



MINUTES

The regular monthly meeting of PERB was held on Thursday, June 18, 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, and Office Administrator Antwanette Murphy.

The minutes for the May 28, 2020 meeting were adopted.

The Executive Director reported that mediations and hearings had resumed with the use of WebEx. Prehearing conferences will be conducted to handle preliminary matters to expedite the hearing process.

There are currently 33 open cases and 20 closed cases to date. PERB will attempt to resolve all open cases by the end of the Fiscal Year (September 30, 2020).

There are currently four prehearing conferences scheduled, one mediation scheduled, and eight pending mediations to be scheduled.

The Executive Director also reported that a two-hour virtual Webex and Zoom training was held for Hearing Examiners on June 10, 2020, conducted by Hearing Examiner Keith Greenberg. Since that training session, we have been told that Zoom is not accessible through the District government

The Executive Director reported that PERB held its first virtual mediation last week.

The Executive Director met with the Agency Budget Fiscal Officer regarding budget cuts/adjustments to the FY20 and FY'21 budgets. The Budget was sent to Council and the Office of the City Administrator.



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-05

MPD filed this Arbitration Review Request, seeking review of an arbitration Award on the basis that the Arbitrator exceeded his jurisdiction and acted contrary to law and public policy. FOP/MPD Labor Committee filed a timely opposition.

B. District of Columbia Metropolitan Police Department v. Fraternal Order of Police/Metropolitan Police Department Labor Committee

PERB Case No. 20-A-06

MPD filed this Arbitration Review Request, seeking review of an arbitration Award on the basis that the Arbitrator exceeded her jurisdiction. FOP/MPD Labor Committee filed a timely opposition.

C. Fraternal Order of Police/Metropolitan Police Department Labor Committee v. District of Columbia Metropolitan Police Department

PERB Case No. 20-E-02

FOP/MPD Labor Committee filed this Petition for Enforcement of PERB Case No. 18-A-09, Opinion No. 1684. FOP alleges that MPD has failed to comply with Opinion No.1684. MPD opposes the Petition and requests the Board dismiss the Petition for Enforcement.

D. Washington Teacher's Union, Local #6 v. District of Columbia Public Schools

PERB Case No. 20-U-26

WTU filed an unfair labor practice complaint, alleging DCPS has failed to bargain in good faith. The question presented to the Board is whether DCPS has refused to bargain in good faith in violation of the CMPA.

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. District of Columbia Metropolitan Police Department v. Fraternal Order of Police/Metropolitan Police Department Labor Committee
 PERB Case No. 20-A-05

Motion: It was moved and seconded to deny the 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		

B. District of Columbia Metropolitan Police Department v. Fraternal Order of Police/Metropolitan Police Department Labor Committee
 PERB Case: 20-A-06

Motion: It was moved and seconded, that the Board deny the 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		



C. Fraternal Order of Police/Metropolitan Police Department Labor Committee v. District of Columbia Metropolitan Police Department

PERB Case No: 20-E-02

Motion: It was moved and seconded to grant the Petition for Enforcement and order MPD to pay FOP/DOC Labor Committee’s attorney fees related to filing the petition.

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		

D. Washington Teachers’ Union Local # 6, American Federation of Teachers, AFL-CIO v. District of Columbia Public Schools

PERB Case No. 20-U-26

Motion: It was moved and seconded to decide upon the pleadings and find that the District of Columbia Public Schools violated D.C. Official Code § 1-617.04(a)(1) and (5) and order DCPS to bargain in good faith forthwith.

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.