



FY 2013 PERFORMANCE PLAN Public Employee Relations Board

MISSION

The District of Columbia Public Employee Relations Board (“Board” or “PERB”) is an impartial, quasi-judicial, independent agency empowered with the exclusive jurisdiction to resolve labor-management disputes between agencies of the District government and labor organizations representing employees of the various District of Columbia agencies.

SUMMARY OF SERVICES

- Determines appropriate compensation and non-compensation bargaining -units;
- Certifies, decertifies, amends, clarifies and modifies labor organizations as exclusive bargaining representatives;
- Facilitates and reviews election procedures and results concerning the selection of labor organizations as the exclusive bargaining unit representative;
- Investigates and Adjudicates unfair labor practice and standards of conduct complaints;
- Reviews appeals of grievance arbitration awards;
- Determines impasse status of collective bargaining between District of Columbia agencies and District of Columbia employee unions;
- Facilitates Impasse arbitration bargaining between District of Columbia agencies and District of Columbia employee unions;
- Determines negotiability of proposals to submitted during negotiations for a collective bargaining agreement between District of Columbia agencies and District of Columbia employee unions;
- Conducts mandatory mediation of disputes submitted to the Board;
- Issues subpoenas and conducts hearings; and
- Adopts rules and regulations for conducting the business of PERB.

AGENCY WORKLOAD MEASURES

Measure	FY 2010 Actual	FY 2011 Actual	FY 2012 YTD
Number of cases filed	115	93	57
Number of hearings conducted	6	9	8
Number of mediations conducted	1	0	5
Number of cases issued	20	71	26
Number of active cases	380	462	357
Number of cases published	0	0	184
Number of cases appealed to D.C. Superior Court	7	5	11
Number of cases appealed to D.C. Court of Appeals	0	0	0



OBJECTIVE 1: Satisfy statutory responsibilities by efficiently resolving labor management disputes between agencies of the District government and the labor organizations.

INITIATIVE 1.1: Increase number of matters submitted to the Board at monthly meetings in order to continue to reduce the backlog of cases caused by the lack of a Board quorum from June 2008 through June 2009.

The number of matters submitted to the Board for monthly meetings has been increased from an average of six (6) cases per month to an average of fifteen (15) cases per month. The number of matters will continue to be increased in FY13 with the addition of new staff. Completion date: September, 2013.

INITIATIVE 1.2: Improve agency operations by acquiring and adopting an electronic case management system that maximizes the use of technology to enable workflow enhancements that streamline PERB's case management processes.

All matters filed with the Board are being converted from paper into a digital medium. In 2011, document files were copied and stored in a protected digital format (PDF). The PDF documents will be maintained as part of electronic case managements system; making the files fully searchable. The electronic case management system will improve the tracking and categorization of cases that have been filed with PERB. In addition, the technology will improve agency operations by identifying trends and factors necessary for consolidation and mediation of multiple matters and issues. Scanning closed case files will also facilitate review and retrieval of documents requested by the public. An electronic case management system and networking system must be implemented to fully utilize the digitally stored records. Completion date: September, 2013.

INITIATIVE 1.3: Improve agency operation through implementation of an electronic filing system.

In April of 2012, the Board adopted and implemented an electronic filing system requiring all new cases to be filed electronically via the internet. In FY13, the Board will work to integrate the electronic filing system with an electronic case management system to create a consistent and comprehensive management and tracking of cases filed, decided and issued by the Board. Completion date: September, 2013.

OBJECTIVE 2: Maintain and/or increase the number of matters that are settled through the voluntary and mandatory "mediation program."

INITIATIVE 2.1: Identify cases previously filed with the Board for voluntary mediation and provide the parties with information regarding the benefits of mediation.

PERB staff will review current matters pending the Board's disposition. At the Board's discretion, PERB will notify party representatives that the matter is scheduled for mandatory mediation. Additionally, PERB staff will conduct training sessions with unions and agencies to explain the mediation process and highlight the benefits of mediation. Completion date: September, 2013.



INITIATIVE 2.2: Identify newly filed cases for mandatory mediation.

PERB adopted mandatory mediation rules in January of 2012. The purpose of this program is to allow the parties the opportunity to reach a settlement of both specific cases and multiple cases concerning similar issues. In FY12, PERB began identifying multiple cases with a common issue in dispute between a particular agency and union. PERB initiated mediation between the agency and union, which has the potential to settle approximately thirty unfair labor practice cases. In FY13, PERB staff will evaluate each newly-filed case for mandatory mediation, paying particular attention to the potential for “issues based” grouping of cases to be mediated. Completion date: September, 2013.

OBJECTIVE 3: Maintain a high rate of success concerning matters that are appealed to either the D.C. Superior Court or the D.C. Court of Appeals.

INITIATIVE 3.1: PERB will utilize in-house General Counsel to maintain the same high rate of success in appeals before the D.C. Superior Court or the D.C. Court of Appeals. In FY12, PERB transferred responsibility for cases appealed to the D.C Superior Court or the D.C. Court of Appeals from an outside counsel to its in-house General Counsel. The General Counsel will achieve the same high rate of success as in previous years, and will utilize the services of a paralegal, to be hired in FY13.

OBJECTIVE 4: Continue to review PERB’s rules in order to determine if PERB needs to amend its rules or promulgate new rules.

INITIATIVE 4.1: PERB will amend rules in FY 2013 to achieve consistency with statutory mandates and rules adopted in FY 2012.

These amendments will improve the agency’s efficiency and delivery of services. Completion Date: January, 2013.

KEY PERFORMANCE INDICATORS

Measure	FY 2011 Actual	FY 2012 Target	FY 2012 YTD	FY 2013 Projection	FY 2014 Projection	FY 2015 Projection
Percent of cases decided within 120 days of submission to the Board	47%	100%	63%	100%	100%	100%
Percent of decisions transmitted to the D.C. Register for publication within 60 days of issuance	0	100%	100%	100%	100%	100%
Percent of compensation impasse cases resolved by mediation within 30 days	100%	100%	0	100%	100%	100%



Measure	FY 2011 Actual	FY 2012 Target	FY 2012 YTD	FY 2013 Projection	FY 2014 Projection	FY2015 Projection
Percent of compensation impasse cases arbitrated within 45 days	NA	100%	NA	100%	100%	100%
Percent of cases upheld by D.C. Superior Court upon appeal	100%	100%	100%	100%	100%	100%
Percent of cases upheld by the D.C. Court of Appeals upon appeal	0	100%	100%	100%	100%	100%