

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**

	)	
	)	
The American Federation of Government	)	
Employees, Local 2978	)	
	)	
Petitioner	)	PERB Case No. 26-CU-03
	)	
v.	)	Opinion No. 1973
District of Columbia Commission on the Arts	)	
and Humanities	)	
	)	
Respondent	)	
	)	

DECISION AND ORDER ON COMPENSATION UNIT DETERMINATION

I. Statement of the Case

On August 21, 2026, this office received a Joint Petition for Compensation Unit Determination (Petition) from the American Federation of Government Employees Local 2978 and District of Columbia Commission on the Arts and Humanities (CAH) in the above-captioned case.

For the reasons stated herein, the Board grants the Petition, assigning all employees in the bargaining unit to Compensation Unit 1 and 2, as appropriate.

II. Background

AFGE is the certified, exclusive representative for a bargaining unit described as:

All nonprofessional Career Service employees in the Grant Department, Resource Allocation Department, Public Art Department, Events Department, Communications Department, and Outreach Department within the Commission on the Arts and Humanities, excluding management officials, supervisors, confidential employees, 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 Merit Personnel Act of 1978, D.C. Law 2-139.

On August 21, 2026, the parties filed a joint petition requesting that the bargaining unit certified by PERB in Case No. 26-RC-01 (Certification No. 180) be placed into Compensation Unit 1 and 2, as appropriate.

III. Discussion

The Petition is properly before the Board. The parties jointly filed this petition before the Board and request that PERB designate Compensation Unit 1 and 2 as the appropriate unit for compensation bargaining for the bargaining unit described above in Certification Number 180. Compensation Unit 1 is most applicable to Certification No. 180. Compensation Unit 1 and 2 share one compensation agreement. Compensation Unit 1 is described as:

Compensation Unit 1 - Consisting of all career service, professional technical, administrative and clerical employees who currently have their compensation set in accordance with the District Service (DS) Schedule and who come within the personnel authority of the Mayor of the District of Columbia, the Board of Trustees of the University of the District of Columbia, and the District of Columbia Board of Library Trustees, except physician [sic] employed by the 2 Department of Human Services and the Department of Corrections and Registered Nurses employed by the Department of Human Services.

The non-compensation bargaining unit is composed of approximately twenty-eight (28) employees who are nonprofessional Career Service employees. The general position classifications include qualifying employees in the following departments: Grant Department; Resource Allocation Department; Public Art Department; Events Department; Communications Department; and Outreach Department. All the employees are in the Career Service and on the District Service pay retirement, and compensation system.

PERB Rule 503.3(d) requires a showing that the proposed unit consists of broad occupational groups. Compensation Unit 1 covers broad occupational groups. Additionally, the transition of affected CAH employees to Compensation Unit 1 will be consistent with D.C. Official Code § 1-617.09(b).¹ Therefore, the statutory requirements have been satisfied.

¹ § 1-617.09(b). A unit shall not be established if it includes the following:

- (1) Any management official or supervisor: Except, that with respect to fire fighters, a unit that includes both supervisors and nonsupervisors may be considered: Provided, further, that supervisors employed by the District of Columbia Public Schools may form a unit which does not include nonsupervisors;
- (2) A confidential employee;
- (3) An employee engaged in personnel work in other than a purely clerical capacity;
- (4) An employee engaged in administering the provisions of this subchapter;
- (5) Both professional and nonprofessional employees, unless a majority of the professional employees vote or petition for inclusion in the unit;
- (6) Employees of the Council of the District of Columbia; or
- (7) Employees within the Educational Service in the District of Columbia Public Schools and the Office of the State Superintendent of Education who serve without tenure pursuant to [§ 1-608.01a]

IV. Conclusion

Accordingly, the Board grants the parties' joint petition, placing the bargaining unit employees into Compensation Unit 1.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Joint Petition for Compensation Unit Determination is granted; and
2. The following employees are placed in Compensation Unit 1:
All nonprofessional Career Service employees in the Grant Department, Resource Allocation Department, Public Art Department, Events Department, Communications Department, and Outreach Department within the Commission on the Arts and Humanities, excluding management officials, supervisors, confidential employees, 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 Merit Personnel Act of 1978, D.C. Law 2-139.
3. 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 Peter Winkler and Members Lee Clark, Mary Anne Gibbons, and Renee Bowser.

October 15, 2026

Washington, D.C.

APPEAL RIGHTS

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 file an appeal.