

OFFICE OF LABOR RELATIONS & COLLECTIVE BARGAINING

Executive Office of the Mayor

GOVERNMENT OF THE DISTRICT OF COLUMBIA



February 24, 2014

Chairman Phil Mendelson
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Re: Responses to Second Round of Questions for Performance Oversight

Dear Chairman Mendelson:

This letter is in response to your letter of February 12, 2014 to us requesting responses to the questions outlined in that letter. Please see our responses in the numbered paragraphs below that correspond to the numbers in your letter.

1. Please describe every grant OLRCB is, or is considering, applying for this fiscal year.

RESPONSE: The OLRCB is not (or currently considering) applying for any grants.

2. Please provide the name of each employee who was or is on administrative leave in FY 2013 and thus far in FY 2014. In addition, for each employee identified, please provide: their position; (2) a brief description of the reason they were placed on leave; (3) the dates they were on administrative leave; (4) whether the leave is paid or unpaid; and (5) their current status.

RESPONSE: Other than administrative leave granted to attend training, no OLRCB employees were placed on administrative leave in FY 2013 or thus far in FY 2014.

3. If any of your employees are unionized, how many grievances have been filed by labor unions against OLRCB management? Please list each of them by year FY 2012 – FY 2014 (to date). Give a brief description of each grievance, and the outcome as of February 7, 2014.

RESPONSE: No OLRCB personnel are covered by collective bargaining and no grievances were filed by staff.

4. Please provide a list of all procurements over \$10,000 for FY 2013 and FY 2014. Give a brief explanation of each. Exclude from this answer credit card purchases.

RESPONSE: Please see Exhibit 1.

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5. Please provide in table format a list (in descending order by value of contract) of all OLRCB contracts in effect at any time during FY 2014. Include the name of the contractor, purpose of the contract, and the total dollar amount of the contract. (This question is not about the union contracts which OLRCB negotiates.)

RESPONSE: Please see Exhibit 2.

6. Please provide a chart showing both OLRCB's approved budget and actual spending, by program, for FY 2013 and FY 2014 through January 31, 2014. In addition, please explain any variance between fiscal year appropriations and actual expenditures for FY 2013 and FY 2014 to date.

RESPONSE: Please see Exhibit 3.

7. Please list each policy initiative of your agency during FY 2013 and FY 2014 to date. For each initiative, please provide:
- (a) A detailed description of the initiative;
 - (b) The total number of personnel (FTEs and contract) assigned to the initiative; and
 - (c) The amount of funding budgeted to the initiative.

RESPONSE: In FY 2013 and FY 2014 to date, the OLRCB focused on the below listed initiatives:

1. District-wide Labor-Management Relations Conference

In FY 2013, the Office in partnership with the labor organizations representing District employees, developed and conducted the Inaugural Labor-Management Relations Conference. For the first time in the District government, a two-day conference was conducted focused primarily on training, communication and relationship building for all stakeholders in the District's labor relations program. The conference was a tremendous success. Approximately 300 participants benefited from training on various topics such as Discipline, Labor Management Committees and Best Arbitration Practices. A copy of the conference agenda is Exhibit 4.

FTEs: The conference was planned by a committee comprised of labor and management representatives. Four OLRCB staff served on the committee and assisted with the planning of this initiative.

Budget: There are no funds budgeted for this initiative

.2. Continued implementation of case settlement recommendations:

The OLRCB internal procedures require OLRCB attorneys to prepare a case

assessment memorandum for each case, outlining strengths, weaknesses, policy implications and financial impact, with a recommendation why the agency should (or should not) consider settling a case. It is OLRCB policy to only settle cases when there is an advantage to the client agency. We do not settle cases simply to make them go away. We have determined that advantageous settlement not only lowers and controls the District's liability in the event of a negative judgment; it also spares District agencies the time and expense of sometimes protracted and expensive litigation, which may include attorney's fees. Therefore, if, considering all factors, it is advantageous for the District to settle, OLRCB advises settlement.

FTEs: All OLRCB attorneys are responsible for this initiative.

Budget: There is no cost to implement this initiative, other than personnel time.

3. Effort to Reduce Attorney Fee Awards that are contrary to the parties' collective bargaining agreement and the Back Pay Act.

RESPONSE: OLRCB has relatively recently developed a strategy for responding to continuing requests by grievants/unions seeking attorney's fees. The unions typically attempt to address relief in two stages; first they assert an improper personnel action that, in their view, warrants reinstatement, back pay or the like; second, they seek attorney's fees, in what amounts to a second proceeding before the arbitrator that sometimes results in attorney's fees as well, incurring additional cost to the agency including additional arbitrator fees. OLRCB's approach is to challenge the authority of the arbitrator to grant additional relief in a secondary proceeding that could, and should have been dealt with in the initial proceedings, as he/she would lack authority to make such an award, particularly in cases where the parties' collective bargaining agreement requires the parties to bear their own legal expenses and where the arbitrator does not have the right to rule further on fees. This is part of a broader challenge to the continued applicability of the federal Back Pay Act to the District addressed further below.

FTEs: All OLRCB attorneys are responsible for this initiative.

Budget: There is no cost to implement this initiative, other than personnel time.

3. OLRCB ANNUAL REPORT

The OLRCB will issue its first annual report, reporting on FY 2014 office activities. The report will include statistics regarding litigation, negotiations, training, dues administration and citywide initiatives. The report will be issued by December 31, 2014.

FTEs: The OLRCB Director is responsible for this initiative.

Budget: No funds are allocated for this initiative.

8. Please describe any initiatives your agency implemented during FY 2013 and FY 2014 to date to improve the internal operation of the agency or the interaction of the agency with outside parties (including other agencies). Please describe the results, or expected results, of each initiative.

RESPONSE:

- **Good Faith Negotiations:** The continued engagement in good faith negotiations, resulting in the completion of a number of collective bargaining agreements. Of course, during Fiscal Year 2013, the single most important emphasis was to complete negotiations for successor collective bargaining agreements. Primary focus was placed on agreements with the unions representing employees in public safety agencies, namely the Fraternal Order of Police and MPD, the International Association of Firefighters and the FEMSD, the National Association of Government Employees and the Office of Unified Communications and the Homeland Security Management Agency and the Department of Corrections and the Fraternal of Order Police and to begin negotiating the AFSCME Master and the Compensation Units 1 and 2 Agreements. These negotiations have proceeded consistent with the applicable ground rules and the governing statute and I am happy to report that we have completed and the unions have ratified new contracts which have been implemented. These include agreements with Compensation Units 1 and 2, the District of Columbia Nurses Associations, the Attorneys Union, the Committee of Medical Interns of Residents, the Social Workers, the Teamsters Union, to name a few. Most recently, we completed negotiations with the Police Union, the Fraternal Order of Police. That agreement will be submitted to the Council for approval within the next couple of weeks and last week we received the arbitrator's decision in the negotiations with the International Association of Firefighters.
- **Archiving and Records Retention:** In FY 2013, the OLRCB dedicated time and resources to review a number of OLRCB records and files consistent with the District's records retention policy so that we are in compliance as well as to free up office space to accommodate the volume of records that is received and generated by the office. The goal in FY 2014 is to move toward a system of e-filing and record retention.

- The **Inaugural Labor-Management Relations Conference** which was developed, jointly with labor, primarily for front-line managers and supervisors, labor liaisons and union officials to share information and dissect recent developments in the labor relations field to better understand the respective roles, responsibilities, tools and resources available to them as stakeholders in the District's labor relations program. The goal was to use the conference as a forum to better serve stakeholders so they are better equipped to address unplanned, unforeseen situations while continuing to build and enhance labor-management relationships in the District government.
- **Weekly Cluster Calls:** Every agency is required to designate a Labor Liaison who is required to have advanced labor relations experience and have an advanced understanding of the collective bargaining agreements applicable to the employees in their agencies. Labor Liaisons are viewed as the labor relations experts in their respective agencies and are responsible for keeping apprised of all day-to-day labor issues in their agencies. They are the OLRCB's primary point of contact on labor issues in the agencies. To better serve the District, groups of two OLRCB attorneys are assigned to each of the four clusters of agencies - Education, Public Safety & Justice, Health and Human Services, and Operations and Economic Development. Attorneys are Labor Liaisons' first point of contact in OLRCB. The goal is to develop a good understanding of the issues that often arise in the cluster agencies so that we can minimize recurrence of issues and maximize responding to common issues that are often observed in agencies performing related functions. Weekly cluster calls are designed to engage cluster agencies collectively so that Labor Liaisons and OLRCB attorneys can discuss issues in real time and advice and counsel can be used to prevent similar issues in other agencies.
- **Engagement with Other Agencies:** The OLRCB also collaborates with sister agencies including the Office of the Attorney General, the Office of Risk Management and the Department of Human Resources to discuss litigation and strategy and to ensure that case strategy taken by OLRCB does not impact OAG litigation of workers compensation cases within the purview of the Office Risk Management. In addition, we always engage the general counsel of the agencies we represent.
- **Engagement with Deputy Mayor:** The OLRCB also met frequently with the Deputy Mayor for Public Safety and Justice to discuss and keep him apprised of issues impacting public safety agencies, which historically generate a high number of labor issues and litigation.
- **OLRCB meetings with the DCHR Director:** The OLRCB Director meets frequently with the Director of the Department of Human

Resources to address personnel matters and processes that impact both union and non-union employees as well as other issues which impact the organized workforce.

- **Timely Implementation of Recently Completed Collective Bargaining Agreements:** In FY 2013, Mayor Gray authorized the OLRCB to offer wage and benefits increases during collective bargaining which allowed OLRCB staff to more positively respond to labor proposals for wage and benefits increases. As a result, we have been able to complete 12 CBAs. Once the parties reach agreement, the process to implement the CBAs begins with engagement with representatives of the Office of the Chief Financial Officer to secure the requisite fiscal impact statement and the Office of the Attorney General to secure the requisite legal sufficiency statements. These two statements are required by District law. In addition, the OLRCB must engage the Office of Pay and Retirement Services, the Office of the Chief Technology Officer and the Department of Human Resources to ensure that all changes in benefits, including any adjustments to PeopleSoft codes, are implemented as well as any changes in union vendors are submitted so that benefits can be transmitted to the selected union vendors. The OLRCB also engages union leaders so they can be aware of changes implemented and so they can be timely informed and can respond to questions or concerns from their members.
- **Reduction in Compliance Actions:** In FY 2013, emphasis was placed on effectuating the procedures to timely implement decisions and awards. As reported at last year's Oversight hearing, timely implementation of decisions and awards has been a focus of the OLRCB in our effort to better serve agencies and improve our relationship with the unions. As reported to this Council previously although most collective bargaining agreements require management to comply with settlement agreements, decisions and awards within a specific time period, most agencies were not complying within the time period required by the applicable collective bargaining agreements. To expedite compliance, OLRCB implemented a process which places the responsibility of compliance with decisions and awards with OLRCB staff. Since implementation of this new process in 2013, we have observed a 50% decrease in the number of enforcement actions filed by the unions.

- **Citywide Initiative Information Sessions:** The Negotiated Employee Assistance Home Purchase Program (NEAHP), one of the major citywide initiatives to facilitate, educate, encourage and provide financial incentives to eligible bargaining unit employees to be used toward the purchase of a primary residence in the District of Columbia. The program is administered in partnership with the OLRCB, the Department of Housing and Community Development and the Greater Washington Urban League. Distribution of NEAHP funds to eligible employees began in FY 2010 and so far 95 employees have purchased homes in the District, with over 50% (57) of the homes being purchased in Ward 7. The OLRCB continues to ensure that procedures for the NEAHP are developed and administered by consensus of the joint Labor Management Housing Committee in collaboration with representatives from the Department of Housing and Community Development and the Greater Washington Urban League. NEAHP procedures and information are available to all employees. The NEAHP Program was developed by the joint committee and the Committee meets quarterly to review how the program is administered and may revise it to meet the requirements for NEAHP funds as may be necessary. At the request of Deputy Mayor Quander the OLRCB conducted a number of information sessions to employees in public safety agencies about NEAHP.
- **Labor Issues Emanating from the Creation of the Department of Behavioral Health:** OLRCB was deeply engaged with both management and labor representatives at the Department of Health (DOH) and the Department of Mental Health to address labor issues and other activities surrounding the creation of the new Department of Behavioral Health which combines components of the DOH with the former Department of Mental Health.

9. What efforts has OLRCB made in the past year to increase transparency? Explain.

RESPONSE: The OLRCB continues to administer the labor relations program in good faith. We ensure that bargaining unit employees and their labor representatives are provided with information about programs administered by the OLRCB, including Dues Administration, the Negotiated Employee Assistance Program, the Commuter Benefit Program and the Classification and Compensation Reform Project. We have not been subject to any complaints regarding transparency.

10. Please list all studies, research papers, and analyses the agency prepared, or contracted for, during FY 2013 and FY 2014 to date. Please include the purpose, as well as the current status, of each.

RESPONSE: To prepare for negotiations the OLRCB works in conjunction with the Department of Human Resources and individual agencies to prepare surveys and analysis necessary to develop compensation proposals. Surveys and economic analysis developed for negotiations have been completed for negotiations that have been completed and are continuously being revised for negotiations that are on-going. In addition, every year we prepare an annual report outlining collective bargaining financial obligations, to include negotiated wage and increases, for the Office of the Chief Financial Officer as part of the District's reporting for the General Bond Issuance.

11. Please list all regulations for which the agency is responsible for oversight or implementation. Please list by subject heading, and include the date of the most recent revisions.

RESPONSE: The Office does not have responsibility for oversight or implementation of any regulations. However, since bargaining unit employees may elect to pay union dues, in such cases, as a matter of law, management must deduct the dues amounts from employees pay. The OLR CB administers the dues administration program for labor organizations representing employees under the Mayor's personnel authority. The office also urges unions to comply with their respective Hudson obligations to the employees they serve.- if service fees have been negotiated.

12. Please list in table format, and alphabetized by union, every meeting or briefing that OLR CB has had with union leadership in FY 2013 and FY 2014 (to date).

RESPONSE: Please see Exhibit 5.

13. Please list the dates of and attendees at each Labor Management Partnership Council meeting held during FY 2013 and FY 2014 (to date).

RESPONSE: The Labor-Management Partnership Council (LMPC) was reinstated in March 2012 to promote cooperative efforts between Labor and Management in the District. The work of the LMPC is to improve the operation and services of all District agencies and the quality of work life for all employees. The LMPC is housed in the Executive Office of the Mayor rather than the Office of Labor Relations and Collective Bargaining to create a clear delineation between collective bargaining issues and labor-management partnership issues. Since its reinstatement eight meetings have been held. LMPC Meetings are held every other month. LMPC meetings were held on August 8, 2012, October 17, 2012, December 13, 2012, February 13, 2013, April 17, 2013, June 19, 2013, August 14, 2013, October 18, 2013 and December 18, 2013. The next meeting will be held in March 2014. A list of attendees at each meeting is Exhibit 6.

14. Please explain what steps OLR CB has taken during FY 2013 and FY 2014 (to date) to improve labor relations in the District and with unions, in particular.

RESPONSE: Role as the Mayor's Labor Representative: Over the past few years, the OLR CB has by default, served as the Mayor's representative in labor relations and collective bargaining matters while also serving to maintain positive relations with the unions. The effort to serve as the management representative while building the relationship with the union is often conflicting and has presented a number of challenges for the OLR CB. However, with the reinstatement of the Labor-Management Partnership Council the efforts to build the relationship with unions are more appropriately delegated to the Mayor's Labor Liaison thereby somewhat alleviating the tension inherent in OLR CB's former dual role.

Quarterly Labor Liaison Forums: The OLR CB also conducts Quarterly Labor Liaison Forums, Weekly Clusters Calls, individual meetings with agency heads, and individual meetings with agency representatives.

General Labor Relations Briefing With Labor Representatives: The OLRCB meets frequently with labor unions in various structured forums such as the CA's Quarterly Meeting with Union Leaders, General Labor Relations Briefing with Union Leaders, individuals meetings with union leaders.

Meetings with Directors: The OLRCB Director meets regularly with the Director of DCHR to discuss personnel issues and other matters impacting both agencies and the organized workforce.

The responses provided in Questions 7 and 8 are also intended to improve labor relations in the District and the unions.

15. Concerns were raised last year by the Fraternal Order of Police-Metropolitan Police Department with regard to its relationship with OLRCB. What steps has OLRCB taken to improve relations with this union during FY 2013 and FY 2014 (to date).

RESPONSE: Over the past three years the OLRCB Director proactively attempted to establish and improve the relationship with the Metropolitan Police Department Fraternal Order of Police Labor Committee. To this end meetings were held with the OLRCB Director and FOP Chairman. The FOP was also invited to participate on the Labor-Management Partnership Council. Further, the FOP is also invited to General Labor Relations Briefings with Union Leaders that are conducted by the OLRCB.

16. Your response (Question #15) to first round performance questions states that the Office of the Inspector General investigated OLRCB and Director Campbell's alleged abuse of authority and found no wrongdoing on the part of Director Campbell or the OLRCB. Please provide a copy of this report as an attachment.

RESPONSE: The initial response to the Council's first round of questions stated that OIG found no wrongdoing. That was in error. On research, In FY 13, the Office of the Inspector General ("OIG") referred to the Office of the City Administrator ("OCA") a complaint regarding the director of the Office of Labor Relations and Collective Bargaining ("OLRCB"). The complaint focused largely on the union coding of a position at the Department of Youth Rehabilitation Services, and the OIG asked OCA to conduct an inquiry into the complaint. OCA conducted the inquiry, found no merit to the allegations set forth in the complaint, and provided its conclusion and relevant documentation to OIG. Based on OCA's response, OIG considers the matter closed. We are not aware of any other investigations, studies or reports on the agency or any of its employees.

17. What steps has OLRCB taken to improve its relationship with the Fraternal Order of Police-Department of Youth Rehabilitation Services during FY 2013 and FY 2014 (to date).

RESPONSE: The OLRCB has always dealt with the leadership of the Department of Youth Rehabilitation Services Fraternal Order of Police Labor Committee in good faith. We continue to engage representatives of Labor Committee as we do all the unions representing employees at DYRS, and throughout the District. However, due to internal union issues within the DYRS Labor Committee, a number of charges were alleged against the OLRCB and Director Campbell. These types of charges are not unique or unexpected in a labor

environment. The OLRCB remains and has at all times remained committed to engaging the FOP and their designated leaders to improve the overall labor relations program.

18. (a) Please list for fiscal years 2012, 2013, and 2014 (to date) all agency trainings that OLRCB has conducted. Include in your response: agency name, date of training, type of training, and number of participants from the other agencies.

RESPONSE: Please see Exhibit 7.

- (b) For fiscal years 2012, 2013, and 2014 (to date), explain what steps OLRCB has taken to improve the training and support it has provided to agencies in an effort to improve labor relations between District agencies and its employees.

RESPONSE: In FY 2012, the Office coordinated a comprehensive labor relations and collective bargaining training seminar. For the first time, both labor and management were invited to participate in training on various topics such as Discipline, Labor Management Committees and Best Arbitration Practices. These sessions were conducted by representatives of the Federal Mediation and Conciliation Services. Based on the responses to the satisfaction survey, both management and labor participants found the joint seminar beneficial and would like to see more joint training opportunities offered in the future. As a result of the positive feedback from the FY 2012 training seminar in FY 2013, OLRCB has engaged in a number and variety of training and support activities culminating in the Labor-Management Relations Conference in FY 2013.

In addition, responses provided to Questions 7, 8 & 14 also help to improve the general labor relations culture and foster better, more collaborative relationships between District agencies and employees, wherever possible.

19. Please provide a detailed description of the Classification and Compensation Reform Project, including a detailed timeline outlining the various stages of the project past and future.

RESPONSE: In October 2009, the District launched the "Project Cornerstone," the initiative to reform the District's Compensation and Classification systems as required by law. The purpose of the project is to replace the District's current classification system, which was created in 1949, with a completely new and modern system that supports the District's strategic goal to recruit, manage and retain talented employees. The new system will be easy to administer, be flexible to accommodate changes in jobs and new classifications, and provide for a modernized pay system that reflects human resources best practices. In addition, the new system will (1) provide job clarity across agencies, (2) identify career paths that help employees' careers to progress within the District Government, (3) automatically create a seamless link to the existing PeopleSoft modules that administer recruitment and performance management, and (4) effectively administer overall workforce development and management.

Since near the end of FY 2013 (around mid-August 2013), the LMTF has been on pause with Deloitte Consulting so that the Taskforce could reassess scope of its work plan and deliverables with the Consultant. It has always been a long-term goal or objective to include supervisors and managers (Phase III) within the scope of the reform efforts, and Deloitte's Contract will be

modified to cover Phase III on a concurrent track with rank and file employees (Phases I and II). As a result, the LMTF expects that modifications of the Deloitte contract for Classification, with the assistance of OCP, will be submitted to Council shortly, in March 2014. Under the modified contracts, the LMTF anticipates that all deliverables as well as the relationship with Deloitte will be completed by September 30, 2014.

LMTF anticipates that in March 2014, DCHR will be engaging in a three-phase roll-out of training to transition employees in agencies within the scope of the project to the new job specifications. The 3-phases entail the following: (1) Verification of job specifications for work performed by an agency's employees; (2) Allocation/Mapping of employees to the identified job specifications for the agency as a result of first phase; and (3) Engagement with the employees on their particular job specifications. Also, LMTF is reviewing classification and compensation policies and prior to Council's recess in the summer LMTF expects that the legislative package for the new system will be sent to the Council for review and approval. Finally, implementation of the new system, including placement of employees on the new job specification and salary schedules is anticipated to occur in FY 2015 subject to Council approval and available budget.

A copy of the most recent work plan (project timeline) is Exhibit 8. Please note, given the nature of the project, the timeline is subject to change.

20. Please list in table format, and alphabetized by agency, every operative collective bargaining agreement the District government has entered into. Since bargaining units typically have two agreements (wages and working conditions), there will be two lines in the table, together, for those agencies. Include the following information: agency name, union ID, type of agreement (e.g., wages, or working conditions), term of the agreement (e.g., 1/1/10 – 1/1/13), approximate number of employees covered, current status of the agreement, and a column for any comments. For the several agreements covering multiple agencies, list those first in the table and identify the agencies covered.

RESPONSE: Please see Exhibit 9.

21. Please list in table format, every collective bargaining agreement (same order as question #20) that has expired. Identify the agreement, the expiration date, and explain its current situation regarding that agreement or the negotiation of a new agreement.

RESPONSE: Please see Exhibit 9.

22. Please provide brief explanatory paragraphs for each agreement that is under negotiation but at impasse. Order these paragraphs as in question #20.

RESPONSE: The contracts covering doctors and NUHHCE at OCME are at impasse. Statutory confidentiality constraints preclude describing the details of the impasse.

23. Please list in table format, and in chronological order, every mediation, arbitration, and case before the Public Employee Relations Board (PERB) in which OLRCB participated or was a party for fiscal years 2012, 2013, and 2014 (to date). Include the following information for each proceeding: names of parties involved, type, date(s), case number (if applicable), reason, brief explanation of the outcome, if proceeding is on-going then provide expected date for conclusion or decision, and a column for any comments.

RESPONSE: Please see Exhibit 10.

24. (a) Please list in table format the arbitration cases and PERB decisions that have been appealed to Superior Court in fiscal years 2010, 2011, 2012, 2013, and 2014 (to date). For each case provide the parties to the case, the party who appealed the decision, and the outcome of the appeal.

RESPONSE: Please see Exhibit 11.

- (b) Are these appeals *de novo*, or based on the PERB records?

RESPONSE: The arbitration review requests (appeals) to the PERB from arbitration awards are all appeals based on the administrative record established at the respective hearings and are not *de novo* proceedings. Appeals from decisions that either originate in the PERB or are based on affirmances of arbitration awards that were taken on appeal to the DC Superior Court (DCSC) are not *de novo* proceedings as they are based on the administrative record created either before the PERB itself and/or in the underlying arbitration proceeding.

25. (a) Please provide a list, in descending order by volume, of the agencies with the most litigation for fiscal years 2010, 2011, 2012, 2013, and 2014 (to date).

RESPONSE: Please see Exhibit 12.

- (b) Please provide OLR CB's win-loss record for fiscal years 2010, 2011, 2012, 2013, and 2014 (to date).

RESPONSE: Please see Exhibit 12B.

- (c) Please explain how OLR CB categorizes cases (i.e. win versus loss) that it settles instead of pursuing through litigation.

RESPONSE: OLR CB categorizes cases as wins versus loss as follows –

- A matter is considered a **win** if the agency it represents essentially prevailed on all issues of significance in the case. Most cases in this category are outright victories where the agency prevails and no relief of any type is given to the opposing union and/or grievant or complainant.
- A matter is considered a **loss** if the Union and/or grievant or complainant essentially prevailed on all issues of significance in the case. Most cases in this category result in significant relief of some type to the Union, grievant or complainant. There may or may not be an award of attorney's fees as well (in an arbitration) or costs (in a PERB case).

- There are some cases where the result is **mixed** in the sense that each party prevails on some significant aspect of the case so that neither party can be said to have prevailed on all items in dispute. Examples of this might be where an employee is ordered to be reinstated (perhaps because of some technical administrative error in the discipline), but the arbitrator determines that there was some wrongdoing such that e.g. he/she denies the grievant back pay and/or any attorney's fees or any other relief. In such a case the grievant may not have met the test of having been "substantially innocent," (in an arbitration) or the "interests of justice" did not warrant costs being awarded (by the PERB). Similarly, with a PERB decision, the agency may be determined to have committed some technical violation requiring a posting of a notice, but no substantive relief, such as undoing the agency's actions and returning the parties to the *status quo ante* is deemed warranted by the PERB. Naturally, if the parties settle the matter, neither party is considered to have won or lost the case. A typical term of such an agreement is that both sides deny any wrongdoing and so neither can be considered to have won nor lost the case.

(d) Please provide the number of cases that OLRCB has recommended for settlement for fiscal years 2010, 2011, 2012, 2013, and 2014 (to date).

RESPONSE: Please see Exhibit 12C.

(e) Please provide the number of cases OLRCB has settled for fiscal years 2010, 2011, 2012, 2013, and 2014 (to date).

RESPONSE: Please see Exhibit 12D.

(f) Please describe what steps OLRCB has taken in fiscal years 2013 and 2014 (to date) to reduce litigation.

RESPONSE: OLRCB takes many proactive steps to engage union leadership around issues that could or might lead to litigation and seeks to defuse them as often as possible.

1. OLRCB also engages management representatives up to and including senior leadership to proactively deal with union and labor issues to nip litigation in the bud.
2. Our office throughout the year frequently trains both management and labor groups on best labor relations and discipline practices in a variety of venues and formats (Labor-Management Conferences, Labor Liaison Forums, General Labor Relations trainings, Discipline trainings, Monthly Cluster Teleconferences and meetings, ongoing advice and counsel with labor liaisons and other management representatives, etc.).
3. OLRCB routinely assesses new cases at an early stage after receipt to see if they are good candidates for resolution through mediation and other alternative dispute resolution mechanisms. As many cases as can be resolved in this manner are so that the agencies can litigate only matters where significant matters are at issue, the law is unclear, or the nature of the offense is so heinous that it does not lend itself to resolution in any manner other than through the hearing process.

4. Our office also frequently engages management through a variety of means prior to agency action to counsel prudent action (or inaction) so as to avoid producing litigation, including when the matter is at a step below arbitration when it formally comes to OLRCB, to see if it should be resolved at a lower step in the process.
 5. OLRCB also reviews prior decisions for lessons learned to ensure that agency resources are marshaled well in light of prior precedent and works proactively to share information internally to avoid silos and disconnects between its attorneys and its other internal and external stakeholders.
26. Your response (Question #12) to first round performance questions states that OLRCB received no enhancements in FY 2012, 2013, or 2014. Did OLRCB *submit* budget enhancement requests, including the "Form B," for these fiscal years? If so, please provide (as an attachment) the budget enhancement requests, regardless of whether the enhancements were funded.

RESPONSE: The OLRCB did not submit a budget enhancement request, including the forms for these fiscal years.

27. What steps has OLRCB taken in fiscal years 2012, 2013 and 2014 (to date) to ensure timely processing and compliance with decisions, awards, and settlement agreements?

RESPONSE: OLRCB has developed and extended through FYs 2012, 2013 and 2014 (to date) a progression of processes and procedures to ensure timely processing of and compliance with decisions, awards and settlement agreements. Among them are the following:

1. Once an award or decision is issued, whether it is favorable to management or not, the assigned attorney sends a copy to the affected agency(ies), reviews it to determine whether there are any reasons for concern or valid bases for appeal and prepares a speedy Assessment/Compliance Memorandum that determines whether there are any concerns or valid bases or reasons to consider appealing this decision or award.
2. If no valid concerns or bases for appeal are discerned, the assigned attorney recommends compliance with the decision or award and this recommendation is communicated through appropriate channels to the agency in time to comply with any timelines outlined in the decision or award.
3. OLRCB has a process in place to notify the agency's labor liaison of the terms of the award first by sending the decision or award followed by his/her Assessment/Compliance Memorandum recommending either compliance or appeal. If the labor liaison indicates that the agency is minded to appeal, despite our recommendation not to, the matter is escalated internally up the supervisory chain. Ultimately, if the agency is not persuaded to comply, the matter is escalated to OLRCB's Director who then takes up compliance with the agency's Director and or the City Administrator, as appropriate.
4. If compliance is then agreed to, the OLRCB Director sends a Memorandum to all the affected agencies (OPRS, DCHR, the agency where the issue arose, etc.) directing compliance with the terms of the decision or award.

5. The foregoing also applies to settlement agreements except that the agency is engaged at an early stage of the proceedings that our recommendation is to settle the matter. Once OLRCB secures buy-in from the agency and terms are agreed in accordance with those discussions, the respective agencies receive a Compliance Memorandum directing them as to what needs to be done to comply with the terms of the settlement agreement.
6. OLRCB, particularly the assigned attorney, remains deeply engaged with all the agencies involved to ensure that compliance is effected and follows up until all terms of the settlement agreement, decision or award have been fully complied with.
7. On a broader scale OLRCB has been in recent ongoing discussions with DCHR, OAG and OPRS regarding what is required to streamline this process to ensure more timely and effective compliance with settlement agreements, decisions and awards. OLRCB has also engaged DCHR and has participated in and continues to participate in Human Resources Advisor Summits (FY 13) and trainings (FY 14) to disseminate best practices and lessons learned across a broad spectrum of employees engaged in making personnel decisions and conducting labor relations activities.

28. If applicable, please explain the impact on your agency of any legislation passed at the federal level during FY 2013 and FY 2014 to date.

RESPONSE: We are aware of no legislation passed at the federal level during FY 2013 and FY 2014 to date has yet had any significant impact on our agency. It is possible that in bargaining for new collective bargaining agreements the requirements of the Affordable Care Act (ACA) will begin to affect the size and nature of proposals from Unions regarding health insurance benefits. In one recent bargaining session in FY 14 a union represented at DCPS has asked for increases in management's contribution to health insurance premiums ostensibly based, in part at least, on changes brought about by the requirements of the ACA. It is likely that this trend will continue.

29. Please identify any legislative requirements that the agency lacks sufficient resources to fully implement.

RESPONSE:

30. Please identify any statutory or regulatory impediments to OLRCB's operations.

RESPONSE: D.C. Official Code § 1-617.16(b) reads in pertinent part: The determination of an appropriate unit for the purpose of negotiations concerning compensation shall not require a request from a labor organization. In determining appropriate bargaining units for negotiations concerning compensation, the Board shall authorize broad units of occupational groups so as to minimize the number of different pay systems or schemes. The Board may authorize bargaining by multiple employer or employee groups as may be appropriate. At the same time, the law states that: "[t]he Mayor shall negotiate agreements concerning working conditions at the same time as he or she negotiates compensation issues". D.C. Official Code § 1-617.17(m).

It is impractical for OLRCB to engage on all the working conditions agreements in the 36

agencies in which Compensation Units 1 & 2 members are found at the same time as OLRCB is negotiating the 1 & 2 Agreement.

31. Please outline and explain any legislative changes that OLRCB would recommend to improve its operations or improve labor relations and the collective bargaining process in the District.

RESPONSE: One working conditions agreement is required (with addenda to address unique situations) that would cover all employees under the Compensation Units 1 & 2 agreement.

32. Please describe any other successes or challenges experienced by the agency during FY 2013 and to date in FY 2014 not already discussed.

RESPONSE: OLRCB has had a number of noteworthy victories on behalf of management during FY 13 and FY 14 to date. Although the following list of these cases is by no means exhaustive, it is a representative sampling of the types of decisions favorable to management that have the potential to favorably impact the administration of the labor relations program citywide:

MPD Interest Arbitration Award – On February 3, 2014, Arbitrator Vaughn issued his award accepting management’s compensation LBOs over the FOP’s. OAG deemed the award legally sufficient on February 21, 2014; a Fiscal Impact Statement was requested and is now being awaited so the matter can be forwarded for Council action. The fact that the arbitrator ruled in favor of management’s proposals has saved the District at least \$80M in retroactive wages. Apart from the obvious significant savings to the District, the award fortifies the District in its interpretation of the law regarding the standards to be applied in deciding between competing management and labor compensation proposals that will form the basis of future trainings and best practices going forward.

DC Superior Court (DCSC) recently overturned two PERB decisions that affirmed that arbitration awards were proper when the Court held that the arbitrators in each case had overstepped their authority. In one of these cases, the Court held that 19 DCRA inspectors who had opted to challenge their separations for failure to secure appropriate licensure before the Office of Employee Appeals were precluded by law from seeking to benefit from a group grievance arbitration. This is significant as DCSC has clearly signaled to the PERB that it cannot reflexively rubberstamp arbitrator’s awards but must do a proper analysis to determine whether he/she has made an award that does not exceed the arbitrator’s authority under the parties’ respective collective bargaining agreement(s).

DDOE Case – Performance management has been the subject of much litigation and have been difficult to defend regardless of how poor an employee’s performance has been. This is often because performance is not effectively managed and documented. This decision will be helpful in that it provides clear guidelines for management’s termination of an employee for failing a Performance Improvement Plan (PIP). The termination was sustained as the employee had been given appropriate notice and the 90-day timeline for completing this process was correctly followed by management not to include the 10 days of review available to management between

each 30-day PIP period. The Union had, incorrectly, asserted that the period of 90 days for a PIP did not include 10-day review periods between each 30-day PIP. Management's prevailing on this issue clarified the proper standard by determining the principle in management's favor permitting a period of 120 days from the beginning of the PIP period to its total conclusion and interpreted the District's Personnel Manual in the manner advanced by management's experts. It also provides a useful tool for future training regarding best practices in performance management in the District.

OAG Case – Career ladder issues are often submitted to arbitration in various agencies citywide. In a recent case, the arbitrator agreed with management that an employee was not in a career ladder position and as such was not entitled to a promotion. This is significant because management maintained that the formalities for the creation of a career ladder position including the potential for promotion and being competitively hired were not present. This clarified these requirements which are useful for future challenges of similar types and is instructive in guiding pending and future litigation.

AFSCME District Council 20 & Local 2921. DC Public Schools – DC Court of Appeals ruled in management's favor that issues of substantive arbitrability are for the courts to decide rather than an arbitrator; lays the groundwork for management's well-established position that RIFs are not substantively arbitrable. A contrary result would require the District to arbitrate and participate in grievances regarding RIFs that presently may only be appealed to the Office of Employee Appeals.

OLRCB negotiated a number of settlements during the reporting period. Among these were two longstanding matters settled at deep discounts in favor of management agencies (i.e. DDS and DCPS). One involved claims for parking that had citywide implications regarding when and whether the District will be responsible for parking expenses with bargaining unit employees and the duty to bargain regarding them. The other saved DCPS and the District significant funds due to promises made to food service workers when their services were outsourced to a private contractor. By resolving these matters through settlement, significant management resources of money, manpower and time were freed up for more profitable activity and irritants with labor were disposed of.

Challenges:

OLRCB continues to grapple with determinations by arbitrators that they have authority to grant attorney's fees under the federal Back Pay Act (FBPA), regardless of whether or not the parties' collective bargaining agreement makes provision for the parties to bear their own legal fees. Some of these fee claims can be quite sizeable (e.g. in excess of \$160,000 in one case). This flies in the face of management's position that the District has its own comprehensive compensation system that precludes the continued applicability of the FBPA.

OLRCB continues to work with labor unions to address bargaining unit certification issues that arise with the establishment of new agencies, reorganizations and realignments within agencies.

However, due to the number of certifications and changes within agencies OLRCB, agencies and labor organizations must dedicate time and resources to comprehensively address this issue and this analysis requires a high level of technical expertise and knowledge to accomplish. OLRCB staff also dedicates a significant amount of time ensuring the effective administration and implementation of negotiated Citywide initiatives, in particular the Classification and Compensation Reform Project. The project requires a significant amount of dedicated staff. However, the OLRCB will continue to work with agency partners and labor leadership to ensure the development of a classification and compensation system that supports the District's strategic goal to recruit, manage and retain a talented workforce.

33. Did OLRCB receive any FOIA requests in FY 2013? If yes, did the agency file a report of FOIA disclosure activities with the Secretary of the District of Columbia? If yes, please provide a copy as an attachment.

RESPONSE: The OLRCB did receive two FOIA requests in FY 2013. Please see Exhibit 13.

34. (a) Please attach copies of the required small business enterprise (SBE) expenditure reports for fiscal years 2012 and 2013.

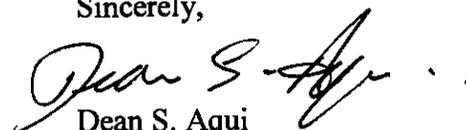
(b) D.C. Official Code § 2-218.53(b) requires each District agency to submit supplemental information with their annual SBE expenditure report, including: a description of the activities the agency engaged in to achieve their fiscal year SBE expenditure goal; and a description of any changes the agency intends to make during the next fiscal year to achieve their SBE expenditure goal. Has OLRCB submitted the required information for fiscal years 2012 and 201[3]?

RESPONSE: OLRCB's submissions to comply with this requirement are included with the City Administrator's submissions. OLRCB is compliant for fiscal years 2012 and 2013.

35. If OLRCB published an annual report for last year, please provide a copy as an attachment.

RESPONSE: The OLRCB did not publish an annual report in FY 2013. Our goal is to begin publishing annual reports for the 2014 fiscal year.

Sincerely,


Dean S. Aqui
Acting Director

Answer to Question 24 (a)

Cases appealed to the D.C. Superior Court for FY 2010 to FY 2014 (to date)

FY 2010

<u>Case No.</u>	<u>Appellant</u>	<u>Appellee</u>	<u>Type of Case</u>	<u>Outcome/Status</u>
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No appeals to DCSC

FY 2011

<u>Case No.</u>	<u>Appellant</u>	<u>Appellee</u>	<u>Type of Case</u>	<u>Outcome</u>
2011 CA 007110 P(MPA)	FEMS	PERB	Petition for Review	Loss; PERB decision affirmed; on appeal
2011 CA 008227 P(MPA)	DC GOVT	PERB	Petition for Review	Loss; PERB decision affirmed; not on appeal
2011 CA 007111 P(MPA)	DC GOVT	PERB	Petition for Review	Case settled and appeal to DC Court of Appeals withdrawn

FY 2012

<u>Case No.</u>	<u>Appellant</u>	<u>Appellee</u>	<u>Type of Case</u>	<u>Outcome</u>
2012 CA 000678 P(MPA)	FEMS	PERB	Petition for Review	Pending
2012 CA 004861 P(MPA)	DC GOVT	PERB	Petition for Review	Win for Agency overturning PERB; PERB appealing to DC Court of Appeals
2012 CA 005842 P(MPA)	DC GOVT	PERB	Petition for Review	Win for Agency overturning PERB; PERB did not appeal
2012 CA 006983 P(MPA)	DC GOVT	PERB	Petition for Review	Win for Agency overturning PERB; PERB did not appeal



Answer to Question 24 (a)

Cases appealed to the D.C. Superior Court for FY 2010 to FY 2014 (to date)

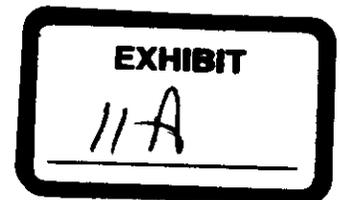
FY 2013

<u>Case No.</u>	<u>Appellant</u>	<u>Appellee</u>	<u>Type of Case</u>	<u>Outcome</u>
2013 CA 001577 P (MPA)	FOP/DYRSLC	PERB	Petition for Review	Dismissed by consent (as a result of a Settlement Agreement)
2013 CA 005870 P(MPA)	AFGE Local 631	PERB	Petition for Review	Pending
2013 CA 006985 P(MPA)	Edna McManus	PERB	Petition for Review (of OEA decision)*	<i>Pro se</i> Petition dismissed; Petitioner seeking reinstatement of Petition

* OLRCB does not
handle appeals from
OEA decisions

FY 2014 (to date)

<u>Case No.</u>	<u>Appellant</u>	<u>Appellee</u>	<u>Type of Case</u>	<u>Outcome</u>
2013 CA 007322 P(MPA)	DCPS	PERB	Petition for Review	Pending



Answers to Question 25

Part A

Agencies with the Most Litigation Cases
 FY 2010, FY 2011, FY 2012, FY 2013 and FY 2014

Fiscal Year	Volume of Litigation Cases according to Agency (In Descending Order)*	Number of Cases
<u>2010</u>	DOC	12
	DCPS	8
	DOH	7
<u>2011</u>	DCPS	10
	DOH	9
	FEMS	5
<u>2012</u>	DCPS	12
	DOES	7
	DYRS	6
<u>2013</u>	DYRS	11
	FEMS & OUC (Tied)	10 (each)
<u>2014 (To Date)</u>	DYRS	6
	DPW	5
	DCPS	3

* The other agencies had/have much smaller numbers of cases



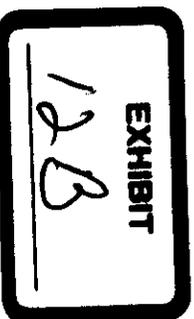
Answer to Question 25

Part B

OLRCB Win-Loss Record

FY 2010, FY 2011, FY 2012, FY 2013 and FY 2014 (To Date)

<u>Fiscal Year</u>	<u>Wins</u>	<u>Losses</u>	<u>Mixed Results</u>
2010	14	21	8
2011	7	6	3
2012	18	26	2
2013	17	23	3
2014 (to date)	4	7	0



Answer to Question 25

Parts D and E

Cases Recommended for Settlement Actual Cases Settled

Part D

<u>Fiscal Year</u>	<u>Number of Cases Recommended for Settlement</u>
2010	8
2011	12
2012	11
2013	14
2014 (to date)	2

EXHIBIT
12c

Part E

<u>Fiscal Year</u>	<u>Number of Cases Actually Settled</u>
2010	7
2011	9
2012	8
2013	11
2014 (to date)	1

EXHIBIT
12d

**DISTRICT OF COLUMBIA
ANNUAL FREEDOM OF INFORMATION ACT REPORT
OFFICE OF LABOR RELATIONS AND COLLECTIVE BARGAINING**

PROCESSING OF FOIA REQUESTS

1. Number of FOIA requests received between October 1, 2012 and September 30, 2013
2
2. Number of FOIA requests that were pending on October 1, 2012 0
3. Number of FOIA requests pending on September 30, 2013 0
4. The average number of days unfilled requests have been pending before each public body as of September 30, 2013 0

DISPOSITION OF FOIA REQUESTS

5. Number of requests granted, in whole 0
6. Number of requests granted, in part, denied, in part 0
7. Number of requests denied, in whole 0
8. Number of requests withdrawn 0
9. Number of requests referred or forwarded to other public bodies¹ 1
10. Other disposition 1

NUMBER OF REQUESTS THAT RELIED UPON EACH FOIA EXEMPTION

11. Exemption 1 - D.C. Official Code § 2-534(a)(1) 0
12. Exemption 2 - D.C. Official Code § 2-534(a)(2) 0
13. Exemption 3 - D.C. Official Code § 2-534(a)(3) 0
 - Subcategory (A)
 - Subcategory (B)
 - Subcategory (C)
 - Subcategory (D)
 - Subcategory (E)
 - Subcategory (F)
14. Exemption 4 - D.C. Official Code § 2-534(a)(4) 0

¹ This number only reflects the number of requests referred or forwarded to another public body as the only and final disposition of that request. The requests that are processed within the public body and resulted in a grant, denial or partial grant/denial as well as a referral are not included in this number.

EXHIBIT

13

- 15. Exemption 5 - D.C. Official Code § 2-534(a)(5) 0
- 16. Exemption 6 - D.C. Official Code § 2-534(a)(6) 0
- Subcategory (A)
- Subcategory (B)
- 17. Exemption 7 - D.C. Official Code § 2-534(a)(7) 0
- 18. Exemption 8 - D.C. Official Code § 2-534(a)(8) 0
- 19. Exemption 9 - D.C. Official Code § 2-534(a)(9) 0
- 20. Exemption 10 - D.C. Official Code § 2-534(a)(10) 0
- 21. Exemption 11 - D.C. Official Code § 2-534(a)(11) 0
- 22. Exemption 12 - D.C. Official Code § 2-534(a)(12) 0

TIME-FRAMES FOR PROCESSING FOIA REQUESTS

- 23. Number of FOIA requests processed within 15 days 2
- 24. Number of FOIA requests processed between 16 and 25 days 0
- 25. Number of FOIA requests processed in 26 days or more 0
- 26. Median number of days to process FOIA Requests 8

RESOURCES ALLOCATED TO PROCESSING FOIA REQUESTS

- 27. Number of Hours Staff Devoted to Processing FOIA Requests 1.5 hours
- 28. Total dollar amount expended by public body for processing FOIA requests \$64.05

FEEES FOR PROCESSING FOIA REQUESTS

- 29. Total amount of fees collected by public body \$0

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 0

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]."

The conclusions drawn from the data regarding compliance with the D.C. FOIA is that often an agency does not have documents responsive to a requester's request or such documents are in the custody and possession of another agency.



Answer to Question 23
 OLR CB FY 2012 New Cases
 October 1, 2011 - September 30, 2012

10/5/2011	IAFF Local 36	FEMS	FMCS 121005-00031 A	Arbitration Panel - Article 19 (Involuntary Transfer)	Arbitration	New	22392	10/11/2011	Article 19 (Involuntary Transfer)
10/5/2011	IAFF Local 36	FEMS	FMCS 121005-00032 A	Arbitration Panel - Article 9, SEC. B(3) Failure to Provide & Or Pay for POD Illness	Arbitration	New	22393	10/11/2011	Article 9, SEC. B(3) Failure to Provide & Or Pay for POD Illness
10/5/2011	IAFF Local 36	FEMS	FMCS 121005-00033 A	Arbitration Panel - Article 19 (Involuntary Transfer)	Arbitration	New	22394	10/11/2011	Article 19 (Involuntary Transfer)
10/11/2011	FOF/MPDLC	MPD	PERB 12-A-02	Agency's Arbitration Review Request	Arbitration Review	New	22399	10/11/2011	
10/11/2011	IAFF Local 36	FEMS	FMCS 121011-00082 A	Arbitration Panel - Article 32.B	Arbitration	New	22418	10/8/2011	Article 32.B (G. Bowyer)
11/4/2011	WTU 6	DCPS	AAA 16-390-00626 11	Arbitration Panel	Arbitration	New	22484	11/9/2011	
11/4/2011	WTU 6	DCPL	AAA 16-390-00627 11	Arbitration Panel - Unavailability of Option 2 (Early Retirement) in the excising process for FY 09-11 school years	Arbitration	New	22570	11/4/2011	Unavailability of Option 2 (Early Retirement) in the excising process for FY 09-11 school years
11/22/2011	AFSCME D20	DCCGOV	PERB 12-U-12	Complaint and Request for Decision on the Pleadings	Unfair Labor Practice	New	22551	11/22/2011	
12/1/2011		DCPS	CA 11-OA-36	Respondents' Response to Petition for Writ of Mandamus and Motion to Dismiss Petition	Other	New	22598	12/1/2011	
12/14/2011	NAGE R3-07	OUC	PERB 12-E-02	Response to Enforcement Petition is due 12/28/11	Other	New	22698	1/3/2012	Yolanda Geter
12/19/2011	DCNA	DMH	PERB 12-N-01	Negotiability Appeal	Negotiability Appeal	New	22691	12/22/2011	
1/10/2012	WTU 6	DCPS	AAA 16-390-00013 12	Arbitration Panel - Discharge of Courtney Morgan	Arbitration	New	22788	1/10/2012	Discharge of Courtney Morgan
1/19/2012	Teamsters 639	OSSE	FMCS 121130-51411 A	Arbitration Panel - Overtime Dispute	Arbitration	New	22750	1/19/2012	Overtime Dispute
1/27/2012	AFGE 2725	DOH	FMCS 100127-53381 A	Arbitration Panel - Ronnie Herrington	Arbitration	New	23030	4/4/2012	Ronnie Herrington
1/27/2012	AFGE 2725	DOH	FMCS 100127-53379 A	Arbitration Panel - 9-Day Suspension	Arbitration	New	23031	4/4/2012	9-Day Suspension
1/31/2012	IBT/639	DCPS	FMCS 120131-52970 A	Arbitration Panel - Issue: Unjust Termination - Tommy Farley	Arbitration	New	22865	3/2/2012	Issue: Unjust Termination - Tommy Farley
2/1/2012		FEMS	Case No. 2012-CA-000678 P(MPA)	Notice of Intention to Intervene	Arbitration	New	22766	2/1/2012	
2/2/2012	FOF/DOCLC	MPD	PERB 12-U-20	Unfair Labor practice Complaint	Unfair Labor	New	22784	2/6/2012	ULP Defaced Election Material
2/2/2012	DCNA	DYRS	PERB 12-U-19	Unfair Labor Practice Charge	Unfair Labor	New	22786	2/7/2012	

EXHIBIT
 1D

Answer to Question 23
 OLRFB FY 2012 New Cases
 October 1, 2011- September 30, 2012

2/7/2012	DCNA	DYRS	PERB 12-U-19	Unfair Labor Practice Charge	Unfair Labor	New	22790	2/7/2012	
2/7/2012	DCNA	DYRS	FMCS 120207-53146 A	Arbitration Panel - Issue : Contract Interpretation/termination of employment	Arbitration	New	22855	2/29/2012	Issue : Contract Interpretation/termination of employment
2/9/2012	AFGE 383	DDS	FMCS 120209-01471 T	Arbitration Panel - Contractual: Equal Pay for Equal Work	Arbitration	New	22789	2/12/2012	Contractual: Equal Pay for Equal Work
2/9/2012	NAGE R7-05	OUC	PERB 12-UC-01	Petition for Unit Clarification	Unit Clarification	New	22808	2/13/2012	
2/16/2012	AFGE 1000	DYRS	FMCS 120216-01605 T	Arbitration Panel - Discipline (Termination of Lori Leggett)	Arbitration	New	22829	2/22/2012	Discipline (Termination of Lori Leggett)
2/16/2012	AFGE 1000	DYRS	FMCS 120216-01601 T	Arbitration Panel - Discipline (Termination of Karen Gordon)	Arbitration	New	22831	2/22/2012	Discipline (Termination of Karen Gordon)
2/16/2012	AFGE 1000	DOES	FMCS 120216-01606 T	Arbitration Panel - Issue: Discipline (Termination of Willetta Dheher)	Arbitration	New	22848	2/27/2012	Issue: Discipline (Termination of Willetta Dheher)
2/16/2012	AFGE 1000	DOES	FMCS 120216-01605 T	Arbitration Panel - Issue: Discipline (Termination of Lori Leggett)	Arbitration	New	22849	2/27/2012	Issue: Discipline (Termination of Lori Leggett)
2/16/2012	AFGE 1000	DOES	FMCS 120216-01604 T	Arbitration Panel - Issue: Discipline (Termination of Sheila Myers)	Arbitration	New	22851	2/27/2012	Issue: Discipline (Termination of Sheila Myers)
2/16/2012	NUCHHE 1199/AFSCME 3758	OCME	FMCS 120216-53393 A	Arbitration Panel - Suspension - Leigh Letchevsky	Arbitration	New	23466	6/11/2012	
2/16/2012	NUCHHE 1199/AFSCME 3758	OCME	FMCS 120216-53394 A	Arbitration Panel - Suspension Katherine Collins	Arbitration	New	23467	6/11/2012	
2/17/2012	AFGE 2725	OSSE	FMCS 120217-53442 A	Arbitration Panel - Issue: 5-Day Suspension Bustier, Karan	Arbitration	New	22866	3/2/2012	Issue: 5-Day Suspension Bustier, Karan
2/26/2012	IBT/639	DCPS	FMCS 120126-52816 A	Arbitration Panel - Issue: Denied Opportunity for Promotion	Arbitration	New	22864	3/2/2012	Issue: Denied Opportunity for Promotion
2/29/2012	Teamsters 639	OSSE	FMCS 120229-53717 A	Arbitration Panel - Sandra Jewel Suspension	Arbitration	New	22883	3/13/2012	Sandra Jewel Suspension
3/1/2012	AFGE 1000	DOES	PERB 12-RC-01	Recognition Petition	Recognition Petition	New	22879	3/5/2012	
3/7/2012	DCNA	DMH	PERB 12-1-01	Notice of Impasse	Impasse-	New	22915	3/15/2012	

EXHIBIT
 1b

Answer to Question 23
 OLRCB FY 2012 New Cases
 October 1, 2011- September 30, 2012

3/13/2012	WTU 6	DCPS	AAA 16-390-00142 12	Arbitration Panel - Termination of Lynnet Smith	Arbitration	New	22913	3/15/2012	
3/14/2012	NAGE R3-07	OUC	FMCS 120314-54065 A	Arbitration Panel - Grievances	Arbitration	New	23085	4/10/2012	Grievances
3/19/2012	DCNA	DMH	PERB 12-N-02	Negotiability Appeal	Negotiability Appeal	New	22944	3/20/2012	
3/23/2012	AFGE 2978	DCGOV	FMCS 120323-02024 - 6	Arbitration Panel - CMPA Violation/Workers Comp Retaliation (Butrago)	Arbitration	New	22979	3/26/2012	CMPA Violation/Workers Comp Retaliation (Butrago)
3/23/2012	AFGE 2978	DOH	FMCS 120323-02025 - 6	Arbitration Panel - CMPA Violation - Renee Warren	Arbitration	New	22980	3/26/2012	CMPA Violation - Renee Warren
3/23/2012	AFGE 2978	DCGOV	FMCS 120323-02026 - 6	Arbitration Panel - CMPA Violation - Andrea Simmons	Arbitration	New	22981	3/26/2012	CMPA Violation - Andrea Simmons
4/17/2012	Washington Teachers' Union (WTU 6)	DCPS	AAA 16-390-00241 12	Arbitration Panel - Reimbursement for damage/loss in Takoma EC fire in December 2010	Arbitration	New	23130	4/17/2012	Reimbursement for damage/loss in Takoma EC fire in December 2010
4/25/2012	FOP/DYRSLC	DYRS	FMCS 101106-00460 A	Arbitration Panel - Tasha Williams: Denial of Official Time Request	Arbitration	New	23184	4/30/2012	Tasha Williams: Denial of Official Time Request
5/4/2012	IAFF Local 36	FEMS	FMCS 120504-02452 A	Arbitration Panel - Armed Investigator Pay (Mitchell Kanny)	Arbitration	New	23264	5/8/2012	Armed Investigator Pay (Mitchell Kanny)
5/4/2012	AFGE 383	DYRS	FMCS 120504-02453 A	Arbitration Panel - Contract	Arbitration	New	23265	5/8/2012	
5/12/2012	AFGE 1000	DOES	FMCS 120514-02551 A	Arbitration Panel - Wrongful suspension	Arbitration	New	23482	6/11/2012	Wrongful suspension
5/18/2012	Council of Schools Officers	DCPS	PERB 12-U-	Unfair Labor Practice	Unfair Labor	New	23263	5/21/2012	
5/22/2012	AFSCME D20	DCPS	PERB 12-N-03	Motion for injunctive relief	Arbitration	New	23360	5/22/2012	
5/30/2012	FOP/DOCLC	DOC	FMCS 090122-53142 A	Request for grievance package	Arbitration	New	23437	5/30/2012	
5/31/2012	IAFF Local 36	FEMS	FMCS 120531-02740 A	Arbitration Panel - Art. 19 Involuntary Transfer - Sgt. R. Polish	Arbitration	New	23469	6/7/2012	Art. 19 Involuntary Transfer - Sgt. R. Polish
6/7/2012		DCGOV	Case No. 2012-CA-004861 P(MPA)	Initial Order and Addendum	Arbitration	New	23484	6/7/2012	

EXHIBIT

1b

Answer to Question 23
 OLRCB FY 2012 New Cases
 October 1, 2011- September 30, 2012

6/13/2012	AFGE 2741	DCRA	FMCS 120613-02873 T	Arbitration Panel -Discipline (Termination of Robert Gill)	Arbitration	New	23516	6/18/2012	Discipline (Termination of Robert Gill)
6/13/2012	Teamsters Union Local 730	DCPS	PERB 12-U-29	Unfair Labor Practice Complaint	Unfair Labor Practice	New	23528	6/13/2012	Use of split shift for maintenance workers
6/18/2012	AFSCME D20	DCGOV	Case No. 2012-CA-000476	Opposition to motion of the DC to stay Briefing Until the public employee relations board has rules on the District's motion to injunctive relief	Other	New	23510	6/18/2012	
7/9/2012	AFSCME D20	DCGOV	Case No. 2012-CA-0005565	Emergency Petition for Stay Under the All Writs Act	DC Superior Court Litigation	New	23617	7/9/2012	
7/13/2012	AFGE 2725	DCRA	PERB 12-U-30	Unfair Labor Practice Complaint	Unfair Labor	New	23646	7/13/2012	
7/15/2012	AFGE 2725	DCRA	PERB 12-U-30	Corrected certification of service for unfair labor practice complaint	Unfair Labor	New	23667	7/19/2012	
7/18/2012		DCGOV	Case No. 2012-CA-0005842 P(MPA)	Initial order and addendum	Arbitration	New	23663	7/18/2012	
7/20/2012		FEMS	Case No. 2011-CA-007110 P(MPA)	Hearing Notice, 9/14/12	DC Superior Court	New	23834	8/23/2012	
7/23/2012	AFGE 2921	DCGOV	FMCS 120727-03325 A	Arbitration Panel - Contractual (Due Process Policies)	Litigation	New	23706	8/1/2012	Contractual (Due Process Policies)
8/1/2012	AFGE 2725	DHCD	FMCS 120801-57552 A	Arbitration Panel	Arbitration	New	24047	11/2/2012	
8/7/2012	OLRCB	MPD	PERB 12-N-04	Negotiability Appeal	Negotiability Appeal	New	23773	8/13/2012	
8/10/2012	AFGE 3721	FEMS	PERB 12-E-06	Union's petition for enforcement of PERB order	Other	New	23782	8/14/2012	
8/13/2012	AFGE 3721	FEMS	PERB 12-U-33	Unfair Labor Practice Complaint	Unfair Labor	New	23788	8/16/2012	
8/14/2012	FOP/MPDLC	MPD	PERB 12-U-34	Unfair Labor practice complaint	Unfair Labor	New	23802	8/21/2012	
8/17/2012	IFPTE, AFL-CIO	OAH	PERB 12-RC-03	Recognition Petition	Recognition petition	New	23825	8/28/2012	

EXHIBIT

10

Answer to Question 23
 OLR08 FY 2012 New Cases
 October 1, 2011- September 30, 2012

8/28/2012	DCNA	DYRS	PERB 10-U-35	Notice of ULP Hearing 10/5/12	Unfair Labor	New	23854	8/31/2012	
8/28/2012	Teamsters Union Local 639	DCPS	PERB 11-U-10	ULP Hearing Notice September 28, 2012	Unfair Labor	New	23856	8/31/2012	
8/31/2012	FOP-MPDLC	MPD	PERB 12-U-35	Unfair Labor Practice Complaint	Unfair Labor	New	23864	8/31/2012	
9/6/2012		PERB	Case No. 2012-CA-004861 (PMPA)	Scheduling Order - Briefs & hearing		New	23892	9/10/2012	
9/27/2012	FOP-MPDLC	MPD	PERB 12-U-36	Unfair Labor Practice Complaint	Unfair Labor	New	23959	10/5/2012	
9/28/2012	NAGE R3-07	OUC	PERB 12-U-37	Unfair Labor Practice Complaint	Unfair Labor Practice	New	23972	9/12/2012	

EXHIBIT
 10

Answer to Question 23

OLRCB FY 2012 New Cases

October 1, 2011- September 30, 2012

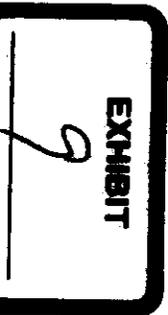


Response to Questions 20 & 21

CONTRACT	Agency	Approx. Number of Employees	Term of Agreement	STATUS	Comments						
1. Compensation Units 1 and 2	Various Agencies (See Breakdown Below)	8576	4/1/13-9/30/17	Completed							
						Working Conditions CBA's Included in Comp 1 & 2					
						1. AFSCME Master	1	3,776	2006-2010	Completed. To be processed.	
						2. AFSCME 709	District Department of Transportation	187	2002-2005	In bargaining; in conjunction with the AFSCME Master	
						3. AFSCME 877/11808	D.C. Library	469	1988-1990	In bargaining; in conjunction with the AFSCME Master	
4. AFSCME 2087 (UDC)	University of the District of Columbia	165	9/30/90	The working conditions contract is negotiated directly between the University and AFSCME 2087.							
5. AFGC Master (2741 (DPR), 383 (DHS), 3444 (MPD))		2	683	1998-2000	In bargaining						

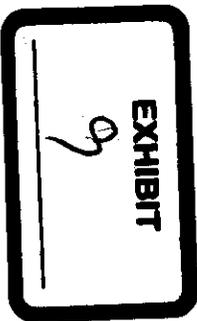
¹ Department of Human Services, Office of Attorney General, Department of Disability Services, Department of Healthcare Finance, Office of Contract & Procurement, Office of Risk Management, Office of Human Rights, Department of Public Works, Office of Cable & Television, District Department of Transportation, Department of Health, Department of Insurance & Banking, Department of Consumer & Regulatory Affairs, Office of the Chief Financial Officer, Office of the Chief Technology Officer, Child & Family Services Agency, Department of Youth and Rehabilitative Services

² Metropolitan Police Department, Office of Planning, Office of Energy, Department of Parks and Recreational Services, and Department of Human Services



Response to Questions 20 & 21

CONTRACT	Agency	Approx. Number of Employees	Term of Agreement	STATUS	Comments
6. AFGE 383 (DCPL)	D.C. Library	21	1987-1990	Being negotiated in conjunction with the AFGE Master	
7. AFGE 631 (DGS and DPW)	Department of General Services; Department of Public Works	130	10/1/2010 -9/30/13	Expired	
8. AFGE 1000 (DOES)	Department of Employee Services	283	1993-1996	Expired	
9. AFGE 1975 (DDOT, DMV, DCTC)	District Department of Transportation; Department of Public Works; Department of Motor Vehicles; D.C. Taxicab Commission	916	2007-1020	Expired	Withdrawn from AFGE Master
10. AFGE 2725 (DCRA)	Department of Consumer & Regulatory Affairs	122	1989-1990	Expired	
11. AFGE 2725 (DHCD)	Department of Housing & Community Development	83	1988-1990	At the table with the AFGE Master	



Response to Questions 13 & 14

CONTRACT	Agency	Approx. Number of Employees	Term of Agreement	STATUS	Comments
12. AFGE 3721	D.C. Fire & Emergency Medical Services	192	1988-1990	In bargaining	
13. AFGE 2978	Department of Health	213	1988-1990	Expired	
14. FOP-DOC	D.C. Department of Corrections	707	2002-2006	Completed but for the submission of some information by the Union.	
15. FOP-DYRS	Department of Youth and Rehabilitative Services	255	2004-2007	Negotiations halted as a result of internal conflicts within the Labor Committee	
16. FOP-DGS	Department of General Services	61	1988-1990	In bargaining	



Response to Questions 20 & 21

CONTRACT	Agency	Approx. Number of Employees	Term of Agreement	STATUS	Comments
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17. NAGE R3-07 -OUC	Office of Unified Communications	256	2006-2010	In bargaining	
18. NAGE R3-07 - HSEMA	D.C. Homeland Security and Emergency Management Agency	25	First CBA being negotiated	In bargaining	
19. NAGE R3-05 - DGS	Department of General Services	3	2007-2010 (MPD)	Union demanded to bargain under previous President (Patterson) but have since halted due to union leadership.	
20. NAGE R3-05- MPD (also DFS)	D.C. Metropolitan Police Department and Department of Forensic Sciences	389	2007-2010	Contract rolled over	
21. NUHHC 1199 -OCME	Office of the Chief Medical Examiner	12	2004-2007	Contract at Impasse	
22. AIWLO-OCME	Office of the Chief Medical Examiner	30	1988-1990	Previous union recently decertified; management is preparing to begin negotiations with the recently certified new union	
23. SEIU 1199-E -DOH	Department of Health	11	2012-2014	Current contract implemented April 2012	

EXHIBIT
9

Response to Questions 20 & 21

CONTRACT	Agency	Approx. Number of Employees	Term of Agreement	STATUS	Comments
2. Compensation Unit 3 (Police Officers)	D.C. Metropolitan Police Department	3,786	2005-2008	February 3, 2014, Arbitrator Vaughn issued his award. OAG deemed it legally sufficient on February 21, 2014; the Fiscal Impact Statement, requested on February 10, 2014 is still outstanding.	
3. Compensation Unit 4 (Fire Fighters)	D.C. Fire & Emergency Medical Services	1,659	2008-2010	Arbitrator Jaffe issued his award on February 20, 2014, and requests for a legal sufficiency opinion and a fiscal impact statement have been made.	
4. Compensation Unit 5 and 16 (Washington Teachers Union/District of Columbia Public Schools- Teachers and Related Service Providers)	District of Columbia Public Schools	4,116	2007-2012	In bargaining	
5. Compensation Unit 6 and 17 (Council of School Officers/District of Columbia Public Schools)	District of Columbia Public Schools	646	2004-2007	In bargaining	
6. Compensation Unit 7 (Educational Aides/AFSCME 2921/DCPS)	District of Columbia Public Schools	1,2738	2004-2007	In bargaining	
7. Compensation Unit 8 (Teamsters Local 639/DCPS-Custodians)	District of Columbia Public Schools	622	2008-2011	In bargaining	
8. Compensation Unit 13 (Nurses employed in District agencies, excluding at the Department of Behavioral Health)	3	66	2010-2014	Union indicated intent to reopen the CBA. Will negotiate jointly with compensation unit 13A.	

EXHIBIT
9

Response to Questions 20 & 21

CONTRACT	Agency	Approx. Number of Employees	Term of Agreement	STATUS	Comments
9. Compensation Unit 13 (A) (Nurses employed at DMH)	Department of Behavioral Health	208	2008-2010	Will negotiate jointly with Compensation Unit 13.	
10. Compensation Unit 19 - (Doctors employed in District agencies, excluding at the Department of Behavioral Health)	4	6	2005-2009	At impasse. Negotiating jointly with 19A	
11. Compensation Unit 19(A) (Doctors employed at DMH)	Department of Behavioral Health	53	2008-2010	At impasse. Negotiating jointly with Compensation Unit 19.	
12. Compensation Unit 29 (Committee of Interns and Residents)	Department of Behavioral Health	36	2013-2016	Completed	
13. Compensation Unit 33 (Attorneys at the Office of the Attorney General)	Office of the Attorney General	295	2007-2010	Tentative Agreement reached	
14. Compensation Unit 639 (Teamsters/DCPS - Attendance Counselors)	District of Columbia Public Schools	31	2005-2010	In bargaining	
15. Compensation Unit 639 (Teamsters 639/OSSE - Full-time Drivers & Attendants)	Office of the State Superintendent for Education	91	2013-2016	Completed	
16. Compensation Unit 730 (Teamsters Local 639 & 730/ Department of General Services)	Department of General Services	200	2013-2017	Completed	Local 730 recently disclaimed a group of 17 employees at DGS

⁴ Department of Health, Office of Chief Medical Examiner, Department of Disability Services, Department of Youth Rehabilitative Services

EXHIBIT
9

Response to Questions 20 & 21

CONTRACT	Agency	Approx. Number of Employees	Term of Agreement	STATUS	Comments
17. Compensation Unit 1199- E DMH (Service Employees International Union/Department of Mental Health -Social Workers)	Department of Behavioral Health	57	2013-2016	Completed	
18. Compensation Unit 1959 (AFSCME 1959/OSSE - Part-time Bus Drivers and Attendants)	Office of the State Superintendent for Education	1,326	2007-2010	Tentative Agreement; Undergoing final review.	
19. Compensation Unit 2095 & AFG 383 (AFSCME/DMH - Behavioral Specialists)	Department of Behavioral Health	376	2013-2017	Completed	
20. Compensation Unit 3758 (1199 NUHHCE 3758/DMH - Psychologists)	Department of Behavioral Health	38	2007-2010	Tentative Agreement; Pending Ratification by employees and approval by the Mayor and Council	
21. Compensation Unit WAMTC (IUNA) (Laborers Int'l Union of North America/DBH- Metal Workers)	Department of Behavioral Health	8	2013-2017	Completed	



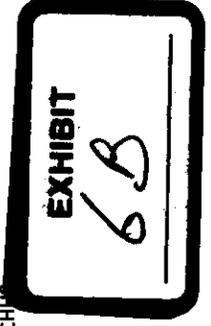
Answer to Question 13

LMPC Members Attendance

According to Meeting Date

<u>7th Meeting - August 14, 2013</u>	<u>8th Meeting - October 18, 2013</u>	<u>9th Meeting - December 18, 2013</u>
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Honorable Mayor Vincent Gray	Honorable Mayor Vincent Gray	Honorable Mayor Vincent Gray
Geo T. Johnson - AFSCME DC 20	Geo T. Johnson - AFSCME DC 20	Geo T. Johnson - AFSCME DC 20
Allen Lew - City Administrator	Allen Lew - City Administrator	Allen Lew - City Administrator
Christopher Murphy—Chief of Staff	Christopher Murphy—Chief of Staff	Christopher Murphy—Chief of Staff EOM
William Howland— DPW	William Howland— DPW	Sheila Bunn - Deputy Chief of Staff EOM
Rahsaan Coefield-- DOES	Mark Viehemeyer --- MPD	William Howland-- DPW
Myrtho Blanchard - UDC	Corey Lee - DMPED	Shawn Stokes -- DCHR
Aona Jefferson - CSO	Frank Wheeler - DBH	Kyle Simmons- OLRCB
Paul Lundquist - OCF	Sheila Bunn -- EOM	Dean Aquí -- OLRCB
Cynthia Davis-- CFSA	Danielle Powe -- WTU	Nick Majett- DCRA
Earl Murphy -- DOH	Brian K. Lee --- FEMS	Kenneth Borden-- OCTO
Clifford Dozier -- DC Water	Earl Murphy -- DOH	Jesus Aguirre -- OSSE
Natasha Campbell -- OLRCB	Clifford Dozier -- DC Water	Kehinde Asulimen -- DDS
Nick Majett- DCRA	Natasha Campbell -- OLRCB	Perry Pockeros—Hagerty Consulting
Timothy Traylor-- AFGE	Nick Majett- DCRA	Stephanie Bland -- EOM
Shawn Stokes—Director DCHR	Kenneth Borden-- OCTO	Karen Andre -- EOM
Kenneth Borden-- OCTO	Jesus Aguirre -- OSSE	Yanira Reyes for Angell Johnson -- OCFO
Jesus Aguirre -- DPR	Perry Pockeros—Hagerty Consulting	Don Tatum -- DCRA
Perry Pockeros—Hagerty Consulting	Stephanie Bland -- EOM	Ariana Quinones -- for DM Otero DCH
Stephanie Bland EOM	Karen Andre -- EOM	Sandra Harp -- OP
Karen Andre -- EOM	Erin Pitts -- DCPS	Erin Pitts -- DCPS



Answer to Question 13

LMPD Members Attendance
According to Meeting Date

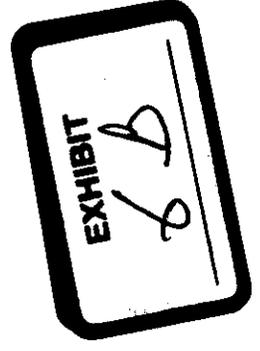
Tasha Pitt – DDOE	Jaki Buckley--DHS	Robert Hollingsworth--OCFO
Jaki Buckley--DHS	Kameron Kima-Cherry -- DOES	Vikkie Garay – DGS
Eric Bunn – AFGE	Michael Spencer --- DBH	Dexter Starkes – CFSA
Kyle Simmons – OLRBCB	Lee Blackmon -- NAGE	Lee Blackmon -- NAGE
Mike Hockley--AFSCME	Don Tatum- DCRA	Paulette Johnson – for Director Faust -- DOC
Don Tatum- DCRA	Jamari Johnson--DPR	Denise Portis – DDOE
Jamari Johnson--DPR	Vanessa Dixon – Doctor's Council	Michael Flood – AFSCME
Vanessa Dixon – Doctor's Council	Paulette Johnson – DOC	Jaki Buckley--DHS
Clifford Dozier – DC Water	Melissa Williams – DDOT	Thomas Luparello – DOES
Kehinde Asueliman --- DDS	Brandon Wyatt --- DOES	Brandon Wyatt -- DOES
Paulette Johnson – DOC	Matt Cary --- OVA	Walter Crawford -- OSSE
Melissa Williams – DDOT	Portia Shorter --- DHCF	Alex McCray-- DCHR
Kenita Romero – OIG	Denise Portis -- DDOE	Michael Spencer --- DBH
Myrtho Blanchard – UDC	Tom Faust -- DOC	Jamari Johnson--DPR
Portia Shorter --- DHCF	Vikkie Garay – DGS	Vanessa Dixon – Doctor's Council
Michael Spence -- DMH	Dexter Starkes – CFSA	Eric Bunn – AFGE
Barbara Childe-- CSO	Christina Fleps – OCTO	Mustafa Dozier – DC Water
	Sumita Chaudhuri --- DHCF	Paul Quander – DMPSJ
	Alex McCray-- DCHR	Barbara Childs – CSO for Aona Jefferson
	Tommy Ratliff – Teamsters	Adam Al Jabari – DYRS
	John Rosser – DOC/FOP	Kwelli Sneed – DPW
		Earl Murphy -- DOH



Answer to Question 13

LMPC Members Attendance

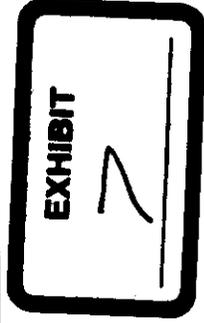
According to Meeting Date



Answer to Question 18

All Agency Trainings Conducted by OLR CB
Fiscal Years 2012, 2013, and 2014 (to date).

<u>Agency</u>	<u>Date</u>	<u>Type of Training</u>	<u>No. of Participants</u>
Public Safety Agencies	November 1, 2013	Responding to grievance package requests and on the principles of conducting sound investigations	3
DCPS, OSSE, UDC	December 6, 2013	Building and Maintaining Successful Labor-Management Partnerships	5
DCPL, DCPS	January 10, 2014	Performance Improvement Plans	4
DCPS	February 7, 2014	Duty to Provide Information	2
Operations Cluster	February 7, 2014	Due Process in discipline	9
Operations Cluster	August 2, 2013	Douglas Factors Training	10
Operations Cluster	December 13, 2013	Duty to disclose information	7
DOH, DPR, DDS, DBH and DHS	February 10, 2014	Performance Evaluations	5
Department of the Environment	February 7, 2013	General Labor Relations Training	38
Public Safety Agencies	February 7, 2014	Duty to engage in impact and effects bargaining	3
Operations Cluster	January 10, 2014	Performance Evaluations	7
DOH, DPR and DDS	January 10, 2014	Union Representation	4
Public Safety Agencies	January 10, 2014	Duty to provide Information	3
Department of Forensic Science	January 31, 2013	General Labor Relations Training	7
Operations Cluster	July 12, 2013	Union Representation Training	7
Operations Cluster	June 7, 2013	Performance Improvement Plan Training	4
DCPS, OSSE, DCPL	November 1, 2013	Weingarten Rights	8
Operations Cluster	November 4, 2013	Labor/Management relations	6
Operations Cluster	October 4, 2013	Management Rights	6
DCPS, OSSE, DCPL	October 4, 2013	Assessment of Penalties following a Performance Improvement Plan	7
District Wide	Sept 30, 2013 - October 1, 2013	Various Trainings	150+



Answer to Question 13
 LMPC Members Attendance
 According to Meeting Date

1st Meeting - August 8, 2012

2nd Meeting - October 17, 2012

3rd Meeting - December 13, 2012

Honorable Vincent C. Gray - Mayor

Honorable Vincent C. Gray - Mayor

Allen Y. Lew - City Administrator

Chris Murphy - Chief of Staff

DeShawn Wright - Deputy Mayor for Education

BB Otero - Deputy Mayor for Health and Human Services

Natasha Campbell - Director of OLRCA

Lisa Mallory - Director of DDES

William Howland - Director of DPW

Jennifer Greene - Director of OUC

Nicholas Majett - Director of DCRA

Terry Belamy - Director of DDOT

James Staton - Director of DCP

Thomas Faust - Director of DOC

Neil Stanley - Director of DYRS

Saul Levin - Director of DQH

Gregory Evans - DCHR

Angell Jacobs - OCFD

Geo T. Johnson - AFSCME DC 20

James Ivey - AFSCME DC 20

Eric Bunn - AFGE 2725

Tommie Ratliff - Teamsters 639

Vanessa Dixon - Doctor's Council

Barbara B. Childs - Council of School Officers

Honorable Vincent C. Gray - Mayor

Allen Y. Lew - City Administrator

Chris Murphy - Chief of Staff

DeShawn Wright - Deputy Mayor for Education (Last Meeting in this position)

B. B. Otero - Deputy Mayor for Health & Human Services

Natasha Campbell - Director of OLRCA

Shawn Stokes - Director of DCHR

James Staton - Director of DCP

Thomas Faust - Director of DDC

Kaya Henderson - Chancellor of DCPS

Lisa Mallory - Director of DOES

Brenda Donald - Director of CFSA

William Howland - Director of DPW

Hosanna Jones - State Superintendent of Education

Chris Carew - DC Water

Rob Hildum - HSEMA

Kyle Simmons - OLRCA

Kweili Sneed - DPW

Kehinde Asuelimen - DDS

Ryan Solchenberger - OSSE

Vikkie Gray - DGS

Jaki Buckley - DHS

Jennifer Leonard - DME

Honorable Vincent C. Gray - Mayor

Allen Y. Lew - City Administrator

Chris Murphy - Chief of Staff

Paul Quander - Dep. Mayor for Public Safety & Justice

Scheherazade Sailmi - Dep. Mayor for Education (Jennifer Leonard)

Michael Levy - OLRCA (Natasha Campbell)

Shawn Stokes - Director of DCHR

Eric Cannady - DCFO (Angell Jacobs)

Carolyn Cross - DOC (Thomas Faust)

Kaya Henderson - Chancellor of DCPS

Lisa Mallory - Director of DOES

Brenda Donald - Director of CFSA

William Howland - Director of DPW

Kenneth Ellerbe - Chief of FEMS

Eric Goulet - EOM

Kyle Simmons - OLRCA

Myrtho Blanchard - JDC

Danielle Reich - DCPS

Regina Youngblood - DYRS

Kweili Sneed - DPW

Sheila Bunn - EOM

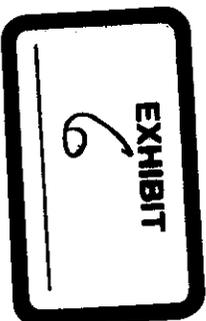
Donald Tatum - DCRA

Chris Murray - EOM



Answer to Question 13
 LMPC Members Attendance
 According to Meeting Date

Andrew Washington – AFSCME DC 20	Dexter Starkes – CFSA	Stephanie Bland – EOM
Lisa Wallace – 1199 SEIU	Paul Lundquist – OCFO	Melissa Williams – DDOT
Michael Flood – AFSCME DC 20	Kenita Saunders Romero – DDOE	Dexter Starkes – CFSA
Aona Jefferson – Council of School Officers	Denise Rivera Portis – DDOE	Kenita Saunders Romero – DDOE
Lee Blackmon – NAGE R3-05	Earl Murphy Jr. – DOH	Mustaafa Dozier – DC Water
John Rosser – FOP-DOC	Myrtho Blanchard – UDC	Denise Rivera Portis – DDOE
Sheila Marr – FOP-DOC	Paulette Johnson – DOC	Robert Hilden – HSEMA
Takisha Brown – FOP-DYRS	C. Mustafa Dozier – DC Water	Rahsaan Coefield – DOES
Andre Greene – FOP-PSPD	Geo T. Johnson – AFSCME	Paulette Johnson – DOC
Kyle Simmons - OLRCB	James Ivey – AFSCME	Walker Crawford – OSSE
Jennifer Leonard – DME	Michael Flood – AFSCME	Michael Spencer – OMIH
Brian Kenner - DMPED	Sheila Frost – AFGE	Allen Francois – Hagerly Consulting
Quincy Booth - DMPSJ	Eric Bunn – AFGE	Steve Hagerly – Hagerly Consulting
Kehinde Asuelimen – DDS	Nathan Saunders – WTU	Arrelle Anderson – Hagerly Consulting
Gabriel Robinson - DMV	Tommie Ratliff – Teamsters 639	Martha Polanco – Hagerly Consulting
Arnita Bonner-Evans - OUC	Aona Jefferson – CSO	Perry Podkos – Hagerly Consulting
Rosalia Rojas - OCP	Lee Blackmon – NAGE	Geo T. Johnson - AFSCME
Rahsaan Coefield - DOES	Lisa Wallace – SEIU 1199	James Ivey - AFSCME
Jason Kamras – DCPs	John Rosser – FOP/DOCLC	Eric Bunn – AFGE
Melissa Williams - DDOT	Sheila Marr – FOP/DOCLC	Michael Flood - AFSCME
Dexter Starkes - CFSA	Takisha Brown – FOP/DYRS/LC	Nathan Saunders - WTU
Barbara Kirven - DCPL	Rubin Young – AFSCME	Tommie Ratliff - Teamsters
Don Tatum - DCRA	Lakisha Dupont-Carr – AFGE	Aona Jefferson - CSO
Regina Youngblood - DYRS	Larry Hawkins – Teamsters 639	Lee Blackmon - NAGE

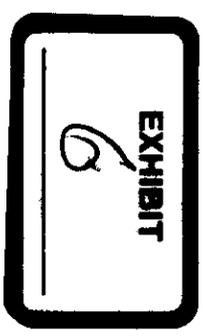


Answer to Question 13
LMPC Members Attendance
According to Meeting Date

Nadine Wilburn - OAG
Eugene Adams - OAG
Beverly Fields - OCME
Kathy Ashe - DVRS
Ryan Solchenberger - OSSE
Andrea Bagwell - UDC

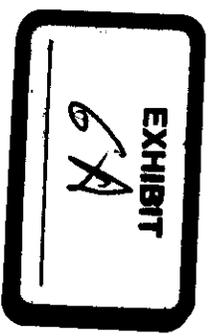
Scott Clark - Teamsters 639
Dwight Bowman - AFGE
Andrew Washington - AFSCME
Toni White-Richardson - AFSCME

John Rosser - FOP/DOCLC
Shana Frost - AFGE
Ed Smith - IAF
Cliff Dedrick - AFSCME
Timothy Traylor - AFGE
Barbara Childs - CSO
Calvin Lucas - 1199 SEIU
Larry D. Hawkins - Teamsters
Scott Clark - Teamsters



Answer to Question 13
 LMP C Members Attendance
 According to Meeting Date

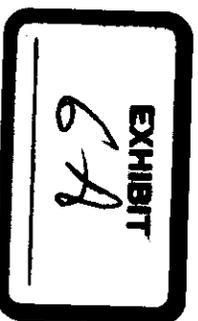
<u>4th Meeting - February 13, 2013</u>	<u>5th Meeting - April 17, 2013</u>	<u>6th Meeting - June 19, 2013</u>
Honorable Vincent C. Gray - Mayor	Honorable Vincent C. Gray - Mayor	Honorable Vincent C. Gray - Mayor
Allen Y. Lew – City Administrator	Allen Y. Lew – City Administrator	Allen Y. Lew – City Administrator
Geo T. Johnson - AFSCME	Geo T. Johnson - AFSCME	Geo T. Johnson - AFSCME
Chris Murphy – Chief of Staff	Chris Murphy – Chief of Staff	Chris Murphy – Chief of Staff
James Ivey - AFSCME	Shana Frost – AFGE/OAG	Shana Frost – AFGE/OAG
B. B. Otero – Dep. Mayor for Health & Human Services	Paul Quander - DMPSJ	Paul Quander - DMPSJ
J. David Cox – AFGE National Pres.	Barbara B. Childs – CSO/DCPS	Eric Bunn - AFGE
Natasha Campbell – Director of OLRCB	Natasha Campbell – Director of OLRCB	Natasha Campbell – Director of OLRCB
Michael Flood - AFSCME	John Rosser – FOP/DOC	Kenneth Borden – AFSCME/DCT
Shawn Stokes – Director of DCHR	Shawn Stokes – Director of DCHR	Tom Faust – Director of DOC
Nathan Saunders - WTU	Kenneth Borden – AFSCME/OCT	Nathan Saunders – WTU/DCPS
Paul Lundquist – OCFO (Angell Jacobs)	Tom Faust – Director of DOC	William Howland – Director of DPW
Tommie Ratliff - Teamsters	Nathan Saunders – WTU/DCPS	Michael Flood – AFSCME/DCPS
Thomas Faust – Director of DOC	William Howland – Director of DPW	Jesus Aguirre – Director of DPR
Aona Jefferson - CSO	Michael Flood – AFSCME/DCPS	Aona Jefferson – CSO/DCPS
Kaya Henderson – Chancellor of DCPS	Lisa Mallory – Director of DOES	Kurt Saunders - FMCS
Lee Blackmon - NAGE	Aona Jefferson – CSO/DCPS	Tim Traylor – AFGE/DDS
Lisa Mallory – Director of DOES	Nicholas Majett – Director of DCRA	Nicholas Majett – Director of DCRA
Kenneth Lyons – AFGE	Shelly Gardener - AFSCME	Cliff Lowery - ARGE
Jesus Aguirre – Director of DPR	Brenda Donald – Director of CFSA	Brenda Donald – Director of CFSA
John Rosser – FOP/DOCLC	Eric Bunn - AFGE	Phillip Williams – WTU/DCPS



Answer to Question 13

LMPD Members Attendance
According to Meeting Date

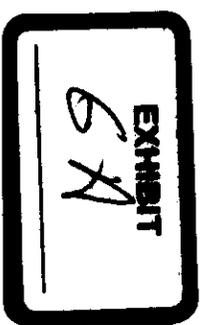
Brenda Donald – Director of CFSA	Kyle Simmons – OLRCB	Shelia Bunn - EOM
Shana Frost - AFGF	Tim Traylor - AFGF	Warren Graves - OCA
William Howland – Director of DPW	Kwelli Sneed – DPW	Kyle Simmons – OLRCB
Ed Smith - IAFF	Don Tatum – DCRA	Kwelli Sneed – DPW
Kenneth Ellerbe – Chief of FEMS	Jed Ross – DCRA	Don Tatum – DCRA
Cliff Dedrick - AFSCME	Matt Scalf – DMHHS	Denise Rivera Portis – DDOE
Terry Bellamy – Director of DDOT	Kehinde Asuelimen – DDS	Myrtho Blanchard – UDC
Kenneth Borden – AFSCME	Denise Rivera Portis – DDOE	Paulette Johnson – DOC
George Hawkins – DC Water	Myrtho Blanchard – UDC	Michael Spence – DMH
Timothy Traylor - AFGF	Paulette Johnson – DOC	Christal Mirns-Williams – DC Water
Kyle Simmons – OLRCB	Michael Spence – DMH	Jaki Buckley – DHS
Barbara Childs - CSO	Mustafa Dozier – DC Water	Angela Nottingham – DHCD
Jaki Buckley – DHS	Jaki Buckley – DHS	Earl Murphy – DOH
Scott Clark - Teamsters	Margaret Schruender – DISB	Tracey Langley – OSSE
Denise Rivera Portis - DDOE	Danielle Reich – DCPS	Erin Pitts – DCPS
Shelly Gardner – AFSCME	Angela Nottingham – DHCD	Melissa Williams – DDOT
Portia Shorter – DHCF	Earl Murphy – DOH	Karen Andre – EOM
Phillip Williams - WTU	Patrice Bowman – OSSE-DOT	Mark Viehmeyer – MPD
Radeena Washington – DHCF	Kurt Saunders – FMCS	Amy Mauro – ORM
Lisa Hargrove - AFGF	Eva Poole – DCPL	Patty Mason - DCTC
Margaret Schruender – DISB	Erin Pitts – DCPS	Ariana Quinones – DMHHS
Tommy Bell - AFGF	Dexter Starks – CFSA	Alex McCray - DCHR



Answer to Question 13

LMP C Members Attendance
According to Meeting Date

Mustafa Dozier – DC Water	Vikkie Garay – DGS	Olga Figueroa - DPR
Sheila Mar – FOP/DOCLC	Melissa Williams – DDOT	Stephanie Bland – EOM
Rob Hildum – HSEMA	Lionel Collins - EOM	Jamarj Johnson – DPR
Takisha Brown – FOP/DYRS		Juan Torres - DOH
Christine Funk – DFS		
Eugene Hudson Jr. – AFGE National Sec		
Kurt Saunders – FMCS		
Johnnie Walker - AFGE		
Sheila Bunn – EOM		
Eric Bunn - AFGE		
Vikkie Garay – DGS		
Allen Francois – Hagerly Consulting		
Kehinde Asuelimen – DDS		
Steve Hagerly – Hagerly Consulting		
Kweili Sneed – DPW		
Arrelle Anderson – Hagerly Consulting Melissa Williams – DDOT		
Martha Polanco – Hagerly Consulting		
John Stokes – DPR		
Perry Pockros – Hagerly Consulting		
Eva Poole – DCPL		
Paulette Johnson – DOC		
Carolyn Cross – DOC		



Answer to Question 13

LMPc Members Attendance
According to Meeting Date

Alex McCray – DCHR

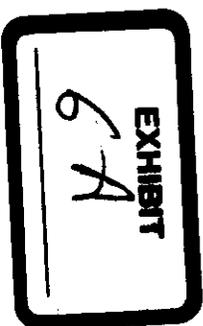
Lionel Collins – EOM

Ryan Solchenberger – OSSE

Armita Evans – OUC

Kenneth Higgins – DDOT

Kenita Saunders Romero – DDOE



Answer to Question 12

Meetings or Briefings held with Union Leadership
FY 2013 and FY 2014 (to date)

Agencies Involved	Union	Date	Type of Training	No. of Participants
OLRCB	AFGE 2725	Tuesday, July 16, 2013	Meeting w/ Miranda Gillis, President	
OLRCB, DPR	AFGE 2741	Thursday, July 11, 2013	General Updates	
OLRCB, DBH	AFGE 2978	Tuesday, August 20, 2013	Meeting regarding creation of DBH	
OLRCB, DOH	AFGE 2978	Wednesday, August 28, 2013	Interest Arbitration with DOH	12
OLRCB, DOH	AFGE 2978		Impact and Effects Bargaining between	
OLRCB	AFGE 3721	Tuesday, August 27, 2013	General Updates	
OLRCB, DBH	AFGE 383	Tuesday, August 20, 2013	Meeting regarding creation of DBH	
OLRCB, DHCF	AFSCME 2401		General Labor Issues	
OLRCB	All Affected Unions Representing Employees at DBH	Feb-13		
OLRCB	All Unions Invited	Monday, September 30, 2013 -	Labor Relations Conference - CBA	300
OLRCB/OCA	All Unions Invited	Friday, October 12, 2012	Quarterly Meetings with Union Leaders	
OLRCB/OCA	All Unions Invited	Wednesday, October 30, 2013	Quarterly Meetings with Union Leaders	
OLRCB	All Unions Invited	Friday, June 28, 2013	General Labor Relations Update	
OLRCB	All Unions Invited	Tuesday, October 22, 2013	General Labor Relations Update	
OLRCB	All Unions Invited	Monday, September 30, 2013	General Labor Relations Update - Session held at Labor Relations Conference	
OLRCB	All Unions Invited	Tuesday, October 01, 2013	General Labor Relations Update	
OLRCB	Alliance of Independent Workers Union	Friday, July 26, 2013	Meeting with JC Stamps and Hiawasa Burris	
OLRCB	Alliance of Independent Workers Union	Wednesday, November 20, 2013	Meeting with JC Stamps and Hiawasa Burris	

EXHIBIT

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Answer to Question 12

Meetings or Briefings held with Union leadership
FY 2013 and FY 2014 (to date)

OLRCB	Compensation Units 1&2	Friday, August 09, 2013	Collective Bargaining Agreement Signing Ceremony	
OLRCB, DHCD, DCHFA	Compensation Units 1&2	Saturday, June 01, 2013	5th Annual DC Housing Expo Workshop and Table	200
OLRCB, DC FEMS	Compensation Units 1&2	Wednesday, July 17, 2013	Informational Session for the Negotiated Employee Assistance Home Purchase (NEAHP) Program and Commuter Benefit Incentive	30
OLRCB, DHS, Office of Returning Citizen	Compensation Units 1&2	Friday, July 19, 2013	Informational Session for the Negotiated Employee Assistance Home Purchase (NEAHP) Program and Commuter Benefit Incentive	7
OLRCB, DOC (Shift 1)	Compensation Units 1&2	Wednesday, July 24, 2013	Informational Session for the Negotiated Employee Assistance Home Purchase (NEAHP) Program and Commuter Benefit Incentive	7
OLRCB, DOC (Shift 3)	Compensation Units 1&2	Thursday, July 25, 2013	Informational Session for the Negotiated Employee Assistance Home Purchase (NEAHP) Program and Commuter Benefit Incentive	7
OLRCB, DYRS (New Beginnings)	Compensation Units 1&2	Tuesday, August 06, 2013	Informational Session for the Negotiated Employee Assistance Home Purchase (NEAHP) Program and Commuter Benefit Incentive	30
OLRCB, DYRS (Mt. Olive)	Compensation Units 1&2	Thursday, August 08, 2013	Informational Session for the Negotiated Employee Assistance Home Purchase (NEAHP) Program and Commuter Benefit Incentive	7



Answer to Question 12

Meetings or Briefings held with Union Leadership
FY 2013 and FY 2014 (to date)

OLRCB, DYRS (H Street NW)	Compensation Units 1&2	Wednesday, August 14, 2013	Informational Session for the Negotiated Employee Assistance Home Purchase (NEAHP) Program and Commuter Benefit Incentive	7
OLRCB, OCFO, DCRA	Compensation Units 1&2	Wednesday, August 28, 2013	Informational Session for the Negotiated Employee Assistance Home Purchase (NEAHP) Program and Commuter Benefit Incentive	35
OLRCB, DBH	DC - Doctors Council	Tuesday, September 18, 2013	Mediation Training with DBH	10
OLRCB, DBH	DC - Doctors Council	Tuesday, September 25, 2013	Mediation Training with DBH	10
OLRCB, DBH	DC - Doctors Council	Tuesday, August 20, 2013	Meeting regarding creation of DBH	
OLRCB	DC - Doctors Council	Wednesday, July 31, 2013		
OLRCB	DC - Doctors Council	Wednesday, September 04, 2013		
OLRCB	DC - Doctors Council	Monday, August 05, 2013		
OLRCB	DC - Nurses Association	Wednesday, June 26, 2013	Interest Arbitration	
OLRCB, DYRS	Fraternal Order of Police - DYRS	Tuesday, October 22, 2013	General Labor Issues	
OLRCB, MPPD	Fraternal Order of Police -MPPD	10/28/13; 10/31/13; 11/1/13; 11/4/13; and 11/6/13	Interest Arbitration with MPPD	
OLRCB, OAG	N/A	Tuesday, August 06, 2013	General Updates	
OLRCB	N/A	Monday, May 13, 2013	Labor Liaison Forum	
OLRCB	NUHHCE	Friday, July 25, 2014	Meeting w/ Cynthia Perry and DMH Mgmt Representative	
OLRCB	Teamsters 639/730	Wednesday, August 21, 2013		
OLRCB	Teamsters 639/730	Tuesday, October 22, 2013		
OLRCB, DOH, DMH	Unions involved in transfer of employees from DOH and DMH to DBH	Tuesday, August 20, 2013	Meeting with Unions that have employees being transferred from DOH and DMH to DBH	
OLRCB	Washington Teachers Union	Thursday, June 13, 2013	Meeting with Newly Elected President of WTU - Elizabeth Davis	

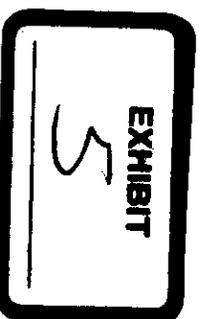
EXHIBIT

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Answer to Question 12

Meetings or Briefings held with Union leadership
FY 2013 and FY 2014 (to date)

OLRCB	Washington Teachers Union	May-13	Meeting with Newly Elected President of	
OLRCB, DOH			WTU - Elizabeth Davis	
OLRCB, CFSA		Wednesday, August 28, 2013	Interest Arbitration with CFSA	12
OLRCB, DDS		Wednesday, August 28, 2013	Interest Arbitration with DDS	12



District of Columbia
Labor Relations Conference
Advancing the Labor-Management Relationship
September 30, 2013 and October 1, 2013

Theme: **Building and Sustaining Lasting Labor-Management Relationships in the District of Columbia Government**

Goal: The District of Columbia Office of Labor Relations and Collective Bargaining's Labor Relations Conference is the coming together of management, labor leaders, employees and other stakeholders in the labor relations program with the goal of equipping participants with the knowledge and information needed to build world-class labor-management relations by sharing information, networking and acquiring a better understanding of the roles, responsibilities, and resources available to them. After completing this conference, participants will be equipped to address unplanned, unforeseen situations and continue to build on labor-management relationships.

Vision: With over 27,000 employees covered by collective bargaining agreements, the vast majority of District of Columbia government employees are unionized. Like most employers, the District of Columbia government continues to look for ways to maximize efficiency of operations and deliver high quality service while maintaining a high quality work environment for employees. To help foster this belief, the District of Columbia Office of Labor Relations and Collective Bargaining, in conjunction with the various labor organizations representing District of Columbia government employees, have partnered to present the Annual Labor Relations Conference. Now in its 2nd consecutive year, this valuable conference will once again bring you up to date with recent decisions of the Public Employee Relations Board, arbitrators and legal developments in the field of labor relations, with an emphasis on the District of Columbia, as reviewed and presented by our panels of attorneys, arbitrators, mediators and labor liaisons. This year we have expanded our Best Practices Workshops to include issues relating to ***Discipline and Discharge, Administration of Official Time and Requests for Information*** while another workshop will explore the developing body of law regarding ***Ethics and Social Media in the Workplace***. Each day workshops will be supplemented with a keynote opening speaker with a panel of distinguish practitioners during lunch.

Objectives:

1. To continue to build and enhance labor-management relationships in District of Columbia government;
2. To better serve managers, supervisors, labor liaisons and union officials so that they are better equipped to address unplanned, unforeseen situations;
3. To be a forum to share relevant information and recent developments about the District of Columbia Labor Relations Program;
4. That participants will better understand their respective roles in the successful administration of the labor relations program;
5. That participants will be given ideas on how to handle difficult and unplanned situations that will arise in the administration of the labor relations program;

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EXHIBIT

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Agenda for Day One September 30

9:00 AM Guest Speaker – The Honorable Vincent C. Gray

9:30 AM -10:45 AM Concurrent Workshops

1. Collective Bargaining History and Foundation

Course Description: *This course will provide participants with a comprehensive overview of collective bargaining and labor relations from the establishment of the National Labor Relations Act to present.*

2. Best Practice When Managing in a Union Environment

Course Description: *This course is intended to provide managers and supervisors information to equip them to better manage and supervise bargaining unit employees. The goal is to clearly outline the best practices in administering various aspects of the collective bargaining relationship, including, discipline and discharge, administration of official time and reviewing and responding to request for information.*

3. Hearing Preparation

Course Description: *This workshop will provide participants with rudimentary information on preparing for a hearing. The purpose of the Hearing Preparation Workshop is to help you as a labor relations practitioner to prepare for hearings, including before the Public Employee Relations Board, arbitrators and mediators. This workshop will help you to use the information that will be presented to better understand your case and the issues presented; to determine which evidence is needed to prove it; to gather that evidence and to present it to the fact finder. This session will review the many facets of witness preparation for arbitration and unfair labor practice hearings, namely, (1) the witness interview and gathering documents/evidence; (2) explaining the relevant hearing procedures; (3) preparing witnesses for direct examination; (4) preparing witnesses for cross examination; (5) points to convey witness appearance and demeanor throughout the entire hearing (including breaks and informal conversations with others at the hearing); and (6) role playing and practice exercise with witnesses.*

4. Training on Recently Negotiated Collective Bargaining Agreements

Course Description: *The workshop is specifically geared toward managers and supervisors with responsibility for employees covered by the recently negotiated successor Compensation Units 1 and 2 collective bargaining agreement. Participants will be provided with a comprehensive explanation of the terms of the agreement and how it should be administered. **Advance registration is requested.***

5. Labor Relations from a Union Perspective

Course Description: *This workshop will provide a guide to participants on the roles that Unions play in the labor-management process. Participants will learn the rights, roles and responsibilities of shop stewards, union representatives and labor leaders in resolving grievances and other labor disputes. Participants will engage in role play by putting themselves in the role of an employee, shop steward during a hypothetical grievance meeting.*

6. Building and Maintaining Effective Labor-Management Relations

Course Description: *This workshop will be part assessment, part training. Participants will be given the opportunity to assess the current state of labor-management relations within their agency. Through lecture participants will learn ways to develop positive relationship with labor or management by learning how to build trust and communicate so that others will listen.*

10:45 AM – 11:00 AM Break

11:00 AM – 12:15 PM Concurrent Workshops

1. Knowing When to Settle, Mediation and Diplomacy

Course Description: *The labor-management relationship is fraught with conflicts and parties often get stuck in positional bargaining and rights that have destructive consequences for both sides. In this session, presenters will discuss ways for parties to get unstuck from their steadfast positions and how to review factors to consider in settling grievances and arbitrations and the critical skills needed for parties to address such conflicts.*

2. Recent Developments in District of Columbia Labor Relations and Collective Bargaining

Course Description: *This workshop will examine issues and trends in the relationship between organized labor and management as outlined in recent arbitration, unfair labor practice and court decisions. The presenters will review/discuss the underlying facts, rulings made and possible ramifications of these decisions for the stakeholders – employees, unions and management.*

3. Joint Labor-Management Classification and Compensation Reform

Course Description: *The District is focused on reforming its' Classification and Compensation Systems (systems) in partnership with labor. A joint Labor-Management Taskforce was established as part of the collective bargaining process to work together to reform the current systems. This workshop will provide participants with an overview and an update of the District's Classification and Compensation Reform Project as the District looks toward implementation of these systems.*

4. Training on Recently Negotiated Collective Bargaining Agreements

Course Description: *The workshop is specifically geared toward managers and supervisors with responsibility for employees covered by the recently negotiated successor Compensation Units 1 and 2 collective bargaining agreement. Participants will be provided with a comprehensive explanation of the terms of the agreement and how it should be administered. **Advance registration is requested.***

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12:15 PM -1:15 PM Lunch Panel (PERB-Mediation-Arbitration)

1:15 PM -2:30 PM Concurrent Workshops

1. Collective Bargaining History and Foundation

Course Description: *This course will provide participants with a comprehensive overview of collective bargaining and labor relations from the establishment of the National Labor Relations Act to present.*

2. Best Practice When Managing in a Union Environment

Course Description: *This course is intended to provide manager and supervisors information to equip them to better manager and supervisor bargaining unit employees. The goal is to clearly outline the best practices in administering various aspects of the collective bargaining relationship, including, discipline and discharge, administration of official time and reviewing and responding to request for information.*

3. Hearing Preparation

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5. Labor Relations from a Union Perspective

Course Description: *This workshop will be part assessment, part training. Participants will be given the opportunity to assess the current state of labor-management relations within their agency. Through lecture participants will learn ways to develop positive relationship with labor or management by learning how to build trust and communicate so that others will listen.*

2:30 PM – 2:45 PM

Break

2:45 PM – 4:00 PM

Concurrent Workshops

1. Knowing When to Settle, Mediation and Diplomacy

Course Description: *The labor-management relationship is fraught with conflicts and parties often get stuck in positional bargaining and rights that have destructive consequences for both sides. In this session, presenters will discuss ways for parties to get unstuck from their steadfast positions and how to review factors to consider in settling grievances and arbitrations and the critical skills needed for parties to address such conflicts.*

2. Recent developments and projected reform (presenter TBA) Michael Levy

Course Description: *This workshop will examine issues and trends in the relationship between organized labor and management as outlined in recent arbitration, unfair labor practice and court decisions. This session will review recent decisions issued by the Public Employee Relations Board (PERB), arbitrators and DC courts in cases involving DC Agencies and the District Government. The presenters will review/discuss the underlying facts, rulings made and possible ramifications of these decisions for the stakeholders – employees, unions and management.*

3. Joint Labor-Management Classification and Compensation Reform Project

Course Description: *The District is focused on reforming its' Classification and Compensation Systems (systems) in partnership with labor. A joint Labor-Management Taskforce was established as part of the collective bargaining process to work together to reform the current systems. A significant amount of work has been done to develop the new systems and once the new systems are implemented, the District's human resources practices will be improved and enhanced. As the District looks toward implementation of these systems, this workshop will provide participants with an overview and an update of the District's Classification and Compensation Reform Project.*

4. Training on Recently Negotiated Collective Bargaining Agreements

Course Description: *The workshop is specifically geared toward managers and supervisors with responsibility for employees covered by the recently negotiated successor Compensation Units 1 and 2 collective bargaining agreement. Participants will be provided with a comprehensive explanation of the terms of the agreement and how it should be administered. **Advance registration is requested.***

5. Union Selected Program

Course Description: *This workshop will be part assessment, part training. Participants will be given the opportunity to assess the current state of labor-management relations within their agency. Through lecture participants will learn ways to develop positive relationship with labor or management by learning how to build trust and communicate so that others will listen.*

4:00 PM – 5:30 PM

Ethics and Social Media in the Workplace

Course Description: *This presentation will explore the developing body of law regarding ethics and social media. Issues include whether it is appropriate to access social media sites, including Facebook, belonging to potential witnesses, and whether it is ever ethical to gain access to these sites through deception. The personal use of social media will also be addressed, including whether it is appropriate for lawyers and investigators to become Facebook friends with judges before whom they appear, and*

where the line should be drawn regarding the discussion of case-related information on personal blogs or social media sites. Come join what promises to be a very topical discussion.

5:15 Pm Adjourn

Agenda for Day Two October 1, 2013

9:00 AM Guest Speakers (Allen Y. Lew, City Administrator)

9:30 AM -10:45 AM Concurrent Workshops

1. Collective Bargaining History and Foundation

Course Description: *This course will provide participants with a comprehensive overview of collective bargaining and labor relations from the establishment of the National Labor Relations Act to present.*

2. Best Practice When Managing in a Union Environment

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Course Description: *The workshop is specifically geared toward managers and supervisors with responsibility for employees covered by the recently negotiated successor Compensation Units 1 and 2 collective bargaining agreement. Participants will be provided with a comprehensive explanation of the terms of the agreement and how it should be administered. Advance registration is requested.*

5. Labor Relations from a Union Perspective

Course Description: *This workshop will be part assessment, part training. Participants will be given the opportunity to assess the current state of labor-management relations within their agency. Through lecture participants will learn ways to develop positive relationship with labor or management by learning how to build trust and communicate so that others will listen.*

10:45 AM – 11:00 AM Break

11:00 AM – 12:15 PM Concurrent Workshops

1. Knowing When to Settle, Mediation and Diplomacy

Course Description: *The labor-management relationship is fraught with conflicts and parties often get stuck in positional bargaining and rights that have destructive consequences for both sides. In this session, presenters will discuss ways for parties to get unstuck from their steadfast positions and how to review factors to consider in settling grievances and arbitrations and the critical skills needed for parties to address such conflicts.*

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Course Description: *This workshop will examine issues and trends in the relationship between organized labor and management as outlined in recent arbitration, unfair labor practice and court decisions. This session will review recent decisions issued by the Public Employee Relations Board (PERB), arbitrators and DC courts in cases involving DC Agencies and the District Government. The presenters will review/discuss the underlying facts, rulings made and possible ramifications of these decisions for the stakeholders – employees, unions and management.*

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12:15 PM -1:15 PM Lunch Panel

1:15 PM – 2:30 PM Concurrent Workshops

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2:30 PM – 2:45 PM Break

2:45 PM – 4:00 PM Concurrent Workshops

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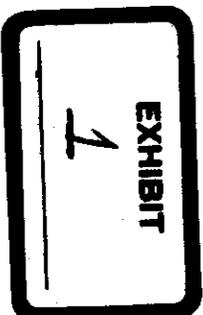
4:00 PM – 5:30 PM **Ethics and social media in the workplace**

Course Description: *This presentation will explore the developing body of law regarding ethics and social media. Issues include whether it is appropriate to access social media sites, including Facebook, belonging to potential witnesses, and whether it is ever ethical to gain access to these sites through deception. The personal use of social media will also be addressed, including whether it is appropriate for lawyers and investigators to become Facebook friends with judges before whom they appear, and where the line should be drawn regarding the discussion of case-related information on personal blogs or social media sites. Come join what promises to be a very topical discussion.*

5:15 PM **Closing**

Office of Labor Relations and Collective Bargaining

PO Number	Vendor Name	Description	FY	AV	Fund Detail	Cont. Obj	Org Code	Program Code	Index	PCA	Project	Grant	Last Activity Date	Agmt. (Days)	Agmt. (Months)	Total Amt.	Expended	PO Balance
PO48613	WILLIAM L. MONTROSS	PT13-APP-LABOR ECONOMIST-413	2013	2013									8/8/2013	32.00	1.00	2,6820.00	-6663.75	20156.25
PO48613	WILLIAM L. MONTROSS	APPROVE(L)AV/18/13																
PO48613	FILE & SERVICE/ESS, LLC	LABOR RELATIONS AND COLLECTIVE BARGAINING-413 APPROVE(L)AV/18/13	2013	2013									8/8/2013	32.00	1.00	1999.96	-507.00	1492.96
PO48613	METROPOLITAN OFFICE PRODUCTS	LABOR RELATIONS	2013	2013									9/4/2013	5.00	0.00	4728.64	0.00	4728.64
PO48627	WILLIAM L. MONTROSS		2014	2014									2/12/2014	6.00	0.00	\$ 10,000	\$ -	\$ 10,000
PO48627	WILLIAM L. MONTROSS		2014	2014									2/14/2014	35.00	1.00	\$ 10,000	\$ (6,625)	\$ 1,375
																91,116.63	-15,298.75	75,817.87



Office of Labor Relations and Collective Bargaining

PO Number	Vendor Name	Description	FY	AN	Fund Detail	Comp Obj	Org Code	Program Code	Index	PCA	Project	Start	Last Activity Date	Acting (Days)	Acting (Months)	Total Amt.	Expenditures	PO Balance
PO486757	WILLIAM L. MONTROSS		2014	2014	700	408	3005		3005	FENSA	30051		7/12/2014	6.00	0.00	\$ 10,000	\$ -	\$ 10,000
PO486721	FILE & SERVICEPRESS, LLC		2014	2014	100	408	3005		3005	30051	30050		12/4/2013	76.00	2.00	\$ 2,500	\$ (270)	\$ 2,230
PO486757	WILLIAM L. MONTROSS		2014	2014	100	408	3005		3005	30051	30050		1/14/2014	35.00	1.00	\$ 10,000	\$ (6,625)	\$ 1,375
																\$ 22,500	\$ (6,695)	\$ 13,805



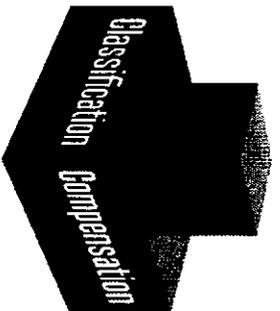
Answer to Question 6
OLRCB Approved Budget and Actual Spending
FY 2013 and FY 2014 (through January 31, 2014)

11	Regular Pay-Cont Full Time	\$1,062,512	\$939,747	\$1,030,798	\$407,883	No significant variance	Vacancy lapse
12	Regular Pay- Other	\$0	\$45,588	\$94,989	\$49,028	Addition of new employee	Position/salary alignment
13	Additional Gross Pay			\$0	\$2,520		
14	Fringe Benefits- Curr Personnel	\$248,976	\$179,497	\$251,515	\$79,534	Increase in Fringe rate	Vacancy lapse
15	Overtime						
20	Supplies and Materials Telephone, Telegraph, 31 Telegram	\$9,000	\$11,100	\$9,000	\$1,786		Increased P-card purchases due to the OLRCB Conference
40	Other Services and Charges	\$50,000	\$50,033	\$25,000	\$12,056 FY 14	Limited purchases in other services and charges	No significant variance
41	Contractual Services-Other						
70	Equipment & Equipment Rental						

Answer to Question 6
 OLRB Approved Budget and Actual Spending
 FY 2013 and FY 2014 (through January 31, 2014)

SECRET AEO									
11	Regular Pay - Cont Full Time	\$157,774	\$157,774	\$118,059	\$5,259	Position/Salary alignment			
12	Regular Pay- Other	\$97,635	\$66,144	\$74,721	-\$1,691	Position/Salary alignment	Salary lapse		
14	Fringe Benefits- Curr Personnel	\$44,591	\$35,193	\$62,220	\$704	Increase in Fringe rate	No significant variance		
40	Other Services and Charges	\$20,000	\$20,000			As of January, the additional MOU for Object Class 0040 has not been signed			
41	Contractual Services - Other								

EXHIBIT
 3 cont'd



Cornerstone for the future
Labor Management Test Force on Classification and Compensation Reform

Next Steps & Amended Milestones

Timing	Activity
March /April 2014	Kickoff of 3-Phases to Transition Employees to New Job Specifications
April 2014	Contract Modification Before Council for Approval
TBD	Final Report of Findings and Recommendations from Deloitte
September 2014 Post September 2014	Completion of Deliverables from Deloitte Implementation – Employees Placed on New Salary Schedules

The dates above are estimated based on contractor and Council approval

