

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:)
)
District of Columbia Nurses)
Association,)
)
Complainant,) PERB Case No. 98-U-06
)
v.)
)
District of Columbia Health and)
Hospitals Public Benefit)
Corporation, District of Columbia)
General Hospital,)
)
Respondent.)
)
)
District of Columbia Health and)
Hospitals Public Benefit)
Corporation, District of Columbia) PERB Case No. 98-U-11
General Hospital,)
)
Complainant,) Opinion No. 561
)
v.)
)
District of Columbia Nurses)
Association,)
)
Respondent.)
)
)

FOR PUBLICATION

DECISION AND ORDER

On February 3 and March 6, 1998, the District of Columbia Nurses Association (DCNA) filed an Unfair Labor Practice Complaint (PERB Case No. 98-U-06) and Motion for Preliminary

Decision and Order
PERB Case No. 98-U-06
and 98-U-11
Page 2

Relief ^{1/}, respectively, in the above-captioned case. DCNA charged that the District of Columbia Health and Hospital Public Benefit Corporation, District of Columbia General Hospital (PBC) discriminated against bargaining unit employees in violation of the Comprehensive Merit Personnel Act (CMPA), as codified under D.C. Code § 1-618.4(a)(1) and (3). The PBC denied that its actions with respect to the alleged discriminatees constituted unfair labor practices.

On March 12, 1998, the PBC filed an Unfair Labor Practice Complaint (PERB Case No. 98-U-11) charging DCNA with failing to stop an alleged unlawful job action and the bargaining unit employees that are the subject of the Complaint in PERB Case No. 98-U-06 with engaging in said job action, contrary to D.C. Code §§ 1-618.4(b)(4) and 1-618.5. In its Answer, DCNA has denied that any bargaining unit employees engaged in an unlawful job action or that it had any role in or failed to stop such an action.

We consolidated these cases for hearing and referred them to a hearing examiner. Prior to the commencement of the scheduled May 28, 1998 hearing, the Hearing Examiner met with the parties to explore and facilitate any possibility of settlement of the Complaints. Through diligent efforts and resolve, an agreement was reached settling all claims contained in the Complaints. The settlement agreement has been forwarded to us as an attachment to the Hearing Examiner's "Recommendation for Approval of Settlement Agreement and Dismissal of Complaints With Prejudice". The Board hereby adopts the Hearing Examiner's recommendation to approve the settlement agreement and dismiss the Complaints in PERB Cases Nos. 98-U-06 and 98-U-11.

ORDER

IT IS HEREBY ORDERED THAT:

In view of the Settlement Agreement reached between the District of Columbia Nurses Association and the District of Columbia Health and Hospital Public Benefit Corporation, District of Columbia General Hospital (attached and made part of this Order), the Complaints in PERB Case Nos. 98-U-06 and 98-U-11 are dismissed.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD
Washington, D.C.
September 22, 1998

^{1/} The Motion for Preliminary Relief was denied in Opinion No. 550.