

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:

American Federation of State, County
and Municipal Employees, Council 20,
Local 2095, AFL-CIO,

Petitioner,

and

Commission on Mental Health Services,
District of Columbia Department of
Human Services,

Agency,

and

American Federation of Government
Employees, Local 383,

Intervenor.

PERB Case No. 87-R-15
Opinion No. 172

DECISION AND ORDER

On August 24, 1987, the American Federation of State, County and Municipal Employees, Council 20, Local 2095 (AFSCME) filed "Petition to Consolidate Bargaining Units." The Petitioner requests that the Public Employee Relations Board (Board), pursuant to its authority under Section 1-605.2 (1) of the Comprehensive Merit Personnel Act of 1978 (CMPA or Statute), find appropriate for terms and conditions bargaining a consolidated unit of non-professional employees at the Commission on Mental Health Services, District of Columbia Department of Human Services (CMHS).

At the time St. Elizabeths Hospital was transferred pursuant to Public Law 98-621 and effective October 1, 1987, to the newly-established Commission on Mental Health Services (CMHS), AFSCME, Local 2095, was the certified exclusive representative of three (3) units of non-professional employees at the St. Elizabeths Hospital, United States Department of Health and Human Services.

Notices concerning AFSCME's Petition were posted on September 3, 1987. In response to the Notice, the American Federation of Government Employees, (AFGE) Local 383 requested intervention in this proceeding, in accordance with Board Rule 101.7. AFGE is the certified representative of three (3) units of non-professional employees, who were formerly employed by the District of Columbia Mental Health Services Administration. On October 1, 1987, these employees were transferred to CMHS.

AFSCME, AFGE and CMHS, by a Memorandum of Understanding dated October 20, 1987, that the Board find appropriate for terms and conditions bargaining, a consolidated unit of non-professional employees at CMHS, consisting of the employees in the AFSCME and AFGE units transferred to CMHS.

The Board having investigated and considered this matter, concludes that the unit set forth below is appropriate for terms and conditions collective bargaining and effectuates the policy of Section 1-618.9 of the Statute, which states that "A unit should include individuals who share certain interests such as skills, working conditions, common supervision, physical location, organization structure...:"

UNIT: "All non-professional, non-supervisory employees in the Commission on Mental Health Services, Department of Human Services, excluding management executives, confidential employees, supervisors, non-professional employees of the Construction, Electrical, Mechanical Preventive Maintenance, Garage and Fabric Care Sections, and any employees engaged in personnel work in other than a purely clerical capacity or employees engaged in administering the provisions of D.C. Law 2-139."

O R D E R

IT IS ORDERED THAT:

The above unit is appropriate for terms and conditions collective bargaining.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD
November 5, 1987