

**PUBLIC NOTICE**  
**Regular Business Meeting Agenda**  
**Public Employment Relations Board**  
**June 13, 2019 - 10:00 a.m.**

**LOCATION:** Public Employment Relations Board \*  
1031 18th Street, First Floor, Room 103, Sacramento CA\*\*

1. Roll Call.
2. Adoption of Minutes. April 11, 2019 Meeting
3. Public Comment. This is an opportunity for the public to address the Board on issues not scheduled on today's agenda. The Board cannot act on those items but may refer matters to staff for review and possible Board action at a future, publicly noticed meeting.
4. Staff Reports. The following Reports will be received. Any matter requiring Board action, and not included on this agenda, will be calendared for a subsequent public Board meeting.
  - A. Executive Director
  - B. Division of Administration
  - C. Office of General Counsel
  - D. Legislative/Rulemaking
  - E. Division of Administrative Law
  - F. State Mediation and Conciliation Service
5. Old Business:
  - A. PERB Case Processing Efficiency Initiative (Update)
  - B. Exceptions Regulations. Consideration of approval for submitting a proposed rulemaking package to the Office of Administrative Law in order to initiate the formal rulemaking process to revise existing regulations covering parties' exceptions to proposed decisions and responses thereto. If authorized by the Board, the rulemaking package, including Notice of Proposed Rulemaking, Proposed Text, and Initial Statement of Reasons, will be forwarded to the Office of Administrative Law for review and publication pursuant to the Administrative Procedures Act. In addition, the Notice of Proposed Rulemaking would be distributed by PERB to interested parties and posted on the PERB website.
6. New Business:
  - A. The Educational Employment Relations Act and the Higher Education Employer-Employee Relations Act require that PERB select and bear

*\*This meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting shall make a request no later than five working days before the meeting to the Board by contacting Cheryl Shelly at (916) 322-8231 or sending a written request to Ms. Shelly at PERB, 1031 18th Street, Sacramento, California 95811. Requests for further information should also be directed via telephone or writing to Ms. Shelly. Additional information is also available on the internet at [www.perb.ca.gov](http://www.perb.ca.gov).*

the costs of the services of the factfinding panel chairperson, including per diem fees and actual and necessary travel and subsistence. Prior Board action set the rate for factfinding services at \$1,100 per day with a four-day contract maximum. The Board will review the current factfinding policy for compensating factfinding panel chairpersons annually for potential modification.

- B. Recusal Regulation: Consideration of approval for submitting a proposed rulemaking package to the Office of Administrative Law to initiate the formal rulemaking process of regulations to amend PERB Regulation section 32155, which governs recusals of PERB personnel. If authorized by the Board, the rulemaking package, including Notice of Proposed Rulemaking, Proposed Text, and Initial Statement of Reasons, will be forwarded to the Office of Administrative Law for review and publication pursuant to the Administrative Procedures Act. In addition, the Notice of Proposed Rulemaking would be distributed by PERB to interested parties and posted on the PERB website.
- C. Regulations on Subpoenas, Motions, and Authority of Board agents: Subpoenas, Motions, and Authority of Board agents. Consideration of approval for submitting a proposed rulemaking package to the Office of Administrative Law to initiate the formal rulemaking process to amend regulations that govern subpoenas, motions, and authority of Board agents. If authorized by the Board, the rulemaking package, including Notice of Proposed Rulemaking, Proposed Text, and Initial Statement of Reasons, will be forwarded to the Office of Administrative Law for review and publication pursuant to the Administrative Procedures Act. In addition, the Notice of Proposed Rulemaking would be distributed by PERB to interested parties and posted on the PERB website.
- D. SMCS Regulations: Consideration of approval for submitting a proposed rulemaking package to the Office of Administrative Law in order to initiate the formal rulemaking process to revise existing regulations covering the Division of State Mediation and Conciliation. If authorized by the Board, the rulemaking package, including Notice of Proposed Rulemaking, Proposed Text, and Initial Statement of Reasons, will be forwarded to the Office of Administrative Law for review and publication pursuant to the Administrative Procedures Act. In addition, the Notice of Proposed Rulemaking would be distributed by PERB to interested parties and posted on the PERB website.

- E. Regulations on Filing Requirements: Consideration of approval for submitting a proposed rulemaking package to the Office of Administrative Law in order to initiate the formal rulemaking process to revise existing regulations governing filings. If authorized by the Board, the rulemaking package, including Notice of Proposed Rulemaking, Proposed Text, and Initial Statement of Reasons, will be forwarded to the Office of Administrative Law for review and publication pursuant to the Administrative Procedures Act. In addition, the Notice of Proposed Rulemaking would be distributed by PERB to interested parties and posted on the PERB website.
  - F. PERB Records Retention Schedule: Consideration for approval of changes to PERB's record retention schedule (which is filed with the California Secretary of State) to denote that the Board itself has authorized the retention periods that are not set by statute or regulation. If approved by the Board, the proposed amendments would not change the existing record destruction periods, but would clarify that the periods have Board approval.
7. Recess to Closed Session. The Board will meet in a continuous closed session each business day beginning immediately upon recess of the open portion of this meeting through August 8, 2019.

The purpose of these closed sessions will be to deliberate on cases listed on the Board's Docket (Gov. Code sec. 11126(c)(3)), personnel (Gov. Code sec. 11126(a)), pending litigation (Gov. Code sec. 11126(e)(1)), and any pending requests for injunctive relief (Gov. Code sec. 11126(e)(2)(c)).