



GOVERNMENT OF THE DISTRICT OF COLUMBIA  
PUBLIC EMPLOYEE RELATIONS BOARD

MINUTES

PER B held its regular monthly meeting on Thursday, December 21, 2023, at 11:00 a.m. via Webex Meeting Conference. Board Chairperson Douglas Warshof, presiding; Board Member Renee Bowser, Board Member Mary Anne Gibbons, and Board Member Peter Winkler were present.

Staff Attendance: Executive Director Clarene Martin, Supervisory Attorney Advisor Royale Simms, Attorney Advisor Isaac Katz, Attorney Advisor Rita Solomon, Operations Manager Crystal Davis, Program Analyst Dawan Jones, and Senior Staff Assistant Gertie Elam.

The Board adopted the November 29, 2023 meeting minutes.

The Executive Director reported the following:

1. Term extensions have been provided by the Mayor's Office of Talent and Appointments for Board Members Renee Bowser and Mary Anne Gibbons to continue to serve on the PER B Board for the next 180 days. The nomination packets have been submitted to Council to be reviewed during the roundtable in January 2024.
2. Second Tuesdays at PER B was held on December 12, 2023, and discussed the topic "Subjects of Bargaining."

DOCKET:

Supervisory Attorney Advisor Royale Simms summarized the following matters on the docket for Board consideration:

**A. Samantha Brown v. District of Columbia Public Schools**

**PER B Case No. 22-U-16**

Summary: Complainant filed an unfair labor practice claim alleging that DCPS retaliated against her for protected union activities by discriminating against her, falsifying information used to lower her performance evaluation scores, and failing to engage in informal mediation she requested out of compliance with the parties' collective bargaining agreement. This matter is now before the Board.

**B. American Federation of State, County, and Municipal Employees, District Council 20, Local 201 v. Office of the Attorney General**

**PER B Case No. 23-U-02**

Summary: AFSCME filed an unfair labor practice claim alleging that OAG committed an unfair labor practice by interfering with the rights of bargaining unit employees to Union representation and assistance during performance improvement plan (PIP) meetings. The matter is now before the Board.

**C. Fraternal Order of Police Protective Service Division-Labor Committee v. District of Columbia Department of General Services**

**PE R B Case No. 23-A -07**

Summary: FOP filed an arbitration review request, seeking review of an arbitration award which denied the grievance FOP filed on behalf of three SPOs employed with DGS. In the Award, the Arbitrator found that DGS' decision not to automatically convert the SPOs from term to permanent status did not violate the parties' CBA or Compensation Agreement. The Arbitrator also determined that although DGS violated the DPM by extending the SPOs' terms by a period of less than twelve months, there was no appropriate remedy for that violation. FOP seeks review of the Award on the grounds that the Arbitrator exceeded his authority, and the Award is contrary to law. DGS opposes FOP's Request. This matter is now before the Board.

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 closed meeting session was reopened. The Board voted as follows:

**A. Samantha Brown v. District of Columbia Public Schools**

**PE R B Case No. 22-U -16**

**Motion:** It was moved and seconded that the Board remand this matter to the hearing examiner with instructions as discussed. Also, the Board asked that the staff provide the board with a draft of the instructions for our review before sending them to the hearing examiner.

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

**B. American Federation of State, County, and Municipal Employees, District Council 20, Local 201 v. Office of the Attorney General**

**PERB Case No. 23-U-02**

**Motion:** It was moved and seconded that the Board find that OAG committed an unfair labor practice and that the Board order OAG to cease and desist its unlawful conduct.

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

**C. Fraternal Order of Police Protective Service Division-Labor Committee v. District of Columbia Department of General Services**

**PERB Case No. 23-A-07**

**Motion:** It was moved and seconded that the Board deny the Arbitration Review Request and dismiss this matter in its entirety.

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

**Old Business: None**

The meeting was adjourned at 12:13 p.m.

The next Board meeting will be held on Thursday, January 18, 2024.