

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 631 |) | |
| |) | |
| Petitioner |) | PERB Case No. 22-RC-01 |
| |) | |
| and |) | Opinion No. 1820 |
| |) | |
| |) | |
| D.C. Office of the State Superintendent of Education, Division of Student Transportation, |) | |
| |) | |
| Respondent |) | |

CERTIFICATION OF REPRESENTATIVE

On November 18, 2021, the American Federation of Government Employees, Local 631, (Petitioner), filed a petition for exclusive recognition and a noncompensation unit determination (Petition) seeking to represent a new bargaining unit at the District of Columbia Office of the State Superintendent of Education, Division of Student Transportation (OSSE) for the purpose of collective bargaining.¹

On July 21, 2022, the Board found the proposed unit appropriate for collective bargaining and ordered an election in the absence of voluntary recognition by OSSE.² Among other things, the Board found that Petitioner had submitted a more than fifty percent showing of interest that complied with the Board’s Rules.³ On September 23, 2022, OSSE submitted a statement that it will voluntarily recognize the Petitioner as the exclusive representative of the proposed bargaining unit.⁴

¹ Petition at 1.

² *AFGE Local 631 and OSSE*, 69 D.C. Reg. 0151, Slip Op. No. 1816 at 5, PERB Case No. 22-RC-01 (2022).

³ *Id.* at 5.

⁴ OSSE Position Letter.

The Board finds in all other respects that the requirements of D.C. Official Code § 1-617.10(b)(1) and Board Rule 503.17 have been met. A certification of representation shall be granted to the Petitioner without an election.

ORDER

IT IS HEREBY ORDERED THAT:

1. The following unit is an appropriate unit for collective bargaining over terms and conditions of employment:

All employees in Fleet Maintenance Assistant and Fleet Maintenance Assistant (Operator) positions RW-5701 with the Office of the State Superintendent of Education, Division of Student Transportation, Fleet Maintenance, excluding managers, supervisors, confidential employees, or any employees engaged in personnel work other than in 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.

2. Pursuant to D.C. Official Code § 1-617.10(b)(1) and in accordance with Board Rule 503.17, the Office of the State Superintendent of Education is approved to voluntarily recognize, without an election, the American Federation of Government Employees, Local 631, as the bargaining representative of the unit found to be appropriate above.
3. The attached Certification of Representative is granted to the American Federation of Government Employees, Local 631, as the exclusive collective bargaining representative for the above-described unit for collective bargaining over terms and conditions of employment.
4. 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 Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons and Peter Winkler.

October 20, 2022
Washington, D.C.

APPEAL RIGHTS

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