



MINUTES

PERB held its regular monthly meeting on Thursday, January 18, 2024, 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: Acting Executive Director Royale Simms, Attorney Advisor Elizabeth Slover, Attorney Advisor Isaac Katz, Attorney Advisor Rita Solomon, Program Analyst Dawan Jones, and Senior Staff Assistant Gertie Elam.

The Board adopted the December 21, 2023, meeting minutes.

The Executive Director reported the following:

1. Case Management Report – 5 cases closed, 4 opened for a total of 21 cases currently open. There was a correction from the Court of Appeals that only 1 case was remanded instead of 2.
2. Second Tuesdays at PERB was held on January 9, 2024, and discussed the continued topic “Subjects of Bargaining.”

DOCKET:

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

A. Office of the Attorney General for the District of Columbia v. American Federation of Government Employees, Local 1403
PERB Case No. 24-N-01

Summary: OAG filed a negotiability appeal after AFGE declined to bargain over OAG’s proposal regarding termination of probationary employees. AFGE asserts that the proposal is nonnegotiable and violative of the Legal Services Act. OAG argues that the proposal is negotiable and denies that the proposal violates the Legal Services Act. This matter is now before the Board.

B. Yonah Bromberg Gaber, et al v. American Federation of State, County, and Municipal Employees, Local 1808
PERB Case No. 23-S-03

Summary: Fourteen DCPL employees filed a standards of conduct complaint against AFSCME, alleging that the Union violated the CMPA and its Constitution by failing to provide appropriate notice and a reasonable opportunity for all members to vote in an upcoming election. This matter is now before the Board.

C. John Rosser, et al. v. Fraternal Order of Police Department of Corrections Labor Committee and Executive Board Members Joseph Alexander and Adedeji Adebisi
PERB Case No. 23-S-01

Summary: Complainants Rosser and Ellis brought this claim against the Union, alleging that its Executive Board members violated their rights to due process during the Union’s investigation and disposition of financial misconduct allegations brought forth by the Executive Board against the Complainants. The 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. Office of the Attorney General for the District of Columbia v. American Federation of Government Employees, Local 1403
PERB Case No. 24-N-01

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

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

B. Yonah Bromberg Gaber, et al v. American Federation of State, County, and Municipal Employees, Local 1808
PERB Case No. 23-S-03

Motion: It was moved and seconded that the Board remand the matter back to the Hearing Examiner for further findings concerning the complainants allegations that AFSCME conducted the election on March 30,2023 in a manner which violated AFSCME’s constitution and DC official code section 1-617.03 A1 and 4 of the CMPA.

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

C. John Rosser, et al. v. Fraternal Order of Police Department of Corrections Labor Committee and Executive Board Members Joseph Alexander and Adedeji Adebivi
PERB Case No. 23-S-01

Motion: It was moved and seconded that the Board delay a decision pending further research into the case.

Name	In Favor	Opposed	Table
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.

It was suggested that the next Board meeting be held after February 15th due to the agency's Performance Oversight Hearing