

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:)
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Council of School Officers,)
Local 4, American Federation)
of School Administrators,)
AFL-CIO,)
)
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Petitioner,)
)
)
and)
)
)
District of Columbia)
Board of Education,)
)
)
Agency.)
_____)

PERB Case No. 88-R-13
Opinion No. 211

DECISION AND ORDER

On September 27, 1988 the Council of School Officers, Local 4, American Federation of School Administrators, AFL-CIO (CSO) filed a Petition for Unit Clarification And/Or Amendment in accordance with Interim Rule 101.10 of the Public Employee Relations Board (Board). CSO seeks to add to the existing ET School Officers bargaining unit ET-10, ET-11 and ET-12 School officers in the classifications of Counseling Psychologists, Case Managers, Program Developers, Program Specialists, Social Workers, Speech Pathologists, Social Services Workers, Attendance Social Workers, Career Counselors, Instructional Specialists, and Special Education Specialists in facilities and programs of the Board of Education. ^{1/} According to the Petition the job

^{1/} The Board notes that the Petition incorrectly identified the unit as "ET-6 through ET-14." The existing ET School Officers unit is comprised of "All employees employed by the Board in the ET-6 through ET-12 Classification; but excluding confidential employees, employees engaged in personnel work in other than a purely clerical capacity, employees engaged in administering the provisions of Title XVII of the Comprehensive Merit Personnel Act of 1978." Council of School Officers, Local 4, American Federation of School Administrators, AFL-CIO and District of Columbia Board of Education, PERB Case No. 88-R-06, Certification No. 51 and Certification No. 19 (As Amended June 13, 1988).

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locations of these positions are Logan Child Study Center, Oak Hill, the Receiving Home and the S.W.A.T. Team. In support of its Petition, CSO has attached a letter containing the purported signatures of employees who are affected by the Petition, which states that they desire inclusion in the ET bargaining unit.

Notices concerning the filing of the instant Petition were posted on October 11, 1988. Corrected Notices were posted on October 28, 1988 and included job titles listed in an Addendum to the Petition, but inadvertently omitted from the prior Notice. A number of letters were received in response to the Notice, all from individual employees and all in support of granting the Petition. There was one request to intervene filed by an individual. One letter suggested that an additional job site be included with the locations listed in the Petition. No comments or requests to intervene were filed by any labor organization.

The District of Columbia Public Schools (DCPS) filed a response to the Petition on December 12, 1988. DCPS stated that it does not oppose the inclusion of these job titles in the ET School Officers bargaining unit.

The Board has reviewed carefully the pleadings of the parties and rules as follows:

The Request To Intervene is denied. There is no provision in Board Rules 101.6 and 101.7 for an individual to intervene in a unit clarification petition. According to Board Rules 101.6 and 101.7 only requests to intervene from a "labor organization" can be entertained by the Board.

Since the plain wording of the certification includes those ET-6 through ET-12 job classifications set forth in the Petition and the attached Addendum, irrespective of location and there being no objections or claims that another labor organization represents these employees, this Petition is considered a unit clarification petition and is granted.

ORDER

IT IS ORDERED THAT:

The Petition for Unit Clarification, is granted.

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

March 8, 1989