



Public  
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Board



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January 22, 2015

### MINUTES

The regular monthly meeting of the PERB was held on January 15, 2015, 11:05 a.m. at PERB headquarters, Charles Murphy, Chairman, presiding and Board members Yvonne Dixon, Ann Hoffman, Keith Washington and Donald Wasserman present.

Also in attendance were Executive Director Clarene Martin, Lindsey Maxwell, Erica Balkum, Colby Harmon, David McFadden, Margaret Cox and Yvonne Waller.

The minutes of the last meeting were read and approved.

#### I. Public Comments:

Hearing Examiner Barry Shapiro introduced himself to the Board.

#### II. Docket:

- A. 13-A-08: District of Columbia Metropolitan Police Department and Fraternal Order of Police/Metropolitan Police Department Labor Committee: D. McFadden presented the case to the Board. The agency in this case sought review of an arbitrator's award finding that orders issued by the chief of police implementing the "All Hands on Deck" program in 2010 violated the parties' collective bargaining agreement. The agency contended that the award was contrary to certain mayoral orders allegedly delegating authority to the chief of police to issue the orders in question. Without discussion, it was properly moved and seconded to adopt Staff's recommendation to deny the MPD's arbitration review request. The motion was unanimously adopted.
- B. 14-A-08: District of Columbia Child and Family Services Agency v. American Federation of State, County and Municipal Employees, District Council 20, Local 2401: L. Maxwell presented the case to the Board. The agency in this case sought review of an arbitrator's award ordering the reinstatement of an employee of the agency who was removed for making an unwanted sexual advance to a 19-year-old ward of the agency. The issue presented was whether the award's order was contrary to the agency's legal obligation to protect youth in its charge and the orders of federal courts under which the agency operates. Without discussion, it was properly moved

and seconded to adopt Staff's recommendation to deny the CFSA's arbitration review request. The motion was adopted by a vote of 4-1

III. New Business

- A. Draft of Board Rules – The Board decided to table discussion of updating the Board rules until the next meeting.

Executive Director's Report

- A. The Executive Director introduced Lindsey Maxwell, the agency's new Supervisory Attorney-Advisor.
- B. PERB's second training seminar held Tuesday, January 13, 2015 was a huge success. Will have to do two sessions for the next training seminar.

The meeting was adjourned at 11:48 a.m.

Yvonne P. Waller, Administrative Officer