



## MINUTES

The regular monthly meeting of PERB was held on Thursday, August 20, 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 Advisor Erica Balkum, Attorney Advisor Merlin George, Attorney Advisor Royale Simms, Administrative Officer Antwanette Murphy, and Program Analyst Dawan Jones.

The minutes for the June 18, 2020 meeting were adopted.

The Executive Director reported that mediations and hearings are still being held 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 25 closed cases to date. In June, there was 1 hearing, 9 mediations, and 6 closed cases. In July, there were 4 mediations held, and 1 case was closed. In August, there were 2 mediations held. In July, 3 new cases were opened, and in August, 2 new cases were opened.

There are currently five pending hearings scheduled in August and September.

The Executive Director reported that the PERB office is still operating on a telework schedule, pending the State of Emergency being lifted in October.

The Executive Director also reported that PERB hired a Program Analyst, Dawan Jones, who began his first day with PERB on Monday, August 17th.

The Executive Director also reported that the election for the Department of Forensic Science is upcoming. PERB received the list of employees, which would be sent to the vendor August 20, 2020.

The Executive Director reported that PERB's website has been reviewed, and links and information will be updated in accordance with the new Board's Rules. The *pro se* form will be updated, and new guidelines are being drafted to provide additional information on the Board's processes and filing requirements.

The Executive Director also reported that PERB intends to hire two additional employees to fill two open vacancies: an Attorney Advisor and a Staff Assistant.



**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-07

MPD requests review of an arbitration award. The Union filed an opposition to the request and moved for dismissal.

**B. American Federation of Government Employees, Local 2978 v. District of Columbia Department of Health**  
PERB Case No. 20-U-02

AFGE filed an Unfair Labor Practice Complaint, alleging that DOH violated D.C. Official Code § 1-617.04(a) when it refused to proceed to arbitration and as a result repudiated the parties' collective bargaining agreement. DOH filed a timely Answer and requests that the Board dismiss the Complaint.

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-07

**Motion:** It was moved and seconded that the Board deny the Arbitration Review Request.

<b>Name</b>	<b>In Favor</b>	<b>Opposed</b>	<b>Table</b>
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. American Federation of Government Employees, Local 2978 v. District of Columbia Department of Health**

PERB Case No. 20-U-02

**Motion:** It was moved and seconded, that the Board find that Respondent committed an unfair labor practice by refusing to participate in arbitration in repudiation of the parties' collective bargaining agreement and that we order respondent to proceed to arbitration.

<b>Name</b>	<b>In Favor</b>	<b>Opposed</b>	<b>Table</b>
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.