



## MINUTES

The regular monthly meeting of PERB was held on April 13, 2017, at 11:12 a.m. at PERB headquarters. Chairman Charles Murphy, presiding, and Board members Ann Hoffman and Douglas Warshof being present. Board Member Barbara Somson was absent

Staff attendance: Executive Director Clarene Phyllis Martin, Lindsey Maxwell, David McFadden, Alexis Anderson, Merlin George, Najibah Almahdi and Yvonne Waller.

From the Public: Howard Coles, Jonathan Shanks, Barbara Milton, Kevin Jenkins, Beth Stachura and Michelle Hunter

Minutes from the March 23, 2017 meeting were approved.

Executive Director Martin reported the following:

Second Tuesdays at PERB training session was held on April 11, 2017. There were 41 attendees. A video was shown on the Art and Science of Labor Arbitration.

Paul Blake, Agency Fiscal Officer met with Chairman Murphy and Ms. Martin to discuss FY 2018 budget matters.

Executive Director Martin met with attorney from Councilmember Silverman's office regarding PERB's upcoming budget hearing on April 27, 2017.

As of March 31, 2017

- Closed cases – 64
- Received 3 new cases
- Remaining open cases- 61

## Docket

Lindsey Maxwell summarized the following four cases appearing on the case docket

### **A. Compensation Unit 31 and D.C. Water and Sewer Authority**

PERB Case No. 17-I-01

Motion for Reconsideration was filed by the Water and Sewer Authority. WASA is requesting the Board to review the decisions of the Executive Director declaring impasse between WASA and Compensation Unit 31.

**B. FOP/MPD Labor Committee v. MPD**

PERB Case Nos. 11-U-35, 11-U-38

These two unfair labor practice complaints alleged discriminatory enforcement of policy regarding use of its e-mail system for union business.

**C. AFGE, Locals 1000, 2725, 2741, 2978, 3444, and 3721 v. DC Government**

PERB Case No. 17-I-03

Motion for Reconsideration was filed by the AFGE Locals. The Unions are requesting the Board to reconsider its Decision and Order in Slip Opinion 1612 in which the Board held that its impasse procedures cannot be used for I&E bargaining.

**D. Department of Youth Rehabilitation Services v. Fraternal Order of Police**

PERB Case No. 17-N-01

DYRS filed this Negotiability Appeal of FOP’s written declaration of non-negotiability of DYRS’s proposal regarding the procedure by which employees may request leave. FOP filed a timely Answer to the Appeal.

Board Chair 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 of Case No.17-I-01, the meeting resumed at which time the Board voted on the following case:

**Compensation Unit 31 and D.C. Water and Sewer Authority**

PERB Case No. 17-I-01

It was moved and seconded that the Motion for Reconsideration lacks merit and is denied.

Member	In Favor	Opposed	Tabled
Ann Hoffman	X		
Charles Murphy	X		
DouglasWarshof	X		

Thereafter, the deliberations continued in closed session. The meeting later resumed at which time the Board voted on the following:

**FOP/MPD Labor Committee v. MPD**

PERB Case Nos. 11-U-35, 11-U-38

It was moved and seconded that the Complaint be dismissed with prejudice.

Member	In Favor	Opposed	Tabled
Ann Hoffman	X		
Charles Murphy	X		
DouglasWarshof	X		

**AFGE, Locals 1000, 2725, 2741, 2978, 3444, and 3721 v. DC Government**

PERB Case No. 17-I-03

It was moved and seconded that the Board table this case so that staff can research case law regarding impact and effects bargaining.

Member	In Favor	Opposed	Tabled
Ann Hoffman	X		
Charles Murphy	X		
DouglasWarshof	X		

**Department of Youth Rehabilitation Services v. Fraternal Order of Police**

PERB Case No. 17-N-01

It was moved and seconded that DYRS's proposal is negotiable.

Member	In Favor	Opposed	Tabled
Ann Hoffman	X		
Charles Murphy	X		
DouglasWarshof	X		

The meeting was adjourned at 12:42 p.m.

Prepared by: Yvonne P. Waller, Administrative Officer