

Notice: This decision may be formally revised within thirty days of issuance 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 to challenge to the decision.

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

_____)	
In the Matter of:)	
)	
American Federation of Government)	
Employees Local 631)	
)	PERB Case No. 24-CU-01
Petitioner)	
)	Opinion No. 1895
and)	
)	
District of Columbia Department of General)	
Services, Office of Administrative Services)	
)	
Respondent)	
_____)	

DECISION AND ORDER ON COMPENSATION UNIT DETERMINATION

I. Statement of the Case

On October 26, 2023, this office received a Petition for Compensation Unit Determination (Petition) from the American Federation of Government Employees (AFGE) Local 631 in the above-captioned case. The Petition requests that the Board determine the appropriate compensation unit for a bargaining unit at the District of Columbia Department of General Services, Office of Administrative Services (DGS). On November 14, 2024, DGS submitted an Opposition to the Petition.

For the reasons stated herein, the Board grants the Petition, assigning all employees in the bargaining unit to Compensation Units 1 and 2.

II. Background

AFGE Local 631 is the certified, exclusive representative for a bargaining unit described as:

18 positions, in the Career Service, of Special Assistant CS-301-13, Program Analyst CS-343-14, Resource Allocation Analyst CS-301-14, three positions of Program Analyst CS-343-13, three positions of Program Analyst CS-343-12, two positions of Management Analyst CS-343-13, a Management Analyst CS-343-

12, two positions of Program Support Specialist CS-301-11, a Program Support Specialist CS-301-9, a Construction Analyst CS-828-12, a Grants Management Specialist CS-343-12, and a Clerk CS-301-3.¹

The bargaining unit consists of employees whom the Board has not yet placed in a compensation unit.

III. Discussion

The Petitioner requests that the bargaining unit be placed in Compensation Units 1 and 2 in keeping with previous compensation unit determinations under the same occupational codes of positions, pay plan, and retirement system. The Petitioner asserts that the position classifications fall within the broad occupational groups already included in Compensation Units 1 and 2.

In its Opposition, DGS argues that the Petition should be denied because: (1) AFGE failed to identify the personnel authority of the proposed unit²; (2) AFGE failed to provide justification for naming the International Brotherhood of Teamsters, Local 639 and the American Federation of State, County and Municipal Employees, Local 2091 as interested labor organizations³; (3) the proposed compensation unit placement is ambiguous⁴; and (4) AFGE has provided insufficient evidence of broad occupational grouping.⁵

Consistent with the language of D.C. Official Code § 1-617.16(b),⁶ the Board recognizes a two-part test to determine an appropriate compensation unit for purposes of negotiations: (1) the employees of the proposed unit comprise broad occupational groups; and (2) the proposed unit minimizes the number of different pay systems or schemes.⁷

Compensation Unit 1 is described as:

[A]ll career service, professional technical, administrative and clerical employees who currently have their compensation set in accordance with the District Service (DS) Schedule and who come within the personnel authority of the Mayor of the District of Columbia, the Board of Trustees of the University of the District of Columbia, and the District of Columbia Board of Library Trustees, except physician [*sic*] employed by the Department of Human Services and the

¹ *AFGE Local 631 and DGS*, Certification No. 174, PERB Case No. 24-RC-01 (2024).

² Petition at 1.

³ Petition at 1-2.

⁴ Petition at 2.

⁵ Petition at 2.

⁶ D.C. Official Code § 1-617.16(b) states, “[i]n determining an appropriate bargaining unit for negotiations concerning compensation, the Board shall authorize broad units of occupational groups so as to minimize the number of different pay systems or schemes. The Board may authorize bargaining by multiple employers or employee groups as may be appropriate.”

⁷ *AFSCME, District Council 20, Local 2401 v. DCPS*, 59 D.C. Reg. 4954, Slip Op. No. 962 at 3, PERB Case No. 08-CU-01 (2009).

Department of Corrections and Registered Nurses employed by the Department of Human Services.

Compensation Unit 2 is described as:

[A]ll career service trade and craft employees who currently have their compensation set in accordance with the Wage Grade (WG) Schedule, Printing Wage (PS) Schedule and the Task Force (TG) Schedule who come within the personnel authority of the Mayor of the District of Columbia, the Board of Trustees of the University of the District of Columbia and the District of Columbia Board of Library Trustees and who are currently represented by labor organizations certified as exclusive bargaining agents for non-compensation bargaining by PERB or its predecessor.⁸

The bargaining unit is comprised of twelve (12) different positions. Thus, the first statutory requirement that the employees consist of a broad range of occupational groups has been satisfied.

All employees in the bargaining unit are in the CS plan, Occupational Code Series, 301, 343, and 828. Additionally, all employees in the bargaining unit are in the District's 401(a) and 457(b) retirement system for employees in the District's CS pay plan. Lastly, all positions in the bargaining unit are in the Office of Administrative Services, and the CS pay plan is applicable to all positions. Only one pay system would apply to this unit.⁹ Therefore, the second statutory requirement that the unit minimize the number of different pay systems or schemes has been satisfied. DGS' Opposition presents unsupported, conclusory arguments and does not compel the Board to deny the Petition.

For the foregoing reasons, the Board grants the Petition for Compensation Unit Determination, placing the bargaining unit into Compensation Units 1 and 2.

⁸ Office of Labor Relations and Collective Bargaining, OLRCB Compensation Units 1 and 2 (November 4, 2024, 4:37 PM), <https://olrcb.dc.gov/node/448232>.

⁹ These facts were asserted in the Petition, and DGS has not contested them.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Petition for Compensation Unit Determination is granted.
2. The following bargaining unit is placed in Compensation Units 1 and 2:

18 positions, in the Career Service, of Special Assistant CS-301-13, Program Analyst CS-343-14, Resource Allocation Analyst CS-301-14, three positions of Program Analyst CS-343-13, three positions of Program Analyst CS-343-12, two positions of Management Analyst CS-343-13, a Management Analyst CS-343-12, two positions of Program Support Specialist CS-301-11, a Program Support Specialist CS-301-9, a Construction Analyst CS-828-12, a Grants Management Specialist CS-343-12, and a Clerk CS-301-3

3. 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 Douglas Warshof and Members Mary Anne Gibbons and Peter Winkler.

December 19, 2024
Washington, D.C.

APPEAL RIGHTS

Pursuant to Board Rule 559.2, a party may file a motion for reconsideration, requesting the Board reconsider its decision. Additionally, 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 is issued to file an appeal.