



MINUTES

- I. The regular monthly meeting of PERB was held on November 30, 2017, at 11:25 a.m. at PERB headquarters. Chairman Charles Murphy presiding, Board Member Ann Hoffman, Board Member Douglas Warshof, Board Member Barbara Somson and Board Member Mary Anne Gibbons were present.
- II. Staff attendance: Executive Director Clarene Phyllis Martin, Lindsey Maxwell, David McFadden, Alexis Anderson, Merlin George, Najibah Almahdi and Sheryl Harrington.
- III. Approval of the minutes for the October 19, 2017, Regular Board Meeting.
- IV. Executive Director Martin provided her monthly report.

Docket

Lindsey Maxwell summarized the following five cases appearing on the case docket for Board consideration.

- A. **American Federation of Government Employees, Local 2741, AFL-CIO v. District of Columbia Department of General Services**
PERB Case 16-U-25, 16-U-19

AFGE Local 2741 filed two unfair labor practice complaints against Respondent, Department of General Services. The Union is requesting that the Board order DGS to desist from violations of the D.C. Official Code in the manner alleged; provide the Union with all requested bargaining information; meet with the Union; timely process grievances filed by the Union; post a notice to all employees; award costs; and award additional relief that the Board deems appropriate.

B. American Federation of Government Employees, AFL-CIO, Local 631 v. D.C. Water and Sewer Authority Agency
PERB Case 16-UM-01, 16-UC-01

American Federation of Government Employees, Local 631 filed a “Unit Clarification Petition or in the alternative a Unit Modification Petition.” A hearing was held on February 15 and March 6, 2017. The Hearing Examiner issued a Report and Recommendation on August 29, 2017. The District of Columbia Water and Sewer Authority filed exceptions to the Report on September 20, 2017. WASA stated that the Hearing Examiner’s conclusions with regard to the positions of Contract Compliance Specialists I & II and the LQAO are not supported by substantial evidence in the record. According to WASA, the Hearing Examiner reached contradictory conclusions by stating that the Process Engineer II is a management official and that the LQAO position is not.

D.C. Metropolitan Police Department v. Fraternal Order of Police /Metropolitan Police Department Labor Committee
PERB Case 17-A-10

Metropolitan Police Department filed an Arbitration Review Request seeking review of an Arbitrator’s Opinion and Award that sustained the grievance filed by the Fraternal Order of Police/Metropolitan Police Department Labor Committee Respondent on behalf of Devonnie Gregory (“Grievant”). The Arbitrator’s Award reversed the Grievant’s termination and reinstated the Grievant with back pay and benefits. MPD asserts that the Arbitrator exceeded his jurisdiction.

Board Chairman Murphy 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:

American Federation of Government Employees, Local 2741, AFL-CIO v. District of Columbia Department of General Services
PERB Case 16-U-25, 16-U-19

It was moved and seconded to table the cases until the next Board meeting.

Member	In Favor	Opposed	Tabled
Charles Murphy	X		
Ann Hoffman	X		
Douglas Warshof	X		
Barbara Somson	X		
Mary Anne Gibson	X		

American Federation of Government Employees, AFL- CIO, Local 631 v. D.C. Water and Sewer Authority Agency
PERB Case 16-UM-01, 16-UC-01

It was moved and seconded and unanimously decided to grant the unit modification and unit clarification with some minor changes.

Member	In Favor	Opposed	Tabled
Charles Murphy	X		
Ann Hoffman	X		
Douglas Warshof	X		
Barbara Somson	X		
Mary Anne Gibson	X		

D.C. Metropolitan Police Department v. Fraternal Order of Police/Metropolitan Police Department Labor Committee
PERB Case 17-A-10

It was moved and seconded and unanimously decided to dismiss the Arbitration Review Request in its entirety.

Member	In Favor	Opposed	Tabled
Charles Murphy	X		
Ann Hoffman	X		
Douglas Warshof	X		
Barbara Somson	X		
Mary Anne Gibson	X		

The meeting was adjourned at 12:09 p.m.

Prepared by: Sheryl V. Harrington, Administrative Assistant