

**Decision on Unit Determination
and Direction of Election
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received.

The unit sought by AFSCME is as follows:

"All professional and non-professional employees employed by the D.C. Department of Human Services under the Commission of Public Health, Office of Health Care Finance; excluding management officials, supervisors, confidential employees, employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139."

D.C. Code § 1-618.9(a) requires that a community of interest exist among employees for a unit to be found appropriate by the Board for collective bargaining over terms and conditions of employment. An appropriate unit must also promote effective labor relations and efficiency of agency operations.

Our review of the Petition, attached exhibits and the Response reveals the following concerning the proposed unit. The unit currently consists of the following employee positions: medicaid policy analysis, medicaid policy officer, medical officer, administrative officer, health system specialist, program analyst, auditor, accountant, social worker, program analyst officer, computer systems analyst, nurse consultant, commissioner health care finance, pharmacist, program support assistant, public health analyst, medicaid reimbursement specialist, secretary and clerk. They all share a common organizational structure and mission within the Department of Human Services. No other labor organization represents these employees. There is no collective bargaining agreement in effect covering any of these employees.

In view of the above, sufficient factors exist for the Board to find that these employees share a community of interest. OLRCB stipulates that a unit of all professional and nonprofessional employees in a component of DHS that share a common purpose and mission would promote effective labor relations and efficiency of agency operations. Therefore, we so find.

To resolve the question of representation, the Board orders that an election be held to determine the will of the eligible employees in the unit described above regarding their desire to be represented by AFSCME for purposes of collective bargaining with DHS on compensation and other terms and conditions of employment. To conform with the requirements of D.C. Code § 1-618.9(b)(5), concerning the inclusion of professional employees and

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non-professional employees in the same unit, and consistent with Board Rule 510.5, eligible professional employees shall indicate their choice on separate ballots as to (1) Whether they desire to be represented for bargaining on terms and conditions of employment by AFSCME; and (2) Whether they wish to be included in the consolidated unit with non-professional employees. Eligible non-professional employees, in the same election, shall indicate their choice only as to the former question.

ORDER

IT IS HEREBY ORDERED THAT:

1. The following unit is an appropriate unit for collective bargaining over terms and conditions of employment:

"All professional and non-professional employees employed by the D.C. Department of Human Services under the Commission of Public Health, Office of Health Care Finance; excluding management officials, supervisors, confidential employees, employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139."

2. Furthermore, an election shall be held in accordance with the provisions of D.C. Code Sec. 1-618.10 and Sections 510-515 of the Rules of the Board to determine whether or not (1) all eligible employees desire to be represented for bargaining on terms and conditions of employment by the American Federation of State, County and Municipal Employees, D.C. Council 20, Local 2401, AFL-CIO; and (2) eligible professional employees wish to be included in the consolidated unit with non-professional employees. Eligible non-professional employees, in the same election shall indicate their choice only as to the former question.

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

July 24, 1997