

PUBLIC MEETING MINUTES

October 30, 2014

PUBLIC EMPLOYMENT RELATIONS BOARD
1031 18th Street
Sacramento, CA 95811

Member Winslow called the meeting to order at 2:00 p.m.

Members Present

Anita I. Martinez, Chair (Excused)
A. Eugene Huguenin, Member
Priscilla S. Winslow, Member
Eric R. Banks, Member

Call to Order

After establishing that a quorum had been reached, Member Winslow called the meeting to order for a return to the open session of the October 9, 2014 Public Meeting. She reported that the Board met in continuous closed session to deliberate the pending cases on the Board's docket, pending requests for injunctive relief, pending litigation and personnel matters, as appropriate.

Motion: Motion by Member Banks and seconded by Member Huguenin, to close the October 9, 2014 Public Meeting.

Ayes: Huguenin, Winslow, and Banks.

Motion Adopted – 3 to 0.

Member Winslow adjourned the October 9, 2014 Public Meeting. She then opened and called to order the October 30, 2014 Public Meeting.

Comments From Public Participants

Ivette Rivera, a represented public employee appeared before the Board representing herself. Ms. Rivera stated:

“Thank you. . . . I just want to read three questions and just to have them on the record, and then I will be done. [¶] The first question, at agencies covered by the MMBA under the jurisdiction of PERB, who has the statutory duty to inform represented employees of their rights under section 3502, the right to join or abstain individual representation? [¶] Question number two, at agencies covered by the MMBA under the jurisdiction of PERB, who has the statutory duty to uphold and enforce the statutory rights of represented employees under section 3502, the right to join or abstain

individual representation? [¶] And the last question is, is it a custom, practice, or policy for a PERB Regional Office staff person to approve incomplete postings of MMBA sections at agencies under PERB jurisdiction? [¶] That's all I have, and I know that the Board cannot answer any of these questions. And I appreciate your time, . . . Thank you.”

Oral Argument

Oral Argument in the following case was convened:

San Bernardino County Public Attorneys Association v. County of San Bernardino (Office of the Public Defender) (Unfair Practice Charge Nos. LA-CE-431 and LA-CE-554-M)

Persons participating:

On Behalf of County of San Bernardino (Office of the Public Defender):

Ken C. Hardy, Deputy County Counsel
Office of the County Counsel
County of San Bernardino
385 North Arrowhead Avenue, 4th Floor
San Bernardino, CA 92415

Phyllis K. Morris, Public Defender
Offices of the Public Defender
County of San Bernardino
303 W. 3rd Street, Ground Floor
San Bernardino, CA 92415

Timothy G. Yeung, Attorney*
Renne Sloan Holtzman Sakai
428 J Street, Suite 400
Sacramento, CA 95814

*Appeared on behalf of the County but did not present argument before the Board.

On Behalf of San Bernardino County Public Attorneys Association:

Marianne Reinhold, Attorney
Reich, Adell, Crost & Cvitan
2670 North Main Street, Suite 300
Santa Ana, CA 92705

Action: Submitted

General Discussion

Member Winslow announced that there being no further business, it would be appropriate to recess the meeting to continuous closed session and that the Board would meet in continuous closed session each business day beginning immediately upon the recess of the open portion of this meeting through December 11, 2014, when the Board will reconvene in Room 103, Headquarters Office of the Public Employment Relations Board. The purpose of these closed sessions will be to deliberate on cases listed on the Board's Docket (Gov. Code, sec. 11126(c)(3)), personnel (Gov. Code, sec. 11126(a)), pending litigation (Gov. Code, sec. 11126(e)(1)), and any pending requests for injunctive relief (Gov. Code, sec. 11126(e)(2)(c)).

Motion to Adjourn Open Session

Motion: Motion by Member Banks and seconded by Member Huguenin to recess the meeting to continuous closed session.

Ayes: Huguenin, Winslow, and Banks.

Motion Adopted – 3 to 0.

Respectfully submitted,

Regina Keith, Administrative Assistant

APPROVED AT THE PUBLIC MEETING OF:

Priscilla S. Winslow, Member