

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 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:)	
)	
American Federation of Government)	
Employees, Local 1975)	PERB Case No. 20-AC-01
)	
Petitioner)	
)	Opinion No. 1758
and)	
)	
Metropolitan Police Department ¹)	
)	
Respondents)	

DECISION AND ORDER

On July 30, 2020, the American Federation of Government Employees Local 1975 (AFGE Local 1975) filed a Petition for Amending Certification. AFGE Local 1975 seeks to clarify that AFGE Local 1975, and not AFGE Local 3444, is the union representing the bargaining unit described in Certification No. 4R003. The petition is unopposed.

Certification No. 4R003 was issued on January 3, 1974, and granted exclusive representation to AFGE Local 3444 for a unit of:

All non-supervisory Wage Grade employees of the Property Division, Metropolitan Police Department, excluding management executives, supervisory employees and any employees engaged in personnel work in other than a purely clerical capacity.²

AFGE Local 1975 states that, effective June 18, 2019, AFGE Local 3444 merged with AFGE Local 1975.³ The merger was pursuant to a majority vote of AFGE Local 3444 and a majority vote of AFGE Local 1975's pre-merger membership.⁴ AFGE Local 3444 voted for the

¹ The Petition originally named the D.C. Department of Public Works, the D.C. Department of Transportation, the D.C. Department of Motor Vehicles, and the D.C. Department of For Hire Vehicles as the respondents. PERB updated the caption after an initial investigation showed that the employing agency is the Metropolitan Police Department.
² *AFGE, Local 3444 v. MPD*, Certification No. 4R003, PERB Case No. 4R003 (1974).
³ Petition at 2.
⁴ Petition at 2.

merger on February 6, 2019.⁵ AFGE Local 1975 voted for the merger on March 12, 2019.⁶ Voting was conducted per AFGE National Constitution requirements, after all members of AFGE Local 3444 and AFGE Local 1975 had been given adequate notice of and ample opportunity to discuss the terms of the merger.⁷

AFGE Local 1975 states that, under the terms of the merger agreement, AFGE Local 3444 ceases to exist as a separate labor organization and that AFGE Local 1975 becomes AFGE Local 3444's successor for purposes of all "city certifications of representative and representation."⁸ AFGE Local 1975 becomes bound to conduct the negotiation, servicing and enforcement of what had been the AFGE Local 3444's collective bargaining agreement(s), "in substantially the same manner as before...including, but not limited to, the election of bargaining unit negotiations committees, the formulation of contract proposals, the negotiation of contract provisions, contract ratification, the processing of grievances, and arbitration once contracts are reached."⁹

Board Rule 516.1 states that "an exclusive representative may file a petition with the Board to amend its certification when there is a change in the identity of the exclusive representative that does not raise a question concerning representation (e.g. whether the employees have designated a particular organization as their bargaining agent). A change in the identity of the representative that does not raise a question concerning representation may include a change in the name of the labor organization." AFGE Local 1975 states that no question concerning representation is raised, because bargaining unit employees fall under the same parent union organization and were afforded reasonable opportunity to object to the merger. Under the merger, bargaining unit employees were guaranteed continuity of representation and AFGE Local 3444 ceased to exist as a result of the merger.¹⁰

The uncontroverted facts presented by AFGE Local 1975 support the Petition. Furthermore, PERB received no opposition or comments from the Office of Labor Relations and Collective Bargaining regarding the Petition. Thus, in accordance with Board Rule 516, AFGE Local 1975's Petition is granted.

ORDER

IT IS HEREBY ORDERED THAT:

1. Certification No. 4R003 is amended to reflect that AFGE Local 1975, and not AFGE Local 3444, is the union representing the bargaining unit described in the Certification.

⁵ Exhibit 1.

⁶ Exhibit 2.

⁷ Petition at 2.

⁸ Petition at 2.

⁹ Petition at 2.

¹⁰ Petition at 3.

2. Nothing in this Order is to be construed as altering the scope of the bargaining unit except in the manner discussed in this Decision.
3. Pursuant to Board Rule 559, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By unanimous vote of the Board Chairperson Douglas Warshof, Members Ann Hoffman, Barbara Somson, Mary Anne Gibbons, and Peter Winkler.

September 17, 2020

Washington, D.C.

CERTIFICATE OF SERVICE

This is to certify that the attached Decision and Order in PERB Case No. 20-AC-01, Opinion No. 1758 was served to the following parties via File & ServeXpress on this the 29th day of September 2020:

Rushab Sanghvi
AFGE Local 1975
80 M Street NW
Washington, D.C. 20003

Kimberly Turner
DC Office of Labor Relations and
Collective Bargaining
441 4th Street NW
Suite 820 North
Washington, D.C. 20001

/s/ Merlin M. George
Merlin M. George
Attorney Advisor