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DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD
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Government of the District of Columbia
Public Employee Relations Board

Ronald Robinson	)	
Complainant	)	PERB Case No. 26-S-01
v.	)	Opinion No. 1974
Washington Teachers' Union Local #6	)	Motion for Reconsideration
Respondent	)	

DECISION AND ORDER

I. Statement of the Case

On February 3, 2026, this office received an amended[1] standards of conduct complaint (Complaint) in the above-captioned proceeding. On February 6, 9, and 12, 2026, the Complainant filed three amended complaints. Thee amended complaints are considered as part of the record. The Complaint alleged that the Washington Teachers Union, Local #6 (WTU) breached its duty of fair representation by colluding with District of Columbia Public Schools (DCPS) to avoid compliance with the Board's decisions in Opinion Nos. 1830 and 1875,[2] which ordered DCPS to reinstate the Complainant to his prior teaching position and provide make whole relief.[3] The Complaint further alleged that WTU colluded with DCPS to refuse compliance, ensuring that his make whole monetary remedy would expire on January 20, 2026.[4] The Complainant argued that by waiving his right to reinstatement in exchange for a reduced settlement, WTU was able to petition for legal fees without DCPS reemploying the Complainant.[5] This office issued an acknowledgment letter

[1] The February 3, 2026 amendment cured deficiencies identified in the initial complaint, filed January 14, 2026.
[2] *DCPS v. WTU, Local #6*, 71 D.C. Reg. 10654, Slip Op. No. 1875, PERB Case No. 24-A-04 (2024) and *DCPS v. WTU, Local #6 AFT*, 70 D.C. Reg. 3472, Slip Op. No. 1830, PERB Case No. 22-A-02 (2023).
[3] Complaint at 2 (citing D.C. Official Code §§ 1-617.03(a)(1) and (a)(3)). Although the instant dispute was filed as a standards of conduct case, it also alleges unfair labor practice violations. Complaint at (citing D.C. Official Code §§ (a)(4) and 1-617.04(b)(1) and (b)(2)). Those allegations will be addressed in the related matter of PERB Case No. 26-U-17.
[4] Complaint at 6.
[5] Complaint at 8.

on February 5, 2026. On February 9, 2026, the Complainant filed two requests for preliminary relief, which PERB denied on February 24, 2026.[6]

On March 10, 2026, WTU filed an answer and affirmative defenses (Answer), that addressed claims in all amended Complaints, and asserted that the Complaint was untimely and argued it failed to state a claim upon which relief could be granted.[7] The Respondent also filed a motion to dismiss on April 8, 2026, expanding on these arguments. On June 12, 2026, the motion to dismiss was granted and the matter was dismissed for untimeliness and failure to state a claim.

On July 10, 2026, the Complainant filed a motion for reconsideration (Motion) which presented numerous arguments. Firstly, the Complainant contends that this case was dismissed without accounting for corrections[8] to the record which he filed.[9] The Complainant also argues that the Executive Director cited but refused to apply legal authority in the dismissal.[10] Additionally, the Complainant asserts that his duty of fair representation claim was left unadjudicated, thereby denying him due process.[11] The Complainant further contends that the Executive Director committed legal error by characterizing his inclusion of background events as a request to toll eight years of claims, as those facts were merely provided to establish a pattern supporting the timely allegations.[12] The Complainant asserts that the dismissal contains contradictory findings regarding the issue of timeliness.[13] Lastly, the Complainant argues that the allegations of discrimination he submitted with the corrections should have been adjudicated, rather than dismissed.[14]

On July 24, 2026, the Union submitted an opposition (Opposition) to the Motion, contending it should be denied because the Complainant merely disagrees with the dismissal.[15]

The Complainant filed a Motion for Leave to File a Reply Brief to Respondent's Opposition on July 31, 2026. PERB issued a letter granting that motion, and giving the Complainant until August 28, 2026, to file a reply. No reply was received by that date. On September 1, 2026, the Complainant filed a Motion for Leave to File Reply Brief Instanter and Reply Brief in Support of Motion for Reconsideration. In this motion, the Complainant argues that the delay in filing was due to international travel for an extended course of medical treatment, as well as email delivery delays.[16] The Complainant's Motion for Leave to File Reply Brief Instanter

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[6] The same day, the Complainant filed a motion for judgment on the pleadings, which WTU opposed on March 16, 2026. The instant determination renders that motion moot.
[7] Answer at 17-18.
[8] The Complainant filed an Administrative Letter on April 25, 2026, which the Motion refers to as "corrections."
[9] Motion for Reconsideration at 4.
[10] Motion for Reconsideration at 5.
[11] Motion for Reconsideration at 5. The Motion alleges that PERB denied the Complainant due process by failing to evaluate the filings he submitted to cure "statutory references" and typographical errors. However, the filings in question do not affect the outcome in this matter.
[12] Motion for Reconsideration at 6.
[13] Motion for Reconsideration at 7-9.
[14] Motion for Reconsideration at 7-9.
[15] Opposition at 2.
[16] The Complainant did not file his reply brief by the deadline and therefore, it will not be considered. PERB has provided the Complainant with numerous extensions, and he has continued to submit untimely filings.

and Reply Brief in Support of Motion for Consideration is hereby denied, as it was not submitted by the previously extended deadline.

On August 20, 2026, the Complainant filed a motion for oral argument before the full Board. The Complainant argues in the motion that he is seeking an opportunity to argue before the Board to clarify "procedural complexities"[17] in his multiple cases that he believes have been overlooked in the dismissals issued in his cases. The Complainant's request is overly broad and is therefore denied.

For the reasons discussed herein, the Motion for Reconsideration is Denied.

II. Discussion

To be successful, a party moving for reconsideration must demonstrate that the initial decision was based on clear error.[18] The Board will deny a motion for reconsideration which does not provide a basis for reversal.[19] Here, the Complainant cites *Bryant v. Fraternal Order of Police/Department of Corrections Labor Committee*[20] to support the argument that individual union members have the right to hold union leadership accountable for violations of the organization's governing rules. However, the holding in *Bryant* is not applicable to the case at hand. In *Bryant*, the allegations involved issues of union governance. By contrast, the instant case involves allegations that the union mishandled the grievance it filed on the Complainant's behalf.

Additionally, the Complainant cites *Simpson v. FOP/DOC Labor Committee* to support his contention that the Executive Director committed legal error by finding that issues concerning the quality of the union's representation in the grievance process failed to establish the elements of standards of conduct claim..[21] However, the Complainant's citation did not match the case name and the cited decision, *AFSCME, Local 292 v. DCPS*,[22] is not a standards of conduct case. Even assuming that the Complainant meant to cite Slip Op. No. 1601,[23] which was issued in a standards of conduct case also filed by the same complainant, that decision does not support a finding of clear error, as it involves conduct surrounding internal union elections, as opposed to individual grievances.[24] Thus, the caselaw which the Complainant cites does not warrant reversal of the dismissal.

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[17] Motion for Oral Argument at 2.
[18] *WTU v. DCPS*, 72 D.C. Reg. 13824, Slip Op. No. 1930 at 1, PERB Case No. 24-U-19 (2025).
[19] *Id*.
[20] PERB Case No. 22-S-05, Slip Op. No. 1850 (October 19, 2023).
[21] Motion for Reconsideration at 6.
[22] The Complainant cited *Simpson v. FOP/DOC Labor Committee*, Slip Op. No. 1363, but a search of Slip Op. No. 1363 in the PERB database indicated that Slip Op. No. 1363 belongs to the case *AFSCME, Local 292 v. DCPS*, 60 D.C. Reg. 2602 (2013), Slip Op. No. 1363, PERB Case No. 10-U049(a)(2010).
[23] Slip Op. No. 1601 is the slip opinion number associated with the case cited by the Complainant (*Simpson v. FOP/DOC Labor Committee*, 64 D.C. Reg. 709 (2017), Slip Op. No. 1601, PERB Case Nos. 10-S-05, 10-S-07, 10-S-08, 10-S-09 (2010)).
[24] The Complainant appears to cite this case to demonstrate that the Board considers standards of conduct claims under a totality of the circumstances standard that does not require a showing of bad faith. However, the Complainant's argument pertains to the legal soundness of the Union's grievance handling, rather than the dismissal.

The Motion also contends that the Complaint is timely because 1) the Complainant's medical issues warrant equitable tolling;[25] and 2) the Union committed a continuing violation by establishing a deliberate course of conduct rather than isolated incidents.[26] However, these arguments were already discussed and rejected in the dismissal.[27] The Executive Director found that many of the Complainant's allegations were untimely and that those which *were* timely failed to state a claim upon which relief could be granted under the CMPA, as they concerned internal WTU operations, rather than the Union's handling of the Complainant's personal grievances and arbitration. The Complainant has expressed disagreement with the dismissal but has not shown that the Executive Director's reasoning constituted clear error.

For these reasons, the Complainant has failed to show that PERB committed a clear error when it dismissed the Complaint.

III. Conclusion

Accordingly, the Motion for Reconsideration is Denied.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Motion for Reconsideration is 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 Peter Winkler and Members Lee Clark, Mary Anne Gibbons, and Renee Bowser.

October 15, 2026

Washington, D.C.

[25] Motion for Reconsideration at 7.
[26] Motion for Reconsideration at 6.
[27] Administrative Dismissal at 2-3.

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 file an appeal.