

Notice: This decision may be formally revised within thirty days of issuance 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 challenge to the decision.

**Government of the District of Columbia  
Public Employee Relations Board**

_____	)	
In the Matter of:	)	
	)	
American Federation of Government	)	
Employees, Local 2978	)	
	)	PERB Case No. 25-RC-02
Petitioner	)	
	)	Opinion No. 1940
and	)	
	)	
District of Columbia Department of	)	
Energy and Environment	)	
	)	
Respondent	)	
_____	)	

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

**I. Statement of the Case**

On September 23, 2025, the American Federation of Government Employees, Local 2978 (AFGE) filed an amended<sup>1</sup> petition for exclusive recognition and noncompensation unit determination (Petition), seeking to represent a proposed bargaining unit at the District of Columbia Department of Energy and Environment (DOEE), consisting of two (2) Grants and Contract Management Specialists – CS-1101-13, and one (1) Grants and Contract Management Specialist – CS-1101-12.<sup>2</sup> AFGE submitted signed dues authorization cards demonstrating that at least thirty percent (30%) of the employees in the proposed unit desired AFGE’s representation, as required under Board Rule 503.2.

On September 25, 2025, DOEE filed comments (Comments) in response to the Petition. Pursuant to Board Rule 503.3, the Comments included an alphabetical list of the three (3) employees who occupied positions in the proposed unit.<sup>3</sup> In the Comments, DOEE agreed to an election, provided the proposed bargaining unit be described as follows:

<sup>1</sup> The amended petition corrected deficiencies PERB identified in the initial petition, filed September 9, 2025.  
<sup>2</sup> Petition at 1.  
<sup>3</sup> Comments at 1.

All career service employees in the Grants and Contract Management Specialist DS-12 position and Grants and Contract Management Specialist DS-13 position within the Department of Energy and Environment – Grants Management 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 Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139.<sup>4</sup>

On October 24, 2025, PERB held an informal conference, at which AFGE consented to the unit description that DOEE had proposed. On October 27, 2025, as required under Board Rule 503.10, DOEE posted a notice which described the proposed unit and provided affected labor organizations with the opportunity to intervene in the instant case. There were no intervenors.

## **II. Discussion**

The Board has established that, pursuant to Board Rule 503.17, an election is necessary for certification of a proposed bargaining unit, unless the agency has notified PERB of its intention to voluntarily recognize the unit.<sup>5</sup> Here, DOEE has declined to voluntarily recognize the unit. Therefore, an election is necessary.

## **III. Conclusion**

An election shall be held to determine whether a majority of eligible employees in the proposed unit desire recognition of AFGE, Local 2978 as their exclusive representative.

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<sup>4</sup> Comments at 2.

<sup>5</sup> *AFGE, Local 631 and OSSE*, 69 D.C. Reg. 10151, Slip Op. No. 1816 at 5, PERB Case No. 22-RC-01 (2022).

**ORDER**

**IT IS HEREBY ORDERED THAT:**

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

All career service employees in the Grants and Contract Management Specialist DS-12 position and Grants and Contract Management Specialist DS-13 position within the Department of Energy and Environment – Grants Management 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 Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139;

2. An election shall be held in accordance with the provisions of D.C. Official Code § 1-617.10 and Board Rule 510 to determine whether a majority of eligible employees in the uncontested proposed unit desire to be represented for bargaining on terms and conditions of employment by the American Federation of Government Employees, Local 2978 or no union; and
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 Douglas Warshof and Members Renee Bowser, Mary Anne Gibbons, and Peter Winkler.

December 18, 2025  
**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.