



STATE OF WASHINGTON
PUBLIC EMPLOYMENT RELATIONS COMMISSION

MICHAEL P. SELLARS, EXECUTIVE DIRECTOR

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MINUTES

February 9, 2021

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:

Michael Snyder, PERC, Labor Relations Adjudicator/Mediator
Sean Leonard, PERC, Labor Relations Adjudicator/Mediator

Minutes of the Previous Meeting

The minutes of the previous meeting held on November 10, 2020, were adopted as presented.

Report of the Executive Director

1. PERC received 685 cases in 2020. This is the lowest number in any single year since Mike has been with PERC. The number of unfair labor practice complaints and requests to mediate collective bargaining agreements were significantly lower than previous years. The number of training requests was also down. The number of representation petitions was above the previous 5 years' average. We will be diving more into this data as we prepare the annual report for 2020.
2. The volume of filings in January 2021 was markedly lower than what it has historically been. However, we know our clientele is busy bargaining. We may see mediation requests pick up as workplaces start to reopen.
3. The Governor's 2021–2023 biennial budget proposal came out at the end of the year. The budget cut exercise discussed previously did not result in actual cuts. The only budgetary impact will be a 5% salary reduction for employees in the form of 12 furlough days. Additionally, no COLA increases will be implemented.

4. Mike met with the Clientele Consultation Committee in December. Meeting with this group via Zoom has worked very well. Mike relayed the group's thoughts on failure to provide information cases. During this meeting the committee also shared feedback on the draft rules and had a lot of good feedback on PERC's virtual services. The committee was unanimous in its praise, especially over how we have conducted virtual hearings.
5. We have received the results from last year's employee engagement survey, which PERC staff only takes every other year. The results were gratifying, especially since we've gone virtual. PERC will be taking a closer look at what we are doing in our efforts toward diversity, equity, and inclusion.
6. PERC was recently affirmed in a public records lawsuit involving a request for unredacted showing of interest cards.
7. PERC has provided records in response to a lawsuit filed in Florida against several Washington State agencies. This matter is being handled by the Attorney General's Office.
8. The legislative session started on January 11. This session has been much slower than usual.
9. No all-staff meeting took place in December. However, certain staff had reached tenure milestones that we recognized as best as we could: Daniel Comeau, 5 years; Dianne Ramerman, 15 years; Diane Tucker, 20 years; Dario de la Rosa, 20 years; Commission Chair Marilyn Glenn Sayan, 25 years; and Debbie Bates, 30 years.
10. The LERA conference will be held virtually on April 22 and 23, 2021. Registration will be opening soon. Since the conference will be virtual, both days will be shorter and the registration cost will be lower.

At the conclusion of Mike's report, Commissioner Busto expressed kudos to PERC staff for keeping the agency afloat and doing the work that needed to be done during really difficult times. Commissioner Sayan echoed those sentiments and thanked the staff. Commissioner Pedersen joins in thanking the staff for their hard work.

Legislative Update

Charity Atchison gave an overview of legislation that PERC has been monitoring. Confirmation of gubernatorial appointments have not yet been scheduled.

Court Docket

Charity reviewed the pending court cases and provided updated information where available. Pending Commission cases that have been appealed to court are available on the agency website.

Compliance Docket

Ben Franklin Transit, Case 132878-U-20. Compliance Officer Dario de la Rosa provided an overview of the Examiner's order and the employer's actions to achieve compliance. Dario

recommended that compliance be accepted. The Commission accepted compliance, and the case will be closed.

Adjournment

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

APPROVED this 16th day of March, 2021.

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MARILYN GLENN SAYAN, Chairperson



MARK R. BUSTO, Commissioner



KENNETH J. PEDERSEN, Commissioner