



STATE OF WASHINGTON
PUBLIC EMPLOYMENT RELATIONS COMMISSION

MICHAEL P. SELLARS, EXECUTIVE DIRECTOR

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MINUTES

August 11, 2025

The regular meeting of the Public Employment Relations Commission
was called to order at 1:33 p.m.

Via Zoom &
PERC Conference Room
112 Henry Street NE, Suite 300
Olympia, Washington 98506

Those present and participating:
Elizabeth Ford, Commissioner
Henry E. Farber, Commissioner
Mike Sellars, Executive Director
Charity Atchison, Appeals Administrator
Vanessa Smith, Confidential Secretary

Also present:

Les Bowen

Alyssa Gerchak, PERC, Legal Assistant

JaNae Nelson, Snohomish County

Jamie Siegel, PERC, Labor Relations Adjudicator/Mediator

Katie Sypher, PERC, Labor Relations Adjudicator/Mediator

Minutes of the Previous Meeting

The minutes of the previous meeting held on June 9, 2025, were adopted as presented.

Report of the Executive Director

1. PERC staff have completed their work on Unfair Labor Practices: A Guide to Filing & Presenting Your Case at PERC, which went on our website in July. This guide will help parties through case filing and presentation, and we have already received good feedback.

Mike thanked Katie Sypher, Emily Whitney, Jamie Siegel, Joye Rolfer, and Vanessa Smith for their work and persistence on this project.

2. June was the end of the biennium, and the new fiscal cycle has started. We are using vacancy savings to meet budget cuts and to fund aspects of certain projects. We have two additional vacancies, one of which we will hold for the course of the biennium and the other for 6 months. We will then potentially fill an LRAM position in January.
3. We are undergoing an accountability audit. The last one was conducted in 2021, and this year's will be the third since Mike has been the executive director.
4. We are on the precipice of the K-12 mediation season and our annual leave restriction period. There are a lot of open contracts, but we are not sure whether it will be a busy or lighter year. Some PERC staff are currently working with classified groups. A lot of districts are currently struggling, and parties are having difficult negotiations.
5. A total of 538 cases were filed through July. While this is not at last year's pace, it has still been a heavier filing year.
 - a. The volume of unfair labor practice complaints is 20% over the previous 5-years' average, and the percentage of complaints filed by self-represented individuals increased by 10% since the last meeting. This year's percentage so far is also the highest since 2012. We do have the option to require mediation for these cases, and we hope that the work on the unfair labor practices guide will pay dividends.
 - b. Contract mediation cases are down about 20% from the previous 5-years' average. We have seen more ebb and flow than usual in this type of mediation. However, most mediation activity picked up after July last year, so we will see if this is the new normal rate.
 - c. Representation activity also continues to be very high, and we are on pace to have more election petitions than last year, which was the second highest year in agency history.
6. We received our first private-sector request for services. The parties requested a card check, which we conducted last month. Mike is considering changing the language about these cases on our website.
7. SB 5503 (relating to PERC procedures) and HB 1141 (concerning agricultural cannabis workers) went into effect on July 27. We have not yet received any cases involving the cannabis workers.

Commission & Court Docket

Charity provided brief updates on the commission and court dockets. Lists of pending cases that have been appealed to court or the commission are available on the agency website at <https://perc.wa.gov/commission/>.

Consideration of Dispute Resolution Panel Applications

The commission discussed the application of Mark Berkowitz for membership on the Dispute Resolution Panel. The commission had larger questions about the panel and deferred taking action on the application. A discussion about the panel will be placed on the agenda of an upcoming meeting.

Expiring Law Enforcement Arbitrator Roster Appointments

Twelve arbitrators are currently on the Law Enforcement Arbitrator Roster, and six appointments expire on January 5, 2026. The statutory limitation on the number of arbitrators that could have terms expiring in the same year was removed in this year's legislation. Additionally, our data shows that we continue to receive more requests for appointment of an arbitrator to law enforcement personnel grievance cases. Mike recommended that the commission appoint six arbitrators per year in order to eventually reach and subsequently maintain 18 arbitrators on the roster. The commission approved staff to begin soliciting applications. Appointments will be made at the January 2026 meeting.

Other Business

The start time of the upcoming regular commission meetings will need to be moved due to a change in Chairperson Lyon's availability. Commissioners Ford and Farber noted that Monday mornings would work for them. Mike will follow up with the chair.

Adjournment

There being nothing further to come before the commission, the public meeting was adjourned at 2:04 p.m.

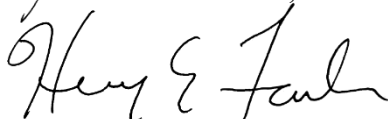
APPROVED at Olympia, Washington, this 15th day of September, 2025.

PUBLIC EMPLOYMENT RELATIONS COMMISSION

MARK S. LYON, Chairperson



ELIZABETH FORD, Commissioner



HENRY E. FARBER, Commissioner