

PUBLIC EMPLOYMENT RELATIONS BOARD
Meeting Minutes
Friday, January 26, 2024 at 9:00 A.M.

Attending Board Members: Laura Cooper, Margaret Luger-Nikolai, Martin Munic
Attending Alternate Board Members: Richard Kaspari
PERB Staff: Jess Anna Glover, Executive Director/General Counsel

1. Meeting called to order at 9:14 a.m.
2. APPROVAL OF MINUTES FROM JANUARY 12, 2024 MEETING – Munic moved, Luger-Nikolai seconded. Minutes approved.
3. BOARD CHAIR REPORT
4. EXECUTIVE DIRECTOR REPORT
 - a. Staff Updates

Investigator – Temporary Investigator Lindsey Drozd resigned effective 1/22/2024. No notice or additional information provided by Drozd. JAG followed up on all cases that she was working on and requested HR conduct an exit interview. We will move forward for a permanent hire as soon as possible.

OAS Sr. – Great candidates that meet preferred qualifications, not just minimum qualifications. Working of financial offers and references with HR. Hopeful for a mid-February start date.

- b. Hearing Officers

RFP will go live in SWIFT next week. Insurance waivers for HOs are possible on request and review with Risk Management. Working on distribution lists for RFP to promote opportunity. Board members will also share in networks. Luger-Nikolai will complete hypothetical response outline for Board review prior to Feb 16, 2024.

- c. Orders Issued

24-U-015 - Inter Faculty Organization and Saint Cloud State University – Complaint and Notice of Hearing issued January 22, 2024.

- d. Case Management Update

Completed review of several systems and will move forward with an initial selection. Looking for something that best aligns with systems and uses, provides training and support, and our IT folks approve.

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Meeting Minutes

Friday, January 26, 2024 at 9:00 A.M.

5. ACTIVE CASES UPDATE/DISCUSSION (NOTE – THIS PORTION OF THE MEETING MAY BE CLOSED PURSUANT TO MN STATUTES 2022, Section 179A.041, Subd. 10)

The meeting was closed at 10:08 for deliberations regarding cases. Recusals are noted below.

Case No.		Member recusal
24-U-002	<p>AFSCME Council 5 and Hennepin Health Services – Charge filed July 14, 2023. Charge alleges violation of MN Statutes 179A.13, Subd. 2 (5).</p> <p>Status updated given. Case withdrawn and closed. Withdrawal of ULP charge as a result of PERB-staff mediation with the parties pursuant to MN Rules 7325.0130.</p>	Munic
24-U-014	<p>AFSCME Council 65 and City of Hibbing – Charge filed October 11, 2023. Charge alleges violation of MN Statutes 179A.13, Subd. 2 (1), (5), and (6).</p> <p>Status update. Discussion. Motion to draft order by Cooper, Luger-Nikolai seconded. Motion passed. JAG will draft order.</p>	Lepak
24-U-015	<p>Inter Faculty Organization and Saint Cloud State University – Charge filed on October 13, 2023. Charge alleges violation of MN Statutes 179A.13, Subd. 2(1) and (3).</p> <p>Complaint issued on 1/22/2024. Hearing Officer appointed.</p>	Kaspari
24-U-018	<p>Eden Prairie Education Association and Eden Prairie Schools, ISD 272 – Charge filed October 24, 2023. Charge alleges violation of MN Statutes 179A.13, subd. 2(5).</p> <p>Discussion. Motion for draft order for consideration and additional research by Cooper, Kaspari seconded. Motion passed. JAG will draft order. Request additional research from Osthus.</p>	Luger-Nikolai
24-U-019	<p>Education Minnesota St. Francis and St. Francis Area Schools – Charge filed on October 25, 2023. Charge alleges violation of MN Statutes 179A.13, subd. 2(5).</p> <p>Discussion.</p>	Luger-Nikolai
24-U-035	<p>Bemidji Education Association and Bemidji Area Schools, ISD 31 – Charge filed on January 22, 2024. Charge alleges violation of MN Statutes 179A.13, Subd. 2(1) and MN Statutes 179A.06, subd. 7.</p> <p>Discussion.</p>	Luger-Nikolai

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The meeting was opened after case deliberations at 11:20 a.m.

6. DISCUSSION

Discussion on Minn. Stat. 179A.13, subd. 2(2). The Board will continue to read provision consistent with NLRB interpretation of 8(2) and if dismissal is appropriate will use template for first draft. Cooper motion, Luger-Nikolai seconded. Motion passed.

Discussion on Minn. Stat. 13.43 powers. No decision on whether a pending ULP charge is necessary to consider the use of 13.43 powers.

7. NEXT MEETINGS

- a. Friday, February 16, 2024 at 9 a.m. (Bandana Square BMS/PERB Conf Rm)
- b. Friday, March 8, 2024 at 10 a.m. (Bandana Square BMS/PERB Conf Rm)
- c. Tentative scheduling of Thursday, April 11, 2024 at 10 a.m. (Bandana Square BMS/PERB Conf Rm). Alternative date of Friday, April 5, 2024 at 10 a.m. Confirm at February meeting.

8. The meeting was adjourned at 11:40.