

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 formal 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:

National Association of Government  
Employees, Service Employees  
International Union, AFL-CIO

Petitioner,

and

District of Columbia  
Department of Public Works,  
Office of Financial Services,  
Budget Division,

Agency.

PERB Case No. 95-RC-03  
Opinion No. 424

**DECISION ON UNIT DETERMINATION  
AND DIRECTION OF ELECTION**

On November 17, 1994, National Association of Government Employees, Service Employees International Union, AFL-CIO (NAGE) filed a Recognition Petition with the Public Employee Relations Board (Board). Following a preliminary investigation of the Petition, on January 3, 1995, NAGE amended the proposed unit description in its Petition. NAGE seeks to represent, for purposes of collective bargaining, a unit of all non-supervisory employees of the District of Columbia Department of Public Works, Office of Financial Services, Budget Division (DPW). The Petition was accompanied by a showing of interest meeting the requirement of Board Rule 502.2; a Roster of Petitioner's officers and a copy of Petitioner's Constitution and Bylaws, as required by Rule 501.1(d).

Notices concerning the Petition were issued on February 13, 1995, for conspicuous posting at DPW in accordance with Board Rule 504.3. The Notice required that requests to intervene or comments be filed in the Board's office not later than March 22,

**Decision on Unit Determination  
and Direction of Election  
PERB Case No. 95-RC-03  
Page 2**

1995. The Office of Labor Relations and Collective Bargaining (OLRCB), on behalf of DPW, confirmed in writing that said Notices had been posted.

The unit sought by NAGE is as follows:

"All nonsupervisory employees of the Department of Public Works, Office of Financial Services, Budget Division; excluding all management officials, supervisors, confidential employees, employees engaged in personnel work in other than a purely clerical capacity and employees engaged in administering the provisions of Title XVII of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139."

D.C. Code Sec. 1-618.9(a) requires that a community of interest exist among employees for a unit to be found appropriate by the Board for collective bargaining over terms and conditions of employment. An appropriate unit must also promote effective labor relations and efficiency of agency operations.

Our review of the Petition and attached exhibits reveals that the unit currently consists of the following employee positions: budget analysts and budget assistants. They all interface with each other in a common organizational structure of DPW that supports a common budgetary mission within the Financial Services component of DPW. They all share common supervision.

In view of the above, sufficient factors exist for the Board to find that these employees share a community of interest. Such a unit of employees sharing a common purpose with respect to one of DPW's missions would, in our view, promote effective labor relations and efficiency of agency operations.

To resolve the question concerning representation, the Board orders that an election be held to determine the will of the eligible employees in the unit described above regarding their desire to be represented, or not, by NAGE for purposes of collective bargaining with DPW on compensation and other terms and conditions of employment.

Decision on Unit Determination  
and Direction of Election  
PERB Case No. 95-RC-03  
Page 3

**ORDER**

**IT IS HEREBY ORDERED THAT:**

An election shall be held in accordance with the provisions of D.C. Code Sec. 1-618.10 and Sections 510-515 of the Rules of the Board to determine whether or not all eligible employees desire to be represented for bargaining on terms and conditions of employment by the National Association of Government Employees, Service Employees International Union, AFL-CIO (NAGE).<sup>1/</sup>

**BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD**  
Washington, D.C.

May 19, 1995

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<sup>1/</sup> In its response to the Petition, OLRCB indicated that the a majority of the professional employees must vote for inclusion in the unit. OLRCB later corrected this characterization of the unit and stated that there are no professional employees in the unit that would require separate polling pursuant to Board Rule 510.5.