



MINUTES

The regular monthly meeting of PERB was held on Thursday, September 17, 2020, at 11:00 a.m. via Webex Meeting Conference.

Board Members: Board Chairperson Douglas Warshof, presiding; Board Member Ann Hoffman, Board Member Barbara Somson, Board Member Mary Anne Gibbons, and Board Member Peter Winkler present.

Staff Attendance: Executive Director Clarene Martin, Supervisory Attorney Erica Balkum, Attorney Advisor Merlin George, Attorney Advisor Royale Simms, Administrative Officer Antwanette Murphy, Program Analyst Dawan Jones, and Interns Sabrina Bey, and Oluwadamilola Animashaun.

The minutes for the August 24, 2020, meeting were adopted.

The Executive Direction reported 45 open cases, 5 pending mediations, 9 hearings pending, and 4 settlements resulting from mediations held, and that 2 cases (PERB Case Nos. 18-U-01 and 20-U-24) were appealed to the D.C. Superior Court.

Additionally, the Executive Director reported that PERB attorneys will conduct training on the Board Rules, on October 20, 2020, and that Second Tuesdays at PERB will resume in November.

The Executive Director also reported that the D.C. Court of Appeals issued a decision in *American Federation of Government Employees v. D.C. Public Employee Relations Board*, reversing PERB's Decision, and remanding to the D.C. Superior Court for an order to PERB.

DOCKET:

Supervisory Attorney Advisor Erica Balkum summarized the following matters on the docket for Board consideration:

- A. **District of Columbia Metropolitan Police Department v. Fraternal Order of Police/Metropolitan Police Department Labor Committee**
PERB Case No. 20-A-08

Case Summary: MPD filed an Arbitration Review Request requesting review of an Award, in which the Arbitrator clarified the arbitration remedy under the Federal Back Pay Act. MPD filed the Request on the grounds that the Award is contrary to law and public policy. FOP opposes the Request.



B. American Federation of Government Employees, Local 1975 and Metropolitan Police Department

PERB Case No. 20-AC-01

Case Summary:

On July 30, 2020, the American Federation of Government Employees, Local 1975 (AFGE) filed this unopposed Petition for Amending their Certification. AFGE Local 1975 seeks to clarify that AFGE Local 1975, and not AFGE Local 3444, is the union representing the bargaining unit described in Certification No. 4R003.

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

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

A. American Federation of Government Employees, Local 1975 and Metropolitan Police Department

PERB Case No. 20-AC-01

Motion: It was moved and seconded to grant AFGE’s petition, and amend Certification No. 4R003 to reflect that AFGE Local 1975, and not AFGE Local 3444, is the union representing the bargaining unit described in the Certification.

Name	In Favor	Opposed	Table
Chairperson Douglas Warshof	X		
Board Member Peter Winkler	X		
Board Member Mary Anne Gibbons	X		
Board Member Ann Hoffman	X		
Board Member Barbara Somson	X		



B. American Federation of Government Employees, Local 2978 v. District of Columbia Department of Health

PERB Case No. 20-U-02

Motion: It was moved and seconded to deny MPD’s arbitration review request.

Name	In Favor	Opposed	Table
Chairperson Douglas Warshof	X		
Board Member Peter Winkler	X		
Board Member Mary Anne Gibbons	X		
Board Member Ann Hoffman	X		
Board Member Barbara Somson	X		

Old Business: None

The meeting was adjourned at 12:00 p.m.
Prepared by: Antwanette Murphy, Administrative Officer.