

**Government of the District of Columbia
Public Employee Relations Board**

In the Matter of)	
)	
National Association of Government Employees)	
)	
Petitioner)	
and)	
)	PERB Case No. 19-RC-02
District of Columbia National Guard)	
)	Opinion No. 1785
Respondent)	
)	

CERTIFICATION OF ELECTION RESULTS

The results of an election in the above-captioned proceeding have been duly reported to the parties on May 5, 2021, as follows: pursuant to the Decision and Order of the Public Employee Relations Board in Opinion No. 1761, a mail-in secret ballot election was conducted for the following unit:

All employees of the D.C. National Guard, excluding managers, supervisors, confidential employees, or any employees engaged in personnel work in more than a purely clerical capacity, and employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, D.C. Law 2- 139.

The mail ballot election was conducted by Honest Ballot Company. One hundred eleven employees were eligible to vote. Honest Ballot Company mailed each eligible voter their ballot(s) on April 6, 2021. Professional employees received two ballots, one for unit preference and a second for choice of representative. Nonprofessional employees received one ballot, for choice of representative. Only ballots returned to Honest Ballot Company and received by May 4, 2021, were deemed valid. On May 5, 2021, the Board scheduled a virtual teleconference to conduct the ballot tally and determine the outcome of the election based on the majority of the valid votes cast.¹ Each party had observers present for the ballot tally.

None of the professional employees in the proposed unit cast ballots. Therefore, professional employees will be excluded from the unit.²

One hundred seven nonprofessional employees were eligible to vote for choice of representative. The ballot for choice of representative stated: "I desire to be represented for the purpose of collective bargaining on terms and conditions of employment by:" and offered a choice of the National Association of Government Employees (NAGE) or No Union. Twenty-

¹ PERB Rule 514.1.

² PERB Rule 514.3. *See* D.C. Official Code 1-617.09(b)(5).

three employees of the District of Columbia National Guard cast ballots on choice of representative. No ballot was challenged.

The results are hereby reported as follows:

National Association of Government Employees (NAGE)	21	votes
No Union	2	votes
Challenged Ballots	0	votes
Spoiled Ballots	0	votes
Void Ballots	0	votes

Pursuant to Board Rule 515.2, “no 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.” The Board did not receive any objections from the parties regarding the election.

Having received no objections concerning the conduct of the above-described election proceeding, pursuant to Board Rule 515.5, the results of the election, as reported, are hereby certified. The certification will reflect that professionals are excluded from the unit.

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

Washington, D.C.
May

20,

2021

Certificate of Service

This is to certify that the attached Decision and Order in PERB Case No. 19-RC-02, Opinion No.1785 was sent by File and ServeXpress to the following parties on this the 21st day of May 2021.

Lateefah S. Williams
National Association of Government Employees
1020 N. Fairfax Street, Suite 200
Alexandria, VA 22314

William T. Jolley
District of Columbia Office of Labor
Relations and Collective Bargaining
441 4th Street NW, Suite 820 North
Washington, D.C. 20001

/s/ Royale Simms

Public Employee Relations Board

APPEAL RIGHTS

Pursuant to Board Rule 559.2, a party may file a motion for reconsideration within fourteen (14) days, requesting the Board to 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 thirty (30) days after a Board decision is issued to file an appeal.