

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:

The American Federation of Government  
Employees, AFL-CIO,

Petitioner,

and

The District of Columbia Office of  
Labor Relations and Collective  
Bargaining,

Respondent.

PERB Case No. 85-U-06  
Opinion No. 110

DECISION AND ORDER

On November 29, 1984 the American Federation of Government Employees (AFGE) filed an Unfair Labor Practice Complaint (ULP) against the D.C. Office of Labor Relations and Collective Bargaining (OLRCB). The Complaint alleges that the OLRCB violated the Comprehensive Merit Personnel Act (CMPA) by bargaining in bad faith with representatives of AFGE and interfering in AFGE's right to represent Licensed Practical Nurses who are part of Compensation Unit 14. The Complaint specifically alleges that OLRCB violated Section 1-618.16 of the D.C. Code by negotiating multiple contracts with the representatives of Compensation Unit 14. As a result, AFGE claims that certain Licensed Practical Nurses received different compensation settlements than other Licensed Practical Nurses in Compensation Unit 14.

On December 14, 1984 the OLRCB filed its reply, denying that any members of Compensation Unit 14 received different compensation settlements from others in the unit. OLRCB denied that it bargained in bad faith with representatives of AFGE or that it interfered with AFGE's right to represent its members.

The issues before the Board are whether OLRCB bargained in bad faith by interfering in AFGE's right to represent its members and whether the settlement reached with Compensation Unit 14 resulted in some members of the Unit receiving a different wage settlement from others.

After a close examination of the settlement reached between OLRCB and Compensation Unit 14, it is concluded by the Board that all the Licensed Practical Nurses received a similar settlement. There are de minimis differences in call-in and stand-by procedures and pay. These differences are consistent with the existing procedures of the facilities where the Licensed Practical Nurses' are employed.

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The record shows that the representatives of AFGE participated in negotiations and there is no evidence to show that the OLR CB interfered in AFGE's right to represent its members.

O R D E R

IT IS ORDERED THAT:

The Complaint be dismissed.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD  
May 30, 1985