PUBLIC MEETING MINUTES

AUGUST 13, 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 C. KRAUSSE, Member
ERAINA L. 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 June 11th, 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 Paulson and seconded by Member Krantz to close the June 11th, 2026 Public Meeting.

Assents: Banks, Krantz, Paulson, Krausse, Ortega

Motion Adopted - 5 to 0

Chair Banks officially opened the Public Meeting of August 13th, 2026. Chair Banks thanked support staff for their hard work. Chair Banks thanked Henry Stevens, Rachel Morgan, Stacy Holmes, Matt Eliaser, Mike Perez, Ryan Halls, Andy Lee, and Ed Lee.

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 June 11th, 2026 meeting.

Motion: Motion by Member Krausse and seconded by Member Paulson to approve the minutes of the June 11th, 2026, Public Meeting.

Assents: Banks, Krantz, Paulson, Krausse, Ortega

Motion Adopted - 5 to 0

Public Comment:

Kerianne Steele, a partner with Weinberg, Roger & Rosenfeld spoke before the Board. Ms. Steele said she worked on the California Gig Worker Union Campaign, which will be a certified Transportation Driver Organization representing Uber and Lyft drivers on September 6th. Ms. Steele stated PERB assisted the largest organizing effort in the history of the United States. Ms. Steele stated PERB has facilitated the process fairly, neutrally, and smoothly.

Ms. Steele thanked Sara Kang Rhee, Yaron Partovi, Preetham Ganupuru, the Board itself, and everyone who worked behind the scenes.

Chair Banks thanked Ms. Steele for her comment. Chair Banks announced on August 7th Governor Newsom appointed Dana Martinez as PERB's General Counsel. Ms. Martinez was a partner at Bush Gottlieb and will be sworn into her new role in October.

Executive Staff Reports:

Report – Executive Director

Susan Davey, Executive Director, noted PERB's 50th anniversary celebrations. Ms. Davey stated the registration link is online for the grand event "PERB: Past, Present, and Future Conference" on September 19, 2026 from 1-5:30 PM at the UC Berkely Labor Center, with a reception to follow. The final regional office event will be held in the Glendale Regional Office on October 8, 2026. Ms. Davey stated that monthly webinars have been filmed and uploaded to PERB's website in honor of the 50th anniversary. Ms. Davey stated September's SMCS Arbitration Panel & Process webinar is scheduled for September 29th.

Ms. Davey stated the TNC status is online on the TNC tab on the PERB website. The most recent update as of August 7 is: Pursuant to Business and Professions Code section 7470.8(b(1)(B), PERB has determined that CGWU provided evidence demonstrating proof of support from at least 30 percent of active transportation network company drivers. Consistent with section 7470.8, subdivision (b)(2), PERB shall wait 30 days, during which time a TNC driver may submit evidence that at least 30 percent of active drivers do not wish to be represented by any TNC driver organization. No driver organization is currently eligible to submit proof of support during this period.

Ms. Davey noted that PERB opened this Fiscal Year fully funded with a budget of $22,529,000 and 89 positions. Ms. Davey thanked LWDA, DOF, and PERB's admin team for all of the work behind this accomplishment.

Ms. Davey provided staff milestone anniversary celebrations. Leo Melton has been with PERB for one year, Gabriel Orea has been with PERB for five years, and Daniel Trump has been with PERB for 15 years.

Ms. Davey provided a Legislation Update to the Board regarding bills that were being monitored. AB 2684 TNC Appeals is in suspense on 8/3/2026, the act designates certain actions and inactions of TNCs, such as failure or refusal to negotiate in good faith with a certified bargaining organization, and of TNC driver organizations as unfair practices, which are subject to the Public Employment Relations Board‘s unfair practice procedure regulations.

SB 1166 AC Transit is in suspense on 8/5/2026, this bill would authorize any charging party, respondent, or intervenor aggrieved by a final decision or order of PERB in an unfair practice case, except a decision of PERB not to issue a complaint in such a case, to petition for a writ of extraordinary relief from that decision or order, as specified.

AB 1564 Confidential communications is in suspense 8/3/2026, this bill would prohibit a public employer from questioning a public employee or union representative about communications made in confidence in connection with the union’s representation of that employee.

AB 1582 HEERA moved to Senate on 6/30/2026, this bill would prohibit PERB from deferring repeat offenses to subsequent arbitration and authorize PERB to award civil penalties of up to $1,000 per day and also allow for attorney fees for repeat violations.

AB 1916 Court Interpreters is in suspense on 6/29/2026, this bill would expand Trial Court Interpreter Employment and Labor Act to make it applicable to sign language interpreters.

AB 1630 Meet & Confer is in suspense on 6/29/2026, this bill would authorize an exclusive representative, in their discretion, to invite one or more members of a bargaining unit to remotely and passively observe a session held for the purpose of a meet and confer on a memorandum of understanding. The bill would prohibit, absent an agreement of the parties, a member of a bargaining unit observing a session pursuant to these provisions from receiving released or reassigned time or compensation to observe a session.

AB 1818 CSUs (as amended) is in suspense on 8/3/2026, this bill would delete specified prohibitions and requirements relating to written memoranda of the California State University. This bill contains other related provisions and other existing laws.

AB 2656 AI within scope of work is in suspense on 8/3/2026. This creates requirements in alignment with Executive Order No. N 12-23 to state agencies; requires report to the governor.

Chair Banks spoke about the immense amount of work that went into the TNC act. PERB found new software, a contractor, and made a portal. Chair Banks also noted that regulations were completed in record time, PERB hired new staff that are all permanent. Chair Banks said, in the event that there is an election there are election contractors ready to go. Every step of the way PERB not only met its statutory timelines but it beat them every single time. There were questions if PERB could handle this task, and Chair Banks knew that PERB could because all employees rose to the occasion and beat every single expectation. Chair Banks thanked Ms. Davey for her work behind the scenes.

Report - Division of Administration

Jorrell Sorensen, Deputy Executive Director, provided staffing updates. Mr. Sorensen reported a total of 86 filled positions, one overfill, four vacancies, and four retired annuitants totaling to 90 total positions at PERB. Mr. Sorensen noted Preethum Ganupuru was promoted to RDS III, Arianna Tizoc-Perez was promoted to Analyst II, Norbert Hoang was promoted to Analyst II, Nikki Nguyen was promoted to Analyst III, Liliana Leon was hired as an Attorney, Matt Eliaser was promoted to ITS II, Inna Gudumac was promoted to Supervisor I, Mary Weiss retired, Janice Shores was hired as a Supervisor II, and Arielle Hernandez was hired as an Attorney.

Regarding Human Resources, Mr. Sorensen stated the department has completed all staff movements to permanent positions based on the new positions received and the new hires that have taken place. Mr. Sorensen said staff have finished the second quarter of supervisor training regarding succession planning and staff development. Current projects include the annual policies updates and the annual staff training for the month of August. Mr. Sorensen also stated Annual performance appraisals are due on September 8th, and Open Enrollment is from September 14-October 9. HR will be hosting a town hall event to answer questions and provide information to all staff.

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 lease negotiations are being finalized for the Glendale office. All comments and feedback have been submitted to the Lessor regarding the building improvements to the suite. Negotiations for the lease renewal and associated tenant improvements in Sacramento are ongoing. The plans have been finalized and signed, and the general contractors are currently repricing the updated scope of work. At this time, no return site visit has been requested. A full cost breakdown is expected once the revised pricing is complete. PERB also is continuing to prepare the Central Services room for the IT transfer.

The department has been diligently working on finalizing the end of the Fiscal year reports and submissions. As of this report, they have completed all adjustments to PERB Accounts, Invoices/Claims, Deposits, Year End Accruals, Contingent Liabilities, Excess Lodging, CalATERS submissions, Year End Statements, and the Monthly Aging Report.

Mr. Sorensen stated for the budget, there is a projected balance of $72,541, for the new fiscal year PERB has a fully funded budget of 22,529,000.

For Information Technology (IT), Mr. Sorensen stated that IT has completed firewall and security maintenances, livestream ballot count events, configuring additional backup servers for safety and security, and equipment deployment for new hires plus safety and security training. 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, rolling out new Windows OS, and preparing infrastructure to support operational changes with AB 288. Some future tasks IT is looking into is, enhancing internal security to block unauthorized devices on the network, backup internet connection as a part of the Technology Recover Plan, solicit bids and vendors for SMCS' application, test Microsoft Copilot and Organizational rollout, Central Services Project, Hearing Room audio mixer and sound upgrades, and assess CDT report and make improvements based on the findings.

Report - Office of the General Counsel

Joseph Eckhart, Interim General Counsel, provided a staffing update for the Board. Arielle Hernandez joined the Office of the General Counsel as a

Regional Attorney. Mary Weiss retired after 18 years of dedicated service to PERB.

Mr. Eckhart reported that from June to July the Office of the General Counsel received 191 new unfair practice charges, compared to 225 in the April to May period. From June to July the General Counsel's Office completed 217 case investigations compared to 207 case investigations completed in the April to May period.

From June to July, the General Counsel's Office issued 86 complaints and dismissed 76 charges compared to 96 complaints issued and 87 dismissed in the April to May period.

The average time from filing to disposition of UPCs is 152 days in the June to July period compared to 162 days from April to May. The current active caseload has decreased from 545 to 525.

Regarding factfinding requests, the General Counsel's Office received five request in the June to July period compared to one in the Apri to May period.

Representation petitions totaled to 27 from June to July compared to 28 in the April to May period.

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

Mr. Eckhart gave a wrap up on the last fiscal year. OGC received 1,169 new unfair practice charges a 65% increase over the previous year’s number. OGC completed 996 investigations which was a 73% increase over the previous year’s number. Mr. Eckhart thanked Legal Support Staff for their exceptional work.

Report - Division of Administrative Law

Eric Cu, Chief Administrative Law Judge, reported Erik Cuadros promotion to Senior Administrative Law Judge, Norbert Hoang was promoted to Analyst II, and Julia Lum received a permanent Administrative Law Judge position.

For Case Processing, Mr. Cu stated there were 46 cases assigned during the June to July period and 39 during the April to May period. Mr. Cu reported 40 cases pending issuance of a written Proposed Decision in the June to July period and 37 in the April to May period. Mr. Cu stated there were 83 active hearings in the in the June to July period compared to 84 active hearings in the April to May period. The total number of Expedited Cases was at five in the June to July period and six in the April to May period.

For Formal Hearings, Mr. Cu stated that from the June to July period there were 42 days of hearings, 35 days of pre-hearing conferences and 15 formal hearings completed. In the April to May period there were 51 days of hearings, 38 days of pre-hearing conferences, and 13 formal hearings completed.

Regarding Case Dispositions, Mr. Cu stated that from the June to July period there were 31 cases that were withdrawn, zero were dismissed, and 14 Proposed Decisions issued. In the April to May period there were 15 cases withdrawn, zero were dismissed, and 12 Proposed Decisions issued.

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

Mr. Cu reported the average number of days to issue a Proposed Decision is 105 days.

Mr. Cu stated the current 2026-2027 Fiscal Year Exceptions rate is too soon to calculate. The 2025-2026 Fiscal Year Exceptions rate was 45%. 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 45%, the past 12 months the exceptions rate was 49%, the past 18 months the exceptions rate was 45%, the past 24 months the exceptions rate was 42%, and lastly in the past 36 months the exceptions rate was 41%.

Report - State Mediation & Conciliation Service (SMCS)

Gerald Fecher, Director of SMCS, noted there are no staffing updates for this period.

Mr. Fecher stated that from June to July, SMCS had 338 active cases, 222 of those were from the private sector. From April to May, SMCS had 314 active cases, 204 of those were from the private sector. SMCS opened 245 cases in

June to July, 135 of them were from the private sector. Compared to 205 cases opened in April to May, 135 of them were from the private sector. SMCS closed 210 cases in the June to July period, 112 of them were from the private sector. SMCS closed 183 cases in the April to May period, 78 of them were from the private sector.

For Representation and Election, there are five current matters.

For Program Administration, Mr. Fecher reported that in June to July, SMCS received a total of $10,625 in chargeable services from the Arbitration Panel Program, $517.50 from the Conflict Resolution in the Workplace program totaling to $11,142.50. From April to May, SMCS received a total of $3,950 in chargeable services from the Arbitration Panel Program, $3,565 from the Conflict Resolution in the Workplace program, totaling to $7,515.

Regarding Personnel Administration, Mr. Fecher reported SMCS finished Fiscal Year 2025-26 with a total of 1,196 cases which more than doubled our caseload of the prior Fiscal Year of 2024-25, which had a total of 540 cases. The increase is largely as a result of SMCS taking on the private sector work that is no longer done by the Federal Mediation & Conciliation Service, including some contract and almost all grievance mediations, as well as Card Check Elections. Mr. Fecher thanked the SMCS staff for all of their tireless efforts in meeting the increased needs from our constituents, both in the public and private sectors.

Mr. Fecher also recognized SMCS Mediator Jason Motsick for his successful and tireless efforts in mediating a unique case between the University of California and SEIU-CIR. Historically, the UC and SEIU-CIR (Interns and Residents) had eight separate contracts across the State. In 2025, the Board ordered the parties to consolidate the contracts into one master contract. In August 2025, the parties entered negotiations for all eight contracts, and in 2026, requested pre-impasse mediation with SMCS. After 14 mediation sessions, the parties reached a tentative agreement on a 4-year term (for one master/systemwide contract) during the month of July.

Chair Banks asked Mr. Fecher if SMCS is doing any outreach for the federal workforce or if it is still “word of mouth.” Mr. Fecher stated they are doing outreach to unions that handle private sector work. Chair Banks also asked if SMCS is shopping its training to unions and employers. Mr. Fecher said yes.

Motion: Motion by Member Ortega and seconded by Member Krantz 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 there is an update by the committee tasked with monitoring developments regarding Laor Code section 923.1 and determining whether to propose that the Board engage in related rulemaking.

Member Krantz provided an update and stated that the committee's recommendation subject to the Board's wisdom is that there isn't an urgent need for rulemaking and to continue monitoring the situation.

Chair Banks thanked the committee for getting this information onto the PERB website.

New Business

Chair Banks stated the Board will consider the factfinding chairperson compensation package. The Educational Employment Relations Act and the Higher Education Employer-Employee Relations Act require that PERB select and bear 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 $1,500 per day with a seven-day contract maximum. The Board reviews the compensation for factfinding panel chairpersons annually for potential modification.

Deputy Executive Director Jorrell Sorensen presented this item. Mr. Sorensen clarified the Board increased the rate from $1,300 to $1,500 last year.

Chair Banks asked if mid fiscal year factfinders decided they don't want to be chairperson because the money's not there, is there an ability to come back to the Board mid-fiscal year and address that concern? Mr. Sorensen said no, there would have to be an off cycle BCP which is very difficult to do in the interim process.

Motion: Motion by Chair Banks and Member Krausse to accept the staff recommendation of $1,500 per day with a 7-day contract maximum for the Fact Finder Compensation Package.

Assents: Banks, Krantz, Paulson, Krausse, Ortega

Motion Adopted - 5 to 0

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 October 8, 2026, in PERB's Los Angeles Regional Office in Glendale.

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 Krantz and seconded by Member Ortega 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:

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