

Public Employee Relations Board
FY17-18 Performance Oversight Questions
Committee on Labor and Workforce Development
Councilmember Elissa Silverman (At-Large), Chair

I. Agency Organization

1. Please provide a current **organizational chart** for the agency, including the number of vacant, frozen, and filled positions in each division or subdivision.

Response: See Attachment A

- a. Include the names and titles of all senior personnel:

Response: Clarene Phyllis Martin, Executive Director
E. Lindsey Maxwell, Supervisory Attorney

- b. Please provide an explanation of the roles and responsibilities of each division and subdivision.

Response: **Board**-makes the final decision on cases filed by parties
Legal Support-staff of attorneys analysis, research and draft decisions and orders ruled upon by the Board.
Administrative Support-clerical assistance

- c. Please provide a narrative explanation of any changes to the organizational chart made during FY17 or FY18, to date.

Response: PERB'S organizational structure remains the same

- d. Note on the chart the date that the information was collected.

Response: See Attachment A

2. Please attach in Excel a current **Schedule A** for the agency, as of February 1, 2018, with the following information for each position:

Response: See Attachment B

3. For any **term or temp position** included in the schedule A and filled in FY17 or FY18, please provide a brief narrative for why the hire was done on a term or temporary basis and not on a continuing basis.

Response: N/A

4. Please provide the following information on any **contract workers** in your agency:

Response:

- a. Position name: Administrative Assistant
Organizational unit assigned to: Support Staff
Hourly Rate: \$16.00
Type of work duties: Clerical
- b. Position name: Hearing Examiner
Organization unit assigned to: Legal
Day Rate: \$600.00
Type of work duties: Hearings/ Drafting Reports
- c. Position name: Mediator
Organizational unit assigned to: Legal
Day Rate: \$600.00

Type of work duties: Mediation

- d. Position name: Training Facilitator
Organizational unit assigned to: Legal
Hourly Rate: \$500.00
Type of work duties: Training

5. Please provide the Committee with a list of **travel** expenses, arranged by employee for FY17 and FY18, to date, including the dates of travel, amount of expenses, and reason for travel. Please specify whether employees may be reimbursed for out-of-pocket travel expenses; and, if so, please describe agency protocol and requirements for employees to apply for and receive reimbursements for such travel expenses, such as necessary documentation, timeframes, and other requirements.

Response: N/A

6. Please provide the Committee with a list of the total **workers' compensation** payments paid in FY17 and FY18, to date, including the number of employees who received workers' compensation payments, in what amounts, and for what reasons.

Response: N/A

7. For FY17 and FY18, to date, please list each **employee separated** from the agency, other than due to retirement.

Response: N/A

8. Please provide the Committee with a list of employees who received **bonuses or special award pay** granted in FY 2017 and FY 2018, to date, and identify:

Response: N/A

9. Please provide the name of each employee who was or is on **administrative leave** (not to include medical leave) in FY 2017 and 2018, to date. In addition, for each employee identified, please provide:

Response: N/A

10. Please provide a list of each **collective bargaining agreement** that is currently in effect for agency employees.

Response: N/A

11. Please list in chronological order, any **grievances filed by labor unions** against the agency or agency management in FY16, FY17, or FY18, to date, broken down by source.

Response: None

12. Please list in chronological order, any **additional employee grievances or complaints** that the agency received in FY17 and FY18, to date, broken down by source.

Response: None

13. Please describe the agency's procedures for investigating allegations of **sexual harassment** or misconduct committed by or against its employees. List and describe any allegations received by the agency in FY17 and FY18, to date, and whether or not those allegations were resolved. Please describe the nature of such resolution.

Response:

The Administrative Officer is designated to investigate allegations of sexual harassment. No allegations were received in FY '17 or FY '18 to date.

14. For any **boards or commissions** associated with your agency, please provide a chart listing the following for each

Response: See attachment C

a. List any vacancies.

Response: None

b. Describe the board's or commission's responsibilities and activities in FY17.

Response:

In FY '17, the Board resolved labor disputes between District agencies and District employees and unions that represent District employees by issuing 46 Decisions and Orders.

15. Please list the **task forces and organizations** of which the agency is a member and any associated membership dues paid.

Response: None

II. Budget and Expenditures

16. Budget

a. Please provide a table showing your agency's Council-approved original budget, revised budget (after reprogrammings, etc.), and actual spending, by program and activity, for FY17 and the first quarter of FY18. For each program and activity, please include total budget and break down the budget by funding source (federal, local, special purpose revenue, or intra-district funds).

Response: See Attachment D

b. Include any over- or under-spending. Explain any variances between fiscal year appropriations and actual expenditures for FY17 for each program and activity code.

Response: N/A

c. Attach the cost allocation plans for FY17 and FY18.

Response: See Attachment E

d. In FY16 or FY17, did the agency have any federal funds that lapsed? If so, please provide a full accounting, including amounts, fund sources (e.g. grant name), and reason the funds were not fully expended.

Response:

We did not have any federal funds, only Local funds.

17. Please provide a table listing all **intra-District transfers** for FY17 and FY18 (YTD), as well as anticipated transfers for the remainder of FY18.

Response: See Attachment F

a. Attach copies of all intra-district transfer MOUs or MOAs, other than those for overhead or logistical services, such as routine IT services or security.

Response: N/A

b. Please list any additional intra-district transfers planned for FY18, including the anticipated agency(ies), purposes, and dollar amounts.

Response: N/A

18. Please provide a table listing every **reprogramming** of funds (i.e. local, federal andd SPR) into and out of the agency for FY17 and FY18, to date, as well as anticipated inter-agency reprogrammings for the remainder of FY18. Please attach copies of the reprogramming documents, including the Agency Fiscal Officer's request memo and the attached reprogramming chart.

Response: N/A

19. Please list, in chronological order, every **reprogramming** *within* your agency during FY17 and FY18, to date, as well as any anticipated intra-agency reprogrammings. Please attach copies of any reprogramming documents.

Response:

- a. Date: 9/1/17
- b. Amount: \$40,000.00
- c. Funding Source: Local
- d. CSG codes for the originating funds:1000,0011
- e. CSG codes for the received funds: 2000, 0040, 0041
- f. Description: Local funds reprogrammed (From PS to NPS) to cover unforeseen third party legal expenses and hearing examiner's expense.

20. For FY17 and FY18, to date, please identify any **special purpose revenue funds** maintained by, used by, or available for use by the agency. For each fund identified, provide:

Response: None

21. Please list all **memoranda of understanding** ("MOU") and memoranda of agreement ("MOA") entered into by your agency during FY17 and FY18, to date, as well as any MOU or MOA currently in force.

- a. Parties to the MOU

Response:

Clarene Phyllis Martin, Executive Director PERB

Kena Cofield Jones: Associate Director, DCHR

- b. Whether a letter of intent was signed in the previous fiscal year and if so, on what date:

Response:

The letter of intent was signed in FY '18

- c. The date on which the MOU or MOA was entered:

Response: 10/1/17

- d. The actual or anticipated termination date:

Response: 9/30/18

- e. Purpose of MOU:

Response:

Benefits and Retirement Services; Recruitment and Staffing Services; Classification and Compensation Services; Employee Relations Services; Performance Management Services; Policy Development and Interpretation Services; and Learning and Development Services.

- f. Amount:

Response:

\$15,000.00

- g. Attach copies of all MOUs or MOAs, other than those for overhead or logistical services, such as routine IT services or security.

Response: See Attachment G

- h. Please list any additional MOUs and MOAs planned for FY18, including the anticipated agency(ies), purposes, and dollar amounts.

Response: None

22. Part I. The committee would like to better understand the agency's programmatic needs and the associated budgetary costs. Please submit copies of your **FY19 budget submission to the Mayor's Office of Budget and Finance (OBF)**.

Response:

See Attachment H

Part II: In addition, please identify:

- a. Which of your agency's MARC reductions and hypothetical 2% cuts (Form 1) were accepted or rejected (i.e. if the cut was rejected, the funds were not swept and if the cuts were accepted, the funds were swept) ;

Response:

PERB has not been informed.

- b. Which of your agency's enhancement requests (Form 2) were accepted (i.e. which enhancements were added to your agency's FY19 budget).

Response:

- c. PERB has not been informed.

Part III: For FY16 and FY17, please include each fiscal year's information for #24 Part I and Part II. Please indicate if your agency is willingly omitting any information requests in Part I and Part II.

23. Please list each **grant or sub-grant**, including multi-year grants, received by your agency in FY17 and FY18, to date.

Response: N/A

24. Please describe every **grant** your agency is, or is considering, applying for in FY18.

Response: N/A

25. Please list each **contract, procurement, and lease** leveraged in FY17 and FY18 (year-to-date) with a value amount of \$10,000.00 or more. "Leveraged" includes any contract, procurement, or lease used by the agency as a new procurement establishment (i.e. HCA, BPA, etc.), contract extension, and contract option year execution. This also include direct payments (if applicable). For each contract, procurement, or lease leveraged, please attach a table with the following information, where applicable:

Part I

- a. Contractor/Vendor Name; Olender Reporting, Inc.
- b. Contract Number: N/A
- c. Contract type: Sole Source; The DSLBD list of CBEs was researched for capable vendors and none were found to who are registered and capable to provide the specific good or service.
- d. Description of contractual goods and/or services: Transcription Services for PERB hearings
- e. Contract's outputs and deliverables: One original and one copy of the transcripts are to be delivered to PERB 7-10 days following the proceeding.
- f. Status of deliverables: Met
- g. Copies of deliverables: PERB stores all copies of transcripts in our file room for reference
- h. Contract Administrator: Pat Waller, Administrative Officer
- i. Oversight/monitoring plan: N/A
- j. Subcontracting status: N/A
- k. Requisitions and purchase order numbers; RQ: 939005-V2, PO556094
- l. Corresponding, obligated amounts for each purchase order: \$12,207.21
- m. Corresponding, expended amounts (actuals) for each purchase order: \$12,207.21
- n. Funding source for each requisition and purchase order: Local
- o. Index and PCA codes: Index: 20001, PCA: 12001
- p. Activity code and name: Adjudication
- q. Total contract or procurement value in FY17; \$12,207.21
- r. Total contract or procurement value in FY18: 0
- s. Period of performance: October 1,2016-September 30,2017

- t. Current year of contract: FY 17
- u. Contractor/Vendor Name; Webster and Fredrickson
 - a. Contract Number: CW10697
 - b. Contract type: Exempt from competition
 - c. Description of contractual goods and/or services: Outside Legal Counsel for litigation
 - d. Contract's outputs and deliverables: Legal Opinions, Reviews, Litigation
 - e. Status of deliverables: Met
 - f. Copies of deliverables: PERB stores all copies of transcripts in our file room for reference
 - g. Contract Administrator: Pat Waller, Administrative Officer FY '17
 - h. Contract Administrator: Najibah Almahdi , Program Analyst FY '18
 - i. Oversight/monitoring plan: N/A
 - j. Subcontracting status: N/A
 - k. Requisitions and purchase order numbers; 2017 RQ: PPO5520037, 2018 RQ:971318 PO572333
 - l. Corresponding, obligated amounts for each purchase order: \$77,960.74
 - m. Corresponding, expended amounts (actuals) for each purchase order: \$77,960.74
 - n. Funding source for each requisition and purchase order: Local
 - o. Index and PCA codes: Index: 20001, PCA: 12001
 - p. Activity code and name: Adjudication
 - q. Total contract or procurement value in FY17; \$77,960.74
 - r. Total contract or procurement value in FY18: 90,000.00
 - s. Period of performance: October 1,2016-September 30,2017
 - t. Current year of contract: Ongoing

Part II: Please attach monitoring documentation, including any monitoring reports or performance evaluations developed for use. If any contract is performance-based, specify the basis of performance (i.e. the metrics) and describe the payment formula.

Response: N/A

26. Please list each **grant** awarded by your agency during FY17 and FY18 (year-to-date) for good and/or services provided by your agency. Please attach any documentation of monitoring, including any reports developed.

Response: N/A

III. Agency performance, evaluation, and disputes

27. Please list all pending **lawsuits** that name the agency as a party.
- a. Provide the case name, court, where claim was filed, case docket number, and a brief description of the case.
Response: Cox v. DC, DC Superior Court, Docket No. 2016 CA 4990 B, this is a disability discrimination claim filed by a former term employee whose employment term ended and was not renewed.
 - b. Identify which cases on the list are lawsuits that potentially expose the District to significant financial liability or will result in a change in agency practices, and describe the current status of the litigation.

Response: The case potentially exposes DC Government to \$100,000 in liability if successful. The case is awaiting the filing of a summary judgment motion.

- c. Please provide the extent of each claim, regardless of its likelihood of success.

Response:

- Discrimination based on disability
- Hostile work environment based on disability
- Retaliation

- d. For those identified, please include an explanation about the issues involved in each case.

Response: Margaret Cox was a term employee, whose term ended in the summer of 2015. When the term ended, due to budget issues, the Agency did not renew her employment for another term. She subsequently filed this lawsuit claiming that her employment was not renewed based on her alleged disability and because she complained to PERB of a hostile work environment.

28. Please list all **settlements** entered into by the agency or by the District on behalf of the agency in FY17 or FY18, to date, including any covered by D.C. Code § 2-402(a)(3), which requires the Mayor to pay certain settlements from agency operating budgets if the settlement is less than \$10,000 or results from an incident within the last two years.

Response: None

29. Please list in chronological order, all **administrative grievances or complaints** filed by parties outside the agency against the agency in FY17 or FY18, to date, broken down by source. Include on the chronological list any earlier grievance that is still pending in any judicial forum.

Response: None

30. Please list and describe any ongoing **investigations, audits, or reports** on the agency or any employee of the agency, or any that were completed during FY17 and FY18, to date. Please attach copies of any such document.

Response: None

31. Please provide a copy of the agency's FY17 **performance accountability report**.

Response: See Attachment I

- a. Please explain which performance plan strategic objectives and key performance indicators (KPIs) were met or completed in FY17 and which were not.

Response: All of our KPIs for FY '17 were met.

- b. For any met or completed objective, also note whether they were completed by the project completion date of the objective and/or KPI and within budget. If they were not on time or within budget, please provide an explanation.

Response: All of our KPIs for FY '17 were within budget and were completed.

- c. For any objective not met or completed, please provide an explanation.

Response: All were met.

32. Please provide a copy of your agency's FY18 **performance plan** as submitted to the Office of the City Administrator. Please discuss any changes to outcomes measurements in FY17 or FY18, including the outcomes to be measured, or changes to the targets or goals of outcomes; list each specifically and explain why it was dropped, added, or changed.

Response: See Attachment J

- Measure: Number of Unfair Labor Practice and Standard of Conduct hearings scheduled within 60 days of filing date
Changed to: Percentage of FY '19 Unfair Labor Practice and Standard of Conduct hearings scheduled within 30 days of mediation
- Key Performance Indicator: "Percentage of Cases settled in mediation"
Target Changed from 75% to 25%. The target was changed because PERB staff is ultimately not responsible for the outcome of mediations.
- Key Performance Indicator: "Resolve all FY '08-FY '13 Unfair Labor Practice and Standard of Conduct cases". Deleted because PERB has met this goal in FY '17.
- Measure: "Percentage of cases sent to medication within 45 days of filing"
Changed to: "Percentage of FY '19 Unfair Labor Practice and Standard of Conduct cases sent to mediation within thirty days of filing a response"
- Measure: "Number of cases settled in mediation"
Changed to: "Number of cases settled/withdrawn in mediation"

33. Please provide the number of **FOIA requests** for FY17 and FY18, to date, that were submitted to your agency.

a. Include the number granted, partially granted, denied, and pending.

Response:

FY '17

- Number granted: 2
- Number partially granted: 0
- Number denied: 1
- Number pending: 0

FY '18- No FOIA requests to date.

b. Provide the average response time, the estimated number of FTEs required to process requests, the estimated number of hours spent responding to these requests, and the cost of compliance.

Response:

- Average Response time: 58 days. As a result of errors and complications with the FOIAXpress software, we were not aware of any request until after the statutory period had expired. Once we were aware a request existed we immediately began processing the requests.
- Number of FTEs required: 1
- Number of hours spent responding to requests: 128
- Cost of compliance: \$3144.60

c. Did the agency file a report of FOIA disclosure activities with the Secretary of the District of Columbia? Please provide a copy of that report as an attachment.

Response: The agency filed a report. See Attachment K

34. Please provide a list of all **studies, research papers, reports, and analyses** that the agency prepared or contracted for during FY17 and FY18, to date. Please attach a copy if the study, research paper, report, or analysis is complete.

Response: N/A

35. Please list all **reports or reporting** currently required of the agency in federal law, the District of Columbia Code, or Municipal Regulations.

Response: No reports or reporting required by law.

36. Please provide a list of any additional **training or continuing education** opportunities made available to agency employees. For each additional training or continuing education program, please provide the subject of the training, the names of the trainers, and the number of agency employees that were trained. What training deficiencies, if any, did the agency identify during FY17 and FY18, to date?

Response:

- BEGA's 2017 Ethics Day
Instructors: Brian K. Flowers, Ashley Cooks, Asia Stewart-Mitchell, Jessica Dillion, Traci Hughes, Zach Walters, Janet Foster, Daniel Lucas, Erika Stillabower
Number of Employees: 5
- BEGA Training for Board Members
Instructor: Asia Stewart-Mitchell
Number of Board Members: 5
- ABA 11th Annual Section of Labor and Employment Law Conference
Instructors: American Bar Association
Number of Employees: 5
- Understanding ADA and DC FMLA
Instructors: Hnin N. Khaing
Number of Employees: 6
- Workplace Discrimination
Instructors: Hnin N. Khaing
Number of Employees: 5
- The D.C. Bar Continuing Legal Education Program: Effective Writing for Lawyers Workshop
Instructors: Kate Sylvester, Lucinda Fleeson, and Ann B. Vaden
Number of Employees: 2
- Using the DC Purchase Card
Instructors: Rosalia Rojas
Number of Employees: 2
- Time Management
Instructors: DCHR
Number of Employees: 1
- PAS Buyer
Instructors: D'Andre Dorn
Number of Employees: 3
- EEO Counseling Best Practices
Instructors: Hnin N. Khaing
Number of Employees: 1
- Sexual Harassment Prevention Training

Instructors: DCHR
Number of Employees: 7

- Cybersecurity Awareness Training
Instructors: DCHR
Number of Employees: 1
- Applying Basic Data Formatting
Instructors: DCHR
Number of Employees: 1

By information and belief there are no training deficiencies for FY '17 or FY '18 to date

37. Please discuss **performance evaluations**.

- a. Does the agency conduct annual **performance evaluations** of all its employees?

Response: PERB conducts annual performance evaluations of all employees.

- b. Who conducts such evaluations?

Response: The Executive Director and the Supervisory Attorney Advisor.

- c. What steps are taken to ensure that all agency employees are meeting individual job requirements?

Response: PERB conducts mid-year assessments in order to ensure that the tasks of each employee are in alignment with our goals for the year.

38. Please list all **recommendations identified by the Office of the Inspector General, D.C. Auditor, or other federal or local oversight entities** during FY16, FY17, or FY18, to date. Please provide an update on what actions have been taken to address each recommendation. If the recommendation has not been implemented, please explain why.

Response: N/A

IV. Agency Operations

39. How did the agency address its **top five priorities** in FY17? What are the agency's top five priorities in FY18? Please explain how the agency expects to address these priorities in FY18.

Response:

FY '17 Priorities

- i. Reducing Backlog from '08-'13
- 2.) Expand office space
- 3.) Introduced Newsletter
- 4.) New database
- 5.) N/A

FY '18 Priorities

- 1.) MOU with DCHR for personnel services
- 2.) E- performance plans
- 3.) Agency specific labor relations training
- 4.) Relocate archive files to DC government locations
- 5.) Continuing education for attorneys

40. Please describe any **initiatives** that the agency implemented in FY17 or FY18, to date, to improve the internal operations of the agency or the interaction of the agency with outside parties. Please describe the results, or expected results, of each initiative.

Response:

FY '17:

In FY '17 we initiated a new performance measure which made us more conscious of the amount of time it took to resolve cases. It is too early to determine the outcome.

FY '18:

The expectation is to not only improve internal operations but as well as maintain positive interaction of the agency with outside parties.

41. Please list each **new program** implemented by the agency during FY17 and FY18, to date. For each program, please provide:

Response: N/A

42. Please explain the impact on your agency of any **legislation** passed or regulations adopted at the federal level during FY17 and FY18, to date, which significantly affect agency operations.

Response: N/A

43. Please identify any **legislative requirements** that your agency lacks sufficient resources to properly implement. Please explain.

Response: None

44. Please discuss any **legislation** your agency plans to submit to the Council in FY18 or FY19.

Response: None

45. Please identify any **statutory or regulatory impediments** to your agency's operations.

Response: None

46. Please list all **regulations** for which the agency is responsible for oversight or implementation.

Response:

a.

PERB is responsible for oversight or implementation of all of the sections in chapter 5 ("Rules of the Public Employee Relations Board") of title 6, subtitle B of the D.C. Municipal Regulations, namely:

6-B500 GENERAL PROVISIONS; Date of Most Recent Version: 10/1/2015

6-B501 CONSTRUCTION, COMPUTATION AND EXTENSIONS OF TIME, FILING AND SERVICE OF DOCUMENTS; Date of Most Recent Version: 10/1/2015

6-B502 EXCLUSIVE RECOGNITION AND NON-COMPENSATION UNIT DETERMINATION; Date of Most Recent Version: 10/1/2015

6-B503 COMPENSATION UNIT DETERMINATION; Date of Most Recent Version: 10/1/2015

6-B504 MODIFICATION OF UNITS; Date of Most Recent Version: 10/1/2015

6-B505 DECERTIFICATION PETITIONS; Date of Most Recent Version: 10/1/2015

6-B506 CLARIFICATION OF UNITS; Date of Most Recent Version: 10/1/2015

6-B510 ELECTION PROCEDURES: GENERAL; Date of Most Recent Version: 10/1/2015

6-B511 ELECTION PROCEDURES: ELIGIBILITY; Date of Most Recent Version: 10/1/2015

6-B512 ELECTION PROCEDURES: MAIL BALLOTS; Date of Most Recent Version: 10/1/2015

6-B513 ELECTION PROCEDURES: ON-SITE ELECTIONS; Date of Most Recent Version: 10/1/2015

6-B514 ELECTION PROCEDURES: TALLYING; Date of Most Recent Version: 10/1/2015

6-B515 CERTIFICATION OF ELECTION RESULTS; Date of Most Recent Version: 10/1/2015
6-B516 PETITIONS TO AMEND CERTIFICATION; Date of Most Recent Version: 10/1/2015
6-B520 UNFAIR LABOR PRACTICE COMPLAINTS; Date of Most Recent Version: 10/1/2015
6-B526 IMPASSE RESOLUTION PROCEEDINGS: COMPENSATION NEGOTIATIONS; Date of Most Recent Version: 10/1/2015
6-B527 IMPASSE RESOLUTION PROCEEDINGS: NON-COMPENSATION NEGOTIATIONS; Date of Most Recent Version: 10/1/2015
6-B532 NEGOTIABILITY APPEAL PROCEEDINGS; Date of Most Recent Version: 10/1/2015
6-B538 GRIEVANCE ARBITRATION REVIEW REQUEST; Date of Most Recent Version: 10/1/2015
6-B544 STANDARDS OF CONDUCT COMPLAINTS; Date of Most Recent Version: 10/1/2015
6-B550 HEARINGS; Date of Most Recent Version: 10/1/2015
6-B551 RECORDING OF HEARINGS; Date of Most Recent Version: 10/1/2015
6-B552 SUBPOENAS; Date of Most Recent Version: 10/1/2015
6-B553 MOTIONS; Date of Most Recent Version: 10/1/2015
6-B554 INTERLOCUTORY APPEALS; Date of Most Recent Version: 10/1/2015
6-B555 ORAL ARGUMENTS/BRIEFS AND SUBMISSIONS; Date of Most Recent Version: 10/1/2015
6-B556 HEARING EXAMINER'S REPORT/EXCEPTIONS; Date of Most Recent Version: 10/1/2015
6-B557 DISQUALIFICATION; Date of Most Recent Version: 10/1/2015
6-B558 VOLUNTARY AND MANDATORY SETTLEMENT OR ADJUSTMENT OF DISPUTES; Date of Most Recent Version: 10/1/2015
6-B559 FINALITY OF BOARD DECISION AND ORDER; Date of Most Recent Version: 10/1/2015
6-B560 ENFORCEMENT; Date of Most Recent Version: 10/1/2015
6-B561 ELECTRONIC FILING; Date of Most Recent Version: 10/1/2015
6-B566 LIST OF NEUTRALS; Date of Most Recent Version: 10/1/2015
6-B567 AMENDMENT TO RULES; Date of Most Recent Version: 10/1/2015
6-B599 DEFINITIONS; Date of Most Recent Version: 10/1/2015

b.

PERB plans to revise the sections of chapter 5 (“Rules of the Public Employee Relations Board”) of title 6, subtitle B of the D.C. Municipal Regulations that are listed below. A draft of the revisions is under review by the Executive Director. The Executive Director anticipates proposing a draft to the Board in May or June of 2018. The anticipated completion date is September 2018.

6-B500 GENERAL PROVISIONS; Date of Most Recent Version: 10/1/2015
6-B501 CONSTRUCTION, COMPUTATION AND EXTENSIONS OF TIME, FILING AND SERVICE OF DOCUMENTS; Date of Most Recent Version: 10/1/2015
6-B502 EXCLUSIVE RECOGNITION AND NON-COMPENSATION UNIT DETERMINATION; Date of Most Recent Version: 10/1/2015
6-B503 COMPENSATION UNIT DETERMINATION; Date of Most Recent Version: 10/1/2015
6-B504 MODIFICATION OF UNITS; Date of Most Recent Version: 10/1/2015
6-B505 DECERTIFICATION PETITIONS; Date of Most Recent Version: 10/1/2015
6-B506 CLARIFICATION OF UNITS; Date of Most Recent Version: 10/1/2015
6-B510 ELECTION PROCEDURES: GENERAL; Date of Most Recent Version: 10/1/2015
6-B511 ELECTION PROCEDURES: ELIGIBILITY; Date of Most Recent Version: 10/1/2015
6-B512 ELECTION PROCEDURES: MAIL BALLOTS; Date of Most Recent Version: 10/1/2015
6-B513 ELECTION PROCEDURES: ON-SITE ELECTIONS; Date of Most Recent Version: 10/1/2015

6-B514 ELECTION PROCEDURES: TALLYING; Date of Most Recent Version: 10/1/2015
6-B515 CERTIFICATION OF ELECTION RESULTS; Date of Most Recent Version: 10/1/2015
6-B516 PETITIONS TO AMEND CERTIFICATION; Date of Most Recent Version: 10/1/2015
6-B520 UNFAIR LABOR PRACTICE COMPLAINTS; Date of Most Recent Version: 10/1/2015
6-B526 IMPASSE RESOLUTION PROCEEDINGS: COMPENSATION NEGOTIATIONS; Date of Most Recent Version: 10/1/2015
6-B527 IMPASSE RESOLUTION PROCEEDINGS: NON-COMPENSATION NEGOTIATIONS; Date of Most Recent Version: 10/1/2015
6-B532 NEGOTIABILITY APPEAL PROCEEDINGS; Date of Most Recent Version: 10/1/2015
6-B538 GRIEVANCE ARBITRATION REVIEW REQUEST; Date of Most Recent Version: 10/1/2015
6-B544 STANDARDS OF CONDUCT COMPLAINTS; Date of Most Recent Version: 10/1/2015
6-B550 HEARINGS; Date of Most Recent Version: 10/1/2015
6-B552 SUBPOENAS; Date of Most Recent Version: 10/1/2015
6-B553 MOTIONS; Date of Most Recent Version: 10/1/2015
6-B554 INTERLOCUTORY APPEALS; Date of Most Recent Version: 10/1/2015
6-B555 ORAL ARGUMENTS/BRIEFS AND SUBMISSIONS; Date of Most Recent Version: 10/1/2015
6-B556 HEARING EXAMINER'S REPORT/EXCEPTIONS; Date of Most Recent Version: 10/1/2015
6-B557 DISQUALIFICATION; Date of Most Recent Version: 10/1/2015
6-B558 VOLUNTARY AND MANDATORY SETTLEMENT OR ADJUSTMENT OF DISPUTES; Date of Most Recent Version: 10/1/2015
6-B559 FINALITY OF BOARD DECISION AND ORDER; Date of Most Recent Version: 10/1/2015
6-B560 ENFORCEMENT; Date of Most Recent Version: 10/1/2015
6-B561 ELECTRONIC FILING; Date of Most Recent Version: 10/1/2015
6-B566 LIST OF NEUTRALS; Date of Most Recent Version: 10/1/2015
6-B567 AMENDMENT TO RULES; Date of Most Recent Version: 10/1/2015
6-B599 DEFINITIONS; Date of Most Recent Version: 10/1/2015

47. Please identify all **electronic databases** maintained by your agency, including the following:

Response:

- Time Matters
 - File and Serve Xpress
 - Opinion Database on Website
- a. A detailed description of the information tracked or maintained within each system:
Pleadings filed: Case Name and Number, Date Filed, Number of days in system, Attorney assignment, Processing stage, Parties' contact information, Documents, Notes, Filing Date, Closing Date
- b. The age of the system and any discussion of substantial upgrades that have been made or are planned to the system:
- Time Matters: Initial installation 2014, updated December 2017
 - Opinions Database: Awaiting OCTOs' update and replacement; Age unknown
- c. Whether the public can be granted access to all or part of each system.
- Time Matters: The public is not granted access
 - File & Serve Xpress: Owned and operated by an outside vendor
 - Opinions Database: The public is granted access to the Opinions Database.

48. Please provide a detailed description of any **new technology** acquired or any upgrades to existing technology in FY17 and FY18, to date, or anticipated for the remainder of FY18.

Response:

OCTO has started the development of the Public Search Utility for use by agencies such as PERB. The project is scheduled for completion by September 2018. We currently do not have a final cost for this project.

V. Public Employee Relations Board

49. What efforts has the agency made in the past year to increase transparency? The Committee has noted that the website is often out-of-date. What procedures does PERB have in place to ensure that the website is consistently up-to-date, particularly after changes in board membership?

Response:

The website has been updated to show the change in Board membership. We have a date set for Board minutes to appear on the website within a week of approval.

50. Please provide a narrative explanation and timeline for the progress, including a target completion date, of the effort to create a searchable database of the agency's decisions, which was funded in the FY18 budget.

Response:

By information and belief, the database is still being worked on by OCTO. We have not been provided with a target completion date. However, OCTO has assured the agency that it will complete the PERB database once it has completed the database of OEA.

51. Please provide the following for FY16, FY17, and the first quarter of FY18 (identify the court hearing the appeal when relevant):

Response:

(a) Total decisions issued:

- FY16 = 51
- FY17 = 44
- FY18 = 8

(b)(c)(d) Average time to issue an initial decision/opinion/final order
(Using filing date as a start date)

- FY16 = 404.1 days
 - FY17 = 391.6 days
 - FY18 = 562.1 days
- (Using the date oppositions to HERR were due as a start date)

- FY16 = 381.3 days
- FY17 = 246.8 days
- FY18 = 229.4 days

(e) Number of cases settled

- FY16 = 23
- FY17 = 9
- FY18 = 5

(f) The number of decisions appealed;

- FY2016 - 6
- FY2017 - 11
- FY2018 - 1

(g) The number of pending appeals;

- FY2016 - 2

- FY2017 - 6
 - FY2018 - 1
- (h) The number of successful appeals of PERB decisions (including decisions to remand);
- FY2016 - 2
 - FY2017 - 0
 - FY2018 – 0
- (i) The number of PERB decisions upheld on appeal;
- FY2016 - 2
 - FY2017 - 5
 - FY2018 - 0
- (j) A narrative description explaining each decision that was reversed or remanded along with a copy of any opinion issued with the remand or reversal.
- 2016 CA 4861 – This case was remanded at PERB’s request to the court to further explain our position as it relates to the negotiability of dress codes. That case is now pending at PERB for another decision.
 - 2016 CA 6901 – This case was remanded for PERB to clarify why it uses the statute for creating a compensation unit when it determines if a compensation unit should be modified.

52. Please list the statutory deadlines PERB must meet for each step of its process, the average time it took to complete that step, the number of cases that reached that step within the deadline, and the number that did not. Please explain any steps that were not completed within statutory deadlines.

Response: N/A

53. Please provide a list of each training that PERB provided to members of public unions or agency officials in FY17 and FY18 to date, including information about the topic, agencies in attendance, and the number of attendees. Does PERB intend to continue its training programs in FY18? How many trainings are planned for the remainder of FY18

Response:

PERB is continuing its training program in FY '18. We have four trainings planned for the remainder of FY '18

Training Schedule FY17

| Topic | Attending | Agencies Represented |
|--|-----------|--|
| Employee Union & Management Rights & Restrictions | 46 | DBH, DOC, DES, DOH, DHS, Department of Insurance and Securities & Banking, Depart. of Youth & Rehabilitation Services, DCNA, D.C. Police Union, DCPS, FOP, MPD, OLRCB, Office of Unified Communications, DDOT, DDS |
| PERB Practice/Procedures and Good Faith Bargaining | 32 | DBH, DOC, DES, DOH, DHS, Department of Insurance and Securities & Banking, Depart. of Youth & Rehabilitation Services, DCNA, D.C. Police Union, DCPS, FOP, MPD, OLRCB, Office of Unified Communications, DDOT, DDS |
| Duty to Bargain Information Request | 42 | DBH, DOC, DES, DOH, DHS, Department of Insurance and Securities & Banking, Depart. of Youth & Rehabilitation Services, DCNA, D.C. Police Union, DCPS, FOP, MPD, OLRCB, Office of Unified Communications, DDOT, DDS |
| PERB and Arbitration | 42 | DBH, DOC, DES, DOH, DHS, Department of Insurance and Securities & Banking, Depart. of Youth & Rehabilitation Services, DCNA, D.C. Police Union, DCPS, FOP, MPD, OLRCB, Office of Unified Communications, DDOT, DDS |

Training Schedule FY18

| Topic | Attending | Agencies Represented |
|---|-----------|---|
| Employee Union & Management Rights & Restrictions | 28 | DBH, DOC, DES, DOH, DHS, Department of Insurance and Securities & Banking, Depart. of Youth & Rehabilitation Services, DCNA, D.C. Police Union, DCPS, FOP, MPD, OLRCB, Office of Unified Communications, DDOT, DDS, Department of Health Care Finance |
| Appropriate Bargaining Units & Elections at PERB | 25 | DBH, DOC, DES, DOH, DHS, Department of Insurance and Securities & Banking, Depart. of Youth & Rehabilitation Services, DCNA, D.C. Police Union, DCPS, FOP, MPD, OLRCB, Office of Unified Communications, DDOT, DDS, Department of Health Care Finance |
| Negotiability Appeal | 26 | DBH, DOC, DES, DOH, DHS, Department of Insurance and Securities & Banking, Depart. of Youth & Rehabilitation Services, DCNA, D.C. Police Union, DCPS, FOP, MPD, OLRCB, Office of Unified Communications, DDOT, DDS, Department of Health Care Finance |
| Duty of Fair Representation & Standards of Conduct | 14 | DBH, DOC, DES, DOH, DHS, Department of Insurance and Securities & Banking, Depart. of Youth & Rehabilitation Services, DCNA, D.C. Police Union, DCPS, FOP, MPD, OLRCB, Office of Unified Communications, DDOT, DDS, Department of Health Care Finance |
| Dose PERB intend to continue its training programs in FY18? | | YES |
| How many trainings are planned for the remainder of FY18? | 5 | Trainings scheduled for FY18 |

53. What are the most common issues that arise in cases before PERB? Are there ways the Council could clarify the law in particular areas?

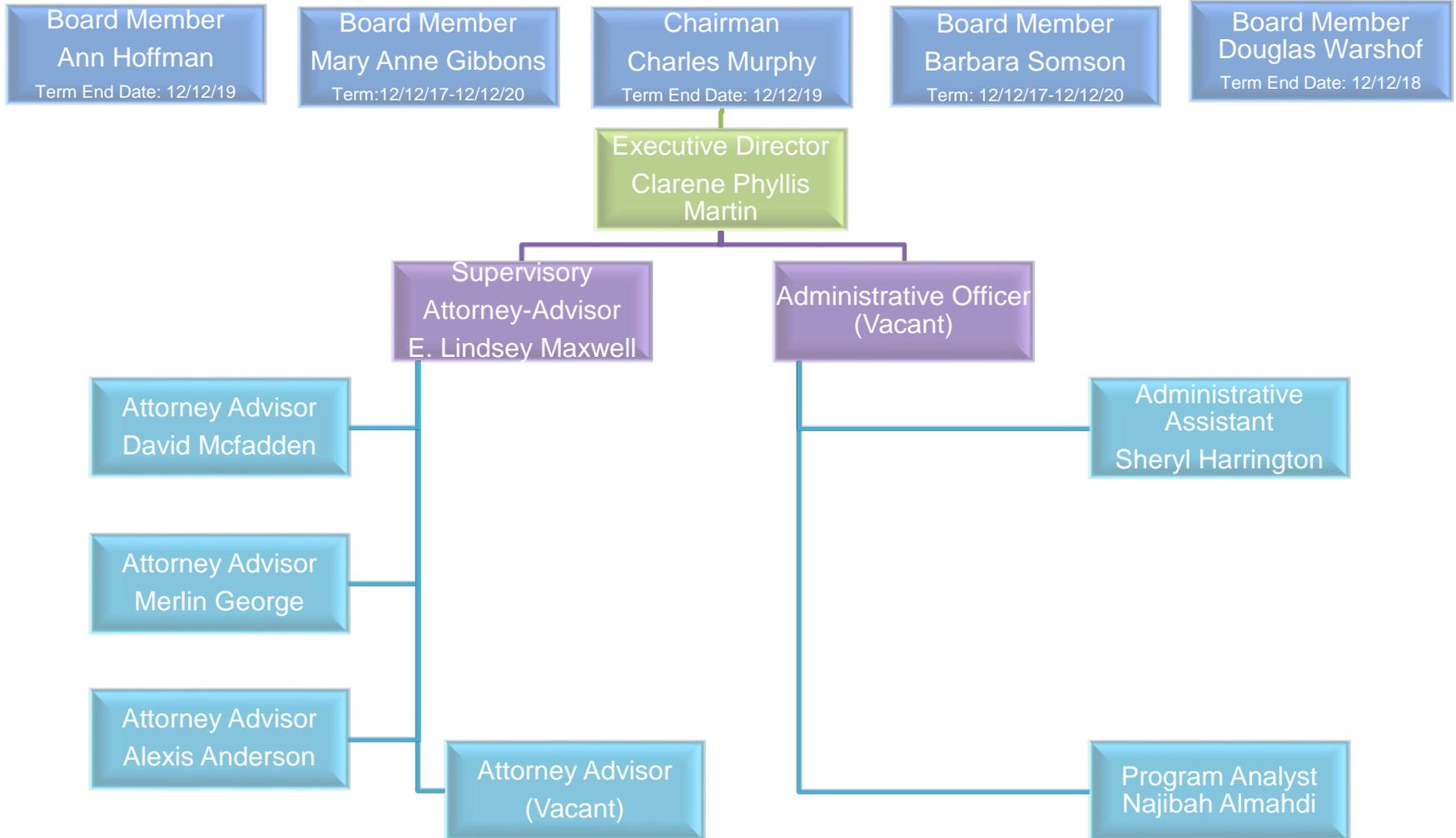
Response: TBD

54. Is PERB still circulating the e-newsletter PERB Notes? Please attach a copy of each issue from FY17 and FY18 to date.

Response:

PERB Notes is currently on hold until a support staff position currently vacant is filled.

PUBLIC EMPLOYEE RELATIONS BOARD ORGANIZATIONAL CHART



**PERB
Schedule A**

| A. Name | B. Program Name/Code | C. Office Name | D. Title | E. Position Number | F. Grade | F. Step | G. Salary | G. Fringe Benefit - FY 18 | H. Reg/Temp /Term | I. Type(Career/MSS) | J. F/P Time | K. | L. Hire Date | M. Posn Effdt | N.(Previous Office (Program) and position (jobtitle) with the agency | O. Position Status | P. (Date of Vacancy) | Q. Needed to comply with Fed Law? If so, which one? |
|------------------------|------------------------|----------------|--------------------------|--------------------|----------|---------|---------------|---------------------------|-------------------|---------------------|-------------|------------|--------------|---------------|---|--------------------|----------------------|---|
| Martin,Clarene P | Agency Management 1090 | PERB | Executive Director | 00000503 | 3 | 0 | \$ 168,214.00 | \$ 34,652.08 | Reg | Legal | F | Year-Round | 8/6/2007 | 10/1/2016 | N/A | F | N/A | No |
| McFadden,David S | Adjudication 2002 | PERB | ATTORNEY ADVISOR | 00009546 | 13 | 8 | \$ 117,056.00 | \$ 24,113.54 | Reg | Legal | F | Year-Round | 2/27/2012 | 10/1/2016 | N/A | F | N/A | No |
| Anderson,Alexis P | Adjudication 2001 | PERB | GENERAL ATTORNEY | 00015675 | 12 | 2 | \$ 82,472.00 | \$ 16,989.23 | Reg | Legal | F | Year-Round | 7/5/2016 | 11/17/2016 | N/A | F | N/A | No |
| Harrington,Sheryl V | Adjudication 2001 | PERB | ADMINISTRATIVE ASSISTANT | 00017718 | 8 | 7 | \$ 51,099.00 | \$ 10,526.39 | Reg | Career | F | Year-Round | 10/6/2014 | 5/28/2017 | N/A | F | N/A | No |
| | Adjudication 2002 | PERB | Attorney Advisor | 00035204 | 12 | 0 | \$ 79,810.00 | \$ 16,440.86 | Reg | Legal | F | Year-Round | | 12/20/2017 | N/A | V | 8/4/2017 | No |
| Maxwell,Elbert Lindsey | Adjudication 2002 | PERB | SUPERVISOR ATTORNEY ADV | 00074998 | 14 | 9 | \$ 142,075.00 | \$ 29,267.45 | Reg | Legal | F | Year-Round | 1/11/2015 | 10/1/2016 | N/A | F | N/A | No |
| Almahdi,Najibah | Adjudication 2002 | PERB | PROGRAM ANALYST | 00077408 | 11 | 4 | \$ 62,333.00 | \$ 12,840.60 | Reg | Career | F | Year-Round | 7/5/2016 | 10/1/2016 | N/A | F | N/A | No |
| George,Merlin M | Adjudication 2002 | PERB | GENERAL ATTORNEY | 00077442 | 12 | 2 | \$ 82,472.00 | \$ 16,989.23 | Reg | Legal | F | Year-Round | 3/5/2017 | 10/1/2016 | N/A | F | N/A | No |
| | Agency Management 1090 | PERB | Administrative Officer | 00016462 | 14 | 5 | \$ 111,131.00 | \$ 22,892.99 | Reg | Career | F | Year-Round | | 10/1/2016 | N/A | V | 5/30/2016 | No |

| |
|-------|
| |
| 20.6% |
| 19.0% |

| |
|---------------------|
| Fringe benefit rate |
| FY 2018 |
| FY 2017 |

Board Member

| Board Member | Name | Confirmation Date | Term Expiration Date | Previous Terms | District Resident | Attendance FY 17 | Attendance FY 18 |
|---------------------|-------------------|--------------------------|-----------------------------|--|--------------------------|-------------------------|-------------------------|
| Public | Douglas Warshof | 4/19/2016 | 12/12/2018 | N/A | Yes | 4 | 9 |
| Public | Ann Hoffman | 11/7/2017 | 12/12/2019 | 10/28/03-12/12/04, 3/2/05-12/12/07, 12/2/11- 12/12/14, 12/12/14- 12/12/16 | Yes | 3 | 7 |
| Chairman | Charles Murphy | 11/7/2017 | 12/12/2019 | 7/12/13-12/12/13, 2/4/14- 12/12/16 | Yes | 3 | 7 |
| Union | Barbara Somson | 4/19/2016-12/12/2017 | | N/A | Yes | 4 | 3 |
| Management | Mary Anne Gibbons | 12/12/2017 | 12/12/2020 | N/A | Yes | 0 | 3 |

| FY 2017 - Local Funds | | | | | | | | | |
|-----------------------|-------------------------------------|----------------|----------------------|----------------|---------------------------------|-----------------|-----------------|-----------------|----------------|
| Comp Source Group | Comp Source Group Title | Program Code 2 | Program Code 2 Title | Program Code 3 | Program Code 3 Title | Original Budget | Revised Budget | Actual Spending | Variance |
| 0011 | REGULAR PAY - CONT FULL TIME | 1000 | AGENCY MANAGEMENT | 1090 | PERFORMANCE MANAGEMENT | \$ 246,227.68 | \$ 206,227.68 | \$ 166,997.25 | |
| | | 1000 Total | AGENCY MANAGEMENT | | | \$ 246,227.68 | \$ 206,227.68 | \$ 166,997.25 | \$ 39,230.43 |
| | | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | \$ 47,203.87 | \$ 47,203.87 | \$ 200,972.40 | |
| | | | | 2002 | COURT APPEALS | \$ 603,120.62 | \$ 603,120.62 | \$ 492,339.63 | |
| | | 2000 Total | ADJUDICATION | | | \$ 650,324.49 | \$ 650,324.49 | \$ 693,312.03 | \$ (42,987.54) |
| 0011 Total | | | | | | \$ 896,552.17 | \$ 856,552.17 | \$ 860,309.28 | \$ (3,757.11) |
| 0012 | REGULAR PAY - OTHER | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | | | \$ 2,016.55 | |
| | | 2000 Total | ADJUDICATION | | | | | \$ 2,016.55 | \$ (2,016.55) |
| 0012 Total | | | | | | | | \$ 2,016.55 | \$ (2,016.55) |
| 0013 | ADDITIONAL GROSS PAY | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | | | \$ 15,793.82 | |
| | | | | 2002 | COURT APPEALS | | | | |
| | | 2000 Total | ADJUDICATION | | | | | \$ 15,793.82 | \$ (15,793.82) |
| 0013 Total | | | | | | | | \$ 15,793.82 | \$ (15,793.82) |
| 0014 | FRINGE BENEFITS - CURR PERSONNEL | 1000 | AGENCY MANAGEMENT | 1090 | PERFORMANCE MANAGEMENT | \$ 54,383.26 | \$ 54,383.26 | \$ 20,345.85 | |
| | | 1000 Total | AGENCY MANAGEMENT | | | \$ 54,383.26 | \$ 54,383.26 | \$ 20,345.85 | \$ 34,037.41 |
| | | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | \$ 8,968.74 | \$ 8,968.74 | \$ 42,946.63 | |
| | | | | 2002 | COURT APPEALS | \$ 114,592.93 | \$ 114,592.93 | \$ 103,597.20 | |
| | | 2000 Total | ADJUDICATION | | | \$ 123,561.67 | \$ 123,561.67 | \$ 146,113.83 | \$ (22,552.16) |
| 0014 Total | | | | | | \$ 177,944.93 | \$ 177,944.93 | \$ 166,459.68 | \$ 11,485.25 |
| 0020 | SUPPLIES AND MATERIALS | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | \$ 5,000.00 | \$ 5,000.00 | \$ 2,100.24 | |
| | | | | 2002 | COURT APPEALS | | | \$ - | |
| | | 2000 Total | ADJUDICATION | | | \$ 5,000.00 | \$ 5,000.00 | \$ 2,100.24 | \$ 2,899.76 |
| 0020 Total | | | | | | \$ 5,000.00 | \$ 5,000.00 | \$ 2,100.24 | \$ 2,899.76 |
| 0031 | TELEPHONE, TELEGRAPH, TELEGRAM, ETC | 1000 | AGENCY MANAGEMENT | 1040 | INFORMATION TECHNOLOGY | \$ 22,950.00 | \$ 22,950.00 | \$ 22,308.84 | |
| | | 1000 Total | AGENCY MANAGEMENT | | | \$ 22,950.00 | \$ 22,950.00 | \$ 22,308.84 | \$ 641.16 |
| 0031 Total | | | | | | \$ 22,950.00 | \$ 22,950.00 | \$ 22,308.84 | \$ 641.16 |
| 0040 | OTHER SERVICES AND CHARGES | 1000 | AGENCY MANAGEMENT | 1040 | INFORMATION TECHNOLOGY | \$ 1,278.00 | \$ 1,278.00 | \$ 1,278.00 | |
| | | 1000 Total | AGENCY MANAGEMENT | | | \$ 1,278.00 | \$ 1,278.00 | \$ 1,278.00 | \$ - |
| | | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | \$ 33,361.35 | \$ 53,361.35 | \$ 42,208.02 | |
| | | | | 2002 | COURT APPEALS | \$ - | \$ - | \$ 126.80 | |
| | | | | 2003 | PUBLIC EMPLOYEE RELATIONS BOARD | \$ 15,360.00 | \$ 15,360.00 | \$ 14,182.00 | |
| | | 2000 Total | ADJUDICATION | | | \$ 48,721.35 | \$ 68,721.35 | \$ 56,516.82 | \$ 12,204.53 |
| 0040 Total | | | | | | \$ 49,999.35 | \$ 69,999.35 | \$ 57,794.82 | \$ 12,204.53 |
| 0041 | CONTRACTUAL SERVICES - OTHER | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | \$ 162,101.55 | \$ 182,101.55 | \$ 152,434.19 | |
| | | 2000 Total | ADJUDICATION | | | \$ 162,101.55 | \$ 182,101.55 | \$ 152,434.19 | \$ 29,667.36 |
| 0041 Total | | | | | | \$ 162,101.55 | \$ 182,101.55 | \$ 152,434.19 | \$ 29,667.36 |
| 0070 | EQUIPMENT & EQUIPMENT RENTAL | 2000 | ADJUDICATION | 2002 | COURT APPEALS | \$ 3,386.00 | \$ 3,386.00 | | |
| 0070 Total | | 2000 Total | ADJUDICATION | | | \$ 3,386.00 | \$ 3,386.00 | | \$ 3,386.00 |
| Grand Total | | | | | | \$ 1,317,934.00 | \$ 1,317,934.00 | \$ 1,279,217.42 | \$ 38,716.58 |

| FY 2018 - Local Funds - YTD | | | | | | | | | |
|-----------------------------|-------------------------------------|----------------|----------------------|----------------|------------------------|-----------------|----------------|-----------------|-------------|
| Comp Source Group | Comp Source Group Title | Program Code 2 | Program Code 2 Title | Program Code 3 | Program Code 3 Title | Original Budget | Revised Budget | Actual Spending | Variance |
| 0011 | REGULAR PAY - CONT FULL TIME | 1000 | AGENCY MANAGEMENT | 1090 | PERFORMANCE MANAGEMENT | \$ 168,213.50 | \$ 168,213.50 | \$ 51,758.14 | |
| | | 1000 Total | AGENCY MANAGEMENT | | | \$ 168,213.50 | \$ 168,213.50 | \$ 51,758.14 | |
| | | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | \$ 246,069.00 | \$ 246,069.00 | \$ 42,798.05 | |
| | | | | 2002 | COURT APPEALS | \$ 527,529.63 | \$ 527,529.63 | \$ 131,609.19 | |
| | | 2000 Total | | | | \$ 773,598.63 | \$ 773,598.63 | \$ 174,407.24 | |
| 0011 Total | | | | | | \$ 941,812.13 | \$ 941,812.13 | \$ 226,165.38 | |
| 0012 | REGULAR PAY - OTHER | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | \$ - | \$ - | \$ - | |
| | | 2000 Total | | | | \$ - | \$ - | \$ - | \$ - |
| 0012 Total | | | | | | \$ - | \$ - | \$ - | \$ - |
| 0013 | ADDITIONAL GROSS PAY | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | \$ - | \$ - | \$ - | |
| | | | | 2002 | COURT APPEALS | \$ - | \$ - | \$ 1,849.52 | |
| | | 2000 Total | | | | \$ - | \$ - | \$ 1,849.52 | \$ 1,849.52 |
| 0013 Total | | | | | | \$ - | \$ - | \$ 1,849.52 | \$ 1,849.52 |
| 0014 | FRINGE BENEFITS - CURR PERSONNEL | 1000 | AGENCY MANAGEMENT | 1090 | PERFORMANCE MANAGEMENT | \$ 37,772.28 | \$ 37,772.28 | \$ 6,312.42 | |
| | | 1000 Total | AGENCY MANAGEMENT | | | \$ 37,772.28 | \$ 37,772.28 | \$ 6,312.42 | |
| | | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | \$ 49,705.93 | \$ 49,705.93 | \$ 9,385.70 | |
| | | | | 2002 | COURT APPEALS | \$ 106,560.99 | \$ 106,560.99 | \$ 26,673.31 | |
| | | 2000 Total | | | | \$ 156,266.92 | \$ 156,266.92 | \$ 36,059.01 | |
| 0014 Total | | | | | | \$ 194,039.20 | \$ 194,039.20 | \$ 42,371.43 | |
| 0020 | SUPPLIES AND MATERIALS | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | \$ - | \$ - | \$ - | |
| | | | | 2002 | COURT APPEALS | \$ 5,000.00 | \$ 5,000.00 | \$ 2,077.77 | |
| | | 2000 Total | | | | \$ 5,000.00 | \$ 5,000.00 | \$ 2,077.77 | |
| 0020 Total | | | | | | \$ 5,000.00 | \$ 5,000.00 | \$ 2,077.77 | |
| 0031 | TELEPHONE, TELEGRAPH, TELEGRAM, ETC | 1000 | AGENCY MANAGEMENT | 1040 | INFORMATION TECHNOLOGY | \$ 23,242.96 | \$ 23,242.96 | \$ 13,921.13 | |
| | | 1000 Total | AGENCY MANAGEMENT | | | \$ 23,242.96 | \$ 23,242.96 | \$ 13,921.13 | |
| 0031 Total | | | | | | \$ 23,242.96 | \$ 23,242.96 | \$ 13,921.13 | |
| 0040 | OTHER SERVICES AND CHARGES | 1000 | AGENCY MANAGEMENT | 1040 | INFORMATION TECHNOLOGY | \$ - | \$ - | \$ - | |
| | | 1000 Total | AGENCY MANAGEMENT | | | \$ - | \$ - | \$ - | |
| | | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | \$ 34,375.73 | \$ 34,375.73 | \$ (2,393.49) | |

| | | | | | | | | |
|-------------|------------------------------|------------|--------------|------|---------------------------------|-----------------|-----------------|---------------|
| | | | | 2002 | COURT APPEALS | \$ - | \$ - | |
| | | | | 2003 | PUBLIC EMPLOYEE RELATIONS BOARD | \$ 15,600.00 | \$ 15,600.00 | \$ 14,869.95 |
| | | 2000 Total | | | | \$ 49,975.73 | \$ 49,975.73 | \$ 12,476.46 |
| 0040 Total | | | | | | \$ 49,975.73 | \$ 49,975.73 | \$ 12,476.46 |
| 0041 | CONTRACTUAL SERVICES - OTHER | 2000 | ADJUDICATION | 2001 | LEGAL SUPPORT | \$ 220,880.98 | \$ 220,880.98 | \$ 19,539.50 |
| | | 2000 Total | | | | \$ 220,880.98 | \$ 220,880.98 | \$ 19,539.50 |
| 0041 Total | | | | | | \$ 220,880.98 | \$ 220,880.98 | \$ 19,539.50 |
| 0070 | EQUIPMENT & EQUIPMENT RENTAL | 2000 | ADJUDICATION | 2002 | COURT APPEALS | \$ 5,000.00 | \$ 5,000.00 | \$ - |
| | | 2002 Total | | | | \$ 5,000.00 | \$ 5,000.00 | \$ - |
| 0070 Total | | | | | | \$ 5,000.00 | \$ 5,000.00 | \$ - |
| Grand Total | | | | | | \$ 1,439,951.00 | \$ 1,439,951.00 | \$ 318,401.19 |

CGO - PUBLIC EMPLOYEE RELATIONS BOARD

FY 2018 Spending Plan - CGO

| Comp Source Group | SOAR Approved Budget | SOAR Incr(Decr) In Annual Budget | SOAR Revised Budget | Spending Plan Total for Year (SPIN) | YTD Planned Expenditures & Obligations (SPIN) |
|--------------------------|------------------------|----------------------------------|------------------------|-------------------------------------|---|
| 11 | \$ 941,812.00 | \$ - | \$ 941,812.00 | \$ 941,812.00 | \$ 325,871.00 |
| 13 | | | | \$ - | \$ - |
| 14 | \$ 194,039.00 | \$ - | \$ 194,039.00 | \$ 194,039.00 | \$ 68,453.00 |
| PS | \$ 1,135,851.00 | \$ - | \$ 1,135,851.00 | \$ 1,135,851.00 | \$ 394,324.00 |
| 20 | \$ 5,000.00 | \$ - | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 |
| 31 | \$ 23,243.00 | \$ - | \$ 23,243.00 | \$ 23,243.00 | \$ 23,243.00 |
| 40 | \$ 49,976.00 | \$ - | \$ 49,976.00 | \$ 49,976.00 | \$ 49,976.00 |
| 41 | \$ 220,881.00 | \$ - | \$ 220,881.00 | \$ 220,881.00 | \$ 220,881.00 |
| 70 | \$ 5,000.00 | \$ - | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 |
| NPS | \$ 304,100.00 | \$ - | \$ 304,100.00 | \$ 304,100.00 | \$ 304,100.00 |
| 0100 - LOCAL FUND | \$ 1,439,951.00 | \$ - | \$ 1,439,951.00 | \$ 1,439,951.00 | \$ 698,424.00 |
| Summary | \$ 1,439,951.00 | \$ - | \$ 1,439,951.00 | \$ 1,439,951.00 | \$ 698,424.00 |

Jan 30, 2018

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FY 2017 Spending Plan - CGO

| Comp Source Group | SOAR Approved Budget | SOAR Incr(Decr) In Annual Budget | SOAR Revised Budget | Spending Plan Total for Year (SPIN) | YTD Planned Expenditures & Obligations (SPIN) |
|--------------------------|------------------------|----------------------------------|------------------------|-------------------------------------|---|
| 11 | \$ 936,552.00 | \$ (40,000.00) | \$ 896,552.00 | \$ 936,552.00 | \$ 936,552.00 |
| 12 | | | | \$ - | \$ - |
| 13 | | | | \$ - | \$ - |
| 14 | \$ 177,945.00 | \$ - | \$ 177,945.00 | \$ 177,945.00 | \$ 177,945.00 |
| PS | \$ 1,114,497.00 | \$ (40,000.00) | \$ 1,074,497.00 | \$ 1,114,497.00 | \$ 1,114,497.00 |
| 20 | \$ 5,000.00 | \$ - | \$ 5,000.00 | \$ 5,000.00 | \$ 5,000.00 |
| 31 | \$ 22,950.00 | \$ - | \$ 22,950.00 | \$ 22,950.00 | \$ 22,950.00 |
| 40 | \$ 29,999.00 | \$ 20,000.00 | \$ 49,999.00 | \$ 29,999.00 | \$ 29,999.00 |
| 41 | \$ 142,102.00 | \$ 20,000.00 | \$ 162,102.00 | \$ 142,102.00 | \$ 142,102.00 |
| 70 | \$ 3,386.00 | \$ - | \$ 3,386.00 | \$ 3,386.00 | \$ 3,386.00 |
| NPS | \$ 203,437.00 | \$ 40,000.00 | \$ 243,437.00 | \$ 203,437.00 | \$ 203,437.00 |
| 0100 - LOCAL FUND | \$ 1,317,934.00 | \$ - | \$ 1,317,934.00 | \$ 1,317,934.00 | \$ 1,317,934.00 |
| Summary | \$ 1,317,934.00 | \$ - | \$ 1,317,934.00 | \$ 1,317,934.00 | \$ 1,317,934.00 |

This information contained in this report is unaudited and unadjusted

Source: SOAR/EIS

Jan 30, 2018

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PERB**Intra-District Transfer FY 2017 - Local Funds**

| Buyer Agency | Program | Activity | Seller Agency | Purpose | Amount | Date of Transfer |
|--------------|---------------------------|------------------------|---|--------------------------|--------------|------------------|
| CG0 | AGENCY MANAGEMENT PROGRAM | INFORMATION TECHNOLOGY | TOO - Office of Chief Technology Officer | IT and Telecommunication | \$ 22,949.00 | 10/1/2016 |
| CG0 | ADJUDICATION | LEGAL SUPPORT | PO0 - Office of Contracting and Procurement | P-Card Transactions | \$ 60,631.00 | Various dates |

Intra-District Transfer FY 2018 YTD- Local Funds

| Buyer Agency | Program | Activity | Seller Agency | Purpose | Amount | Date of Transfer |
|--------------|---------------------------|------------------------|---|--------------------------|--------------|------------------|
| CG0 | ADJUDICATION | LEGAL SUPPORT | PO0 - Office of Contracting and Procurement | P-Card Transactions | \$ 28,000.63 | 10/2/2017 |
| CG0 | AGENCY MANAGEMENT PROGRAM | INFORMATION TECHNOLOGY | TOO - Office of Chief Technology Officer | IT and Telecommunication | \$ 23,242.83 | 10/2/2017 |

**MEMORANDUM OF UNDERSTANDING
BETWEEN
PUBLIC EMPLOYEE RELATIONS BOARD
AND
DEPARTMENT OF HUMAN RESOURCES
FOR FISCAL YEAR 2018**

I. INTRODUCTION

This Memorandum of Understanding (“MOU”) is entered into between the Public Employee Relations Board (“Buyer”) and the Department of Human Resources (“Seller”), collectively the “Parties”.

II. LEGAL AUTHORITY FOR MOU

D.C. Official Code § 1-301.01(k) (2010 Supp.).

III. OVERVIEW OF PROGRAM GOALS AND OBJECTIVES

The Mayor has delegated to the Buyer Agency personnel management responsibilities for its day-to-day operations, but lacks human resources processing infrastructure. Accordingly, Buyer Agency has requested that Seller Agency provide its human resources support services.

IV. SCOPE OF SERVICES

Pursuant to the applicable authorities and in the furtherance of the shared goals of the Parties to carry out the purposes of this MOU expeditiously and economically, the Parties hereby agree as follows:

A. RESPONSIBILITIES OF SELLER AGENCY

Pursuant to the provisions of the Comprehensive Merit Personnel Act and the District Personnel Manual, the Seller Agency will provide the following services to the Buyer Agency:

1. Benefits and Retirement Services;
2. Recruitment and Staffing Services;
3. Classification and Compensation Services;

4. Employee Relations Services;
5. Performance Management Services (ePerformance);
6. Policy Development and Interpretation Services; and
7. Learning and Development Services.

B. RESPONSIBILITIES OF BUYER AGENCY

In support of the above services, the Buyer Agency shall:

1. Provide the Seller Agency, or ensure its employees provide, all documentation reasonably necessary to carry out its responsibilities under this Agreement;
2. Ensure that its employees are actively enrolled in Employee Self Service;
3. Designate individuals on Buyer Agency's staff to serve as a Human Resources Authority and Alternate Human Resources Authority (HRA and AHRA, respectively), who will coordinate with Seller Agency personnel to facilitate the agreed services.
4. Coordinate, in good faith, with the Seller Agency before engaging in any corrective or adverse action procedure; non-union dispute resolution or mediation; or non-union grievance process;
5. Ensure that all the Buyer Agency's management are properly trained in performance management concepts and PeopleSoft's ePerformance application. The HRA and AHRA shall be responsible for agency level ePerformance training and administration, once they have received initial training from the Seller Agency; and
6. Conform to the Comprehensive Merit Personnel Act, as implement in the District Personnel Manual and E-DPM Instructions.

V. DURATION OF THIS MOU

A. PERIOD

The period of this MOU shall be from October 1, 2017 through September 30, 2018, unless terminated in writing by the Parties pursuant to Section XI of this MOU.

VI. FUNDING PROVISIONS

A. COST OF SERVICES

Total cost for goods and services under this MOU shall not exceed **\$15,000.00** for Fiscal Year 2018. Funding for goods and services shall not exceed the actual cost of the goods and services provided, including labor, materials and overhead.

B. PAYMENT

1. Payment for the goods and services shall be made through an Intra-District advance by Buyer Agency to Seller Agency based on the total amount of this MOU.
2. Buyer Agency shall report all services received under this MOU in its monthly Financial Review Process (RFP) report to the Office of Budget and Planning.
3. Advances to Seller Agency for the services to be performed and goods to be provided shall not exceed the amount of this MOU (\$15,000.00).
4. Seller Agency shall receive the advance and bill Buyer Agency through the Intra-District process only for those goods and services actually provided pursuant to the terms of this MOU. Seller Agency shall notify Buyer Agency within forty-five (45) days of the current fiscal year if it has reason to believe that all of the advance will not be billed during the current fiscal year. Seller Agency shall return any excess advance to Buyer Agency within thirty (30) days of the end of the current fiscal year.

C. ANTI-DEFICIENCY CONSIDERATIONS

The Parties acknowledge and agree that nothing in this MOU creates a financial obligation in anticipation of an appropriation and that all provisions of this MOU, or any subsequent agreement entered into by the Parties pursuant to this MOU, are and shall remain subject to the provisions of (i) the federal Anti-Deficiency Act, 31 U.S.C. §§ 1341, 1342, 1349, 1351, (ii) the District of Columbia Anti-deficiency Act, D.C. Official Code §§ 47-355.01-355.08, (iii) D.C. Official Code § 47-105, and (iv) D.C. Official Code § 1-204.46, as the foregoing statutes may be amended from time to time, regardless of whether a particular obligation has been expressly conditioned.

VII. AMENDMENTS AND MODIFICATIONS

This MOU may be amended or modified only upon prior written agreement of the Parties. Amendments or modifications shall be dated and signed by the authorized representatives of the Parties.

VIII. CONSISTENCY WITH LAW

The Parties shall comply with all applicable laws, rules and regulations whether now in effect or subsequently enacted or promulgated, and agree to be governed by the Comprehensive Merit Personnel Act, as implemented by the District Personnel Manual.

IX. COMPLIANCE AND MONITORING

Seller Agency will be subject to scheduled and unscheduled monitoring reviews to ensure compliance with all applicable requirements.

X. RECORDS AND REPORTS

Seller Agency shall maintain records and receipts for the expenditure of all funds provided pursuant to this MOU for a period of no less than three years from the date of expiration or termination of this MOU and, upon the District of Columbia's request, make these documents available for inspection by duly authorized representatives of Buyer Agency and other officials as may be specified by the District of Columbia in its sole discretion.

XI. TERMINATION

Either Party may terminate this MOU in whole or in part by giving sixty (60) calendar days advance written notice to the other Party. In the event of termination of this MOU, payment to the Seller Agency shall be held in abeyance until all required fiscal reconciliation, but not later than September 30 of the then current fiscal year.

XII. NOTICES

The following individuals are the contact points for each Party:

CLARENE PHYLLIS MARTIN

Executive Director
Public Employee Relations Board
1100 Fourth St SW, Suite 630E
Washington, DC 20024
(202) 727-5403

KENA COFIELD JONES

Associate Director, DCHR
Administration for Recruitment and Classification
441 4th Street NW, Suite 354N
Washington, DC 20001
(202) 442-9667

XIII. PROCUREMENT PRACTICES ACT

If a District of Columbia agency or instrumentality plans to utilize the goods and/or services of an agent, contractor, consultant or other third party to provide any of the goods and/or services under this MOU, then the agency or instrumentality shall abide by the provisions of the District of Columbia Procurement Practices Act of 1985 (D.C. Official Code § 2-301.01, *et seq.*) to procure the goods or services.

XIV. RESOLUTION OF DISPUTES

The Directors for the respective agencies, or their designees, shall resolve all disputes and/or adjustments resulting from goods or services provided under this MOU. In the event the Parties are unable to resolve a financial issue, the matter shall be referred to the Office of Financial Operations and Systems.

XV. CONFIDENTIAL INFORMATION

The Parties to this MOU will use, restrict, safeguard and dispose of all information related to services provided by this MOU in accordance with all relevant federal and local statutes, regulations, and policies. Information received by either Party in the performance of responsibilities associated with the performance of this MOU shall remain the property of the Buyer Agency.

IN WITNESS WHEREOF, the Parties hereto have executed this MOU as follows:

PUBLIC EMPLOYEE RELATIONS BOARD



Clarene Phyllis Martin
Executive Director



Date: October 11, 2017

D.C. DEPARTMENT OF HUMAN RESOURCES

Ventris C. Gibson
Director

Date



Public
Employee
Relations
Board

GOVERNMENT OF
THE DISTRICT OF
COLUMBIA

1100 4TH STREET S.W.
SUITE E630
WASHINGTON, D.C. 20024
BUSINESS: (202) 727-1822
FAX: (202) 727-9116
EMAIL: PERB@DC.GOV



MEMORANDUM

TO: Jenny Reed, Interim Budget Director
Office of Budget and Finance

FROM: Clarene Phyllis Martin, Executive Director
Public Employee Relations Board

DATE: November 3, 2017

SUBJECT: FY2019 Operating and Capital Budget Submission

The purpose of the memorandum is to provide responses to your October 12, 2017 requests as follows:

1. A list of all current vacant positions supported by local funds and the status of the recruitment.

Response: a. Attorney Advisor
b. Office Administrator

These positions became vacant within the last quarter of FY'17. DCHR is assisting with posting and recruitment. These positions are critical and will be filled by mid-December, if not sooner.

2. The vacancy saving rate included in your budget submission.

Response: None

3. Any Federal funding that you anticipate will be decreased in FY2018.

Response: PERB does not receive federal funds.

4. Any Special Purpose Revenue that you anticipate will increase or decrease in FY2018 and the impact on your FY2018 budget submission.

Response: N/A

FY 2019 PROGRAM ENHANCEMENT - FORM 2
Agency Program Enhancement Request Details
I. Request Snapshot

Agency Code: CG0
Agency Title: Public Employee Relations Board
Point of Contact: Clarene Phyllis Martin, Executive Director
Date: November 3, 2017
Enhancement Title: Legal Costs
This request is priority #1 of 3 enhancement requests submitted for PERB
Total Amount of Local Funds:
 Non-Personal Services (NPS) Funds: \$30,000
FTEs: 0
Is this Enhancement a One-time Cost?: No
Type of Cost? Recurring
Estimate cost for outgoing years? Same

II Rationale

What problem for the District are you aiming to address?

Efficient handling of appellate court cases challenging PERB decisions and orders.

What are the reasons why this problem exists?

PERB has no control over the number of cases parties appeal to the Superior Court or the Court of Appeals. And, the courts are in control of the time schedule for PERB to file pleadings and responses. As a result, PERB has critical, severe and desperate spending pressures in meeting its obligations to the courts to avoid dismissal of cases for failing to defend.

How does this enhancement address this problem and its underlying reasons?

The enhancement would allow PERB sufficient funds to pay outside counsel.

Will legislative support be required? No.

FY 2019 PROGRAM ENHANCEMENT - FORM 2
Agency Program Enhancement Request Details
I. Request Snapshot

Agency Code: CG0

Agency Title: Public Employee Relations Board

Point of Contact: Clarene Phyllis Martin, Executive Director

Date: November 3, 2017

Enhancement Title: Hearings

This request is priority #2 of 3 enhancement requests submitted for PERB

Total Amount of Local Funds:

Non-Personal Services (NPS) Funds: \$20,000

FTEs: 0

Is this Enhancement a One-time Cost?: No

Type of Cost? Recurring

Estimate cost for outgoing years? Same

II Rationale

What problem for the District are you aiming to address?

Timely processing of PERB unfair labor practice (ulp) cases.

What are the reasons why this problem exists?

PERB has no control over the number of cases filed in any given year. All ulps, unless settled, have a hearing before a hearing examiner, contracted by PERB. On average, hearing examiners charge \$3,000-\$4,000 per case covering days of hearing and days to draft a "Recommendations and Report". It can go higher depending on the complexity of the case. In FY'16 and '17, PERB suspended hearings at the end of June for lack of sufficient funds. This forced PERB to carry cases over to the following fiscal year. In FY'16, PERB received 33 ulp cases and conducted 15 hearings.

How does this enhancement address this problem and its underlying reasons?

The enhancement would allow PERB to conduct hearings in the fiscal year the case is filed and process the cases faster and more efficiently.

Will legislative support be required? No.

FY 2019 PROGRAM ENHANCEMENT - FORM 2
Agency Program Enhancement Request Details
I. Request Snapshot

Agency Code: CGO
Agency Title: Public Employee Relations Board
Point of Contact: Clarene Phyllis Martin, Executive Director
Date: November 3, 2017
Enhancement Title: Human Resources
This request is priority #3 of 3 enhancement request submitted for this agency
Total Amount of Local Funds:
 Non-Personal Services (NPS) Funds: \$15,000
FTEs: 0
Is this Enhancement a One-time Cost?: No
Type of Cost? Recurring
Estimate cost for outgoing years? Same

II Rationale

What problem for the District are you aiming to address?

PERB lacks human resources processing infrastructure.

What are the reasons why this problem exists?

PERB is a small independent agency with limited resources. The employee whose duties included the challenging HR responsibilities retired this year.

How does this enhancement address this problem and its underlying reasons?

In FY18, PERB entered into a MOU with DCHR for it to provide human resources support services. This enhancement would allow PERB to continue DCHR expert services. PERB needs a HR professional.

Will legislative support be required? No.

Public Employee Relations Board FY2017

Agency Public Employee Relations Board

Agency Code CG0

Fiscal Year 2017

Mission The District of Columbia Public Employee Relations Board (hereafter, "PERB") is an impartial, quasi-judicial, independent agency empowered with the exclusive jurisdiction to resolve labor-management disputes.

2017 Strategic Objectives

| Objective Number | Strategic Objective |
|------------------|---|
| 1 | Resolve cases efficiently to provide stable labor relations in District agencies. |
| 2 | Offer labor relations training and resources to managers and union representatives for a better understanding of their roles and responsibilities |
| 3 | Assist parties to reach mutually agreed resolutions of labor disputes to promote harmony between unions and District agencies. |
| 4 | Create and maintain a highly efficient, transparent and responsive District government.** |

2017 Key Performance Indicators

| Measure | New Measure/ Benchmark Year | Frequency of Reporting | Add Data Fields (if applicable) | FY 2014 Actual | FY 2015 Target | FY 2015 Actual | FY 2016 Target | FY 2016 Actual | FY 2017 Target |
|---|-----------------------------------|------------------------------|---------------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| 1 - Resolve cases efficiently to provide stable labor relations in District agencies. (8 Measures) | | | | | | | | | |
| Percentage of timely disposition of ULP and Standard of Conduct complaints by D&O, withdrawal, dismissal, or settlement. | ✓ | Annually | | Not available | Not available | Not available | Not available | New Measure | 50% |
| Percentage of timely disposition of Representation cases | ✓ | Annually | | Not available | Not available | Not available | Not available | New Measure | 50% |
| Percentage of timely disposition of Negotiability Appeal cases | ✓ | Annually | | Not available | Not available | Not available | Not available | New Measure | 50% |
| Percentage of timely disposition of Arbitration Review Requests. | ✓ | Annually | | Not available | Not available | Not available | Not available | New Measure | 50% |
| Percentage of timely disposition of Compensation Negotiation Impasse cases | ✓ | Annually | | Not available | Not available | Not available | Not available | New Measure | 50% |
| Percentage of timely disposition of Non-Compensation negotiation Impasse cases. | ✓ | Annually | | Not available | Not available | Not available | Not available | New Measure | 50% |
| Arbitration Review Requests Filed Prior To FY '17 | <input type="checkbox"/> | Annually | | Not available | Not available | Not available | Not available | | 4 |
| Resolve all FY '08- FY '13 ULP and SOC cases | <input type="checkbox"/> | Annually | | Not available | Not available | Not available | Not available | | 4 |
| 2 - Offer labor relations training and resources to managers and union representatives for a better understanding of their roles and responsibilities (2 Measures) | | | | | | | | | |
| Percentage of training, outreach and facilitation activities conducted | <input type="checkbox"/> | Annually | | Not available | Not available | 100% | 100% | | 80% |
| Percentage of participants involved in training, outreach and facilitation activities | ✓ | Annually | | Not available | Not available | Not available | Not available | New Measure | 60% |
| 3 - Assist parties to reach mutually agreed resolutions of labor disputes to promote harmony between unions and District agencies. (2 Measures) | | | | | | | | | |
| Percentage of cases in which mandatory mediation service is conducted that are partially or totally resolved | ✓ | Annually | | Not available | Not available | Not available | Not available | New Measure | 50% |

| | | | | | | | | | |
|--|---|----------|--|---------------|---------------|---------------|---------------|-------------|-----|
| Percentage of cases in which an offer of a Hearing Examiner Settlement Program services are accepted by the parties that are partially or totally resolved | ✓ | Annually | | Not available | Not available | Not available | Not available | New Measure | 50% |
|--|---|----------|--|---------------|---------------|---------------|---------------|-------------|-----|

4 - Create and maintain a highly efficient, transparent and responsive District government. (9 Measures)**

| | | | | | | | | | |
|---|---|--|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Contracts/Procurement-Expendable Budget spent on Certified Business Enterprises | ✓ | | | Forthcoming October 2017 |
| Contracts/Procurement-Contracts lapsed into retroactive status | ✓ | | | Forthcoming October 2017 |
| Budget- Local funds unspent | ✓ | | | Forthcoming October 2017 |
| Budget- Federal Funds returned | ✓ | | | Forthcoming October 2017 |
| Customer Service-Meeting Service Level Agreements | ✓ | | | Forthcoming October 2017 |
| Human Resources-Vacancy Rate | ✓ | | | Forthcoming October 2017 |
| Human Resources-Employee District residency | ✓ | | | Forthcoming October 2017 |
| Human Resources-Employee Onboard Time | ✓ | | | Forthcoming October 2017 |
| Performance Management-Employee Performance Plan Completion | ✓ | | | Forthcoming October 2017 |

2017 Operations

| Operations Header | Operations Title | Operations Description | Type of Operations |
|---|--------------------------------|--|--------------------|
| 1 - Resolve cases efficiently to provide stable labor relations in District agencies. (3 Activities) | | | |
| LEGAL SUPPORT | Decisions and Orders | Drafting opinions for Board approval | Daily Service |
| LEGAL SUPPORT | Conduct Hearings | Fact Finding | Daily Service |
| LEGAL SUPPORT | Conduct Elections | Allow employees to choose union representation. | Daily Service |
| 2 - Offer labor relations training and resources to managers and union representatives for a better understanding of their roles and responsibilities (1 Activity) | | | |
| AGENCY TRAINING | PERB Labor Relations Institute | The format to facilitate teaching labor relations to D.C. government managers labor relations specialists and union representative of D.C. government employees. | Daily Service |
| 3 - Assist parties to reach mutually agreed resolutions of labor disputes to promote harmony between unions and District agencies. (1 Activity) | | | |
| LEGAL SUPPORT | Mediation | Dispute resolution that may reduce time and cost traditionally associated with these disputes and identify mutually agreeable solutions. | Daily Service |

2017 Workload Measures

| Measure | New Measure/ Benchmark Year | Add Historical and Target Data (FY17) | Numerator Title | Units | Frequency of Reporting | FY 2014 | FY 2015 | FY 2016 Actual |
|---|-----------------------------------|---|-----------------|-------|------------------------------|---------|---------|-------------------|
| 1 - Conduct Hearings (1 Measure) | | | | | | | | |

| | | | | | | | |
|--|-------------------------------------|---|--|----------|---------------|---------------|-------------|
| Number of ULP and SOC hearings scheduled within 60 days of FY'17 filing date | <input type="checkbox"/> | Number of ULP and SOC hearings scheduled within 60 days of FY '17 filing date | Number of ULP and SOC cases filed in FY '17 that have been with the agency atleast 60 days | Annually | Not available | Not available | |
| 1 - Decisions and Orders (1 Measure) | | | | | | | |
| Number of Decisions and Orders Issued | <input type="checkbox"/> | Number of cases closed by Board decision | Number of Closed Cases in FY '17 | Annually | Not available | Not available | |
| 2 - PERB Labor Relations Institute (1 Measure) | | | | | | | |
| Second Tuesdays at PERB | <input checked="" type="checkbox"/> | Number of Trainings Conducted | Number of Trainings Conducted | Annually | Not available | Not available | New Measure |
| 3 - Mediation (2 Measures) | | | | | | | |
| Number of cases settled in mediation | <input type="checkbox"/> | Number of cases closed through settlement | Number of Cases sent to mediation | Annually | Not available | Not available | |
| Number of cases sent to mediation within 45 days of filing date | <input type="checkbox"/> | Number of FY '17 cases sent to mediation within 45 days of filing date | Number of FY '17 cases filed | Annually | Not available | Not available | |

2017 Strategic Initiatives

| Strategic Initiative Title | Strategic Initiative Description | Proposed Completion Date |
|--|---|--------------------------|
| AGENCY TRAINING (1 Strategic Initiative-Operation Link) | | |
| Education | Provide training and workshops | 09-30-2017 |
| LEGAL SUPPORT (2 Strategic initiative-operation links) | | |
| Alternative Dispute Resolution | Attempt by parties to resolve labor disputes prior to litigation | 09-30-2017 |
| Timely Opinions | To provide timely opinions to parties subject to a complaint or a petition filed with the agency. | 09-30-2017 |

District of Columbia Planning Documents

Performance ... Ed...
Reports & Charts

Save & close Cancel

Agency Public Employee Relations Board

Agency Acronym PERB

Return Agency Code CGO

To edit agency and POC information press your agency name (underlined and in blue above).

Agency Performance POCs
Clarene (OCFO) Martin lindsey.maxwell@dc.gov
Najibah (PERB) Almahdi

Agency Budget POCs
Clarene (OCFO) Martin
lindsey.maxwell@dc.gov

Fiscal Year 2018

When you believe you are finished with this phase of your Performance Plan, press edit in the upper right, check this box, and then press save.

2018 Objectives

Strategic Objectives

Full Report | Grid Edit | Email | More 3 Objectives

| Objective Number | Strategic Objective | # of Measures | # of Operations |
|------------------|---|---------------|-----------------|
| 1 | Resolve cases efficiently to provide stable labor relations in District agencies | 9 | 3 |
| 2 | Offer labor relations training and resources to managers and union representatives for a better understanding of their roles and responsibilities | 2 | 1 |
| 3 | Assist parties to reach mutually agreed resolutions of labor disputes to promote harmony between unions and District agencies | 2 | 1 |
| TOT | | 13 | 5 |

Add Strategic Objective

2018 Key Performance Indicators

Key Performance Indicators

13 Measures

New Measure

More

| Objective Number | Strategic Objective | Measure | New Measure/Benchmark Year | Directionality | FY 2014 Actual | FY 2015 Target | FY 2015 Actual | FY 2015 Target | FY 2015 Actual | FY 2017 Target | FY 2017 Actual | FY 2018 Target | FY 2013 Quarter 1 |
|------------------|--|---|----------------------------|----------------|----------------|----------------|----------------|----------------|-------------------|----------------|----------------|----------------|-------------------|
| 1 | Resolve cases efficiently to provide stable labor relations in District agencies | Percentage of timely disposition of FY '18 Unfair Labor Practice and Standard of Conduct cases by decision and order, withdrawal, dismissal or settlement | | Up is Better | Not available | 50% | 100% | 50% | Annual Measure |
| 1 | Resolve cases efficiently to provide stable labor relations in District agencies | Percent of FY '10- FY '17 Unfair Labor Practice and Standard Of Conduct cases resolved | ✓ | Up is Better | Not available | Not available | Not Available | Not Available | New Measure | New Measure | 20% | 75% | Annual Measure |
| 1 | Resolve cases efficiently to provide stable labor relations in District agencies | Percentage of timely disposition of FY '18 Representation cases | | Up is Better | Not available | Not available | Not Available | Not Available | Needs Data Update | 50% | 100% | 50% | Annual Measure |
| 1 | Resolve cases efficiently to provide stable labor relations in District agencies | Percentage of timely disposition of FY '18 Negotiability Appeal cases | | Up is Better | Not available | Not available | Not Available | Not Available | Needs Data Update | 50% | 50% | 50% | Annual Measure |
| 1 | Resolve cases efficiently to provide stable labor relations in District agencies | Percentage of timely disposition of FY '18 Arbitration Review Requests | | Up is Better | Not available | Not available | Not Available | Not Available | Needs Data Update | 50% | 62.5% | 50% | Annual Measure |

| | | | | | | | | | | | | | | |
|--|---|---|---|--|--------------|---------------|---------------|---------------|---------------|-------------------|-------------|-------------|-------------|----------------|
| | 1 | Resolve cases efficiently to provide stable labor relations in District agencies | Resolve all FY '08-FY '13 Unfair Labor Practice and Standard of Conduct cases | | Up is Better | Not available | Not available | Not Available | Not Available | Needs Data Update | 50% | 85.2% | 100% | Annual Measure |
| | 1 | Resolve cases efficiently to provide stable labor relations in District agencies | Percentage of disposition of cases by Board Decision | | Up is Better | Not available | Not available | Not Available | Not Available | Needs Data Update | 28.8% | 47.1% | 50% | Annual Measure |
| | 1 | Resolve cases efficiently to provide stable labor relations in District agencies | Percentage of timely disposition of FY '18 Compensation Negotiation Impasse Cases | | Up is Better | Not available | Not available | Not Available | Not Available | Needs Data Update | 50% | 100% | 50% | Annual Measure |
| | 1 | Resolve cases efficiently to provide stable labor relations in District agencies | Percentage of timely disposition FY '18 Non-compensation Negotiation Impasse cases | | Up is Better | Not available | Not available | Not Available | Not Available | Needs Data Update | 50% | 100% | 50% | Annual Measure |
| | 2 | Offer labor relations training and resources to managers and union representatives for a better understanding of their roles and responsibilities | Percent of training, outreach and facilitation activities conducted | | Up is Better | Not available | Not available | 100% | 100% | 100% | 100% | 100% | 100% | Annual Measure |
| | 2 | Offer labor relations training and resources to managers and union representatives for a better understanding of their roles and responsibilities | Percentage of participants involved in training, outreach and facilitation activities | | Up is Better | Not available | Not available | Not Available | Not Available | 100% | 100% | 320% | 100% | Annual Measure |
| | 3 | Assist parties to reach mutually agreed resolutions of labor disputes to promote harmony between unions and District agencies | Percentage of cases settled in mediation | | Up is Better | Not available | Not available | Not Available | Not Available | 5.6% | 75% | 52% | 25% | Annual Measure |
| | 3 | Assist parties to reach mutually agreed resolutions of labor disputes to promote harmony between unions and District agencies | Percentage of FY '18 ULP and SOC cases sent to mediation within 30 days of the filing of a response | | Up is Better | Not available | Not available | Not Available | Not Available | New Measure | New Measure | New Measure | New Measure | Annual Measure |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | |

We've revisited a project to standardize District wide measures for the Objective "Create and maintain a highly efficient, transparent and responsive District government." New measures will be tracked in FY18 and FY19 and published starting in the FY19 Performance Plan.

2018 Operations

Operations [Full Report](#) | [Grid Edit](#) | [Email](#) | [More](#) **5 Activities**

| | Operations Header | Operations Title | Operations Description | Type of Operations | # of Measures | # of Strategic Initiatives |
|--|----------------------|---|------------------------|--------------------|---------------|----------------------------|
| 1 - Resolve cases efficiently to provide stable labor relations in District agencies (3 Activities) | | | | | | |
| PERFORMANCE MANAGEMENT | Decisions and Orders | Drafting opinions for Board approval | | Daily Service | 18 | 1 |
| LEGAL SUPPORT | Conduct Hearings | A Hearing before a Hearing Examiner to gather facts for determining whether an Unfair Labor Practice has been committed | | Daily Service | 1 | 0 |

| | | | | | |
|---|--------------------------------|---|---------------|-----------|----------|
| LEGAL SUPPORT | Conduct Elections | Allow employees to choose union representation | Daily Service | 0 | 0 |
| TOT | | | | 19 | 1 |
| 2 - Offer labor relations training and resources to managers and union representatives for a better understanding of their roles and responsibilities (1 Activity) | | | | | |
| AGENCY TRAINING | PERB Labor Relations Institute | The format to facilitate teaching labor relations to D.C. government managers labor relations specialists and union representative of D.C. government employees | Key Project | 4 | 1 |
| TOT | | | | 4 | 1 |
| 3 - Assist parties to reach mutually agreed resolutions of labor disputes to promote harmony between unions and District agencies (1 Activity) | | | | | |
| LEGAL SUPPORT | Mediation | Dispute resolution that may reduce time and cost traditionally associated with these disputes and identify mutually agreeable solutions | Daily Service | 2 | 1 |
| TOT | | | | 2 | 1 |
| TOT | | | | 25 | 3 |

2018 Workload Measures

Workload Measures - Operations

| Full Report | Grid Edit | Email | More | 25 Measures | | FY 2014 | FY 2015 | FY 2016 | FY 2017 Actual | FY 2018 Quarter 1 |
|---|-----------|-------|------|----------------------------|--|--|---------|-------------|----------------|-------------------|
| Measure | | | | New Measure/Benchmark Year | Numerator Title | Units | | | | |
| 1 - Conduct Hearings (1 Measure) | | | | | | | | | | |
| | | | | ✓ | Number of Unfair Labor Practice and Standard of Conduct Cases Filed | Number of Unfair Labor Practice and Standard of Conduct Cases Filed | | 38 | 35 | Annual Measure |
| 1 - Decisions and Orders (18 Measures) | | | | | | | | | | |
| | | | | | Number of Cases Closed by Board Decision | Number of cases closed by Board decision | | 38 | 47.1 | Annual Measure |
| | | | | | Total Number of Cases Filed with PERB | Total Number of Cases Filed with PERB | | 81 | 61 | Annual Measure |
| | | | | ✓ | Number of Arbitration Review Requests filed | Number of Arbitration Review Requests filed | | 16 | 7 | Annual Measure |
| | | | | ✓ | Number of FY '18 Arbitration Review Requests resolved within 120 days of filing | Number of Arbitration Review Requests resolved within 120 days of filing | | New Measure | New Measure | Annual Measure |
| | | | | ✓ | Number of FY '18 Unfair Labor Practice and Standard of Conduct Cases resolved within 300 days of filing | Number of FY '18 Unfair Labor Practice and Standard of Conduct Cases resolved within 300 days of filing | | New Measure | New Measure | Annual Measure |
| | | | | ✓ | Number of FY '18 Unfair Labor Practice and Standard of Conduct Cases resolved | Number of FY '18 Unfair Labor Practice and Standard of Conduct Cases resolved within 300 days of filing | | New Measure | New Measure | Annual Measure |
| | | | | ✓ | Number of FY '18 Arbitration Review Requests Resolved | Number of FY '18 Arbitration Review Requests Resolved | | New Measure | New Measure | Annual Measure |
| | | | | ✓ | Number of cases closed in FY '18 | Number of cases closed in FY '18 | | New Measure | New Measure | Annual Measure |
| | | | | ✓ | Number of FY '10 - FY '17 Unfair Labor and Standard of Conduct cases Resolved | Number of FY '10 - FY '17 Unfair Labor and Standard of Conduct cases Resolved | | New Measure | New Measure | Annual Measure |
| | | | | ✓ | Number of FY '10 - FY '17 Unfair Labor and Standard of Conduct cases open | Number of FY '10 - FY '17 Unfair Labor and Standard of Conduct cases open | | New Measure | New Measure | Annual Measure |
| | | | | ✓ | Number of FY '18 Representation cases closed | Number of FY '18 Representation cases closed | | New Measure | New Measure | Annual Measure |
| | | | | ✓ | Number of FY '18 Representation cases resolved through withdrawal, election, issuance of decision and order within 240 days of the filing date | Number of FY '18 Representation cases resolved through withdrawal, election, issuance of decision and order within 240 days of the filing date | | New Measure | New Measure | Annual Measure |
| | | | | ✓ | Number of FY '18 Negotiability cases closed | Number of FY '18 Negotiability cases closed | | New Measure | New Measure | Annual Measure |
| | | | | ✓ | Number of FY '18 Negotiability cases resolved within 120 days of the filing date | Number of FY '18 Negotiability cases resolved within 120 days of the filing date | | New Measure | New Measure | Annual Measure |
| | | | | ✓ | Number of FY '18 Non-compensation Negotiation Impasse cases resolved within 240 days of notice filing | Number of FY '18 Non-compensation Negotiation Impasse cases resolved within 240 days of notice filing | | New Measure | New Measure | Annual Measure |
| | | | | ✓ | Number of FY '18 Non-compensation Negotiation Impasse cases closed | Number of FY '18 Non-compensation Negotiation Impasse cases closed | | New Measure | New Measure | Annual Measure |
| | | | | ✓ | Number of FY '18 Compensation Negotiation Impasse cases resolved within 240 days of notice filing | Number of FY '18 Compensation Negotiation Impasse cases resolved within 240 days of notice filing | | New Measure | New Measure | Annual Measure |

| Number of FY '18 Compensation Negotiation Impasse cases closed | ✓ | Number of FY '18 Compensation Negotiation Impasse cases closed | Number of FY '18 Compensation Negotiation Impasse cases closed | New Measure | New Measure | Annual Measure |
|---|---|--|--|-------------|-------------|----------------|
| 2 - PERB Labor Relations Institute (4 Measures) | | | | | | |
| Second Tuesdays at PERB-Employee Training | | Number of Trainings | Number of Trainings | 8 | 8 | 4 |
| Number of participants involved in training, outreach and facilitation activities | ✓ | Number of Participants | Number of Participants | 60 | 192 | Annual Measure |
| Number of training sessions planned for FY '18 | ✓ | Number of training sessions planned for FY '18 | Number of training sessions planned for FY '18 | New Measure | New Measure | Annual Measure |
| Number of training participants invited | ✓ | Number of training participants invited | Number of training participants invited | New Measure | New Measure | Annual Measure |
| 3 - Mediation (2 Measures) | | | | | | |
| Number of cases Settled/Withdrawn in mediation | ✓ | Number of cases Settled/Withdrawn in mediation | Number of Cases Settled/Withdrawn | 62 | 36 | Annual Measure |
| Number of cases sent to mediation | ✓ | Number of cases sent to mediation | Number of cases sent to mediation | New Measure | New Measure | Annual Measure |

2018 Initiatives

| Strategic Initiatives | Full Report | Grid Edit | Email | More | 2 Strategic initiatives | | |
|--|------------------------------|--|-------|------|--------------------------|-----------------------|--------------------------------------|
| | Strategic Initiative Title | Strategic Initiative Description | | | Proposed Completion Date | Add Initiative Update | Needs Initiative Update Notification |
| Mediation (1 Strategic Initiative) | | | | | | | |
| | <u>Mediation</u> | Attempt to assist parties to resolve labor relations disputes on their own prior of litigation. | | | 09-30-2018 | | |
| PERB Labor Relations Institute (1 Strategic Initiative) | | | | | | | |
| | <u>Educational Resources</u> | Provided educational resources to District's managers, union representatives and employees to encourage a collegial labor relations environment. | | | 09-30-2018 | | |

2018 Initiative Updates

| Initiative Updates | Full Report | Grid Edit | Email | More | 2 Initiative Updates | | | |
|--|------------------------------|---|--------------------|--|----------------------|--|-----------------|----------|
| | Strategic Initiative Title | Initiative Status Update | % Complete to date | Confidence in completion by end of fiscal year (9/30)? | Status of Impact | Explanation of Impact | Supporting Data | Quarters |
| Educational Resources (1 Initiative Update) | | | | | | | | |
| | <u>Educational Resources</u> | We have held 4 trainings held thus far. We are on target to meeting our goal. | 0-24% | High | Transformative | The training help the district employees to stay informed of the PERB process and labor laws in order to ultimately reduce the number of Cases filed. | | Q1 |
| Mediation (1 Initiative Update) | | | | | | | | |
| | <u>Mediation</u> | Settlements: 2 Mediations: 6 | 0-24% | High | Transformative | We are currently keeping records of the ratio of settlements of held mediations in order to reflect in our data how efficiently we are processing cases. | | Q1 |

Administrative Information

FY Performance Plan Public Employee Relations Board FY2018 Record ID# 501
 Performance Plan ID 375

Save & close Cancel

Agency Name

**Annual Freedom of Information Act Report for Fiscal Year 2017
October 1, 2016 through September 30, 2017**

FOIA Officer Reporting _____

| |
|------------------------------------|
| PROCESSING OF FOIA REQUESTS |
|------------------------------------|

1. Number of FOIA requests received during reporting period
2. Number of FOIA requests pending on October 1, 2016.....
3. Number of FOIA requests pending on September 30, 2017.....
4. The average number of days unfilled requests have been pending before each public body as of September 30, 2017

| |
|-------------------------------------|
| DISPOSITION OF FOIA REQUESTS |
|-------------------------------------|

5. Number of requests granted, in whole.....
6. Number of requests granted, in part, denied, in part.....
7. Number of requests denied, in whole.....
8. Number of requests withdrawn.....
9. Number of requests referred or forwarded to other public bodies.....
10. Other disposition

| |
|--|
| NUMBER OF REQUESTS THAT RELIED UPON EACH FOIA EXEMPTION |
|--|

11. Exemption 1 - D.C. Official Code § 2-534(a)(1).....
12. Exemption 2 - D.C. Official Code § 2-534(a)(2).....
13. Exemption 3 - D.C. Official Code § 2-534(a)(3)
 - Subcategory (A).....
 - Subcategory (B).....
 - Subcategory (C)
 - Subcategory (D)
 - Subcategory (E)
 - Subcategory (F)
14. Exemption 4 - D.C. Official Code § 2-534(a)(4)
15. Exemption 5 - D.C. Official Code § 2-534(a)(5).....

- 16. Exemption 6 - D.C. Official Code § 2-534(a)(6)
 - Subcategory (A).....
 - Subcategory (B).....
- 17. Exemption 7 - D.C. Official Code § 2-534(a)(7).....
- 18. Exemption 8 - D.C. Official Code § 2-534(a)(8).....
- 19. Exemption 9 - D.C. Official Code § 2-534(a)(9).....
- 20. Exemption 10 - D.C. Official Code § 2-534(a)(10).....
- 21. Exemption 11 - D.C. Official Code § 2-534(a)(11).....
- 22. Exemption 12 - D.C. Official Code § 2-534(a)(12).....

TIME-FRAMES FOR PROCESSING FOIA REQUESTS

- 23. Number of FOIA requests processed within 15 days.....
- 24. Number of FOIA requests processed between 16 and 25 days.....
- 25. Number of FOIA requests processed in 26 days or more.....
- 26. Median number of days to process FOIA Requests.....

RESOURCES ALLOCATED TO PROCESSING FOIA REQUESTS

- 27. Number of staff hours devoted to processing FOIA requests.....
- 28. Total dollar amount expended by public body for processing FOIA requests.....

FEEES FOR PROCESSING FOIA REQUESTS

- 29. Total amount of fees collected by public body.....

PROSECUTIONS PURSUANT TO SECTION 207(d) OF THE D.C. FOIA

- 30. Number of employees found guilty of a misdemeanor for arbitrarily or capriciously violating any provision of the District of Columbia Freedom of Information Act

QUALITATIVE DESCRIPTION OR SUMMARY STATEMENT

Pursuant to section 208(a)(9) of the D.C. FOIA, provide in the space below or as an attachment, “[a] qualitative description or summary statement, and conclusions drawn from the data regarding compliance [with the provisions of the Act].”