



STATE OF WASHINGTON
PUBLIC EMPLOYMENT RELATIONS COMMISSION

MICHAEL P. SELLARS, EXECUTIVE DIRECTOR

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MINUTES

September 10, 2020

The regular meeting of the Public Employment Relations Commission was held
at 10:00 a.m. via Zoom

Those present and participating:
Marilyn Glenn Sayan, Chairperson
Mark R. Busto, Commissioner
Kenneth J. Pedersen, Commissioner
Mike Sellars, Executive Director
Charity Atchison, Appeals Administrator
Dario de la Rosa, Compliance Officer
Vanessa Smith, Confidential Secretary

Also present:
Herb Harris, Washington Federation of State Employees
Kelly Rupert, Department of Social and Health Services
Amy Riggs, PERC, Legal Assistant

Minutes of the Previous Meeting

The minutes of the previous meeting held on August 11, 2020, were adopted as presented.

Report of the Executive Director

1. PERC staff have been working remotely for six months and have successfully conducted all work virtually. Kudos to everyone.
2. The overall volume of cases is still low compared to the 5-year average. Eight interest arbitration cases were opened in August. All of them were opened for state groups that are required to conclude bargaining and receive any arbitration awards by October 1. August is also generally a K-12 month. In August 2018, PERC received over 100 K-12 cases. This August, there were four.
3. We launched updates to the website training pages as well as a new conflict prevention program, the Negotiation Project. The new program was developed by Chris Casillas and Emily Martin and is intended to help negotiators improve their skills. Eventually, it will be offered as an in-person course. Kudos to the Training Team and Joye for completing this work.
4. The budget was submitted last week. As previously reported, all state agencies were asked to engage in a budget cut exercise to show a 15% reduction over the biennium. PERC's submission indicated that the three vacant Labor Relations Adjudicator/Mediator (LRAM)

positions, two filled LRAM positions, and a special project position would need to be eliminated to meet the reduction. PERC also communicated the impact that such cuts would have on the agency's ability to timely provide services. Mike reiterated this was just an exercise and does not mean the cuts will actually occur or occur at that level. We will get a better sense of any required cuts by December.

Compliance Docket

Whatcom County, Case 131286-U-19. Compliance Officer Dario de la Rosa summarized the Commission's decision and reported that the employer has complied with all aspects of the Commission's order. Dario recommended that compliance be accepted in this case. The Commission accepted compliance, and the case will be closed.

Court Docket

Charity Atchison informed the Commission that there have been no changes to court case statuses since last month's meeting. Pending Commission cases that have been appealed to court are available on the agency website.

Adjournment

In accordance with RCW 42.30.110(2), Chairperson Marilyn Glenn Sayan stated the purpose of the Executive Session was to deliberate over the appeals in *Washington State Ferries*, Case 130879-U-18 and *Riverview School District*, Case 132833-U-20.

Kenneth Pedersen objected to the Executive Director being present during deliberation over appeals of decisions issued under his authority without prior notice being given to the parties pursuant to RCW 34.05.455. This will be considered a standing objection.

There being nothing further to come before the Commission, the public meeting was adjourned. Marilyn Glenn Sayan, Mark Busto, Kenneth Pedersen, Mike Sellars, and Charity Atchison went into Executive Session.

APPROVED this 13th day of October, 2020.

PUBLIC EMPLOYMENT RELATIONS COMMISSION



MARILYN GLENN SAYAN, Chairperson



MARK R. BUSTO, Commissioner



KENNETH J. PEDERSEN, Commissioner