

Notice: This decision may be formally revised before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

**Government of the District of Columbia
Public Employee Relations Board**

In the Matter of:)	
)	
District of Columbia,)	
)	PERB Case No. 12-A-03
Petitioner,)	
)	Opinion No. 1278
v.)	
)	
American Federation of State, County and)	
Municipal Employees, District Council 20)	
)	
Respondent.)	

DECISION AND ORDER

The District of Columbia (“the District”) filed an arbitration review request in a dispute with the American Federation of State, County and Municipal Employees, District Council 20 (“the Union”). The Union filed an opposition asserting that the review request was untimely and deficient. The deficiency asserted by the Union is that the District failed to comply with Board Rule 538.1(e)’s requirement that an arbitration review request contain a “copy of the award and affidavit or other proof of the date of the service of the award. . . .”

A review of the request determined that the required items were missing. On April 20, 2012, the Executive Director, in accordance with Rule 501.13, notified the Petitioner of the deficiency and allowed it “ten days from the date of this notice to submit (1) a copy of the award and (2) an affidavit or other proof of the date of service of the award.”

Rule 501.13 provides, “Failure to cure deficiencies shall result in dismissal without further notice.” More than the ten days prescribed by the notice and Rule 501.13 have passed since the notice, and as of June 12, 2012 the Petitioner has neither cured the deficiency nor submitted anything to the Board. Therefore, pursuant to Rule 501.13 the petition is dismissed.

ORDER

IT IS HEREBY ORDERED THAT:

1. The arbitration review request filed by the District of Columbia is dismissed.
2. Pursuant to Board Rule 559.2, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

Washington, D.C.

June 12, 2012

CERTIFICATE OF SERVICE

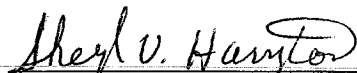
This is to certify that the attached Decision and Order in PERB Case No. 12-A-03 is being transmitted via U.S. Mail to the following parties on this the 13th day of June 2012.

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