



Public
Employee
Relations
Board



1100 4th Street S.W.
Suite E630
Washington, D.C. 20024-
4451
Business: (202) 727-1822
Fax: (202) 727-9116
Email: perb@dc.gov

July 28, 2015

MINUTES

The regular monthly meeting of PERB was held on July 24, 2015, 11:05 a.m. at PERB headquarters. Chairman Charles Murphy, presiding, and Board members Yvonne Dixon and Keith Washington were present. Board Member Ann Hoffman was absent.

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

The minutes of the last meeting were approved.

I. Public Forum:

Lionel Simms, the new Executive Director of the D.C. Office of Labor Relations and Collective Bargaining, was introduced.

II. Docket:

- A. 09-U-57(R): American Federation of Government Employees, Local 631 v. District of Columbia Government, et al.: Unfair Labor Practice Complaint. Colby Harmon presented the case. The issue, based on the D.C. Court of Appeals and the D.C. Superior Court decisions, was did the Respondent's violate D.C. Official Code § 1-617.04(a)(1) and (5) as alleged by AFGE. Staff recommendation: Dismiss complaint. The Board so moved and the motion was adopted.
- B. 10-S-05, 10-S-07, 10-S-08 and 10-S-09: Dancy Simpson, Pamela Chase, Ernest Durant, Shante Briscoe, et al. v. Fraternal Order of Police/ Department of Corrections Labor Committee: Standards of Conduct Complaint. Erica Balkum presented the case. The issues are whether FOP conducted a fair election; whether FOP improperly denied a member the right to run in the election and whether FOP breached its duty to provide certain financial information to the Complainants. Staff recommendation: Remand to Hearing Examiner for supplemental report and recommendation. The Board so moved. After discussion, the motion was adopted with the condition that the Hearing Examiner be instructed to look at the totality of the incidents.
- C. 15-A-10: Fraternal Order of Police/Metropolitan Police Department Labor Committee v. District of Columbia Metropolitan Police. Staff recommendation: Deny request. The Board so moved and the motion was adopted.

D. 10-U-14(R): Fraternal Order of Police/Metropolitan Police Department Labor Committee v. District of Columbia Metropolitan Police Department: Unfair Labor Practice Complaint. Erica Balkum presented the case. The Superior Court overturned the Board's Decision in Opinion No. 1397, finding that one of three allegations in an unfair labor practice complaint, PERB Case No. 10-U-14, was untimely. The allegation that has been remanded back to the Board is regarding an allegation that MPD improperly proposed the suspension of a union official. Staff recommendation: Follow the Superior Court Order that the complaint was timely filed and adopt the hearing examiner's findings that MPD committed an ULP. The Board so moved. After discussion, the motion was adopted.

E. 15-N-01: Service Employees International Union, Local 500 and University of the District of Columbia: Negotiability Appeal. Erica Balkum presented the case. The Board tabled this case until next meeting.

Executive Director's Report

The Executive Director, Clarene Martin reported on the following:

- Key Performance Plan
- Proposed Board Rules – Public comments due July 30, 2015

The meeting was adjourned at 11:28 a.m.

Yvonne P. Waller, Administrative Officer