



STATE OF WASHINGTON  
**PUBLIC EMPLOYMENT RELATIONS COMMISSION**

**MICHAEL P. SELLARS, EXECUTIVE DIRECTOR**

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**MINUTES**

August 11, 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

Vanessa Smith, Confidential Secretary

Mark Lyon, Assistant Attorney General, Office of the Attorney General

Also present:

Michael Snyder, PERC, Labor Relations Adjudicator/Mediator

Jamie Siegel, PERC, Labor Relations Adjudicator/Mediator

Dario de la Rosa, PERC, Unfair Labor Practice/Representation Administrator

Herb Harris, Washington Federation of State Employees

Renee Mayne

Robin Romeo

Patrick Halter

**Minutes of the Previous Meetings**

The minutes of the previous meeting held on July 13, 2021, were adopted as presented.

**Report of the Executive Director**

1. Case filings picked up in June but were down again in July.
2. Mike met with the Clientele Consultation Committee last month. He reported that all of the committee members expect to see an uptick in mediation cases.
3. On Monday, Governor Inslee issued a vaccine mandate, which requires state employees to be fully vaccinated against COVID-19 by October 18, 2021. This mandate does not apply to the Commissioners. We are currently taking a wait-and-see attitude toward the planned September 13 reopening date.

## **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.

## **Senate Bill 5055 Implementation**

Mike provided an overview of the legislation requiring the Commission to create a roster of arbitrators to arbitrate disciplinary grievances of law enforcement personnel. Documents explaining the law, the requirements for both the agency and the Commission, timelines, and implementation status were provided to the Commission prior to this meeting. We began soliciting applications through our website in June, and 30 applications were received by August 3.

The Commission began discussing the process for going through the applications. The Commission decided to apply the requirements of WAC 391-55-110(2) and request letters of recommendation from applicants who are not currently members of PERC's Dispute Resolution Panel. Because members of the Dispute Resolution Panel have already provided letters of recommendation, they are not required to do so again.

Assistant Attorney General Mark Lyon briefly described the types of discussions that would need to take place in public, closed, or executive sessions.

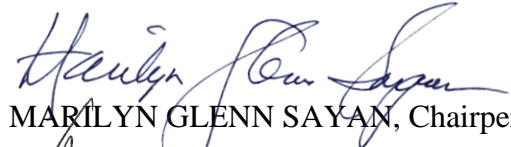
## **Adjournment**

There being nothing further to come before the Commission, the public meeting was adjourned. Commissioners Marilyn Glenn Sayan, Mark Busto, and Kenneth Pedersen; Executive Director Mike Sellars; and Assistant Attorney General Mark Lyon went into executive session to discuss the process for evaluating applicants to the roster.

Thereafter, the Commission met in closed session to deliberate over the motion for discretionary review in *City of Mill Creek*, Case 132886-U-20, and the appeals of *City of Tacoma*, Decision 13342 (PECB, 2021), *Washington State Department of Children, Youth, and Families*, Decision 13328 (PSRA, 2021), and *Washington State Ferries (Marine Engineers' Beneficial Association)*, Decision 13318 (MRNE, 2021). Appeals Administrator Charity Atchison joined the Commission in closed session.

APPROVED this 14th day of September, 2021.

## **PUBLIC EMPLOYMENT RELATIONS COMMISSION**



MARILYN GLENN SAYAN, Chairperson



MARK R. BUSTO, Commissioner



KENNETH J. PEDERSEN, Commissioner