



April Board Meeting Minutes

- I. The regular monthly meeting of PERB was held on Thursday, April 18, 2019, at 11:15 AM at PERB headquarter. Chairman Charles Murphy, presiding. Also present were Board Members Mary Anne Gibbons, Barbara Somson, Douglas Warshof and Ann Hoffman (remotely). Chairman Murphy approved the attendance by phone of Board Member Hoffman.
- II. Staff Attendance: Executive Director Clarene Martin, Alexis Anderson, Merlin George, Royale Simms and Andrea Lozada.
- III. The minutes for March 21, 2019, were approved and adopted.
- IV. Executive Director reported the following:
 - a. OCTO maintenance update to PERB Case Search would occur on April 19.
 - b. Budget Hearing was held on April 5 as scheduled.
 - c. Second Tuesdays at PERB was held April 9.
 - d. Labor training for FEMS Battalion leaders is scheduled for April 24, 25, and 26. FEMS expects 20 individuals per session. The training will be conducted by Mr. John E. Higgins.
 - e. In the month of March, PERB opened 5 cases and closed 4 cases. Currently, PERB has 28 open cases.
- V. Public Forum
 - a. No public members were present at time of meeting.
- VI. Docket
The Executive Director summarized the following cases on the docket for Board consideration:

MPD vs. FOP/MPD Labor Committee

PERB Case No. 19-A-02

In this arbitration review request, MPD asks that the Board review an arbitrator's award that sustained, in part, a grievance filed by FOP. The issues before the Board are whether the Arbitrator exceeded his jurisdiction and whether the Award is contrary to law and public policy.

MPD vs. FOP/MPD Labor Committee

PERB Case No. 18-A-16

On August 12, 2018, the Metropolitan Police Department filed this arbitration review request pursuant to the Comprehensive Merit Personnel Act, D.C. Official Code § 1-605.02(6), seeking review of an Arbitrator's Opinion and Award on Remand. The Department claims that the Remand Award is, on its face, contrary to law and public policy. The Fraternal Order of Police claims that the Request is untimely and that the Award is not contrary to law and public policy.

FOP/MPD Labor Committee vs. MPD

PERB Case No. 18-U-33

On November 29, 2018, the Metropolitan Police Department filed this Motion for Reconsideration. On December 5, 2018, the Fraternal Order of Police filed an Opposition to the Motion for Reconsideration. This matter is related to PERB Case 18-A-16.

MPD vs. FOP/MPD Labor Committee

PERB Case No. 19-A-03

On January 22, 2019, the Metropolitan Police Department filed this Arbitration Review Request. MPD seeks review of an arbitration award issued on January 2, 2019. The Award granted a grievance filed by the Fraternal Order of Police. MPD argues that the Award is contrary to law and public policy.

AFGE 1403 vs. DOH

PERB Case No. 18-U-02

On October 16, 2017, the American Federation of Government Employees, Local 1403 filed an Unfair Labor Practice Complaint against the District of Columbia Department of Health. AFGE alleges that DOH committed an unfair labor practice by changing the performance evaluation system.

It was moved to close the meeting to the public for deliberations in accordance with D.C. Official Code § 2-575(b) (13). The motion passed unanimously. The meeting was closed for deliberations.

Following deliberations, the meeting was opened to the public. The Board voted as follows:

MPD vs. FOP/MPD Labor Committee

PERB Case No. 19-A-02

It was moved and seconded and unanimously decided as follows:

The arbitration review request is denied, and the matter is dismissed with prejudice. The Arbitrator did not exceed his jurisdiction and the award is not contrary to law and public policy.

Name	In Favor	Opposed	Table
Chairman Charles Murphy	X		
Board Member Mary Anne Gibbons	X		
Board Member Ann Hoffman	X		
Board Member Barbara Somson	X		
Board Member Douglas Warshof	X		

MPD vs. FOP/MPD Labor Committee

PERB Case No. 18-A-16

It was moved and seconded and unanimously decided as follows:

The arbitration review request is denied, and the matter is dismissed with prejudice.

Name	In Favor	Opposed	Table
Chairman Charles Murphy	X		
Board Member Mary Anne Gibbons	X		
Board Member Ann Hoffman	X		
Board Member Barbara Somson	X		
Board Member Douglas Warshof	X		

FOP/MPD Labor Committee vs. MPD

PERB Case No. 18-U-33

It was moved and seconded and unanimously decided as follows:

The Metropolitan Police Department’s Motion for Reconsideration is denied. For the reasons????

Name	In Favor	Opposed	Table
Chairman Charles Murphy	X		
Board Member Mary Anne Gibbons	X		
Board Member Ann Hoffman	X		
Board Member Barbara Somson	X		
Board Member Douglas Warshof	X		

MPD vs. FOP/MPD Labor Committee

PERB Case No. 19-A-03

It was moved and seconded and unanimously decided as follows:

The Arbitration Review Request is denied, and the matter is dismissed with prejudice.

Name	In Favor	Opposed	Table
Chairman Charles Murphy	X		
Board Member Mary Anne Gibbons	X		
Board Member Ann Hoffman	X		
Board Member Barbara Somson	X		
Board Member Douglas Warshof	X		

AFGE 1403 vs. DOH

PERB Case No. 18-U-02

It was moved and seconded and unanimously decided as follows:

Table this case until the May 2019 monthly meeting.

Name	In Favor	Opposed	Table
Chairman Charles Murphy			X
Board Member Mary Anne Gibbons			X
Board Member Ann Hoffman			X
Board Member Barbara Somson			X
Board Member Douglas Warshof			X

VII. Unfinished Business

a. None

VIII. New Business

a. None

IX. Adjournment

The meeting adjourned at 12:04 PM.

Prepared by: Andrea Lozada, Program Analyst.