



STATE OF WASHINGTON  
**PUBLIC EMPLOYMENT RELATIONS COMMISSION**

**MICHAEL P. SELLARS, EXECUTIVE DIRECTOR**

112 Henry Street NE, Suite 300 • Post Office Box 40919 • Olympia, Washington 98504-0919  
(360) 570-7300 • Fax: (360) 570-7334 • E-mail filings: [filing@perc.wa.gov](mailto:filing@perc.wa.gov) • Website: [www.perc.wa.gov](http://www.perc.wa.gov)

## **MINUTES**

November 9, 2021

The regular meeting of the Public Employment Relations Commission was held  
at 10:02 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

Chris Casillas, Labor Relations Adjudicator/Mediator

Dario de la Rosa, Compliance Officer & Unfair Labor Practice/Representation Administrator

Dianne Ramerman, Field Services Manager

Vanessa Smith, Confidential Secretary

Also present:

Jamie Siegel, PERC, Labor Relations Adjudicator/Mediator

Kristin Lamson, Office of the Attorney General

Herb Harris, Washington Federation of State Employees

Peggy Pulse, Department of Social and Health Services

Ed Younglove, Younglove & Coker PLLC

### **Minutes of the Previous Meetings**

The minutes of the previous meeting held on October 19, 2021, were adopted as presented.

### **Report of the Executive Director**

1. October was the highest month of case filings since October 2019. We have received steady filings in the K-12 sector and have started to see filings related to the vaccine mandate. Seventeen grievance mediation requests on this topic were filed the day before this meeting.

2. October 31 marked the end of the performance evaluation period. Supervisors will begin conducting evaluations and setting expectations for the next performance review year.
3. We have been working on a revised telecommuting policy in preparation for the office reopening. Historically, PERC has allowed the Labor Relations Adjudicator/Mediators to telecommute up to two days per week. The revised policy will lift this cap and also allow professional and administrative staff to telecommute.

### **Court Docket**

Charity reviewed the pending court cases and provided updated information where available. A list of pending Commission cases that have been appealed to court is available on the agency website.

### **Compliance Docket**

*Island County*, Case 131438-U-19. Compliance Officer Dario de la Rosa provided a summary of the case and the Examiner's decision. The parties agreed that compliance had been met with respect to providing information and posting notices. However, the parties disagreed over whether the minutes were read at a regular public meeting. Dario recommended that compliance be accepted because the employer had complied with the technical definition of the order. Based on that, the Commission accepted compliance and this case will be closed. However, the Commission asked staff to consider being more specific on where the minutes should be read in future orders.

### **Discussion Re: Rules Revisions**

Mike described the process that the agency has been using to prepare proposed rule changes. In 2018, Mike convened a committee, comprised of Chris Casillas, Dario de la Rosa, and Dianne Ramerman, to review the agency's rules and begin developing suggested modifications. One general goal was to streamline the rules and modernize the language where appropriate. There were also specific areas that staff had identified as needing review for possible revision.

Mike and the committee met to develop the initial draft of proposed changes. In some instances, clientele feedback was solicited before the proposed changes were drafted. Once all the proposed changes were done, they were shared with staff for their feedback and input, and any necessary tweaks were made based upon their feedback.

Next, the proposed changes were shared with clientele, including the Clientele Consultation Committee, to gather their input and feedback. Following this, further explanation was provided or any necessary tweaks were made. Staff and clientele were apprised of these tweaks.

Now these proposed changes are being shared with the Commission for its review, input, and feedback. Once this process is completed, we will review and make any revisions. In some instances, the Commissioners may ask staff to explore a rule on a topic we had not considered or

provide feedback that indicates they have doubts about some new process. That will inform what we prepare for the formal rulemaking process that is governed by chapter 34.05 RCW.

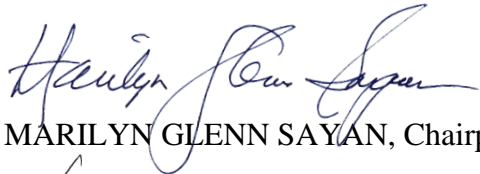
Dianne Ramerman then went through the proposed changes to chapters 391-08 and 391-45 WAC. Mike and the committee answered any questions surrounding the proposals.

### **Adjournment**

There being nothing further to come before the Commission, the public meeting was adjourned at 11:54 a.m.

APPROVED this 11th day of January, 2022.

### **PUBLIC EMPLOYMENT RELATIONS COMMISSION**



MARILYN GLENN SAYAN, Chairperson



MARK R. BUSTO, Commissioner



KENNETH J. PEDERSEN, Commissioner