



STATE OF WASHINGTON
PUBLIC EMPLOYMENT RELATIONS COMMISSION

CATHLEEN CALLAHAN, EXECUTIVE DIRECTOR

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MINUTES

March 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
David I. Gedrose, Compliance Officer

MINUTES OF PREVIOUS MEETING

The minutes of the meeting held February 8, 2011, were adopted as presented.

REPORT OF THE EXECUTIVE DIRECTOR

1. Executive Director Callahan reported there were 54 cases filed during the month of February 2011, as compared to 66 cases filed in 2010. Of those, there were 16 unfair labor practice cases, 10 mediation cases, 6 grievance mediation cases, and 8 representation cases. The "T" case on the list reflects that a staff Labor Relations Adjudicator/Mediator was assigned as interest arbitrator. The trend is that unfair labor practice cases are extremely difficult. There were 57 cases closed during the month. A total of 361 cases were open at the end of February.
2. The Commission reviewed the list of recent decisions issued by the agency. Ms. Callahan reported that the Seattle School District decision issued the previous day will be added to the list on the agency website.



3. There were four cases on the Red List (cases ready for decision more than 90 days). All are being edited at this time. There were nine cases on the Yellow List (cases ready for decision 45 to 89 days).

4. Outreach:

- Ms. Callahan will attend Arbitrator's Day in Portland on Monday, March 14, 2011.
- Claire Nickleberry and Jamie Siegel will conduct Collective Bargaining 101 training in Everett on March 23, 2011.
- The Labor and Employment Relations (LERA) Collective Bargaining and Arbitration Conference is scheduled for April 14 and 15, 2011 at the Washington State convention Center in Seattle. Chairperson Sayan and Commissioner Bradburn will attend.

LEGISLATIVE UPDATE

Ms. Callahan reviewed the pending legislation, as updated by Dario de la Rosa. The following bills of interest are still alive:

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 1503 Authorizes additional compensation to academic employees at community and technical colleges.

House Bill 1511/Senate Bill 5405 Abolish the Marine Employees' Commission and transfers marine employees to PERC and contains other collective bargaining provisions.

House Bill 1512/Senate Bill 5408 Abolish the Marine Employees' Commission and transfers marine employees to PERC and contains other collective bargaining provisions.

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 1631 provides consistent and predictable funding of academic employee salary increments for qualifying two-year college academic employees.

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 Creates 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.

Senate Bill 1841 Creates the Office of the Chief Information Officer, consolidating the Office of Financial Management and the Department of Personnel.

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.

Substitute Senate Bill 5669 Creates the Department of Conservation and Recreation to consolidate the Fish & Wildlife, Natural Resources, and Parks & Recreation agencies. PERC would be required to review incoming units and modify and hold elections, if necessary.

COMPLIANCE DOCKET

State – Office of the Governor, Cases 22289-U-09-5685 and 22298-U-09-5687. Compliance Officer David Gedrose reviewed the compliance process and reported that all conditions have been met. The Commission accepted compliance, and the cases will now be closed.

There were no other cases to report at this meeting.

COURT DOCKET

Appeals Administrator Dario de la Rosa reported on the following cases:

City of Seattle, Case 19522-U-05-4955. The Decision of the Commission, Decision 9526-A (PECB, 2009), has been affirmed by the Court of Appeals, Division 1.

South Whidbey School District, Cases 23511-U-10-5993 and 23680-U-10-6040 have been appealed to Island County Superior Court. Assistant Attorney General Spencer Daniels will represent the agency in this case.

Mr. de la Rosa reported on a Court of Appeals, Division III case involving Wenatchee Valley College.

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