



STATE OF WASHINGTON

PUBLIC EMPLOYMENT RELATIONS COMMISSION

CATHLEEN CALLAHAN, EXECUTIVE DIRECTOR

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MINUTES

February 8, 2011

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

Marilyn Glenn Sayan, Chairperson
Pamela G. Bradburn, Commissioner
Thomas W. McLane, Commissioner
Cathleen Callahan, Executive Director
Majel C. Boudia, Confidential Secretary
Dario de la Rosa, Appeals Administrator

Also present and participating:

Peggy Pulse, Department of Social and Health Services
Jennifer Swogger, Department of Social and Health Services

MINUTES OF PREVIOUS MEETING

The minutes of the meeting held January 11, 2011, were adopted as presented.

REPORT OF THE EXECUTIVE DIRECTOR

1. Executive Director Callahan reported there were 60 cases filed during the month of January 2011, which was down a bit from the previous year. Of those 60 filings, there were 17 unfair labor practice cases, of which many are incredibly complex, and 14 mediation cases. A total of 375 cases were open at the end of January. February filings are brisk.
2. There were six cases on the Red List (cases ready for decision more than 90 days). Ms. Callahan reported that all of these cases are in the final editing stage. There were five cases on the Yellow List (cases ready for decision 45 to 89 days).



3. Peggy Pulse, Labor Relations Specialist for the Department of Social and Health Services, asked how to expedite a case. Ms. Callahan responded that a party can request expedited processing when the case is filed or when a party believes that it is necessary.
4. Ms. Callahan reported that she and Diane Tucker attended the quarterly budget meeting with Small Agency Accounting Services. The agency budget is tight, but we are surviving.
5. Ms. Callahan and Diane Tucker met with Representative Luis Moscoso on February 7, 2011. Representative Moscoso is assigned to the General Government Appropriations and Oversight Committee. The meeting was for the purpose of reviewing the agency's budget. Ms. Callahan reported that it was a positive and productive meeting. Representative Moscoso was informed of our cost saving measures that included everything from staff reductions to paper saving.
6. The Commission reviewed the list of recent decisions issued by the agency.

LEGISLATIVE UPDATE

Executive Director Callahan reported that she and Dario de la Rosa continue to work on legislation and fiscal notes for the Legislature. They have filed approximately 30 fiscal notes which take huge volumes of time to prepare.

Ms. Callahan reviewed the following legislation:

House Bill 1127 Requires bargaining units to be consolidated when the employer and the certified exclusive bargaining representative of the units agree to the consolidation.

House Bill 1291/Senate Bill 5368 Move Department of Corrections employees to Chapter 41.56 RCW and provides all Corrections employees with interest arbitration.

House Bill 1377 Requires interest arbitrators to be members of NAA, AAA or FMCS, and have eight hours of training in public sector finance and budget with PERC developing or certifying training programs in consolidation with labor and management. Interest arbitrators must be geographically located in the northwest.

House Bill 1511/Senate Bill 5405 Abolish the Marine Employees' Commission and transfers marine employees to PERC.

House Bill 1546 Creates Innovative School Zones. PERC's responsibility would be to mediate waivers of collective bargaining agreements and hold elections for employees of "zones" to determine whether they wish to be separated from their bargaining units.

House Bill 1665/Senate Bill 5614 Release University of Washington from the control of the Office of Financial Management, so their funding stream, if less than 10K, is not bound by OFM Director.

House Bill 1720/Senate Bill 5503 Create the Department of Enterprise Services and requires PERC to review incoming units and to modify or hold elections, if necessary, by 1/1/2012.

House Bill 1736/Senate Bill 5606 Move campus police to coverage under Chapter 41.56 RCW and provides interest arbitration.

House Bill 1958/Senate Bill 5557 Create the Office of Civil Rights, consolidating the commissions of Human Rights, African-American Affairs, Asian Pacific American Affairs, Hispanic Affairs, and the Office of Minority and Women's Business Enterprises.

House Bill 1850/Senate Bill 5669 Consolidate Fish & Wildlife, Natural Resources, and Parks & Recreation. We would be required to review incoming units and modify and hold elections, if necessary.

COMPLIANCE DOCKET

There were no cases to report at this meeting.

COURT DOCKET

Appeals Administrator Dario de la Rosa said seven cases have been appealed to court. Status was reported on the following cases:

City of Mukilteo, Case 19591-U-05-4923. Mr. de la Rosa reported that Teamsters, Local 763 has appealed the Court of Appeals' decision in this matter to the Washington State Supreme Court. The decision issued by the Court of Appeals is unpublished. Mr. de la Rosa will continue to monitor this case.

Community Transit, Case 22100-U-08-5632. Mr. de la Rosa reported that argument was heard in Thurston County Superior Court on January 21, 2011. The parties are awaiting a written decision from Judge McPhee.

There have been no changes to the remaining cases.

OTHER BUSINESS

Peggy Pulse asked about the process for our staff to assist the agencies with issues early on rather than after filing a case. Ms. Callahan encouraged the agencies to call our office and talk to a staff member about specific issues at any time.

ADJOURNMENT

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

COMMISSION DOCKET

Following adjournment, the Commission went into Executive Session to deliberate pending decisions on appeal.

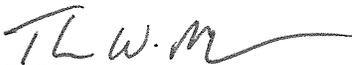
PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARILYN GLENN SAYAN, Chairperson



PAMELA G. BRADBURN, Commissioner



THOMAS W. McLANE, Commissioner

ATTEST:



CATHLEEN CALLAHAN
Executive Director