

PUBLIC NOTICE
Regular Business Meeting Agenda
Public Employment Relations Board
April 8, 2021 ~ 10:00 a.m.

LOCATION: Pursuant to Executive Order N-29-20 and Executive Order N-33-20, there will not be a physical meeting location. Please follow the instructions below to attend the meeting remotely.

Attend the meeting via video-conference:

1. In your web browser, go to <https://zoomgov.com/>
2. Select "Join a Meeting"
3. Enter the Meeting ID: 161 000 4570
4. Enter your name
5. Enter the Passcode: 6353693310, then click "continue"

OR

To attend the meeting via teleconference:

1. Dial (669) 254-5252
2. When prompted, enter the meeting id: 161 000 4570#
3. Press # to skip the participant id
4. When prompted, enter the meeting password: 6353693310#

A note on public comment:

In advance of the meeting, those who wish to comment during the public comment portion of the agenda or on specific agenda items may request to be added to the queue by emailing Cheryl.Shelly@perb.ca.gov. Please be sure to include your name, affiliation if any, and topic in the email.

During the meeting, you can make a request to speak via video or the teleconference line when prompted by the Chair at each appropriate agenda item.

1. Roll Call.
2. Adoption of Minutes. February 11, 2021 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.

**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.*

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. Division of Administrative Law
- E. State Mediation and Conciliation Service

5. Old Business:

- A. PERB Case Processing Efficiency Initiative (Update)

6. New Business:

- A. Conflict of Interest Code: Consideration of approval for submitting a rulemaking package to the Office of Administrative Law to initiate the formal rulemaking process to update PERB regulation section 31100, that governs the conflict of interest code. The proposed regulation is attached following this agenda.

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 June 10, 2021.

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)).

Proposed Changes to PERB Regulation 31100

Article 2. Conflict of Interest Code

31100. General Provisions.

The Political Reform Act, Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations Section 18730, which contains the terms of a standard conflict of interest code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the conflict of interest code of the Public Employment Relations Board (PERB), except as provided below.

Designated employees shall file statements of economic interests with PERB who will make the statements available for public inspection and reproduction. (Gov. Code section 81008). Upon receipt of the statements of the Chairperson and Board Members, PERB shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission. Statements for all other designated employees will be maintained by PERB.

APPENDIX	
Designation Position	Disclosure Category
<u>Chairperson</u>	<u>A and B</u>
Board Member	A and B
Executive Director	A and B
Administrative Officer <u>Deputy Executive Director</u>	A and B
General Counsel	A and B
Chief Administrative Law Judge	A and B
<u>Director of Conciliation</u>	<u>A and B</u>
All persons employed as an Advisor to a Board Member <u>Legal Advisor</u>	A
All Attorneys employed in the Office of the General Counsel	A

<u>Attorney (All Levels)</u>	
<u>Attorneys employed in the Division of Administrative Law</u> <u>Administrative Law Judge (All Levels)</u>	A
<u>All persons employed as a Conciliator</u> <u>Conciliator (All Levels)</u>	A
<u>Administrative Assistant to the Chair</u> <u>Staff Services Manager I—Board/Projects</u>	A A and B
<u>Regional Directors</u>	A
<u>Legal Documents Examiner</u>	A
<u>All Public Employment Relations Representatives and</u> <u>Specialists</u>	A
<u>Staff Services Manager II—Administrative Services</u>	B
<u>Business Services Officer</u> <u>Contracts and Procurement Analyst</u>	B
<u>Information Technology Specialist II</u>	B
<u>IT Consultants¹</u>	A and B

Disclosure Categories

- A. Designated employees assigned to this disclosure category shall disclose: Investments held in, income derived from, including gifts, loans, salary and reimbursements for expenses, travel or per diem, and any business positions held by a designated employee to the extent that they know or have reason to know that the entity or source is an organization of employers, employee organization, individual, law firm, labor negotiations firm or consulting firm, which is subject to the jurisdiction of the Public Employment Relations Board or has appeared within the last 12 months in a dispute before the Board as a party, a

¹ Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Deputy Executive Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Deputy Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

representative for a party, or has provided assistance to a party in preparation for an appearance in a dispute before the Board.

- B. Designated employees assigned to this disclosure category shall disclose:
Investments held in, income derived from, including gifts, loans, salary and reimbursements for expenses, travel or per diem, and any business positions held in any entity or source of the type which provides services, supplies, materials, machinery, leased space or equipment to the Public Employment Relations Board.