



DRAFT MINUTES

PERB held its regular monthly meeting on Thursday, May 16, 2024, at 11:00 a.m. via Webex Meeting Conference. Board Chairperson Douglas Warshof, presiding; Board Member Renee Bowser, Mary Ann Gibbons and Board Member Peter Winkler were present.

Staff Attendance: Acting Executive Director Royale Simms, Attorney Advisor Elizabeth Slover, Attorney Advisor Rita Solomon, Attorney Advisor Isaac Katz, Administrative Officer Crystal Davis, Program Analyst Dawan Jones, and Senior Staff Assistant Gertie Elam.

The Board adopted the April 18, 2024, meeting minutes.

Board Members, Renee Bowser and Mary Ann Gibbons were sworn in by Vida Rangel of MOTA.

There were 5 visitors from the public attending the meeting. They were as follows:

Darlene Bryant – D.C. Department of Corrections, Julia Broadus – D.C. Department of Corrections, Tesheanna Harris – D.C. Department of Corrections, Verro Love – D.C. Department of Corrections, and Arthur Slade – Vice President of ASCME, Local 2743.

The Acting Executive Director reported the following:

1. PERB’s Annual Budget Hearing with the Committee on Executive Administration and Labor was held on Friday, April 26, 2024.
2. March Case Management Report – 7 cases closed, for a total of 40 cases closed for the fiscal year, and 11 cases filed. There are currently 44 open cases.
3. The second Tuesdays at PERB training was held on April 9, 2024, with the topic: “Weingarten Rights” and was facilitated by Mr. John Higgins.

DOCKET:

Acting Executive Director Royale Simms summarized the following matters on the docket for Board consideration:

- A. Darlene Bryant, et al. v. Fraternal Order of Police/Department of Corrections Labor Committee**
PERB Case No. 23-S-05

Summary: This Standards of Conduct case comes before the Board following the Board’s decision in Opinion No. 1850 that FOP has failed to comply with the CMPA’s standards of conduct for labor organizations. The Complainants assert that FOP has not complied. FOP asserts that it has complied with the Board’s order and the CMPA. The Hearing Examiner found that FOP has failed to comply with either the Board’s previous order or the standards of conduct

and recommended that the Board revoke FOP’s certification as an exclusive bargaining representative.

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

PERB Case No. 24-A-05

Summary: MPD seeks review of an arbitration award that ordered the reinstatement of a terminated police officer. MPD requests that the Board reverse the Award on the grounds that the Award is contrary to law and public policy. FOP opposes MPD’s Request

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

PERB Case No. 24-A-08

Summary: MPD seeks review of an arbitration award that ordered the reinstatement of a terminated officer with backpay and opposes a five-day suspension in-lieu of termination. MPD requests that the Board reverse the Award on the grounds that the Arbitrator exceeded his authority, and the Award is contrary to law and public policy. FOP opposes MPD’s Request.

It was moved and seconded to close the meeting 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. Darlene Bryant, et al. v. Fraternal Order of Police/Metropolitan Police Department Labor Committee

PERB Case No. 23-S-05

Motion: It was moved and seconded that the Board revoke Fraternal Order of Police/Metropolitan Police Labor Committee’s certification as an exclusive Bargaining representative effective immediately and that a copy of the decision be sent to the National Union so they are aware of the decision and can take any action that is appropriate or authorized by their constitution.

Name	In Favor	Opposed	Table
Chairperson Douglas Warshof	X		
Board Member Renee Bowser	X		
Board Member Peter Winkler	X		
Board Member Mary Ann Gibbon	X		

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

PERB Case No. 24-A-05

Motion: It was moved and seconded that the Board remand the Arbitration Review Request back to the Arbitrator for a finding on remedy in light of the grievant's subsequent federal conviction.

Name	In Favor	Opposed	Table
Chairperson Douglas Warshof	X		
Board Member Renee Bowser	X		
Board Member Peter Winkler	X		
Board Member Mary Ann Gibbons	X		

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

PERB Case No. 24-A-08

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 Renee Bowser	X		
Board Member Peter Winkler	X		
Board Member Mary Ann Gibbons	X		

Old Business: None

The meeting was adjourned at 12:36 p.m.

The next meeting will be held on June 20, 2024.