

I. Standard Questions

A. Governance and Personnel

1. Please provide a current organizational chart for the agency, including the number of vacant, frozen, and filled positions in each division or subdivision. Include the names and titles of all senior personnel and note the date that the information was collected on the chart.
 - a. Please provide the number of divisions or bureaus within your agency, the number of staff in each division, the lead personnel of each division and their contact information, and the lead personnel's tenure in that division.
 - b. Please provide an explanation of the roles and responsibilities of each division and subdivision.
 - c. Please provide a narrative explanation of any changes to the organizational chart made during the previous year.

Response: See Exhibit Q1 – PERB Organizational Chart

2. Please provide a current Schedule A for the agency which identifies each position by program and activity, with the employee's title/position, salary, fringe benefits, residency status, and length of time with the agency. Please note the date that the information was collected. The Schedule A should also indicate if the position is continuing/term/temporary/contract or if it is vacant or frozen. Please separate salary and fringe and indicate whether the position must be filled to comply with federal or local law.

Response: See Exhibit Q2 – Schedule A

3. Please list all employees currently detailed to or from your agency. For each detailed employee, include:
 - a. The reason for the detail;
 - b. The job duties if detailed to your agency;
 - c. The start date of detail;
 - d. The agency the employee is detailed to/from; and
 - e. The projected date of return.

Response: PERB has no employees detailed to or from the agency.

4. Please provide the Committee with:
 - a. A list of all employees who received or retained cellphones, personal digital assistants, or similar communications devices at agency expense in FY25 and Q1 of FY26;
 - b. A list of monthly costs for cell phones, tablets, and laptops;
 - c. A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned in FY25 and Q1 of FY26;
 - d. A list of travel expenses, arranged by employee for FY25 and Q1 of FY26, including the justification for travel; and
 - e. A list of the total workers' compensation payments paid in FY25 and Q1 of FY26, including the number of employees who received workers' compensation payments, in what amounts, and for what reasons.

Response:

- See Exhibit Q4a – Mobile Device Inventory-employee list.
- See Exhibit Q4b – Mobile Device Monthly Cost.
- PERB does not have any vehicles.
- See Exhibit Q4d – Employee Travel Expenses and Travel Packets.
- PERB has no workers' compensation payments paid in FY25 or Q1 of FY26.

5. Please list all memoranda of understanding (“MOU”) entered into by your agency during FY25 and Q1 of FY26, as well as any MOU currently in force. For each, indicate the date on which the MOU was entered and the termination date.

Response: See Exhibit Q5 – Interagency Agreements

6. Does the agency have independent contracting authority? If so, please provide a chart detailing the active contracts the agency entered, the date the contract was entered into, dollar amount, contracting entity, contract expiration date, purpose, and option years.

Response: PERB does not have independent contracting authority. All contracting actions for PERB are managed through the Office of Contracting and Procurement (OCP) in accordance with District procurement regulations.

7. Please provide a complete, up-to-date list of contract workers working directly for your agency, ordered by program and activity, and including the following information for each position:
 - a. Title of position;
 - b. Indication that the position is filled or vacant;
 - c. Date employee began in the position;

- d. Whether the position must be filled to comply with federal or local law;
- e. If applicable, the federal or local law that requires the position be filled;
- f. The entity from which they are contracted; and
- g. The contracted annual cost.

Response: PERB does not have contractors working directly for the agency.

8. Please provide, for each month of FY25 and Q1 of FY26, the net number of personnel separated from and hired to the agency.

Response: For FY25 and Q1 of FY26, the following personnel changes occurred:

- **Separation:** An Attorney Advisor, was separated from the agency on September 4, 2025.
- **Hire:** An Attorney Advisor was offered employment on January 8, 2026.

B. Government Operations

9. Please provide a list of programs, initiatives, activities conducted by the agency in FY 25 to support the Mayor’s Grow DC plan.

Response: PERB maintains a focused mission and has not undertaken any programs beyond its core functions.

10. Please provide a chart of agency programs conducted during FY25. Include the following:

- a. Initiation date;
- b. Number and grade of FTEs assigned;
- c. Program manager;
- d. Total budget expenditure for the program (e.g. FTE salaries, materials, etc.); and
- e. Outcomes from implementation (e.g. policy changes, program continuation, public support comments, etc.)

Response: PERB maintains a focused mission and has not undertaken any programs beyond its core functions.

11. Please provide a chart showing the agency’s program priorities for FY25 and FY26. Include the following:

- a. Staffing numbers;

Response: PERB operates with a focused mission and depends on its entire staff to advance program priorities.

- b. Expenditure;

Response: PERB has a focused mission, and its budget expenditures support priorities by covering personnel, training, supplies, and contracted legal services.

c. Community outreach activities; and

Response: PERB connects with the District's labor relations community through its “Second Tuesdays at PERB” training program.

d. Measurable outcomes or metrics associated for each priority.

Response: See Exhibit Q11 – FY25-FY26 Priorities.

12. Please provide a copy of your agency’s approved FY26 performance plan as submitted to the Office of the City Administrator, including approved goals, objectives, timelines, planned program and projects, anticipated FTE allocation and expenditure, and metric outcomes to be analyzed.

Response: See Exhibit Q12 – FY26 Performance Plan

13. Please provide a copy of the agency’s FY25 Performance Accountability Report of strategic objectives, indicate if key performance indicators were met, and with which other government agency was the report filed.

Response: See Exhibit Q13 – FY25 PAR

3.1. Percent of cases not requiring a hearing that are resolved within 120 days: Not Met

Explanation: Due to an increase in cases and a staffing shortage at PERB, processing times for cases not requiring a hearing averaged 147 days—27 days longer than the 120-day goal.

3.3 Number of training sessions conducted: Not Met

Explanation: Several “Second Tuesday” training sessions were canceled to comply with the District’s budget freeze, preventing PERB from meeting its annual performance target.

PERB’s PAR was submitted to the Office of the City Administrator.

14. Describe problems and challenges, including chronic maintenance issues and design flaws, in agency-owned or leased facilities.

Response: PERB has no problems, challenges, chronic maintenance issues, or design flaws in agency-owned or leased facilities.

15. Please provide the following information regarding capital projects:

- a. A list of all capital projects in the financial plan.
- b. For FY23, FY24, FY25, and Q1 of FY26 an update on all capital projects under the agency’s purview, including a status report on each project, an explanation of

any delays, the timeframe for project completion, the amount budgeted, actual dollars spent, and any remaining balances, to date.

- c. An update on all capital projects planned for FY26, FY27, FY28, and FY29.

Response: PERB does not have any capital projects.

- 16. A description of whether the capital projects begun, in progress, or concluded in FY23, FY24, FY25, or Q1 of FY26, had an impact on the operating budget of the agency. If so, please provide an accounting of such impact.

Response: Not applicable.

- 17. What capital or operating projects arose from these issues in FY25 and FY26, including cost and actions taken?

Response: Not applicable.

- 18. Please provide the number of FOIA requests for FY25 and Q1 of FY26, that were submitted to your agency. Include the number granted, partially granted, denied, and pending. In addition, please provide the average response time, the estimated number of FTEs required to process requests, the estimated number of hours spent responding to these requests, and the cost of compliance.

Response:

FOIA Request	FY25	Q1 of FY26
Submitted	1	3
Granted	0	0
Partially granted	0	0
Denied	1	3
Pending	0	0
Average response time	6 days	3 days
Estimated number of FTEs required to process requests	1	3
Estimated number of hours spent responding to requests	1	3
Cost of compliance	\$67.31	\$201.93

- 19. If there are any boards or commissions associated with your agency, please provide a chart listing the names, confirmation dates, terms, wards of residence, and attendance of each member. Include any vacancies. Please also attach agendas and minutes of each

board or commission meeting in FY25 and Q1 of FY26, if minutes were prepared. Please inform the Committee if the board or commission did not convene during any month.

Response:

- See Exhibit Q19a – PERB Board Members (below).
- See Exhibit Q19b – PERB Board Meeting Minutes (10/2024 - 1/2026).
- The Board did not convene in August 2025.

Exhibit 19a - PERB Board Members (As of January 26, 2026)					
Member Name	Member Type	Confirmation Date	Term Expiration Date	Ward	Attendance
Douglas Warshof	Public	6/14/2022	12/12/2024	3	100%
Mary Anne Gibbons	Management	4/2/2024	12/12/2026	1	100%
Peter Winkler	Chairman	12/16/2025	12/12/2028	3	100%
Renee Bowser	Labor	4/2/2024	12/12/2026	4	100%
Vacant	N/A	N/A	N/A	N/A	N/A

20. Please provide a list of any additional training or continuing education opportunities made available to agency employees. For each additional training or continuing education program, please provide the subject of the training, the names of the trainers, and the number of agency employees that were trained.

Response: In Q1 of FY25, PERB attorneys participated in the Appellate Advocacy training hosted by the DC Bar Association. This annual program, led by distinguished appellate judges and attorneys, focused on common challenges and opportunities faced by appellate practitioners.

21. Please describe the agency’s customer feedback and public engagement. How does the agency solicit feedback from members of the public (i.e., District residents served)? What has the agency learned from this feedback?

Response: PERB solicits public feedback on its website and during the monthly Board meeting. The agenda for the monthly Board meeting includes a standing agenda item for public comment. Additionally, members of the public can email PERB through the Ask the Director link on the PERB website. PERB also receives feedback from visitors and filers. PERB respects the views of the public and implements changes in response to feedback as necessary.

C. Data

22. In filterable and sortable spreadsheet, please list all electronic databases maintained by your agency, including the following:

Response: See Exhibit Q22a – Electronic Data

- a. A detailed description of the information tracked within each system;
- b. The age of the system and any discussion of substantial upgrades that have been made or are planned to the system; and
- c. Whether the public can be granted access to all or part of each system.

23. Provide a list of all publications, brochures and pamphlets prepared by or for the agency during FY25 and Q1 of FY26. Please provide copies.

Response: PERB had no publications, brochures or pamphlets prepared in FY25 or Q1 of FY26.

24. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared or contracted for during FY25 and Q1 of FY26. Please state the status and purpose of each. Please submit a hard copy to the Committee if the study, research paper, report, or analysis is complete.

Response: PERB has not prepared any studies, research papers, reports, or analyses during FY25 or Q1 of FY26.

D. Laws, Audits, and Reports

25. Please list any legislation that impacts your agency from the prior two fiscal years and provide a status report on the agency’s implementation related to each piece of legislation.

Response: PERB was not impacted by any legislation from the prior two fiscal years.

26. Please identify any legislative changes that would enable the agency to better meet its mission.

Response: PERB is able to fully meet its mission under the current legislative requirements.

27. Please list all reports or reporting currently required of the agency in the District of Columbia Code or Municipal Regulations. Indicate the following:

- a. Report due date;
- b. If the agency complied;
- c. Date of actual transmittal; and
- d. To which entity the reports were filed.

Response:

Annual Freedom of Information Act Report (required under D.C. Official Code § 2-538).

- a. The Report is due on or before February 1 of each year (pursuant to § 2-538(a)).
- b. PERB complied.
- c. PERB transmitted the Report on November 19, 2025.
- d. PERB submitted the Report to the Executive Office of the Mayor.

Ethics Act Financial Disclosure Review Report (required under D.C. Official Code § 1-1162.24 et seq.)

- a. The Report is due June 1st of each year.
- b. PERB complied.
- c. PERB transmitted the Report on May 27, 2025.
- d. PERB submitted the Report to BEGA.

28. Please list all pending lawsuits in which the agency, or its officers or employees acting in their official capacities, are named as defendants, and for each case provide the following:

- a. The case name;
- b. Court where the suit was filed;
- c. Case docket number;
- d. Case status; and
- e. A brief description of the case

Response: PERB had no lawsuits in FY25 or Q1 of FY26.

29. Please list the total amount of money the agency or the District, on behalf of the agency, expended to settle claims against it, or its officers or employees acting in their official capacities, in FY 25 and FY 26, to date.

Response: PERB has no expenditures to report for settling claims against the agency or its officers or employees in FY25 or FY26 to date.

30. Please list each settlement the agency or the District, on behalf of the agency, entered into in FY 25 and FY 26 to date that involved claims against the agency, or its officers or employees in their official capacity, including any settlements covered by D.C. Code § 2-402(a)(3). For each settlement, provide:
- a. The amount of the settlement,
 - b. If related to litigation, the case name and brief description;
 - c. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.).

Response: PERB had no settlements in FY25 or FY26 to date.

31. Please describe the agency's procedure for handling allegations of workplace harassment during FY25 and Q1 of FY26. Indicate the following:
- a. Date of offense;
 - b. Whether the parties report to the same supervisor;
 - c. The findings of substantiation or non-substantiation; and
 - d. What official action was taken.

Response: PERB had no workplace harassment claims in FY25 or Q1 of FY26

32. Please describe the agency's handling of sexual harassment claims received during FY25 and Q1 of FY26. Indicate the following:
- a. Date of offense;
 - b. Whether the parties report to the same supervisor;
 - c. The findings of substantiation or non-substantiation;
 - d. What official action was taken;
 - e. Identify the investigating official or Sexual Harassment Officer (SHO) for each claim; and
 - f. The date the report was forwarded to the Mayor's Office of Legal Counsel.

Response: PERB had no sexual harassment claims in FY25 or Q1 of FY26

33. Please list all administrative complaints or grievance received in FY 25 and Q1 of FY26. Indicate the following:
- a. The nature of the complaint;
 - b. The review procedure followed; and
 - c. The resolution of the complaint.

- d. Whether or not the employee(s) complaint was resolved by moving to a different workspace, and or supervision.

Response: PERB had no administrative complaints or grievances in FY25 or Q1 of FY26.

34. Please list all investigations, audits, or reports on your agency or any employee of your agency conducted in FY25 and Q1 of FY26. Include copies of any concluded reports and indicate the anticipated date of conclusion for any ongoing reports.

Response: PERB did not have any investigations, audits, or reports conducted on the agency or any employees during FY25 or Q1 of FY26.

35. Please list all requests for information submitted to the agency in FY 24, FY 25 and Q1 of FY26 by the Office of the Inspector General; D.C. Auditor; Internal audit; and any other federal or local oversight entities. For each request, please indicate:
 - a. The subject of the request;
 - b. The requesting agency;
 - c. The date received;
 - d. The information was supplied; and
 - e. Whether the information was supplied by the date request. If information was not timely supplied, please indicate the reason for any delays.

Response: PERB did not receive any requests for information from the Office of the Inspector General, D.C. Auditor, Internal Audit, or any other federal or local oversight entities in FY24, FY25, or Q1 of FY26.

36. Please provide each collective bargaining agreement that is currently in effect for agency employees. Please include the bargaining unit and the duration of each agreement. Please note if the agency is currently in bargaining and its anticipated completion.

Response: PERB does not have any collective bargaining agreements for agency employees.

37. Is the agency currently party to any active non-disclosure agreements? If so, please provide all allowable information on all such agreements, including:
 - a. The number of agreements;
 - b. The department(s) within the agency associated with each agreement; and
 - c. Whether any agreements are required for specific positions (please list each position by division and program and indicate whether the position is contracted).

Response: PERB does not have any active non-disclosure agreements at this time.

38. Please include a chart of FY25 employee evaluation rating showing the employee’s job title, duties/responsibilities, classification grade, salary, date of employment, and FY25 evaluation rating. Also, please identify if the employee has been separated from the agency during FY25 or Q1 of FY26.

Job title	Duties	Grade	Salary	Date of employment	FY25 rating	Separated
Program Analyst	Manages mediations, hearings, and case activities, including tracking, maintaining, and analyzing PERB case and court data. Conducts studies and offer recommendations on policies, procedures, and Board Rules to enhance agency operations.	CS-13	\$102,018.00	09/3/2019	Valued Performer	No
Supervisory Attorney Advisor	Manages Attorney Advisors and Program Analyst. Assigns tasks, balances workloads, edits work product, evaluates performance, and assumes tasks associated with those roles, as needed. Approves timesheets and leave requests.	LX-01	\$140,000.00	11/23/2020	None	No
Attorney Advisor	Investigates alleged Labor-Management violations under the D.C. Comprehensive Merit Personnel Act, analyzing findings, and drafting legal memoranda, decisions, and orders.	LS-12	\$97,762.00	04/11/2022	Meets Expectations	No
Attorney Advisor	Investigates alleged Labor-Management violations under the D.C. Comprehensive Merit Personnel Act, analyzing findings, and drafting legal memoranda, decisions, and orders.	LS-12	\$94,706.00	08/29/2022	None	Yes, as of 09/17/2025
Staff Assistant	Provides comprehensive administrative and management support that ensures the effective and efficient operation of the organization.	CS-11	\$73,677.00	10/12/2020	Valued Performer	No
Chief of Staff	Provides strategic leadership in implementing high-level policies, programs, and projects aligned with the Director’s vision. Oversees human and financial resources while ensuring operational excellence across budget,	MS-15	\$140,000.00	12/16/2013	Highly Effective Performer	No

	personnel, procurement, technology, and property functions.					
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Finance and Budget

39. Please provide a table showing your agency’s Council-approved original budget, revised budget (after reprogrammings, etc.), and actual spending, by program and activity, for FY25 and Q1 of FY26.
- For each program and activity, please include total budget and break down the budget by funding source (federal, local, special purpose revenue, or intra-district funds).
 - Include any over- or under-spending. Explain any variances between fiscal year appropriations and actual expenditures for FY25 and Q1 of FY26 for each program and activity code.
 - Attach the cost allocation plans for FY25 and FY26.
 - In FY25 and Q1 of FY26, did the agency have any federal funds that lapsed? If so, please provide a full accounting, including amounts, fund sources (e.g. grant name), and reason the funds were not fully expended.

Response: See Exhibit Q39 – Budget Information

40. For FY25 and Q1 of FY26, please list all intra-District transfers to or from the agency.

Response: An interagency reprogramming of \$7,500 was executed from PERB to the Office of Employee Appeals (OEA) in FY25.

The transfer was necessary to address a local funds deficit within OEA. The budget authority for this reprogramming was available due to personnel services (PS) surplus resulting from vacancy savings in the PERB budget, and no adverse impact is anticipated as a result of this adjustment

41. For FY25 and Q1 of FY26, please identify any special purpose revenue funds maintained by, used by, or available for use by the agency. For each fund identified, provide:
- The revenue source name and code;
 - The source of funding;
 - A description of the program that generates the funds;
 - The amount of funds generated by each source or program;
 - Expenditures of funds, including the purpose of each expenditure; and
 - The current fund balance.

Response: PERB does not have any special purpose revenue.

42. Please fill out the attached spreadsheet titled “Grants Received,” and list all federal and/or private grants received by your agency in FY25 and Q1 of FY26, current balances,

and indicate any that lapsed during or at the end of FY25. Please submit the completed document in both Excel and PDF formats, and ensure to include the following:

- a. Name and amount of federal source of funding agency and program, broken down in percentage (%) and dollar amount (\$);
- b. Name and amount of local source of funding agency and program, broken down in percentage (%) and dollar amount (\$);
- c. Identify whether each funding source is recurring or one-time;
- d. Identify whether the contract was competitively bid or sole-source; and
- e. Indicate the receiving agency and amount of funding for funds moved out of the agency.

Response: PERB does not receive grant funding.

43. Please provide a status report, including timeframe of completion, for all projects for which your agency currently has capital funds available.

Response: PERB does not currently have any projects with capital funds available.

44. Please list all budget enhancement requests (Form B or similar) submitted in FY25 and Q1 of FY 26 and all budget enhancements received in FY25 and Q1 of FY26, please provide a status report on the implementation of each enhancement.

Response: PERB submitted a Form 2: FY 2026 Enhancement Request to allocate funds for salary increases aimed at retaining staff and remaining competitive with other legal markets. This request was not approved.

II. Agency Specific Questions

A. Agency Organization and Personnel

45. Please describe any operational changes the agency has gone through in 2025 through January 1, 2026. Specifically, please note whether there have been:
- a. Any organizational structure changes.

Response: In FY25, PERB created a Chief of Staff position to strengthen strategic leadership and ensure operational excellence across budget, personnel, procurement, technology, and property functions. The agency also restructured reporting lines to improve efficiency, accountability, and coordination, enhancing overall performance and service delivery.

- b. Whether the agency expanded in FTEs.

Response: PERB did not increase FTEs.

- c. Whether the agency experienced any changes in its caseload.

Response: In recent years, PERB’s caseload has dramatically increased. This trend is observable from PERB’s Case Management Reports, which show the following numbers:

- December 31, 2023 – 21 open cases
- December 31, 2024 – 49 open cases
- December 31, 2025 – 54 open cases
- d. Any additional changes not noted above.

Response: None.

46. Were any employees on administrative, extended, or paid family leave in FY2025 or FY2026. If so, how many, what was the length of time, and how long have they been employed with the agency?

Response: In FY2025, PERB had one employee who was placed on administrative leave for a total of 72 hours and had one employee who was granted Paid Family Leave for a total of 80 hours.

47. Are there any outstanding challenges or matters related to the agency’s office move from 1100 4th Street SW to 899 North Capitol St NE Suite 8600 that still need to be addressed?

Response: PERB does not have any outstanding challenges or matters related to the office move that still need to be addressed.

B. Agency Caseload

48. Please complete the following chart with information about PERB cases by case type in FY 2025, to date. Moreover, please include the disposition of the matter and whether the claim did not have or had merit, and specifically if the result was unlawful conduct.

Case Type	Number of complaints or cases filed		Number of decisions issued		Average Number of Days from Filing to Initial Decision		Disposition
	FY 2025	FY 2026	FY2025	FY 2026	FY2025	FY 2026	
Arbitration Review Request	4	2	9	1	183.4	167	See Exhibit 48 – Agency Caseload
Negotiability:	2	0	3	0	149.8	0	See Exhibit 48 – Agency Caseload
Standards of Conduct:	3	1	0	1	0	0	See Exhibit 48 - Agency Caseload
Impasse (Compensation)	0	0	0	0	287	0	See Exhibit 48 – Agency Caseload
Impasse (Non-compensation)	0	1	0	0	0	31	See Exhibit 48 – Agency Caseload

Unfair Labor Practice Complaint	47	18	15	4	220.3	197.8	See Exhibit 48 - Agency Caseload
Enforcement:	0	1	0	0	0	0	See Exhibit 48 – Agency Caseload
Unit Decertification	0	0		0	0	0	See Exhibit 48 – Agency Caseload
Unit Clarification:	3	1	1	1	315	295	See Exhibit 48 – Agency Caseload
Election:	2	1	3	2	319.3	176	See Exhibit 48 – Agency Caseload
Petition to Amend Certification:	1	0	1	0	81	0	See Exhibit 48 – Agency Caseload
Unit Modification	2	0	3	2	130.7	336	See Exhibit 48 – Agency Caseload

49. Please complete the following chart with data on PERB cases in FY2025 and FY 2026, to date. Moreover, please explain whether the number of cases/complaints is high, low, or consistent with the last 4 years, and the rationale on the trend the agency is observing.

Response: Since COVID-19 restrictions were lifted in mid-to-late 2023, totals have steadily increased and are now on track to surpass pre-pandemic levels.

PERB Cases	FY2025	FY2026
Number of complaints or cases filed	65	35
Number of complaints dismissed	17	3
Average Number of Days to Resolve Complaints	208.9	203.3
Number of open complaints/cases	53	54
Number of decisions issued	35	14
Average Number of Days to issue a Decision	274.4	287
Number of petitions for enforcement	0	0
Average Number of Days to Resolve Petitions for Enforcement	0	0
Number of cases settled	7	0
Number of cases withdrawn	16	3
Number of decisions appealed		
• DC Superior Court	9	4
• DC Court of Appeals	1	2
Number of pending appeals (total)	14	14
• DC Superior Court	11	9
• DC Court of Appeals	3	5
Number of PERB decisions overturned or remanded on appeal (total)	0	0
• DC Superior Court	0	0
• DC Court of Appeals	0	0
Number of PERB decisions upheld on appeal (total)	4	3
• DC Superior Court	3	3
• DC Court of Appeals	1	0

50. Provide a list of firms that represent PERB in matters that rise to DC Superior Court and Court of Appeals in 2025.

Response: Webster, Fredrickson, and Walker, PLLC, represents PERB in matters that rise to the DC Superior Court and the Court of Appeals.

51. For 2025, please provide the total number of union complaints filed, categorized by government agency. For each complaint include the following:

- a. Date filed
- b. Issue matter/ type for each
- c. Whether the case is open or close
- d. Number of days the case has been/ was open for
- e. Disposition of the case, if applicable

Response: See Exhibit Q51 – Union Complaints

52. For 2025, please provide a list of any punitive actions PERB found necessary to take against a union.

Response: Under D.C. Official Code § 1-605.02, PERB has the power to certify and decertify bargaining units. Under D.C. Official Code § 1-617.03, in order to be

recognized as an exclusive representative by the Board, labor organizations must operate free from corruption, abide by basic democratic principles and maintain fiscal integrity. PERB investigates and acts in response to complaints from union members/district employees to ensure compliance with the standards established in law. PERB actions are not punitive, insofar as the actions are not intended to punish.

In FY25, the Board revoked a union's certification as an exclusive representative as a result of the union's failure to maintain fiscal integrity. Throughout the standards of conduct case that led to the union's decertification, the Board provided the union with multiple opportunities to show it had addressed the lack of fiscal controls at issue. The union did not show that it had addressed its fiscal integrity issues. As the CMPA mandates that "[r]ecognition shall be accorded only to a labor organization that is free from corrupt influences and influences opposed to basic democratic principles," including a requirement that a union's operations mandate "[t]he maintenance of fiscal integrity in the conduct of the affairs of the organization, including provision for accounting and financial controls and regular financial reports or summaries to be made available to members," the Board revoked the union's certification and barred the union from filing any new petitions for recognition for six months following the Board's order. The union appealed the decision to the Superior Court, which stayed enforcement of the Board's order pending appeal. The Superior Court affirmed the Board's decision in September 2025. In response to the stay, PERB allowed the union to intervene in the subsequent representation election, which is ongoing after the results of the initial election were challenged. More than six months have passed since the decision was issued, so the union is now free to file new petitions for recognition and will be on the ballot for the incoming rerun election.

53. For 2025, were there any unsuccessful attempts in unionizing a non-unionized group of employees? If so, why was the attempt unsuccessful?

Response: In 2025, there were no unsuccessful attempts at unionizing a non-unionized group of employees.

C. Agency Disputes and Evaluations

54. Please explain the union representation proceeding process. Who from the agency is in charge of petitions, conducting elections, handling challenges, and determination of whether certifications should be issued?

Response: D.C. Official Code § 1-617.10 and Board Rule 503 establish procedures to file a petition for recognition as the exclusive noncompensation bargaining representative for a unit of District employees. A petition must be accompanied by a showing that at least thirty percent (30%) of the current employees in the proposed unit desire representation by the petitioner. Following the filing of a petition, the employing agency must submit a list of eligible employees and may file comments to the petition. If there is

disagreement regarding what is an appropriate unit, the case typically proceeds to mediation and/or a hearing to determine an appropriate unit description. Once this determination is made, the Board issues a decision and order, directing an election. PERB then issues a notice of the election, which the employing agency is required to post. This notice gives other interested parties an opportunity to intervene via motion. Once the notice period has passed, if voluntary recognition is not granted by the employing agency, an election is held. The ballots are tallied, any challenges which would affect the outcome are resolved, and, if a labor organization prevails, the Board issues a certification. This entire process is facilitated by PERB staff attorneys, who act under the Executive Director's authority.

55. In 2025, how many representation petitions did the agency receive, and how many led to elections? Please detail the unions and agency involved.

Response: In FY25, PERB received two representation petitions. The first petition was filed by the American Federation of Government Employees, Local 631 in PERB Case No. 25-RC-01, seeking to represent a proposed bargaining unit at the District of Columbia Department of General Services. That petition resulted in an election, and the unit was certified. The second petition was filed by the American Federation of Government Employees, Local 2978 in PERB Case No. 25-RC-02, seeking to represent a proposed bargaining unit at the District of Columbia Department of Energy and Environment. That petition resulted in a direction of election, and the election has been scheduled for February 12, 2026.

56. Please provide details about PERB's elections process. What law governs, and what additional legislative safeguards would assist the agency administer fair elections and combat external efforts to negatively impact elections results?

Response: PERB's representative election process is governed by D.C. Official Code § 1-617.10 of the Comprehensive Merit Personnel Act and by PERB's rules on petitions for recognition and elections. Unions may initiate the process of becoming the labor representative for a proposed bargaining unit by filing a petition for exclusive recognition. The employing agency then has an opportunity to comment on the proposed bargaining unit. The agency will post a notice of the recognition petition, at which point other labor organizations may file to intervene in the matter.

The parties may agree to an election without a hearing. The agency may agree to voluntarily recognize the labor organization without an election, if certain requirements are met. PERB may hold a hearing to determine the appropriateness of the proposed bargaining unit. If the proposed unit is found appropriate, PERB will facilitate the planning of an election with the parties. Either PERB or another impartial approved by the Board may operate the election. The parties may have poll watchers represent them at each polling place—the parties must determine an equal number of poll watchers in advance of the election.

All elections must be by secret ballot. In on-site elections, PERB or the established impartial body must designate the areas in proximity to each polling place in which electioneering will be prohibited. The parties and PERB may agree to other restrictions or safeguards in advance of the election.

PERB has sufficient legislative tools to safeguard and conduct fair and transparent elections.

57. Has the Board developed any new rules in 2025? Please explain.

PERB began the development of updated rules in 2025. Once approved by the Board, PERB will be submitting the rules for public comment in 2026. The new rules will replace the 2020 version of PERB's rules in its entirety. Current rule development is focused on improving readability, providing clarity, standardizing and modernizing PERB procedures, and ensuring accessibility and consistency between the rules and relevant statutes, court decisions and other provisions of law.

58. List the enforcement actions PERB can take against management and unions under its authority.

- a. Did PERB take any enforcement actions against any other District agency in 2025? If so, why?

Response: Yes, on January 16, 2025, the Board issued Slip Opinion No. 1902 in PERB Case No. 24-E-02, granting an enforcement petition which the American Federation of State, County and Municipal Employees, Local 2743 (AFSCME) filed against the District of Columbia Department of Insurance, Securities and Banking (DISB). In Slip Opinion No. 1902, the Board ordered DISB to fully comply with Slip Opinion No. 1864, which was previously issued in PERB Case No. 23-U-06. In Slip Opinion No. 1864, the Board found DISB guilty of an unfair labor practice against AFSCME and ordered the Agency to post a notice of the violation. PERB did not take any other enforcement actions against District agencies in 2025.

- b. Did PERB take any enforcement actions against any unions in 2025? If so, why?

Response: PERB did not take any enforcement actions against unions in 2025.

59. Does PERB have the authority to collect fines? If so, under what conditions. If fines were collected in 2025, how much, and how were the funds allocated?

Response: PERB does not have the authority to collect fines.

D. Board Meetings & Action

60. How often does the Board meet, and when?

Response: The Board meets on the third Thursday of every month.

- a. How is notice provided, and what are the agency's public notice requirements?

Response: Meeting agendas are posted on PERB's website usually seven days prior to each meeting, in compliance with public notice requirements.

- b. Where can the public access information on meeting dates and attending Board meetings?

Response: All Board meeting dates, agendas, and attendance information are available on PERB's Events Calendar on the agency's website.

61. Which portions of the Board's meetings are confidential versus public?

- a. Please attach a copy of a Board meeting agenda for reference.

Response: See Exhibit Q61a – Board Meeting Agenda

Board meetings are generally open to the public. However, upon a motion by the Board, certain portions may be closed for deliberations as allowed under D.C. Official Code § 2-575(b)(13).

62. How does PERB ensure compliance with the Board's orders and settlement agreements?

Response: Where the Board finds that a party has violated the CMPA and orders that party to remedy its violation, the Board may require subsequent status updates to confirm compliance with that order. Additionally, under Board Rule 560.1, a prevailing party in a case may petition the Board to seek judicial process to enforce an order of the Board if (1) the respondent has failed to comply with the order; (2) neither a motion for reconsideration nor a request for judicial review is pending; and (3) no timely request for reconsideration or judicial review of the order remains available.

The Board has very limited enforcement authority over settlement agreements. Parties who engage in mediation, whether through PERB or through external programs, do so voluntarily. Any resultant settlement agreement constitutes a contract, as opposed to a Board order. Parties usually turn to their grievance arbitration process to enforce contracts. In very rare instances a breach of a contract can be serious enough to violate the statute and lead to an unfair labor practice claim based on allegations of repudiation of a contract.

- a. In cases where backpay is involved, how does PERB assist employees in retrieving backpay?

Response: D.C. Official Code § 1-617.04(a)(4) of the CMPA establishes that it is an unfair labor practice for the District, its agents, or representatives to discharge or

otherwise take reprisal against an employee because of union activity or abstinence therefrom. Where such misconduct is found, the Board may order the employing agency to render backpay to the affected employee. Additionally, D.C. Official Code § 1-617.04(a)(5) of the CMPA establishes that it is an unfair labor practice for the District, its agents, and representatives to refuse to bargain in good faith with the exclusive representative of a District employee. Refusal to bargain in good faith may take various forms, including refusal to comply with an arbitration award, which could include a backpay provision. If the Board finds such a violation, it may order the offending party to comply with the arbitrator's decision by rendering backpay to the affected employee. As stated in the previous response, an enforcement petition may subsequently be filed to ensure such Board orders are effectuated. Lastly, under D.C. Official Code § 1-605.02(6) of the CMPA, the Board has the

63. How are disputes and noncompliance of the Board's findings addressed by the agency?

Response: PERB enforces its orders through the District of Columbia Superior Court.

64. Please clarify the roles between Board members and Hearing Examiners. When do Hearing Examiners get involved in disputes brought to PERB, compared to matters solely reserved for the Board to decide?

Response: The five-member Board was created pursuant to Section 501 of the District of Columbia Comprehensive Merit Personnel Act, which became effective on January 1, 1980. The members are appointed by the Mayor with the advice and consent of the DC Council. The Board meets once a month to deliberate and subsequently issues decisions and orders in the matters before it. The Board may render a decision without the involvement of a hearing examiner where there are no disputes of material fact.

Hearing examiners are individuals contracted by PERB to conduct hearings in cases where the parties dispute material facts. It is the hearing examiner's role to weigh evidence and make factual findings. After the hearing, the hearing examiner will prepare a report and recommendations explaining their factual findings and recommending a Board disposition. If the Board finds that the report and recommendations are reasonable, supported by the record, and consistent with Board precedent, the Board will adopt them in its decision and order. The Board may reject the hearing examiner's report and recommendations if these criteria are not met and may remand the matter to the hearing examiner for additional findings.

- a. Are there any types of decisions employees and labor unions are unable to appeal? If so, please list the circumstances in which decisions are unappealable.

Response: Where the Board has already denied a motion for reconsideration of one of its previous decisions, that decision may solely 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. Otherwise, all Board

decisions and orders are appealable to the Board for reconsideration no later than fourteen (14) days after they are issued, pursuant to Board Rule 559.2.

E. Public Engagement

65. How does the agency improve public awareness of agency mission and activities? Can you describe your agency outreach such as electronic communication, poster distribution, staff presentations, community partner outreach etc. and what information is disseminated?

Response: PERB targets its outreach to employees, labor organizations, and agencies of the District of Columbia. One of the primary vehicles for awareness building is the Notice Posting requirement. PERB requires parties found in violation of the CMPA to post notices explaining what was done improperly, how the violation has been remedied, and how future violations will be avoided. The Notice posting includes PERB contact information and the notices are disseminated in a manner that notices are typically disseminated (i.e., email, billboards, etc.).

F. Training & Development

66. What kind of training/lunch-and-learns does the agency conduct for government employees? What is the frequency of these sessions, and how do government employees sign up?

Response: PERB connects with the District’s labor relations community through its “Second Tuesdays at PERB” training program, which offers educational sessions on labor relations topics for government employees. These sessions are held monthly on the second Tuesday. Government employees can sign up through the registration link provided on PERB’s website and Events Calendar.

67. Please provide a list of each training by date, along with the topic, agencies in attendance, the number of attendees, and whether the training was in person or remote. Indicate whether the training was recorded and posted to PERB’s website or YouTube channel for 2025.

Response: See Exhibit Q67 – PERB Training List (below). PERB trainings are not recorded; however, details on how to attend are posted monthly on the PERB website’s events calendar.

Training Date	Training Held Yes/No	Subject	Total Participants	Agency
November 12, 2024	Yes	Introduction to PERB and the Comprehensive Merit Personnel Act	10	AFGE, NAGE, AFSCME, OIG, DDS
December 10, 2024	Yes	The PERB Election Process - Canceled	12	OUC, DISB, AFSCME, OLRCB.

				OCFO, OAH, ADLWD
January 14, 2025	Yes	The Duty to Bargain in Good Faith	14	OUC, AFGE, NAGE, AFSCME, OIG, DDS OCFO,
February 11, 2025	Yes	Film: The 1968 Memphis Sanitation Workers Strike	13	OUC, AFGE, NAGE, AFSCME, OIG, DDS OCFO
March, 11 2025	Yes	Duty to Supply Information	14	OUC, AFGE, NAGE, AFSCME, OIG, DDS OCFO
April 8, 2025	Yes	Subjects of Bargaining	2	DOES, DBH
May	No training sessions were conducted during this period. In compliance with the District's budget freeze, these sessions were canceled.			
June				