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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-U-17 Opinion No. 1976 Motion for Reconsideration

DECISION AND ORDER

I. Statement of the Case

On February 12, 2026, PERB received an amended[1] unfair labor practice complaint (Complaint) in the above-captioned proceeding. The Complaint alleged that the District of Columbia Public Schools (DCPS), the Office of the Attorney General (OAG), the Executive Office of the Mayor (EOM), and the Mayor's Office of Legal Counsel (MOLC) committed unfair labor practices by retaliating against the Complainant for protected union activity[2]; dominating and interfering with the ability of the Washington Teachers' Union, Local 6 (WTU) to represent him[3]; and failing to comply with the Board's decisions in Opinion Nos. 1830 and 1875,[4] which ordered DCPS to reinstate the terminated Complainant to his prior teaching position and provide make

[1] The February 12, 2026 amendment cured deficiencies identified in the initial complaint, filed January 14, 2026. On February 26, 2026, the Complainant filed an additional amendment. PERB did not issue a deficiency notice concerning that amendment. However, regardless of whether the amendment is considered part of the record, the instant determination remains the same.
[2] Complaint at 12, 15-16 (citing D.C. Official Code §§ 1-617.04(a)(1) and (a)(4)).
[3] Complaint at 14-15 (citing D.C. Official Code § 1-617.04(a)(2)).
[4] *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).

whole relief.[5] The Complaint further alleged that WTU breached its duty of fair representation by colluding with DCPS to avoid compliance with those Board decisions.[6]

On March 3, 2026, OAG filed a motion to dismiss and opposition (OAG Motion to Dismiss) asserting that the Complaint fails to state a claim upon which relief may be granted.[7] On March 10, 2026, DCPS, MOLC, and EOM submitted a joint answer and motion to dismiss (Joint Motion to Dismiss), asserting failure to state a claim, as well as untimeliness.[8] On April 8, 2026, WTU filed a motion to dismiss (WTU Motion to Dismiss), asserting that the Complaint is untimely and fails to state a claim against WTU.[9] On June 12, 2026, the motion to dismiss was granted and the matter was dismissed for untimeliness and failure to state a claim.

On July 10, 2026, the Complainant filed a motion for reconsideration (Motion), which presented numerous arguments. Firstly, the Motion contends that the instant case was dismissed without accounting for corrections[10] which the Complainant filed in the record.[11] The Motion further argues that the Executive Director cited authority and then refused to apply it.[12] Additionally, the Complainant contends that this case, as well as the contemporaneous dismissal in 26-S-01, denied him the opportunity to adjudicate the merits of either case.[13] The Motion asserts that the Executive Director committed legal error by finding, in the dismissal, that a hybrid duty of fair representation claim is a nonexistent cause of action.[14] The Complainant argues that the dismissal mischaracterized his disability discrimination evidence and that it was intended to support his claims, not to be treated as an individual claim.[15] The Complainant further states that the dismissal admits the Complainant cured any licensure deficiency and, thus, the Executive Director made an error warranting reversal.[16] The Complainant disagrees with the dismissal's characterization of events as vague, and argues that the dismissal treats the settlement structure as background rather than affirmative evidence of the violations alleged.[17] Lastly, the Motion argues that the Executive Director's equitable tolling and continuing violation analyses did not consider what the Complainant describes as "extraordinary facts" involving medical treatment which he received between July and October 2025.[18]

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[5] Complaint at 15-16 (citing D.C. Official Code § 1-617.04(a)(2)). The Complainant also asserts that DCPS violated the Americans with Disabilities Act (ADA). The Board enforces the CMPA. Alleged violations of federal law, such as the ADA, are outside of its jurisdiction and, therefore, will not be addressed herein.
[6] Complaint at 2, 5-6, 8-9, and 17. The related matter of PERB Case No. 26-S-01 delves further into the Complainant's allegations against WTU.
[7] OAG Motion to Dismiss at 2.
[8] Joint Motion to Dismiss at 1-3.
[9] WTU's Motion to Dismiss.
[10] The Complainant filed an Administrative Letter on April 25, 2026, which the Motion refers to as "corrections."
[11] Motion 4.
[12] Motion 5.
[13] Motion 5.
[14] Motion 5.
[15] Motion 6.
[16] Motion 7.
[17] Motion 7 and 8.
[18] Motion 8.

On July 24, 2026, the Office of the Attorney General for the District of Columbia (OAG) submitted an opposition to the Motion. The Complainant filed a voluntary concession on July 31, 2026, withdrawing all claims against OAG without prejudice.

On July 24, 2026, WTU filed an opposition (Opposition) to the Motion, contending that the Complainant offers no authority that compels reversal of the dismissal, and that he merely disagrees with the decision issued in this matter.[19]

Further, on July 24, 2026, DCPS, MOLC, and EOM submitted a joint opposition (Joint Opposition) to the Motion. In the Joint Opposition, the agencies argue that the Motion does not identify any authority warranting reversal of the dismissal based on legal error.[20] The Joint Opposition further asserts that Complainant's Motion fails to demonstrate how the Executive Director's determination was unlawful, unreasonable, or unsupported by the record, contending that the Complainant simply disagrees with the determination.[21]

The 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 giving the Complainant until August 28, 2026, to file a reply. No reply was filed by that date. 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 that motion, the 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.[22] The Complainant makes several arguments in support of his Motion.[23] As the Complainant's Motion for Leave to File Reply Brief Instanter and Reply Brief in Support of Motion for Consideration was not submitted by the already extended deadline, the Board declines to consider it.

On August 20, 2026, the Complainant filed a motion for oral argument before the full Board. The Complainant argues in the motion that he is seeking an opportunity to argue before the Board to clarify "procedural complexities"[24] in his multiple cases that he believes have been overlooked in the dismissals issued in his cases. The Complainant's request is overly broad and is therefore denied.

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

II. Discussion

[19] WTU's Opposition at 1-2.
[20] Joint Opposition at 2.
[21] Joint Opposition at 2-3.
[22] Motion for Leave to File Reply Brief Instanter and Reply Brief in Support of Motion for Reconsideration at 2.
[23] 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.
[24] Motion for Oral Argument at 2.

The standard for a motion for reconsideration is clear error.[25] The party moving for reconsideration must provide authority that would warrant a reversal of the initial decision.[26] A motion that does not provide a basis for reversal of an initial decision will be denied.[27] In the instant case, the Complainant disagrees with the decision in this matter, and argues why he believes the Executive Director was incorrect, but the authority he provides does not warrant a reversal of the initial decision. The Complainant cites *Board of Trustees of the University of the District of Columbia v. Myers*[28]in an attempt to reverse the dismissal by arguing that a hybrid breach of duty claim is an established mechanism by which an employee whose union breached its duty may obtain relief. However, the Complainant misunderstands both the reasoning in the dismissal and the case law he cites. In *Myers*, the court explained that "[u]nder the federal Labor Management Relations Act, 29 U.S.C. § 185 (1988), an employee faced with a union's refusal to bring a complaint against the employer to arbitration may file a so-called 'hybrid' action against the union and the employer together in federal court." *Id at 647.* Regardless, a hybrid claim is not actionable in this matter because the Complainant failed to state a claim upon which relief can be granted. The dismissal in this matter found that many of the Complainant's allegations were untimely. As explained in the June 12, 2026 Dismissal, the case was initiated on January 14, 2026, and therefore, any allegations before September 16, 2025, are time-barred under Board Rule 520.4. Many of the alleged violations in the Complaint occurred before September 16, 2025. Additionally, the timely allegations, namely, the post-September 16, 2025 allegations, failed to state a claim upon which relief can be granted. The Executive Director found that even if the allegations were found to be true, none of the Complainant's timely allegations and facts would entitle him to any relief under the CMPA.[29] The Complainant has expressed disagreement with the dismissal but has not shown that the Executive Director's reasoning constituted clear error. Further, the Board has held that "it will not consider evidence presented for the first time or new arguments raised in a motion for reconsideration."[30] To the extent that any new arguments were made in the motion for reconsideration, they will not be considered in this determination.

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

III. Conclusion

Accordingly, the Motion for Reconsideration is Denied.

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[25] *WTU v. DCPS*, 72 D.C. Reg. 13824, Slip Op. No. 1930 at 1, PERB Case No. 24-U-19 (2025).
[26] *Id*.
[27] *Id*.
[28] *Board of Trustees of the University of the District of Columbia v. Myers*, 652 A.2d 642, 645 46 (D.C. 1995)
[29] Executive Director's Administrative Dismissal Letter at 2-3.
[30] *MPD v. FOP/MPD Labor Comm.*, 71 D.C. Reg. 127111, Slip Op. No. 1882 at 2, PERB Case No. 24-A-05 (2024); *Andebrhan Berhe v. WTU*, 66 D.C. Reg. 15811, Slip Op. No. 1723 at 2, PERB Case No. 19-U-08 (2019); *Kenneth Johnson v. D.C. Gov't and MPD*, 63 D.C. Reg. 6485, Slip Op. No. 1567 at 2, PERB Case No. 15-U-40 (2016).

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.