



OFFICE OF LABOR RELATIONS AND COLLECTIVE BARGAINING

FY 2022 PERFORMANCE AND ACCOUNTABILITY REPORT

JANUARY 15, 2023

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1 OFFICE OF LABOR RELATIONS AND COLLECTIVE BARGAINING

Mission: The mission of the Office of Labor Relations and Collective Bargaining (OLRCB) is to effectively represent the District as the principal management advocate in the administration of a comprehensive labor management program.

Services: Representing management before the Public Employee Relations Board (PERB) in negotiation matters, unit determinations, unfair labor practices, negotiability appeals, arbitration appeals and impasse proceedings; Advising and representing the Mayor and District departments, offices and agencies in matters involving collective bargaining, working conditions and compensation agreements and the impact and effects of changes in conditions of employment; advising the Mayor and District departments, offices and agencies concerning all aspects of labor relations; Developing and presenting cases before third party in mediation and arbitration proceedings; Representing the Mayor on joint labor management committees and work groups; Training labor liaisons, managers, supervisors and management officials concerning their rights and obligations under the Comprehensive Merit Personnel Act (CMPA), applicable collective bargaining agreements (CBAs) and applicable labor law, policies and procedures; and Developing, implementing and administering citywide labor initiatives.

2 2022 ACCOMPLISHMENTS

Accomplishment	Impact on Agency	Impact on Residents
<p>OLRCB closed 9 collective bargaining agreements (CBAs). OLRCB closed the following contracts: Mayor’s Office of Legal Counsel (MOLC)/ Office of the Attorney General for the District of Columbia (OAG) and American Federation of Government Employees (AFGE) Local 1403, Compensation Units 1 & 2, District of Columbia Public Schools (DCPS) and Council of School Officers (CSO), Office of Administrative Hearings (OAH) and FALJ, DC Office of the State Superintendent of Education (OSSE) and Teamsters Local 639, Department of Behavioral Health (DBH) and District of Columbia Nurses Association (DCNA), Compensation Unit 13, District of Columbia Fire and Emergency Medical Services Department (FEMS) and International Association of Fire Fighters (IAFF) Local 36 and Metropolitan Police Department (MPD) and Fraternal Order of Police (FOP).</p>	<p>This accomplishment caused a significant positive effect throughout the agency. Negotiation and finalizing various contracts directly improved labor relations, internal communications, and morale.</p>	<p>This accomplishment impacts residents of DC by improving our internal services and relations between employers, employees, and unions. When we have better relations between employers and unions, employees can produce higher quality services for our residents of DC.</p>
<p>OLRCB won precedential Mayor’s vaccine mandate-related litigation . The union filed at the Public Employee Relations Board (PERB) and then appealed at the Superior Court- AFGE Local 631 v. PERB & OLRCB, 2022 CA 000282 P(MPA). This decision confirmed that the Mayor’s vaccine mandate was an exercise of management rights and not a health and safety policy change, which means that Labor may be entitled to Impact & Effect bargaining, at best, but the unions are not entitled to substantive bargaining.</p>	<p>This accomplishment had a huge impact on our agency, this win improved internal morale, it confirmed that the Mayor’s vaccine mandate was an exercise of management rights. This win also considerably influenced our third accomplishment.</p>	<p>This accomplishment impacts residents of DC by ensuring DC Government employees were remaining aware and active in the COVID-19 precautions and mandates. This accomplishment also allowed DC Government to keep our residents safe and informed on COVID-19.</p>

(continued)

Accomplishment	Impact on Agency	Impact on Residents
OLRCB held successful trainings for unionized DC Government employees on COVID-19 vaccines. OLRCB partnered with DC Health and Labor (AFSCME, AFGE, NAGE) and completed training with minimal pushback against Mayor's vaccines-related policies.	This accomplishment profoundly impacted the agency as it allowed the Mayor's COVID-19 vaccine-related policies and training to smoothly be conducted.	This accomplishment impacts residents of DC by ensuring DC Government employees were remaining aware and active in COVID-19 vaccinations and mandates.

3 2022 OBJECTIVES

Strategic Objective	Number of Measures	Number of Operations
Work proactively with agencies to mediate, settle, or litigate cases to serve the public interest.	3	2
Provide advice and counsel to the Mayor and District departments, offices and agencies concerning all aspects of labor relations and collective bargaining.	0	2
Train labor liaisons and management officials on the Comprehensive Merit Personnel Act (CMPA), collective bargaining agreements (CBAs) and applicable labor law, policies and procedures.	0	1
Foster strong relations with labor partner.	0	1
Maintain a highly efficient, transparent, and responsive District Government.	11	0

4 2022 OPERATIONS

Operation Title	Operation Description	Type of Operation
Work proactively with agencies to mediate, settle, or litigate cases to serve the public interest.		
Negotiations	Negotiates collective bargaining agreements in the best interest of the public.	Daily Service
Litigation	Initiates, prosecutes, defends and monitors a wide range of litigation activity.	Daily Service
Provide advice and counsel to the Mayor and District departments, offices and agencies concerning all aspects of labor relations and collective bargaining.		
Case Management	Manages labor relations data and information.	Daily Service
Contract Administration	Administers collective bargaining contracts and provides the Mayor and District agencies with advice and guidance on the provisions of each collective bargaining agreement applicable to their agency.	Daily Service
Train labor liaisons and management officials on the Comprehensive Merit Personnel Act (CMPA), collective bargaining agreements (CBAs) and applicable labor law, policies and procedures.		
Training	Citywide Training	Daily Service
Foster strong relations with labor partner.		
Engagement and Outreach	Relationship building and collaboration with labor partners .	Daily Service

5 2022 STRATEGIC INITIATIVES

In FY 2022, Office of Labor Relations and Collective Bargaining had 2 Strategic Initiatives and completed 100%.

Title	Description	Completion to Date	Update	Explanation for Incomplete Initiative
E-Risk Negotiation Integration	OLRCB will digitize all negotiation matters into E-Risk, case management system. This will allow for more up-to-date recordkeeping, allowing OLRCB to quickly address questions regarding the bargaining unit status of employees at agencies thus improving our labor relations.	Complete	All negotiation matters have been digitized and entered into E-Risk.	
ORE Racial Equity Training	OLRCB has a direct line to MSS staff and already offers one mandatory MSS training (onboarding). Given this relationship, OLRCB will promote MSS completion of ORE's Districtwide online racial equity training by: 1) encouraging MSS staff to enroll during their cluster's scheduled offering; and 2) coordinating with DCHR to track MSS training completion by agency.	Complete	All our staff members in MSS completed the mandatory training.	

6 2022 KEY PERFORMANCE INDICATORS AND WORKLOAD MEASURES

Key Performance Indicators

Measure	Directionality	FY 2020	FY 2021	FY 2022 Target	FY 2022 Q1	FY 2022 Q2	FY 2022 Q3	FY 2022 Q4	FY 2022	Was 2022 KPI Met?	Explanation of Unmet KPI
Work proactively with agencies to mediate, settle, or litigate cases to serve the public interest.											
Percent of matters litigated to decision	Up is Better	0%	2.7%	35%	21.4%	50%	33.3%	50%	37.5%	Met	
Percent of matters closed without litigation (withdrawn, dismissed, or settled)	Up is Better	New in 2022	New in 2022	New in 2022	8.3%	66.7%	80%	50%	45.7%	-	
Percent of matters closed (withdrawn, settled, or reached judgement)	Up is Better	16.5%	75.5%	30%	28.6%	142.9%	50%	183.3%	95%	Met	

Workload Measures

Measure	FY 2020	FY 2021	FY 2022 Q1	FY 2022 Q2	FY 2022 Q3	FY 2022 Q4	FY 2022
Litigation							
Number of matters withdrawn	New in 2022	New in 2022	3	2	1	0	6
Number of matters opened	162	49	7	19	3	11	40
Number of matters settled through mediation	New in 2022	New in 2022	5	8	1	1	15
Number of matters dismissed	New in 2022	New in 2022	5	7	1	0	13
Number of matters closed by agreement	New in 2022	New in 2022	0	0	0	3	3
Number of matters closed by litigation decision	New in 2022	New in 2022	3	3	1	3	10
Number of matters litigated to decision - PERB	New in 2022	New in 2022	2	1	3	3	9
Number of matters litigated to decision	New in 2022	New in 2022	3	3	1	6	13
Number of matters litigated to decision - Grievance Arbitration	New in 2022	New in 2022	1	2	1	0	4
Number of matters settled through attorneys	New in 2022	New in 2022	5	7	3	3	18
Negotiations							
Number of NEAHP requests open	New in 2022	New in 2022	0	0	0	0	0
Number of NEAHP requests closed	New in 2022	New in 2022	0	0	0	0	0
Number of LMPC meetings	New in 2022	New in 2022	0	0	0	0	0
Contract Administration							
Number of matters opened - Demands for successor CBA bargaining	New in 2022	New in 2022	0	0	0	3	3
Number of matters opened - Demands for bargaining over policy changes	New in 2022	New in 2022	8	6	0	7	21
Engagement and Outreach							
Number of Agency labor management trainings held	New in 2022	New in 2022	Semi-Annual Measure	Semi-Annual Measure	Semi-Annual Measure	Semi-Annual Measure	3