



**DRAFT MINUTES**

The regular monthly meeting of PERB was held on Thursday, April 28, 2022, at 11:00 a.m. via WebEx Meeting Conference. Board Chairperson Douglas Warshof, presiding; Board Member Mary Anne Gibbons, Board Member Peter Winkler, and Board Member Renee Bowser were present.

Staff Attendance: Executive Director Clarene Martin, Supervisory Attorney Advisor Erica Balkum, Attorney Advisor Elizabeth Slover, Attorney Advisor Isaac Katz, Administrative Officer Antwanette Murphy, Program Analyst Dawan Jones, and Senior Staff Assistant Gertie Elam.

The minutes for the March 17, 2022, meeting were approved.

The Executive Director reported that during March, two (2) cases closed including one (1) settlement and one (1) Administrative Dismissal. There are 4 new cases. Isaac Katz was introduced to the Board as the new Attorney Advisor. It was also reported that PERB is still looking to fill the second Attorney Advisor position and will start the interview process next week. It was reported that the Budget Hearing before the Council took place on Friday April 1, 2022. Second Tuesdays at PERB took place on April 12, 2022, with 7 attendees. The topic was: Duty of Fair Representation and Standards of Conduct in addition to the Duty to Bargain Following the End of the Public Emergency. In addition, the PERB Staff Attorneys are registered for the July 2022 virtual Annual Conference of the Association of Labor Relations Agencies.. Board members were offered the opportunity to attend as well.

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

**DOCKET:**

**A. American Federation of Government Employees, Local 872 v. District of Columbia Water and Sewer Authority.**

PERB Case No. 22-I-02

Summary: AFGE requests that the Board reconsider the Executive Director's administrative dismissal of AFGE's impasse petition concerning the District's Vaccination Requirements and WASA's return to the worksite procedures. AFGE's Motion for Reconsideration is now before the Board.

**B. American Federation of Government Employees, Local 1975 v. Office of Labor Relations and Collective Bargaining, et al.**

PERB Case No. 22-U-01

Summary: AFGE requests that the Board reconsider the Executive Director's administrative dismissal of AFGE's unfair labor practice complaint. The Agencies filed an opposition, arguing that the Agencies had no duty to bargain over the allegations raised in AFGE's complaint. AFGE's Motion for Reconsideration is now before the Board.

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. The Board voted as follows:

**A. American Federation of Government Employees, Local 872 v. District of Columbia Water and Sewer Authority.**

PERB Case No. 22-I-02

**Motion:** It was moved and seconded that the Board deny the union’s Motion for Reconsideration.

| <b>Name</b>                    | <b>In Favor</b> | <b>Opposed</b> | <b>Abstain</b> |
|--------------------------------|-----------------|----------------|----------------|
| Chairperson Douglas Warshof    | X               |                |                |
| Board Member Peter Winkler     | X               |                |                |
| Board Member Mary Anne Gibbons | X               |                |                |
| Board Member Renee Bowser      | X               |                |                |

**B. American Federation of Government Employees, Local 1975 v. Office of Labor Relations and Collective Bargaining, et al.**

PERB Case No. 22-U-01

**Motion:** It was moved and seconded that the Board dismiss the complaint in its entirety.

| <b>Name</b>                    | <b>In Favor</b> | <b>Opposed</b> | <b>Abstain</b> |
|--------------------------------|-----------------|----------------|----------------|
| Chairperson Douglas Warshof    | X               |                |                |
| Board Member Peter Winkler     | X               |                |                |
| Board Member Mary Anne Gibbons | X               |                |                |
| Board Member Renee Bowser      | X               |                |                |

**Old Business:** None

The next Board Meeting is scheduled for May 19, 2022.