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March 24, 2016

MINUTES

The regular monthly meeting of PERB was held on March 17, 2016 at 11:19 a.m. at PERB headquarters. Chairman Charles Murphy, presiding, and Board members Yvonne Dixon, Ann Hoffman and Keith Washington being present.

Staff attendance: Executive Director Clarene Martin, Lindsey Maxwell, Erica Balkum, Colby Harmon, Benjamin Kraft, David McFadden and Yvonne Waller.

Public Attendees: None

Minutes from the February 18, 2016 meeting were approved with corrections.

Executive Director Martin reported the following:

- She attended the Performance Hearing with Chairman Murphy. There was a witness that expressed concern about File and ServeXpress. OLRCB also raised concern about the standards governing arbitration review requests.
- She was called to the Mayor’s Office by Steve Walker, Director, Mayor's Office of Talent and Appointments, and was introduced to the two potential new board members.

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

Board member Hoffman moved that the meeting be closed 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.

The meeting resumed at which time the Board voted on the following cases:

**Rene Jackson v. Teamsters Local Union 639, a/w International Brotherhood of Teamsters, PERB Case No. 14-S-02**

It was moved and seconded that the Board adopt the Hearing Examiner’s findings and conclusions and dismiss the Complaint for a failure to state a claim for a standards of conduct violation or a breach of the duty of fair representation.

Member	In Favor	Opposed	Tabled
Yvonne Dixon	X		
Ann Hoffman	X		
Charles Murphy	X		
Keith Washington	X		

**FOP/Department of Youth Rehabilitation Services v. D.C. Department of Youth Rehabilitation Services, PERB Case No. 14-U-09**

It was moved and seconded that the Board find that DYRS violated D.C. Official Code §1-617.04(a)(1) and (5) of the CMPA by failing to comply with the Union’s requests for information. The unfair labor practice complaint is upheld.

Member	In Favor	Opposed	Tabled
Yvonne Dixon	X		
Ann Hoffman	X		
Charles Murphy	X		
Keith Washington	X		

**D.C. Public Schools v. Council of School Officers, Local 4, AFSA, PERB Case No. 15-A-05**

It was moved and seconded that the Board table this case.

Member	In Favor	Opposed	Tabled
Yvonne Dixon	X		
Ann Hoffman	X		
Charles Murphy	X		
Keith Washington	X		

**D.C. Public Schools v. Council of School Officers, Local 4, AFSA, PERB Case No. 15-A-07**

It was moved and seconded that the Board find that DCPS has not asserted a legal basis for overturning the Board’s decision in Opinion No. 1559. Therefore the Board denies DCPS’s Motion for Reconsideration.

Member	In Favor	Opposed	Tabled
Yvonne Dixon	X		
Ann Hoffman	X		
Charles Murphy	X		
Keith Washington	X		

**Paul Bonaparte v. AFSCME District Council #20, Andrew Washington, Executive Director, PERB Case No. 15-U-06**

It was moved and seconded that the Board find that the complaint does not constitute breach of the duty of fair representation and that the complaint be dismissed with prejudice.

Member	In Favor	Opposed	Tabled
Yvonne Dixon	X		
Ann Hoffman	X		
Charles Murphy	X		
Keith Washington	X		

**AFSCME, District Council 20, Local 2401 and D.C. Public Service Commission,  
PERB Case No. 16-CU-02**

It was moved and seconded that the Board grant the Joint Petition for Compensation Unit Determination and place the bargaining unit in Compensation Unit 1.

Member	In Favor	Opposed	Tabled
Yvonne Dixon	X		
Ann Hoffman	X		
Charles Murphy	X		
Keith Washington	X		

This was Board Member Keith Washington's last meeting. Chairman Murphy thanked him for his service to the Board.

The meeting was adjourned at 12:43 p.m.

Prepared by: Yvonne P. Waller, Administrative Officer