.²⁷ The Hearing Examiner noted that "to the extent that it can be argued that there was any ambiguity in terms of the meaning of the 25-foot rule, as written in the election agreement, it was corrected...on the morning of the election."²⁸ Moreover, the Hearing Examiner observed that one of the FOP representatives in attendance likely had prior knowledge of the layout, yet failed to clarify the parameters when the election agreement was being drafted.²⁹ Based on these considerations, the Hearing Examiner determined that FOP had engaged in the alleged electioneering violation.³⁰

Concerning the second issue, the Hearing Examiner applied a multifactor test, established by the National Labor Relations Board (NLRB) in *Taylor Wharton Division*.³¹ Pursuant to the *Taylor Wharton* Test, the Hearing Examiner considered the following factors to determine whether FOP's misconduct had a tendency to interfere with the employees' freedom of choice regarding the election:

- (1) the number of incidents; (2) the severity of the incidents and whether they were likely to cause fear among the employees in the bargaining unit; (3) the number of employees in the bargaining unit subjected to the misconduct; (4) the proximity of the misconduct to the election; (5) the degree to which the misconduct persists in the minds of the bargaining unit employees; (6) the extent of dissemination of the misconduct among the bargaining unit employees; (7) the effect, if any, of misconduct by the opposing party to cancel out the effects of the original misconduct; (8) the closeness of the final vote; and (9) the degree to which the misconduct can be attributed to the party.³²

The Hearing Examiner also referenced the standard set forth by the NLRB in *Boston Insulated Wire & Cable Co.*, which more specifically addresses allegations of impermissible electioneering.³³ The *Boston Insulated Wire* Test is used to determine "whether the conduct, under the circumstances, was sufficient to warrant an inference that it interfered with the free choice of

²⁵ Report at 41.

²⁶ Report at 41.

²⁷ Report at 41.

²⁸ Report at 41 (citing *In Re Desert Palace, Inc.*, 337 NLRB 1096 (2002)).

²⁹ Report at 40-41.

³⁰ Report at 40-42.

³¹ Report at 40 (citing *Taylor Wharton Div. Harsco Corp. & Sheet Metal Workers Int'l Ass'n Loc. Union #441, AFL-CIO*, 336 NLRB 157 (2001)).

³² Report at 20 (quoting *Taylor Wharton Div. Harsco Corp. & Sheet Metal Workers Int'l Ass'n Loc. Union #441, AFL-CIO*, 336 NLRB at 158).

³³ Report at 40 (citing *Bos. Insulated Wire & Cable Co.*, 259 NLRB 1118 (1982)).

the voters.”³⁴ Under this framework, it is appropriate to consider “not only whether the conduct occurred within or near the polling place, but also the extent and nature of the alleged electioneering, and whether it [wa]s conducted by a party to the election or by employees.”³⁵ Also relevant is the question of “whether the electioneering [wa]s conducted within a designated ‘no electioneering’ area or contrary to the instructions of [a] Board agent.”³⁶

Applying these standards to the instant case, the Hearing Examiner concluded that FOP’s misconduct had a tendency to interfere with the employees’ freedom of choice regarding the election.³⁷ This determination was reached after considering various factors, including the large number of voters impacted by FOP’s prevalent and continuous misconduct; the intimidating language FOP used; the fact that FOP sponsored the sidewalk gathering; the proximity of that gathering to the polling place; FOP’s clear intent to influence voters by offering refreshments; and the closeness of the final vote.³⁸ The Hearing Examiner noted that while “various supporters and officials on both sides spent time in the building,” none “of the activities of the AFGE supporters or officials served as a counterweight to FOP’s conduct, which...severely impacted on [*sic*] the necessary laboratory conditions for a fair election.”³⁹ Thus, the Hearing Examiner recommended that the Board sustain the electioneering objection and conduct a rerun election.⁴⁰

III. Standard of Review

The Board will adopt a hearing examiner’s report and recommendations if they are reasonable, supported by the record, and consistent with PERB precedent.⁴¹ The Board has held that “issues of fact concerning the probative value of evidence and credibility resolutions are reserved to the Hearing Examiner.”⁴²

IV. Discussion

At the heart of FOP’s Exceptions are the contentions that PERB and the Hearing Examiner exhibited bias in favor of AFGE; that the Report is unreasonable and unsupported by evidence;⁴³

³⁴ Report at 40 (quoting *Bos. Insulated Wire & Cable Co.*, 259 NLRB at 1118-1119) (internal citations omitted).

³⁵ Report at 40 (quoting *Bos. Insulated Wire & Cable Co.*, 259 NLRB at 1118-1119) (internal citations omitted).

³⁶ Report at 40 (quoting *Bos. Insulated Wire & Cable Co.*, 259 NLRB at 1118-1119) (internal citations omitted).

³⁷ Report at 42.

³⁸ Report at 40-42.

³⁹ Report at 42.

⁴⁰ Report at 42.

⁴¹ *Ferguson v. DCCFSA*, Slip Op. No. 1419 at 60 D.C. Reg. 13738, PERB Case No. 09-U-19 (2013). *See also AFSCME, District Council 20 and Local 2091 v. DPW*, 61 D.C. Reg. 1561, Slip Op. No. 1450 at 3, PERB Case No. 14-U-03 (2014) (holding that if a case record indicates that the allegations concern violations of the CMPA, the Board has jurisdiction over those allegations and can grant appropriate relief, provided the allegations are proven).

⁴² *See FOP/MPD Labor Comm. V. MPD*, 61 D.C. Reg. 5627, Slip Op. No. 1465 at 4, PERB Case No. 08-U-14 (2014).

⁴³ FOP Exceptions at 16.

and that the Hearing Examiner failed to properly apply the *Taylor Wharton Test*.⁴⁴ As discussed herein, these arguments are unsupported.

Preliminarily, FOP argues that PERB framed the issues solely in terms of FOP's wrongdoing, thereby evidencing bias in favor of AFGE.⁴⁵ This assertion is unfounded. The issues before the Hearing Examiner arose from the allegations of wrongdoing contained in AFGE's Objections and, thus, are necessarily focused on FOP's conduct. Under the *Taylor Wharton* framework, the Hearing Examiner was required to consider—and did consider—“the effect, if any, of misconduct by the opposing party to cancel out the effects of the original misconduct.”⁴⁶

FOP also argues that in focusing on FOP's election day conduct, the Hearing Examiner overlooked PERB staff's obligations to ensure a fair election.⁴⁷ FOP contends that the PERB staff members who attended the election were responsible for maintaining fairness throughout the voting process and did not meet their obligation to guard against improper conduct.⁴⁸ This contention is unavailing, as the conduct of PERB staff is not at issue. In any event, the Hearing Examiner found that “the [electioneering] activities were too widespread for the PERB representatives to be able to take effective action, during the real time of conducting an election.”⁴⁹

Additionally, FOP asserts that the Hearing Examiner failed to hold AFGE responsible for waiting to raise allegations of misconduct until after the votes were tallied in FOP's favor.⁵⁰ This assertion is unpersuasive. AFGE complied with Board Rule 515.2, which provides that “[n]o later than seven (7) days after the tally of ballots has been served, any party to the election proceeding may file with the Board objections to the election procedure or to any conduct that might have improperly affected the results of the election.”

Throughout its Exceptions, FOP suggests that the Hearing Examiner exhibited bias by affording greater weight to the evidence AFGE presented and by holding FOP to a higher standard of responsibility.⁵¹ FOP contends that the Hearing Examiner “blindly accepted” AFGE's testimonial evidence while ignoring the testimonial evidence that FOP offered.⁵² FOP also asserts that the Report was overly critical and skeptical of FOP's witnesses, drawing attention to their statements against self-interest and grammatical errors while ignoring similar aspects of AFGE's witnesses' testimony.⁵³ FOP contends that “[w]hen taken individually, perhaps, the Hearing Examiner's findings can be explained; however, when analyzed in their totality, there is an

⁴⁴ FOP Exceptions at 5-7, 10-13.

⁴⁵ FOP Exceptions at 6.

⁴⁶ *Taylor Wharton Div. Harsco Corp. & Sheet Metal Workers Int'l Ass'n Loc. Union #441, AFL-CIO*, 336 NLRB at 158.

⁴⁷ FOP Exceptions at 3.

⁴⁸ FOP Exceptions at 3.

⁴⁹ Report at 42.

⁵⁰ FOP Exceptions at 3-4.

⁵¹ FOP Exceptions at 2, 13.

⁵² FOP Exceptions at 4-5.

⁵³ FOP Exceptions at 13-14.

abundance of inexplicable affronts to [FOP’s] arguments, and more egregiously, the witnesses themselves.”⁵⁴

The Board has held that issues of fact concerning the probative value of evidence and credibility resolutions are reserved to the Hearing Examiner.⁵⁵ Mere disagreements with a hearing examiner’s findings or challenges to a hearing examiner’s findings with competing evidence do not constitute proper exceptions.⁵⁶ In this case, the Hearing Examiner issued a thorough, lengthy Report; it included reasoned determinations regarding the relative credibility of witnesses’ testimony. The Hearing Examiner’s discrediting of certain testimony does not serve as a basis for rejecting the Report where the determinations are supported by the record. Rather, FOP’s arguments constitute mere disagreement with the Hearing Examiner’s determinations.

Regarding the Hearing Examiner’s observation that the FOP representative who distributed leaflets was a known FOP supporter, FOP contends that the Report overlooked certain AFGE representatives’ similarly notorious association with their union.⁵⁷ Additionally, FOP contends that the Hearing Examiner inaccurately deemed the distribution of leaflets to be a more extreme violation of the electioneering limitation than the wearing of logos—an activity in which both unions participated.⁵⁸ FOP asserts that the representative handing out the leaflets was not, as the Report finds, wearing the FOP logo and that even if he was, he was positioned farther from the polling place than his AFGE counterpart, whose jacket featured the AFGE logo.⁵⁹ In a similar vein, FOP objects to the Hearing Examiner’s implication that its representative was obligated, due to his experience with the polling location, to raise the issue of multiple doors, as no such responsibility was laid on the AFGE representatives in attendance.⁶⁰

The Board notes that it places the utmost importance on the impartiality of its hearing examiners and considers seriously any allegations of bias toward a party.⁶¹ However, the Board will not find that a hearing examiner is biased unless their temperament or the opinions they express during the hearing exceed their authority or preclude a party from being afforded a fair hearing.⁶² A party’s assertion that the hearing examiner was hostile does not delegitimize the report and recommendations.⁶³ Here, the Board finds that there is nothing in the record to indicate that the Hearing Examiner’s temperament or opinions exceeded his authority or deprived FOP of a fair hearing.

⁵⁴ FOP Exceptions at 13.

⁵⁵ *AFSCME, Local 2743 v. DISB*, Slip Op. No. 1916 at 7-8, PERB Case Nos. 24-U-12 and 24-U-15 (2025) (citing *AFGE, Local 2978 v. OCME*, 61 D.C. Reg. 4267, Slip Op. No. 1457 at 6-7, PERB Case No. 09-U-62 (2014)); *AFGE, Local 2978 v. DOH*, 59 D.C. Reg. 7314, Slip Op. No. 1256 at 9, PERB Case No. 08-U-47 (2012).

⁵⁶ *AFSCME, Local 2087 v. UDC*, 67 D.C. Reg. 8903, Slip Op. No. 1751 at 4, PERB Case No. 18-U-03 (2020).

⁵⁷ FOP Exceptions at 15.

⁵⁸ FOP Exceptions at 4, 8.

⁵⁹ FOP Exceptions at 15-16.

⁶⁰ FOP Exceptions at 14-15.

⁶¹ *AFSCME, Local 2743*, Slip Op. No. 1916 at 12, fn. 112.

⁶² *Bromberg Gaber, et al. v. AFSCME, Local 1808*, 71 D.C. Reg. 7883, Slip Op. No. 1870 at 6-7, PERB Case No. 23-S-03 (2024) (citing *D.C. Nurses Ass’n v. D.C. Health and Hospitals Public Benefit Corp., D.C. General Hospital*, 46 D.C. Reg. 245, Slip Op. No. 560 at 2-3, fn. 2, PERB Case No. 97-U-16 (1999)).

⁶³ *AFSCME Local 631 v. DCOZ, et al.*, Slip Op. No. 1103 at 7, PERB Case No. 04-UM-01 (2011).

Regarding the *Taylor Wharton* Test, FOP contends that the Hearing Examiner neglected to properly apply all nine (9) the elements.⁶⁴ Contrary to the Report, FOP asserts that AFGE failed to meet the *Taylor Wharton* standard, as it did not prove by a preponderance of the evidence that FOP engaged in misconduct which disrupted the “laboratory conditions” of the election.⁶⁵ FOP does not dispute that it made food and drink available to voters but disagrees with the Hearing Examiner’s conclusion that this activity constituted electioneering under the terms of the agreement.⁶⁶ FOP emphasizes that the refreshments were distributed indiscriminately to voters and denies harboring intentions of influencing the employees to vote for FOP.⁶⁷ FOP further asserts that there is no evidence to show that the refreshments impacted the election outcome.⁶⁸ Additionally, FOP denies that the music and dancing which occurred outside the polling place were intended to, or did in fact, garner more votes for FOP.⁶⁹ FOP suggests that such festivities are common during union elections.⁷⁰

FOP contends that *Taylor Wharton* is distinguishable from, and therefore inapplicable to, the instant matter because here, AFGE has not alleged “that fear was used as a motivator to force DOC employees to vote in any particular way.”⁷¹ FOP denies making any intimidating or threatening statements to voters,⁷² and argues that the Hearing Examiner failed to consider the substance of the leaflets, which merely included the name “FOP,” without any instruction to vote for one union over the other.⁷³ Thus, FOP contends, the distribution of leaflets did not constitute “dissemination of literature,” as prohibited under the election agreement.⁷⁴ FOP further asserts there is no evidence to show that the leaflets influenced the election outcome.⁷⁵ FOP states that even “[a]ssuming arguendo that the evidence does support that [FOP] engaged in misconduct, there was no evidence presented that anything [FOP] did or did not do affected any votes.”⁷⁶

The Board does not require hearing examiners to exhaustively address every piece of evidence submitted to the record by parties.⁷⁷ The fact that the Report does not sequentially discuss all nine (9) factors of the test or delve into every piece of evidence presented does not imply that those considerations were omitted from the Hearing Examiner’s deliberations. Nor do the cited factual disparities between this case and *Taylor Wharton* diminish the relevancy of that test.

⁶⁴ FOP Exceptions at 5-7.

⁶⁵ FOP Exceptions at 6-7.

⁶⁶ FOP Exception at 9.

⁶⁷ FOP Exceptions at 10.

⁶⁸ FOP Exceptions at 12.

⁶⁹ FOP Exceptions at 10-13.

⁷⁰ FOP Exceptions at 10.

⁷¹ FOP Exceptions at 11. In *Taylor Wharton*, the NLRB determined that that the employer threatened and intimidated the eligible voters by distributing a cartoon, prior to the election, which portrayed a union organizer announcing that the union won the election and the company had closed.

⁷² FOP Exceptions at 11.

⁷³ FOP Exceptions at 9.

⁷⁴ FOP Exceptions at 8-9.

⁷⁵ FOP Exception at 11-12.

⁷⁶ FOP Exceptions at 7.

⁷⁷ *AFSCME, Local 2743*, Slip Op. No. 1916 at 12.

Moreover, FOP's argument that *Taylor Wharton* is not analogous to this matter lacks support, as the Hearing Examiner credited testimony indicating that FOP representatives made verbal statements which could be considered intimidating.⁷⁸

The Board finds that that the Report and Recommendations are reasonable, supported by the record, and consistent with PERB precedent. The Hearing Examiner properly applied the *Taylor Wharton* Test, resulting in a determination that FOP committed misconduct which had a tendency to interfere with the employees' freedom of choice regarding the election. Accordingly, the Board adopts the Report and Recommendations.

V. Conclusion

A rerun election shall be held by mail ballot to determine whether a majority of eligible employees in the proposed unit desire recognition of AFGE, FOP, or no union as their exclusive representative.

ORDER

IT IS HEREBY ORDERED THAT:

1. A rerun election shall be held by mail ballot in accordance with the provisions of D.C. Official Code § 1-617.10 and Board Rule 510 to determine whether a majority of eligible employees

⁷⁸ See Report at 41.

in the following proposed unit desire to be represented for bargaining on terms and conditions of employment by the American Federation of Government Employees, District 14, the Fraternal Order of Police/Department of Corrections Labor Committee, or no union:

720 Correctional Officers CS-0007-6-8, 57 Lead Correctional Officers CS-0007-9, 1 Library Technician CS-1411-5, 1 Door System Mechanic CS-4749-9, 3 Material Handlers CS-6907-4, 4 Mail Clerks CS-0305-5, 9 IT Specialists CS-2210-11-12, 26 Clerical Assistants CS-303-7, 9 Maintenance Mechanics CS-4779-9, 2 Locksmith CS-4808-9, 3 Electrician Forman CS-2805-10, 4 Staff Assistants CS-303-9, 1 Masonry Worker CS-3603-8, 25 Legal Instrument Examiners CS-0963-9, 18 Case Managers CS-0101-11-12, 1 Sanitation Officer, 5 Lean Instrument Examiners CS-0963-9, 3 Plumber/Pipefitters CS-4206-9, 2 Payroll Technicians CS-0544-8, 1 Security Guard 0080-5, 1 Material Handlers, CS-6907-4, 1 AC Equipment Mechanic CS-5301-9, 1 Volunteer Service Assistant CS-0006-1.

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 Peter Winkler and Members Mary Anne Gibbons, Renee Bowser, and Douglas Warshof.

January 15, 2026
Washington, D.C.

APPEAL RIGHTS

Pursuant to Board Rule 559.2, a party may file a motion for reconsideration, requesting the Board reconsider its decision. Additionally, 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.