



**DRAFT MINUTES**

The regular monthly meeting of PERB was held on Wednesday, September 15, 2021, at 11:00 a.m. via Webex Meeting Conference. Board Chairperson Douglas Warshof, presiding; Board Member Renee Bowser, Board Member Peter Winkler, and Board Member Mary Ann Gibbons were present.

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

The minutes for the August 20, 2021 meeting were approved.

The Executive Director reported that, there were 4 cases filed in August and 7 cases closed. There were total 24 cases currently open. A total of 70 cases were closed this fiscal year.

The Executive Director reported cases of note: PERB held an expedited hearing on Case No. 21-U-19, SEIU Local 1199 v. Department of Behavioral Health. The parties settled following the hearing as well as the impasse case that the agency filed.

It was reported that mediations and hearings have been scheduled for the new fiscal year. PERB had to suspend any new mediations and hearings for this month due to budgetary issues.

In addition, no new Court of Appeals or Supreme Court decisions have been received or cases filed.

The Executive Director introduced the 2 new interns from Howard University Law School, Kerri Singleton and Temi Joseph. The interns are in their 3<sup>rd</sup> year of Law School.

It was reported that PERB is completing its end of fiscal year performance reports.

PERB has a tentative return to office date of October 18, 2021. The building still does not allow full access to all floors for the public without being accompanied by an employee.

The Executive Director also reported that the rules have been re-formatted, and are online, on PERB's website. In addition, the PERB website has been updated to include a Board Meeting timeline as requested by Board Member Mary Ann Gibbons.

## **DOCKET:**

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

**A. AFGE Locals 383, 1000, 1975, 2725, 2741, and 2978 v. Rental Housing Commission, et al.**  
PERB Case No. 21-N-03

Summary: AFGE filed a negotiability appeal concerning the negotiability of proposals it presented the Agency during the parties' negotiations over a new working conditions agreement. The Agency disputes the negotiability of a number of AFGE's proposals. The parties seek a decision from the Board on the negotiability of those proposals.

**Motion:** It was moved and seconded that the Board order the following:

1. AFGE's proposal #1- Section B(2) of the proposal is nonnegotiable, and Sections B(4) and D(1) of the proposal are negotiable.
2. AFGE's proposal #2- Sections M(1) and N are negotiable.
3. AFGE's proposal #3- Section F of the proposal is nonnegotiable.
4. AFGE's proposal #4- Sections E and F are nonnegotiable. Section G of the proposal is negotiable.
5. AFGE's proposal #6- Section A(2) of the proposal is negotiable.
6. AFGE's proposal #7- Section C(3) of the proposal is negotiable.
7. AFGE's proposal #8- Sections A(2) and B(2) of the proposal are negotiable.
8. AFGE's proposal #9- Article 14 is nonnegotiable.
9. AFGE's proposal #10- Section A of the proposal is negotiable, and Section D of the proposal is nonnegotiable.
10. AFGE's proposal #11- Section C of the proposal is dismissed as moot.
11. AFGE's proposal #13- Article 18 is nonnegotiable.
12. AFGE's proposal #14- Section C of the proposal is negotiable.
13. AFGE's proposal #15- Sections A(8) and (9) are nonnegotiable, and Section J of the proposal is nonnegotiable.
14. AFGE's proposal #16- Sections C, D(9), G(3), I, K, and L of the proposal are negotiable. Sections G – Other forms of Leave (1), (2), (5), (6) and Section G- Leave to Donate Blood of the proposal are nonnegotiable.
15. AFGE's proposal #20- Section C of the proposal is nonnegotiable.
16. AFGE's proposal #21- Telework Sections A(2), (3), (10), and B(1) of the proposal are negotiable, and Sections A(1), (4), (7), (8), (9), B(2), B(3), and C of the proposal are nonnegotiable.
17. AFGE's proposal #22- Section A(5) of the proposal is nonnegotiable.
18. AFGE's proposal #23- Section B of the proposal is nonnegotiable.
19. AFGE's proposal #25- Section D of the proposal is nonnegotiable.
20. AFGE's proposal #26- Section F of the proposal is nonnegotiable.

<b>Name</b>	<b>In Favor</b>	<b>Opposed</b>	<b>Table</b>
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 12:00 p.m.

The next Board Meeting will be held on October 21, 2021.