



STATE OF WASHINGTON  
**PUBLIC EMPLOYMENT RELATIONS COMMISSION**

**CATHLEEN CALLAHAN, EXECUTIVE DIRECTOR**

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MINUTES

November 13, 2007

The regular meeting of the Public Employment Relations Commission was held at 10:00 a.m. in the Large Conference Room of the Commission's Olympia office, 112 Henry Street NE, Suite 300, Olympia, Washington. Those present and participating were:

Marilyn Glenn Sayan, Chairperson  
Pamela G. Bradburn, Commissioner  
Douglas G. Mooney, Commissioner  
Cathleen Callahan, Executive Director  
Majel C. Boudia, Confidential Secretary  
Dario de la Rosa, General Counsel  
David I. Gedrose, Compliance Officer  
James E. Lohr, Business Manager

Also present and participating:

Glenn Frye, OFM Labor Relations Office  
Herb Harris, Washington Public Employees Association  
Jessica Bradley, Labor Relations Adjudicator/Mediator

MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on September 11, 2007, were approved as submitted.

REPORT OF THE EXECUTIVE DIRECTOR

1. Executive Director Callahan presented the new monthly statistics format to the Commissioners. New cases are designated by statute. There were 56 cases filed during the month of October, almost double the number filed during the month of September. Closed cases are also designated by statute, and whether they are APA or non-APA cases. Forty-three cases closed during October. There were 377 cases pending at the end of August. Glenn Frye acknowledged the improvement in the



presentation of the monthly statistics. Business Manager Jim Lohr noted that the statistical analysis on case timeliness will be distributed in the future.

2. Ms. Callahan announced that PERC received a certificate from the State Auditor acknowledging clean audit reports for 2003-2006 as well as clean audit reports since 1989. The certificate has been framed and has been hung in the reception area. Executive Director Callahan and the Commission thanked Mr. Lohr for this accomplishment, although he emphasized that this was an agency accomplishment.
3. The Red List (cases ready for decision more than 90 days) and Yellow List (cases ready for decision 45 to 89 days) were reviewed. The Red List increased considerably, and the Yellow List decreased in size. Chairperson Sayan noted that all cases on both lists have 2007 action dates. The Management Team will discuss the lists in detail at their meeting this Thursday. Ms. Callahan said staff are very busy with new cases and recent training.
4. Training for LRAM staff on C and E cases was held September 12, 2007. Hearing Officers will take a more active role in future cases. Ms. Callahan thanked Guy Coss, David Gedrose, and the team leaders for providing this training.
5. Susan McCloskey provided legal writing training for all professional staff, editors, and proofreaders on October 5 and 6.
6. Steve Sussman has provided organizational development training for all staff over the last two months. The staff was divided into three separate groups for this training. On November 8 the staff met as a group for the final day of training.
7. Ms. Callahan reported on the Outreach agenda:
  - Ms. Callahan attended a meeting of the Oregon Labor and Employment Relations Association (LERA) on September 14, 2007.
  - The agency hosted a "PERC Essentials" conference for state general government and higher education personnel and clientele on October 30<sup>th</sup> at the Red Lion Hotel in Olympia. There was a huge crowd. Evaluations ranged from good to excellent. The problematic issues were food, the size of the venue, and parking. Although the conference offered basic information for state agencies, higher education institutions, and unions, other clientele attended as well. Clientele have requested future conferences regarding basic information, as well as those who requested more in-depth information.

- Ms. Callahan, Ken Latsch, and Dario de la Rosa attended the Spokane LERA conference on November 1, 2007. Clientele attending this meeting requested more PERC presence in Eastern Washington.
8. Construction is nearly complete in the Olympia office. Offices were created for the three new LRAMs. Office space was bid by seniority.
  9. Ms. Callahan announced that IT Manager Ed Heiser recently left the agency for a position at the Recreation and Conservation Office. Until we determine how to organize our IT, we will continue to rely on Mitchell Nelson.
  10. The Commission reviewed an e-mail from Superintendent Marcus Morgan thanking Joel Greene for his efforts in mediation involving the Chewelah School District and the CPEA/WEA representing classified employees.
  11. The Commission reviewed and approved the application of Philip P. Salamone for the Dispute Resolution Panel. The Commission asked if information regarding current panel members is available on the agency website. Panel Coordinator Majel Boudia indicated that interest arbitration awards are available the website. Future website additions regarding the Dispute Resolution Panel were suggested, such as adding a revised application for the panel of arbitrators.
  12. The Commission reviewed a list of tentative dates for their meetings in 2008.

#### RULES REVIEW

Executive Director Callahan, Kenneth Latsch, and Dario de la Rosa held the first public hearing on the rules review process on September 26 in the agency's Kirkland office. A second public hearing was held in Spokane on November 2. Mr. de la Rosa thanked Glenn Frye for arranging for the meeting room at the Washington State University - Spokane campus. Mr. de la Rosa is preparing a rules outline. This document will be available on the website. The last rules review meeting will be held at the Olympia office on December 7. The date of the final rules adoption meeting has been rescheduled for January 15, 2008, in Olympia. The location will be announced.

#### COMPLIANCE DOCKET

Compliance Officer David Gedrose reviewed the Compliance Docket and reported the following:

*City of Anacortes*, Cases 17453-U-03-4524 and 17454-U-03-4515. The employer has complied in the matter and, although the union has not replied, Mr. Gedrose recommended accepting compliance in the

matter. The Commission accepted compliance and the case will now be closed.

*Community College District 7 - Shoreline*, Cases 18920-U-04-4814, 18947-U-04-4819, 18951-U-04-4821, 18952-U-04-4822, 18960-U-04-4824, 18961-U-04-4825, 18962-U-04-4826, 18963-U-04-4827, 18965-U-04-4828, 18976-U-04-4830, 18977-U-04-4831, 18978-U-04-4832, 18987-U-04-4833, 18995-U-04-4836, 18997-U-04-4838, 18998-U-04-4839, 19025-U-04-4844, 19026-U-04-4845. Compliance documents were received and the notice has been read into the minutes at the Washington Federation of State Employees' Conference. The Commission accepted compliance and the cases will now be closed.

*Snohomish County*, Case 20177-U-06-5145. Mr. Gedrose recommended this case be held over until the January meeting.

#### COURT DOCKET

Mr. de la Rosa informed the Commission that he has asked Assistant Attorney General Spencer Daniels to update the agency on current court cases.

*Clover Park School District*, Case 16668-U-02-4352. We have been notified that this case was dismissed in court on October 31, 2006. The parties have agreed on compliance. The case has been placed on the Compliance Docket and Mr. Gedrose will monitor compliance in the matter.

*Port of Walla Walla*, Case 18779-U-04-4768. Mr. de la Rosa reported that this case was not appealed. The case will now be placed on the Compliance Docket for further action.

*Snohomish County PUD*, Case 15092-U-00-3809. It was reported that oral argument was heard in this case last week.

#### COMMISSION DOCKET

The Commission docket was reviewed in detail, and the status of each case was discussed.

#### OTHER BUSINESS

The Commission and staff gather to thank Ms. Callahan for first year of service with the agency. Staff presented her with a card, a bouquet of flowers, and warm wishes. Chairperson Sayan thanked the Executive Director for being open and communicative, and for her thoughts and perspective for clientele. Ms. Callahan thanked everyone for their good wishes, and noted the past year has been exhausting and exhilarating.

There was no other business to report to the Commission.

ADJOURNMENT

There being nothing further to come before the Commission, the meeting was then adjourned.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

  
MARILYN GLENN SAYAN, Chairperson

  
PAMELA G. BRADBURN, Commissioner

  
DOUGLAS G. MOONEY, Commissioner

ATTEST:

  
CATHLEEN CALLAHAN  
Executive Director