

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:)

International Brotherhood of)
Teamsters, Chauffeurs, Warehousemen)
and Helpers of America,)
Locals No. 2000, and 639,)

Petitioners,)

and)

District of Columbia)
Public Schools,)

Agency.)

PERB Case No. 89-R-06
Certification No. 52
(As amended
October 6, 1989)

AMENDED CERTIFICATION OF REPRESENTATIVE

On July 10, 1989, Teamsters Local Unions No. 2000 and 639 filed "Petition to Amend Certification," requesting that the Public Employee Relations Board (Board) amend the Certification of Representative for a unit previously found appropriate by the Board for collective bargaining on terms and conditions of employment, ^{1/} to reflect the designation of Local 639 as the exclusive representative instead of Local 2000.

According to the Petitioners, the purpose of this request is to accommodate the will of the majority of employees in the unit, as determined by a secret ballot election conducted on May 9, 1989, to be represented by Local 639. ^{2/}

^{1/} Certification No. 52, PERB Case No. 88-R-02 (March 8, 1989).

^{2/} Petitioners point out in p. 2 of the Petition that Local 639 represents "thousands of employees of the Board of Education, whereas Local 2000 does not represent any other employees of the District of Columbia or the Board of Education." According to PERB Certifications No. 35, 36, 37, 38, 39, 47 and 50, Teamsters, Locals No. 639 and 730 jointly represent, within DCPS, the Operating Engineers Unit, Transportation and Warehouse Service Unit, Cafeteria Management Unit, Cafeteria Worker Unit and a consolidated unit of custodians and maintenance and repair employees.

Notices concerning the Petition were posted in accordance with Interim Board Rule 101.11. On July 31, 1989, D.C. Public Schools (DCPS) filed "Agency's Opposition to Petition to Amend Certification," wherein it contended that "Local 2000's bargaining unit members are engaged in work that is fundamentally different in wages, hours and other conditions of employment from Local 639 bargaining unit members." (Opposition p.3) Therefore, according to DCPS, there would be no community of interest among the employees should the Board grant the Petitioner's request.

The Board, having investigated and considered this matter, grants the Petitioner's request to amend the Certification of Representative by changing the designated exclusive representative from Local 2000 to Local 639. We reject DCPS's contentions as irrelevant and immaterial since the Petition does not seek to alter, expand or modify the existing unit, but merely to transfer it to a local of the unit members' choice, that has an established labor-management relationship with D.C. Public Schools by virtue of its exclusive representation of other DCPS bargaining units.

The Board is satisfied that the Petitioners have complied with the provisions of D.C. Code Sections 1-618.3 and 1-618.10 and Board Rule 101.3 by having previously filed with the Board a list of Local 639's current officers, a copy of the Local's constitution containing a statement of objectives, and by having submitted an affidavit affirming that a secret ballot election was conducted which resulted in a majority vote by the unit members to be represented exclusively in collective bargaining with DCPS by Local 639.

THEREFORE, pursuant to the authority vested in the Board by D.C. Code Sections 1-605.2(1), and (2) and 1-618.10(a), and in accordance with the Interim Rules of the Board 101.10 - .12;

ORDER


IT IS HEREBY ORDERED THAT:

Certification No. 52 is amended to substitute Local 639 for Local 2000 as the exclusive representative of the following unit for purposes of collective bargaining:

Amended Certification of Representative
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UNIT:

"All Attendance Counselors in the EG-09 classification; excluding management executives, confidential employees, supervisors, 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."



Margaret P. Cox
Executive Director

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD
Washington, D.C.

October 6, 1989

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:)	
)	
International Brotherhood of)	
Teamsters, Chauffeurs, Warehousemen)	
and Helpers of America,)	PERB Case No. 89-R-06
Local 639,)	Certification No. 52
)	(Amended October 6, 1989)
)	
Petitioner,)	
)	
and)	
)	
District of Columbia)	
Public Schools,)	
)	
Agency.)	
)	

AUTHORIZATION

Pursuant to Sections 502(a) and 1716(b) of the District of Columbia Merit Personnel Act of 1978, (D.C. Code Sections 1-605.2 and 1-618.16(b)) the Public Employee Relations Board has determined that the unit found appropriate for non-compensation bargaining as described in the "Certification of Representative" issued by the Board on March 8, 1989 and amended on October 6, 1989, ^{1/} shall also constitute a unit for the purpose of compensation bargaining described as follows:

UNIT # 26

Consisting of all attendance counselors employed by the District of Columbia Public Schools who have their compensation set in accordance with the EG-9 classification schedule, and who are currently represented by a labor organization certified as the

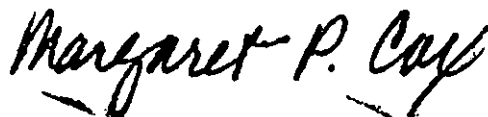
^{1/} The amended certification does not alter the unit description.

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exclusive bargaining agent for both compensation and non-compensation bargaining by the PERB.

BY AUTHORITY OF THE PUBLIC EMPLOYEE RELATIONS BOARD
Washington, D.C.

January 17, 1990

A handwritten signature in black ink that reads "Margaret P. Cox". The signature is written in a cursive style with a horizontal line underneath the name.

Margaret P. Cox
Executive Director

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:)	
)	
International Brotherhood of)	
Teamsters, Chauffers, Warehousemen)	
and Helpers of America, Local 2000,)	
)	
Petitioner,)	
)	
and)	PERB Case No. 88-R-02
)	Certification No. 52
)	
District of Columbia)	
Public Schools,)	
)	
Agency,)	
)	
and)	
)	
Washington Teachers' Union,)	
)	
Intervenor.)	
)	

CERTIFICATION OF REPRESENTATIVE

A representation proceeding having been conducted in the above-captioned matter by the District of Columbia Public Employee Relations Board (Board), in accordance with the District of Columbia Comprehensive Merit Personnel Act of 1978 and the Interim Rules of the Board, and it appearing that an exclusive representative has been designated;

Pursuant to the authority vested in the Board by D.C. Code Sections 1-605.2(1), (2) and 1-618.10(b)(1) and the Interim Rules of the Board Sections 102.1 - 102.3;

IT IS HEREBY CERTIFIED THAT:

The Teamsters, Local 2000 has been designated by a majority of the employees of the above named public employer, in the unit described below, as their preference for exclusive representative for the purpose of collective bargaining concerning both


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compensation and terms-and-conditions matters with the employer.

UNIT: "All Attendance Counselors in the EG-09 classification; excluding management executives, confidential employees, supervisors, 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."

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD
Washington, D.C.

March 8, 1989



Margaret P. Cox
Executive Director