



DRAFT MINUTES

The regular monthly meeting of PERB was held on Thursday, December 16, 2021, at 11:00 a.m. via WebEx Meeting Conference. Board Chairperson Douglas Warshof, presiding; Board Member Mary Anne Gibbons, Board Member Peter Winkler, and Board Member Renee Bowser were present.

Staff Attendance: Executive Director Clarene Martin, Supervisory Attorney Advisor Erica Balkum, Attorney Advisor Elizabeth Slover, Administrative Officer Antwanette Murphy, Program Analyst Dawan Jones, and Senior Staff Assistant Gertie Elam.

The minutes for the November 18, 2021 meeting were approved.

The Executive Director reported that PERB opened a total of 4 cases for the month of November, and 3 cases were closed of which 1 administratively for failure to prosecute and 2 others were withdrawn by the parties. There were 3 mediations, of those 1 was settled.

In addition, there were no Superior Court or Court of Appeals cases filed in November. There are 2 new Superior Court cases filed this month.

The Executive Director also mentioned that the MPD audit is ongoing and PERB is compiling information to send to the auditors next week.

It was reported that Second Tuesdays at PERB was a success and featured the 1968 Memphis Sanitation Workers Strike video and because it was received so well, PERB will be showing this video again in February for Black History Month.

Also reported, there have been several inspections performed at the PERB suite. There will be a refurbishing of the building as well as a refresh of the security equipment in PERB's offices.

It was reported that PERB is still waiting on a list of candidates for the 2 Attorney Advisor positions from DCHR, but should have them before next week.

DOCKET:

Supervisory Attorney Advisor Erica Balkum summarized the following matters on the docket for Board consideration:

A. American Federation of Government Employees, Local 631 v. District of Columbia Office of Labor Relations and Collective Bargaining, et al.
PERB Case No. 22-N-02

Summary: The Union filed a negotiability appeal concerning twelve proposals for a memorandum of agreement, which covers the Agencies' coronavirus vaccine requirement for District employees. The Union requests that the Board find the proposals negotiable. The Agencies oppose the Union's negotiability appeal.

B. District of Columbia Metropolitan Police Department v. Fraternal Order of Police/ Metropolitan Police Department Labor Committee
PERB Case No. 22-A-01

Summary: MPD filed a timely arbitration review request, seeking review of an arbitration award on the grounds that the arbitrator exceeded his authority. MPD asserts that the Arbitrator rendered a decision reversing the Grievant's termination based on findings not pertinent to the issues presented for arbitration. The Union opposes MPD's Request.

It was moved and seconded to close the meeting in accordance with D.C. Official Code § 2-575(b)(13). The motion passed unanimously.

Following deliberations, the meeting was reopened. The Board voted as follows:

A. American Federation of Government Employees, Local 631 v. District of Columbia Office of Labor Relations and Collective Bargaining, et al.
 PERB Case No. 22-N-02

Motion: It was moved and seconded that the Board finds the Union’s 12 proposals non-negotiable during this public health emergency.

Name	In Favor	Opposed	Table
Chairperson Douglas Warshof	X		
Board Member Peter Winkler	X		
Board Member Mary Anne Gibbons	X		
Board Member Renee Bowser	X		

B. District of Columbia Metropolitan Police Department v. Fraternal Order of Police/ Metropolitan Police Department Labor Committee
 PERB Case No. 22-A-01

Motion: It was moved and seconded that the Board deny the MPD’s Arbitration Review Request.

Name	In Favor	Opposed	Table
Chairperson Douglas Warshof	X		
Board Member Peter Winkler	X		
Board Member Mary Anne Gibbons	X		
Board Member Renee Bowser	X		

Old Business:

The meeting was adjourned at 11:41 a.m.

The next Board Meeting will be held on January 20, 2022.