

PUBLIC EMPLOYMENT RELATIONS BOARD Meeting Minutes

FRIDAY OCTOBER 13, 2023

Attending Board Members: Laura Cooper, Margaret Luger-Nikolai, Martin Munic

Attending Alternate Board Members: Richard Kaspari, Scott Lepak, Marlin Osthus

Also attending: Jess Anna Glover, PERB Executive Director/General Counsel, Jill Kielblock, PERB Interim Executive Director

1. CALL TO ORDER by Chair Cooper at 10:09 a.m.
2. APPROVAL OF MINUTES FROM SEPTEMBER 12, 2023 MEETING
Motion by Luger-Nikolai, second by Munic to approve minutes. Motion approved.
3. BOARD CHAIR REPORT
 - a. Thank you, Jill! Recognized the exceptional service provided by Jill Kielblock for 2 years as Interim Executive Director
 - b. November 16, 2023 Employment and Labor Law CLE – Laura Cooper is presenting for PERB. Board approval of paying registration fee for Jess Anna Glover and Martin Munic to attend.
 - c. Defining roles – Discussion. A board member will be assigned to each case for consultation during investigation. Currently pending charges were assigned.
4. EXECUTIVE DIRECTOR REPORT
 - a. FY2024 Budget/Finance Update
Expectations outlined for financial review and reporting to the Board. Managers Financial Report (MFR) for September was reviewed. MFRs will be reviewed monthly by Board; detailed monthly reports will be reviewed by ED and Board Chair. Odyssey Fund balance was reviewed. Actual balance retained in the fund was less than estimated amount.
 - b. Office Move
Construction moving along. Anticipated move during December. Shared expenses discussed. Staff may be remote for much of December as all the pieces come together. Board meeting location may change for December but will be scheduled and posted.
 - c. Staffing Update
Investigator candidates meeting minimum qualifications have been forwarded to the ED/GC for review and interview selection. Interviews will be scheduled in the next week or two with support and direction from HR. Anticipated start date in late November. Administrative Support Professional position audit should be completed in next couple of weeks by HR. Once that is completed the position can be posted. Anticipated start time in January, after the move. Because of demands for onboarding, training, and initial supervision, a student worker position will be posted to hire for summer into fall.
 - d. Hearing Officers – RFP

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Priority because of upcoming hearing needs. ED/GC meeting with Dept of Admin contract specialist next week for update on RFP process and exploring a single contract with a hearing officer to address urgent needs.

5. DISCUSSION ITEMS

- a. Policies and procedures for investigation and initial orders
 - i. Criteria for prioritizing case management
Discussion. Consider priority based on remedy requested. Currently, 4 cases pending with information ready for investigator review.
 - ii. Specificity of complaints
Discussion.
 - iii. Handling of un-charged issues in facts alleged
Discussion. Considered relation back of charges and statute of limitations.

6. NEXT MEETINGS

- a. Friday, November 3, 2023 at 10:00 a.m. (BMS Conf Rm 8)
- b. Monday, November 20, 2023 at 10:00 a.m. (BMS Conf Rm 8)
- c. Friday, December 8, 2023 at 10:00 a.m. (BMS Conf Rm 8 or Bandana Square – to be confirmed)
- d. Friday, January 12, 2023 at 10:00 a.m. (Bandana Square BMS Conf Rm 7)
- e. Friday, January 26, 2023 at 10:00 a.m. (Bandana Square BMS Conf Rm 7)

7. 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 12:12 for deliberations regarding cases.

Recusals and member assignments noted below.

- a. 24-U-001 Saint Paul Federation of Educators and Saint Paul Public Schools – Charge received July 11, 2023. Amended Charge received July 12, 2023. Charge alleges violation of MN Statutes 179A.13, Subd. 2 (1), (2), and (3). NOTE: Luger-Nikolai is recused; Osthus assigned. Discussion. Order being drafted by Osthus, Cooper to review.

The meeting was opened after discussion regarding cases.

- 8. The meeting was adjourned at 12:20 p.m.