



MEETING MINUTES

The regular monthly meeting of PERB was held on Tuesday, February 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 Elizabeth Slover, Attorney Advisor Rita Solomon, Program Analyst Dawan Jones, Operations Manager Crystal Davis, and Senior Staff Assistant Gertie Elam.

The minutes for the January 19, 2023, meeting were adopted.

The Executive Director reported the following:

1. PERB completed its annual performance hearing on Wednesday, February 15, 2023, with At-Large Councilmember Chairperson Anita Bonds, Committee on Executive Administration and Labor.
2. Second Tuesdays at PERB was held on January 10, 2023, and featured the documentary video: “The 1968 Memphis Sanitation Strike: It’s Place in Labor History
3. During the month of January, three cases were closed, and twenty-two cases remained open.

DOCKET:

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

- A. **District of Columbia Public Schools v. Washington Teachers’ Union, Local 6 American Federation of Teachers, AFL-CIO**
PERB Case No. 22-A-02

Summary: DCPS filed an Arbitration Review Request seeking a review of an Arbitration Award, which sustained a grievance WTU filed on behalf of a bargaining unit member. In the Award, the Arbitrator found that DCPS should have placed the Grievant into a vacant sixth-grade teaching position instead of excessing him from his position as a seventh-grade social studies teacher. In its Request, WTU argued that the Award was contrary to law and public policy. This matter was previously before the Board and was remanded to the Arbitrator for additional findings concerning several issues. The Arbitrator issued an Award on Remand, providing clarification.

B. Fraternal Order of Police/Department of Corrections Labor Committee v. District of Columbia Department of Corrections
PERB Case No. 23-U-03

Summary: FOP filed a Complaint, alleging that DOC violated D.C. Official Code § 1-617.04(a)(1) by unilaterally diverging from the seniority-based shift bidding system established in DOC policy and the parties' CBA to adopt a new system of annually rotating shifts. FOP also filed a motion for preliminary relief, which PERB denied. 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. District of Columbia Public Schools v. Washington Teachers' Union, Local 6 American Federation of Teachers, AFL-CIO
PERB Case No. 22-A-02

Motion: It was moved and seconded that the Board deny the 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		

B. Fraternal Order of Police/Department of Corrections Labor Committee v. District of Columbia Department of Corrections

PERB Case No. 23-U-03

Motion: It was moved and seconded that the Board order DOC to rescind the July 1, 2022, memorandum and any effects caused by the implementation of that memorandum and return to the status quo and bargain with FOP over any amendment to the DOC policy that does not abrogate the existing collective bargaining agreement.

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: None

The meeting was adjourned at 11:47 a.m.

The next Board meeting will be held on Thursday, March 16, 2023.