PUBLIC MEETING MINUTES

APRIL 9, 2026
10:00 a.m.

PUBLIC EMPLOYMENT RELATIONS BOARD
Headquarters Office
1031 18th Street
Sacramento, California

Members Present

ERIC R. BANKS, Chair
ARTHUR A. KRANTZ, Member
LOU E. PAULSON, Member
MARK KRAUSSE, Member
ERAINA ORTEGA, Member

Quorum Present? Yes

Executive Staff Present

SUSAN DAVEY, Executive Director
JORRELL SORENSEN, Deputy Executive Director
JOSEPH ECKHART, Interim General Counsel
ERIC CU, Chief Administrative Law Judge
GERALD FECHER, Director, SMCS

Proceedings:

Meeting called to order at 10 a.m. by Chair Banks.

Since February 12th, 2026, the Board has been in continuous closed session to deliberate on cases pending on the Board's docket. A list of those Board decisions, determinations, and resolutions can be viewed on PERB's website.

Motion: Motion by Member Krausse and seconded by Member Krantz to close the February 12th, 2026 Public Meeting.

Assents: Banks, Krantz, Paulson, Krausse, Ortega

Motion Adopted - 5 to 0

Chair Banks officially opened the Public Meeting of April 9th, 2026. Chair Banks thanked the entire IT team for their work behind the scenes as well as transforming the Board Meeting room into a more functional and multi-purpose room. Chair Banks also thanked Deputy Executive Director Jorrell Sorenson for spearheading the project and Henry Stevens and Rachel Morgan.

Adoption of Minutes:

Chair Banks asked the Board Members if they wished to discuss any potential corrections or move to approve the minutes of the February 12th, 2026 meeting.

Motion: Motion by Member Ortega and seconded by Member Krausse to approve the minutes of the February 12th, 2026, Public Meeting.

Assents: Banks, Krantz, Paulson, Krausse, Ortega

Motion Adopted - 5 to 0

Public Comment

Chair Banks noted the Board received written comments from the AnonymusKnowNothings and it was added to the record.

Executive Staff Reports:

Report – Executive Director

Susan Davey, Executive Director, provided a Legislation Update to the Board, and stated AB 288 is currently enjoined. Ms. Davey stated that PERB's unfair practice charges are up for this year and is slated just in this first quarter to surpass the numbers from last year. Ms. Davey stated PERB is working with the Department of Finance on the BCP to determine if changes are necessary in the spring process.

Ms. Davey noted milestone anniversaries, Legal Support Arianna Tizoc-Perez has celebrated one year at PERB. Accountant Christopher Pereira and Board Counsel Fernando Reyes celebrated five years at PERB.

Chair Banks asked Ms. Davey about the status of the governor's return to office mandate on July 1. Ms. Davey stated that PERB is moving forward with the return to office plan as are all state departments under the executive order. Ms. Davey noted there is not sufficient space in the Oakland and Glendale offices, so they are working on creative plans for the staff to return. The Sacramento office has space and is anticipating returning to the office on July 1st.

Report - Division of Administration

Jorrell Sorensen, Deputy Executive Director, provided staffing updates. Mr. Sorensen reported a total of 77 total budgeted positions, with nine limited time positions funded by AB 1340. Mr. Sorensen reported 85 filled positions and six retired annuitants in SMCS. Mr. Sorensen stated there have been seven changes regarding staffing since the last Board Meeting. Christina England left PERB, Preetham Ganupuru who was a new state employee was hired as a Research Data Specialist II, Sarah Harris who was a new state employee was hired as an Attorney, Nathan Lam who was a new state employee was hired as an Analyst I, Felix De La Torre left PERB, Mike Perez was promoted to Information Technology Specialist II, and Joseph Eckhart has been currently acting as the Interim General Counsel.

Mr. Sorensen stated Human Resources has started working on a new quarterly training program for the division leadership. The first session was held last month, and future sessions are scheduled for the remaining quarters. The

training courses are designed to help PERB leadership navigate the intricate and complex world of Human Resources. Another project in development is a quarterly newsletter that will be distributed to all staff members. It will focus on PERB staff, administrative updates, organizational accomplishments, upcoming events, and training opportunities. Mr. Sorensen stated the organization is in compliance with the Leave Reduction Plans and Form 700 filings.

Mr. Sorensen stated there is an annual award called the State Agency Recognition Awards and his team won two awards. One for most improved and a notable achievement award regarding the facility procurement processes.

Regarding Facilities, Mr. Sorensen reported two lease renewals with small tenant improvement projects for the Glendale and Sacramento offices. The Division of Administration is coordinating with DGS project teams for both offices. The department has executed and renewed numerous contracts related to training, procurement, election services, interim recruitment, and various organizational projects. Leadership is currently focusing on additional communications and support regarding travel expenditures and reimbursements.

Mr. Sorensen stated for the budget, there is a projected balance of $62,144.

For Information Technology, Mr. Sorensen stated that IT has completed the Board Room Project. Mr. Sorensen thanked Ed Lee, Matt Eliaser, Mike Perez, and Muazam Ali. First quarter Webinars have been completed with more slated to be completed throughout the calendar year. Mr. Sorensen stated IT is continuing to build the platform to manage and process data required under AB1340, assisting Webinar productions, streamlining hearing room setup and design, and working on assessments of AI-powered tools and productivity.

Report - Office of the General Counsel

Joseph Eckhart, Interim General Counsel, provided a staffing update for the Board. Mr. Eckhart thanked former General Counsel Felix De La Torre for the 11 years he spent at the helm of the Office if the General Counsel where he provided his wealth of expertise to the division. Mr. Eckhart reported Taylor Davies-Mahaffey and Sarah Harris joined OGC as Regional Attorneys.
Mr. Eckhart reported that from February to March the Office of the General Counsel received 186 new unfair practice charges, compared to 162 in the December 2025 to January 2026 period.

From February to March the General Counsel's Office completed 190 case investigations compared to 183 case investigations completed in the December 2025 to January 2026 period.

From February to March, the General Counsel's Office issued 77 complaints and dismissed 70 charges compared to 73 complaints issued and 54 dismissed in the December 2025 to January 2026 period.

The average time from filing to disposition of UPCs is 160 days in the February to March period compared to 159 days from December 2025 to January 2026. The current active caseload has decreased from 540 to 510.

Regarding factfinding requests, the General Counsel's Office received 11 requests in the February to March period compared to 16 in the December 2025 to January 2026 period

Representation petitions totaled to 20 from February to March compared to 28 in the December 2025 to January 2026 period.

Mr. Eckhart reported on four requests for injunctive relief, one new litigation matter, and two final case determinations. He provided the details and status of each case.

Member Paulson asked Mr. Eckhart for his take regarding the increased caseload. Mr. Eckhart stated economic uncertainty as well as the number of pro-pers and pro-pers filing multiple amended charges many of which seen to be using AI might be driving the increase.

Chair Banks thanked Mr. Eckhart for stepping up to take on the position of General Counsel on an interim basis.

Report - Division of Administrative Law

Eric Cu, Chief Administrative Law Judge, reported Jana Ellingson-Kegel and Bernhard Rohrbacher completed their probation employment periods for the Senior Administrative Law Judge position. Dexter Rappeley completed his probationary employment period for the Administrative Law Judge position.

For Case Processing, Mr. Cu stated there were 39 cases assigned during the February to March period compared to 41 new cases assigned from December

2025 to January 2026. Mr. Cu reported 37 cases pending issuance of a written Proposed Decision in the February to March period compared to 35 in the December 2025 to January 2026 period. Mr. Cu stated there were 87 active hearings in the in the February to March compared to 80 active hearings in the December 2025 to January 2026 period. The total number of Expedited Cases was at six in the February to March period compared to three during the December 2025 to January 2026 period.

For Formal Hearings, Mr. Cu stated that from the February to March period there were 74 days of hearings, and 11 formal hearings completed, while in the December 2025 to January 2026 period there were 53 days of hearings, and 7 formal hearings completed.

Regarding Case Dispositions, Mr. Cu stated that from the February to March period there were 15 cases that were withdrawn, three were dismissed, and 9 Proposed Decisions issued. This compares to the December 2025 to January 2026 period where 13 cases were withdrawn, zero were dismissed, and eight Proposed Decisions issued.

Mr. Cu stated the Administrative Law Division is scheduling hearings for July 2026 in Sacramento, Oakland, and Glendale.

Mr. Cu reported the average number of days to issue a Proposed Decision is 157 days.

Mr. Cu stated the current 2025-2026 Fiscal Year Exceptions rate is at 44%. In addition, Mr. Cu provided data in a 6-month interval going back three years to show a longer-term trend. In the past 6 months the exceptions rate was 38%, the past 12 months the exceptions rate was 44%, the past 18 months the exceptions rate was 39%, the past 24 months the exceptions rate was 42%, and lastly in the past 36 months the exceptions rate was 40%.

Report - State Mediation & Conciliation Service (SMCS)

Gerald Fecher, Director of SMCS, provided a staffing update and reported Nathan Lam joined SMCS as an Analyst I and Jennifer Gereghty joined SMCS as a Retired Annuitant.

Mr. Fecher stated that from February to March, SMCS had 285 active cases, 143 of those were from the private sector. In the December 2025 to January

2026 period SMCS had 261 active case, 99 of those were from the private sector. SMCS opened 172 cases in February and March, 95 of them were from the private sector. This has slightly decreased from the December 2025 to January 2026 period where SMCS opened 201 cases, 91 of which were from the private sector. SMCS has closed 160 cases in the February to March period, 57 of them were from the private sector. In the December 2025 to January 2026 period, SMCS closed 218 cases, 99 of which were from the private sector.

For Representation and Election, there are five current matters.

For Program Administration, Mr. Fecher reported that in February to March, SMCS received a total of $3,450 in chargeable services from the Arbitration Panel Program and $0 from the Conflict Resolution in the Workplace program, totaling $3,450. In the December 2025 to January 2026 period, SMCS received $3,525 in chargeable services from the Arbitration Panel Program, $2,400 from the Conflict Resolution in the Workplace program totaling $5,925.

Regarding Personnel Administration, Mr. Fecher reported that Federal Mediation and Conciliation Service (FMCS) has continued their reduced private sector mediation. Mr. Fecher reported that FMCS is only handling contract negotiations impasses for bargaining units over 250, with the exception of healthcare bargaining units, which can include any size. They will not be doing any grievance mediation, training, labor relations training, facilitation, or card check elections. Mr. Fecher reported SMCS has received a total of 476 new private sector cases, including grievance mediations and impasse requests.

Mr. Fecher stated five retired annuitants have been extremely helpful in assisting with the increased workload, but he hopes to bring on more full-time Mediator positions.

Mr. Fecher reported SMCS has been involved in mediating and proffering its services in which a strike has been threatened or is occurring. Mr. Fecher thanked SMCS Mediator Jason Motsick for his unflagging efforts in successfully ending a recent 15-day strike by mediating a contract settlement between Transdev and Teamsters Local 542 at Imperial County District.

Chair Banks asked if there is enough money in the budget to hire more mediators for SMCS. Ms. Davey said no.

Chair Banks also acknowledged former Board Member Pricsilla Winslow.

Motion: Motion by Member Paulson and seconded by Member Ortega to accept the reports of the Executive Director, Division of Administration, the Office of the General Counsel, the Division of Administrative Law, and State Mediation and Conciliation Services.

Assents: Banks, Krantz, Paulson, Krausse, Ortega

Motion Adopted - 5 to 0

Old Business

Chair Banks stated the Board will consider the Accommodation Regulations. The Office of the General Counsel requested approval to submit a rulemaking package to the Office of Administrative Law to initiate the formal rulemaking process to add PERB regulations governing requests for disability-related accommodations.

Senior Administrative Law Judge Jeff Edwards presented the package to the committee. Mr. Edwards reported that the committee met and substantially adopted the recommended changes provided during the last Public Meeting.

Member Paulson thanked the committee for the hard work in formalizing the regulations.

Motion: Motion by Member Krantz and seconded by Member Paulson to approve submitting the proposed text of the regulations to the Office of Administrative Law in order to initiate the formal rulemaking process regarding the Accommodation regulatory package including approving the proposed text of the regulations; authorizing the committee to continue rulemaking based on the approved text of the proposed regulations; and authorizing the committee to review, evaluate, and respond to public comments after the future comment periods, and to adopt changes, including any suggested changes from the Office of Administrative Law, without further Board approval, unless the committee wants to make substantive changes from the previously approved text. In that case, the committee must bring the proposed changes to the full Board for approval.

Assents: Banks, Krantz, Paulson, Krausse, Ortega

Motion Adopted - 5 to 0

Chair Banks stated the Board will consider regulations governing Miscellaneous Rulemaking Procedures. The Office of the General Counsel requested Board approval to submit the attached rulemaking package to the Office of Administrative Law to initiate the formal rulemaking process for implementation of these regulatory changes.

Principal Attorney Supervisor James Coffey presented the modified text of the rulemaking package. Mr. Coffey first thanked former General Counsel Felix De La Torre for his fantastic leadership. Mr. Coffey gave an overview of the proposed rulemaking package describing each Section with the proposed changes.

Member Krantz thanked James Coffey for working with the committee throughout the entire process.

Motion: Motion by Member Krantz and seconded by Chair Banks to re-approve the proposed regulations as amended, and submit them to the Office of Administrative Law.

Assents: Banks, Krantz, Paulson, Krausse, Ortega

New Business

Chair Banks announced the recognition of former General Counsel Felix De La Torre.

Chair Banks thanked Mr. De La Torre for his professionalism, for being a guide, for being a sounding board to strategize, and for being a great co-worker. Member Krantz echoed Chair Banks words and stated one thing that stands out most is Mr. De La Torre's wise, steady, calm counsel. It was always delivered with real-world practicality and always supported by painstaking research. Member Krantz stated Mr. De La Torre's perspective has helped not only PERB, but parties be their best selves, sometimes that means resolving a case, narrowing a dispute, or helping to litigate in a more constructive manner.

Member Paulson thanked Mr. De La Torre for his wise counsel when he first joined the PERB Board. Member Paulson said he is most proud of the agency seeing Mr. De La Torre in front of groups of people representing the agency.

Member Paulson said Mr. De La Torre's legacy will be timeless as his philosophy towards the agency and how it conducts business will head-on generations because of his work here.

Member Krausse said that Mr. De La Torre is the personification of what a lawyer he worked with years ago use to say, "never make it personal." Member Krausse stated he enjoyed working with Mr. De La Torre as he is a gentleman and always focused on the work.

Member Ortega said it was a delight to know Mr. De La Torre and wished him the best and regretted that they didn't get more time to know each other.

Executive Director Susan Davey stated it was a privilege to know Mr. De La Torre before working at PERB and during his tenure at the agency. Ms. Davey stated she got to know Mr. De La Torre as a counsel, mentor, and friend. Ms. Davey provided data to recognize Mr. De La Torre's impact at PERB. She stated there were 7,000 unfair practice charges filed, 350 active litigation cases, and 62 elections conducted, and 10 new acts under PERB while he worked as General Counsel.

Former Chief Administrative Law Judge Shawn Cloughsey stated he worked closely with Felix and appreciated him always being available for division to division talks on high profile cases. Mr. Cloughsey said Mr. De La Torre made everyone's job easier.

Conciliator Loretta van Der Pol illustrated what Mr. De La Torre meant to SMCS as he made the transition to PERB extremely easy.

Senior Regional Attorney Mary Weiss stated that it was a pleasure to work under Mr. De La Torre.
Deputy Executive Director Jorrell Sorenson stated that in his old job he knew of Mr. De La Torre due to his contributions to the labor relations community. Mr. Sorenson said it was an honor to meet and work with Mr. De La Torre.

Mr. De La Torre thanked everyone at PERB for an amazing 11 years.

Meeting Adjourned

Chair Banks stated that, immediately upon recess, the Board will meet in continuous closed session until the next regularly scheduled public meeting on June 11, 2026, in the San Francisco Regional Office in Oakland.

The Board meeting will be followed by a Panel Discussion led by Member Krantz and Chief Administrative Law Judge Eric Cu.

During closed session, the Board will deliberate on cases listed on the Board's docket, personnel matters, pending litigation, and requests for injunctive relief.

Motion: Motion by Member Ortega and seconded by Member Krausse to recess the meeting to continuous closed session.

Assents: Banks, Krantz, Paulson, Krausse, Ortega

Motion Adopted - 5 to 0

APPROVED AT THE PUBLIC MEETING OF:

June 11, 2026