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DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD
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Government of the District of Columbia
Public Employee Relations Board

Ronald Robinson Complainant v. District of Columbia Public Schools, Washington Teachers' Union Local 6, Office of the Attorney General, Mayor's Office of Legal Counsel, and Executive Office of the Mayor Respondent	PERB Case No. 26-E-01 Opinion No. 1975 Motion for Reconsideration

DECISION AND ORDER

I. Statement of the Case

On February 17, 2026, this office received an amended[1] enforcement petition (Petition) in the above-captioned proceeding.[2] The Petition sought enforcement of the Board's decisions in Opinion Nos. 1830 and 1875, which ordered DCPS to reinstate the Petitioner to his prior teaching position and provide make whole relief.[3] The Petitioner asserted that the District of Columbia Public Schools (DCPS) refused to implement the make whole mandate, thereby profiting from its own obstruction.[4] The Petitioner further alleged that DCPS' failure to comply prevented him from satisfying his licensure renewal requirements, causing his credentials to lapse.[5] The Petition further alleged that the Complainant was reinstated to a position on September 1, 2023, but that

[1] The February 17, 2026 amendment cured deficiencies identified in the previous versions, filed January 15 and February 4, 2026.
[2] The Petitioner filed two motions for preliminary relief on February 4, 2026, and February 13, 2026. This case is dismissed, rendering those motions moot.
[3] *DCPS v. WTU, Local #6*, 71 D.C. Reg. 10654, Slip Op. No. 1875, PERB Case No. 24-A-04 (2024) and *DCPS v. WTU, Local #6 AFT*, 70 D.C. Reg. 3472, Slip Op. No. 1830, PERB Case No. 22-A-02 (2023).
[4] Amended Petition at 8.
[5] Amended Complaint at 3.

the position was a "sham" and failed to toll the clock on his license status.[6] DCPS filed an answer and motion to dismiss (Motion to Dismiss) on February 25, 2026, asserting that the Petitioner lacks standing to bring this case. On June 12, 2026, the motion to dismiss was granted and the matter was dismissed for lack of standing.

On July 10, 2026, the Complainant filed a motion for reconsideration (Motion), presenting numerous arguments. Firstly, the Complainant argues that the dismissal disregards what he alleges is controlling precedent recognizing individual standing where the union has breached its duty of fair representation.[7] The Complainant further asserts that this case should be consolidated with the standards of conduct and unfair labor practice complaints he filed contemporaneously.[8] The Motion argues that the dismissal of the instant case immunizes non-compliant employers and nullifies the Board's enforcement authority.[9] The Motion further argues that assertions regarding the Complainant's disability were mistakenly applied to the analysis of his standing, claiming that information was exclusively provided as evidence that the Union had breached its duty of fair representation.[10]

On July 24, 2026, DCPS filed an opposition (Opposition) to the Motion, arguing that, except where a union has breached its duty of fair representation, the union has the sole right to file a petition for enforcement of a PERB order affirming a grievance arbitration award.[11] DCPS further argues that the Complainant misapplies and misinterprets District law, applying *Williams v. D.C. Department of General Services* to this matter even though that case involves arbitration review request grievances, not petitions to enforce PERB orders.[12] DCPS additionally argues that the Complainant relies on *Board of Trustees v. Myers*, 652 A.2d 642 (1995) as a basis for his Motion for Reconsideration, but that this reliance is misplaced as that case is inapplicable to this matter.[13]

Complainant filed a Motion for Leave to File a Reply Brief to Respondent's Opposition on July 31, 2026. PERB issued a letter granting the motion, and allowing Complainant until August 28, 2026, to file a reply. No reply was filed by that date.

On August 31, 2026, DCPS filed a combined motion to dismiss the Complainant's motion for reconsideration, deny any further pleadings, and deny the Complainant's request for oral arguments before the Board. DCPS argues that the Complainant's failure to file a reply brief signifies agreement with DCPS's opposition to the Motion for Reconsideration.[14]

On September 1, 2026, the Complainant filed a Motion for Leave to File Reply Brief Instanter and Reply Brief in Support of Motion for Reconsideration. In this motion, the

[6] Amended Complaint at 3.
[7] Motion for Reconsideration at 4.
[8] Motion for Reconsideration at 6 (referencing PERB Case Nos. 26-U-17 and 26-S-01).
[9] Motion for Reconsideration at 6.
[10] Motion for Reconsideration at 7.
[11] DCPS' Opposition at 3.
[12] DCPS' Opposition at 5-6.
[13] DCPS' Opposition at 6-7.
[14] Motion to Dismiss at 3.

Complainant argues that his delay in filing was due to international travel for an extended course of medical treatment as well as email delivery delays.[15] The motion goes on to make several arguments in support of the Complainant's Motion for Reconsideration.[16] The Complainant's Motion for Leave to File Reply Brief Instanter and Reply Brief in Support of Motion for Reconsideration was not submitted by the already extended deadline, and therefore will not be considered.

For the reasons discussed herein, the Motion for Reconsideration is Denied.

II. Discussion

The standard for a motion for reconsideration is clear error.[17] The party moving for reconsideration must provide authority that would warrant a reversal of the initial decision.[18] A motion that does not provide a basis for reversal of an initial decision will be denied.[19] PERB Rule 560.1 provides that:

> A prevailing party in a case may petition the Board to seek judicial process to enforce an order of the Board issued in the case if:
>
> (a) The respondent in the case has failed to comply with the order;
>
> (b) Neither a motion for reconsideration nor a request for judicial review is pending in the case; and
>
> (c) No timely request for reconsideration or judicial review of the order remains available.

The Complainant seeks enforcement of an order in a case where he is not a prevailing party. While the underlying cases Petitioner cites concerned the Petitioner, he was represented by the Washington Teachers Union, Local #6 and thus, was not himself a prevailing party. Thus, the Complainant does not have standing under Board rule 560.1. Furthermore, the caselaw cited in the Motion is inapplicable, as the Complainant asserts that he has standing because, in his view, the Union has violated its duty of fair representation.[20] However, the Executive Director found that allegations related to a violation of the duty of fair representation were both untimely and failed to state a claim. Thus, the Complainant's argument is unavailing.

For these reasons, the Complainant has failed to show that PERB committed a clear error when it dismissed the Complaint.

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[15] Motion for Leave to File Reply Brief Instanter and Reply Brief in Support of Motion for Reconsideration at 2.
[16] The Motion discusses what the Complainant perceives as PERB's failure to evaluate the operative docket, including filings the Complainant submitted to cure "statutory references" and typographical errors. The Complainant argues that by overlooking these filings, PERB denied him due process. The filings in question did not affect the outcome in this matter because the case was dismissed due to untimeliness and failure to state claims regarding those issues which were timely. The Complainant's additional filings do not affect the reasons for dismissal and therefore were not specifically addressed.
[17] *WTU v. DCPS*, 72 D.C. Reg. 13824, Slip Op. No. 1930 at 1, PERB Case No. 24-U-19 (2025).
[18] *Id*.
[19] *Id*.
[20] Motion at 5.

III. Conclusion

Accordingly, the Motion for Reconsideration is Denied.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Motion for Reconsideration is denied; and

2. 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.