

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:)
)
Washington Teachers' Union, Local 6,)
American Federation of Teachers,)
AFL-CIO)
) **PERB Case No. 20-U-30**
Complainant)
)
v.)
)
District of Columbia Public Schools)
)
Respondent)
_____)

PRELIMINARY RELIEF ORDER

1. The Board grants the District of Columbia Public Schools' Motion for an Enlargement of Time to file its Response to Washington Teachers' Union's Renewed Request for Preliminary Relief.
2. Pursuant to Board Rule 520.9, the Board finds that there is reasonable cause to believe that DCPS has violated D.C. Official Code Section 1-617.04(a)(1) and (5), based on the submissions of the parties and the record developed by the Hearing Examiner; the conduct is clear-cut and flagrant; and the public interest is seriously affected.
3. Within five calendar days of today, October 20, 2020, the District of Columbia Public Schools shall commence bargaining over health and safety conditions related to the reopening of District public schools.
4. The District of Columbia Public Schools shall immediately rescind the Guidelines and Intent Form issued on June 30, 2020, and notify members of the bargaining unit in the manner in which DCPS normally communicates notices to bargaining unit members.
5. The District of Columbia Public Schools shall immediately rescind the health and safety protocols and the survey issued on September 29, 2020, and notify the members of the bargaining unit in the manner in which DCPS normally communicates notices to bargaining unit members.
6. Within 7 calendar days of today, October 20, 2020, the District of Columbia Public Schools shall certify to the Public Employee Relations Board the actions it has taken to implement this Order.

7. In light of recent Board decisions on the duty to bargain about health and safety matters, the Board reserves the right to take other actions at a later date to ensure DCPS's compliance with its bargaining obligations.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Members Ann Hoffman, Barbara Somson, Mary Anne Gibbons, and Peter Winkler.
(Chair Douglas Warshof recused.)

Washington, D.C.
October 20, 2020

CERTIFICATE OF SERVICE

This is to certify that the attached Preliminary Relief Order was served to the following parties on this the 20th day of October 2020:

Via File & ServeXpress

Lee W. Jackson
James & Hoffman, P.C.
1130 Connecticut Avenue NW, Suite 950
Washington, D.C. 20036

Stephanie T. Maltz
District of Columbia
Office of Labor Relations and Collective Bargaining
441 4th Street NW, Suite 820 North
Washington, D.C. 20001

/s/ Royale Simms
Public Employee Relations Board