



Public
Employee
Relations
Board



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May 28, 2015

MINUTES

The regular monthly meeting of PERB was held on May 21, 2015, 11:14 a.m. at PERB headquarters. Chairman Charles Murphy, presiding, and Board members Ann Hoffman, Yvonne Dixon, Keith Washington and Donald Wasserman were present.

Also in attendance were Executive Director Clarene Martin, Lindsey Maxwell, Erica Balkum, Colby Harmon, Benjamin Kraft, David McFadden and Sheryl Harrington.

The minutes of the last meeting were approved asamended.

I. Public Forum:

None.

II. Docket:

- A. 06-U-49: Fraternal Order of Police/MPD Labor Committee v. District of Columbia Metropolitan Police Department: Unfair Labor Practice Complaint. Erica Balkum presented the case. Issues are whether the ULP complaint was timely filed and whether the Union requested impact and effects bargaining. Staff recommended to adopt the Hearing Examiner's recommendation and dismiss the complaint with prejudice. The Board so moved. The motion was adopted.
- B. 09-U-31: American Federation of Government Employees, Locals 631, 383, 1000, 1403, 1975, 2725, 2741, 2978, 3444 and 3721 v. District of Columbia Government, et al.: Unfair Labor Practice Complaint. David McFadden presented the case. The Board tabled this matter until the next Board meeting.
- C. 13-A-09: District of Columbia v. Council for School Officers Local 4 American Federation of School Administrators AFL-CIO: Arbitration Review Request. David McFadden presented the case. The Board tabled this matter until the next Board meeting.
- D. 15-I-06 - District of Columbia Nurses Association and District of Columbia Department of Health: Impasse. Colby Harmon presented the case. Issue is whether PERB should grant DCNA's request to assign the matter to FMCS. Staff recommended to deny the request and dismiss the case. The Board so moved. After discussion, the motion was adopted.

- E. 15-A-04: Fraternal Order of Police/MPD Labor Committee v. District of Columbia Metropolitan Police Department: Arbitration Review Request. Colby Harmon presented the case. The issues are whether bias qualifies as an “other similar and unlawful mean” under which the Board can modify, set aside, or remand the Award and whether the Arbitrator was without authority to issue the Award based on FOP’s unilateral effort to remove him. Staff recommended to deny the request and to dismiss the matter in its entirety with prejudice. The Board so moved. After discussion, the motion was adopted.
- F. 15-N-02: Fraternal Order of Police/Protective Services Police Department Labor Committee v. District of Columbia Department of General Services: Negotiability Appeal. Erica Balkum presented the case. The Board tabled this matter until the next Board meeting.

Executive Director’s Report

The Executive Director, Clarene Martin reported on the following:

- Case Management
- The Second Tuesdays at PERB workshop held May 12, 2015

The meeting was adjourned at 1:25 p.m.

Yvonne P. Waller, Administrative Officer