



Oklahoma Public Employees Relations Board
Minutes of
July 14, 2011
2800 N. Lincoln, Agriculture Bldg, First Floor Board Room
9:00 a.m.
Regular Meeting

Approved 8/11/2011

Pursuant to the legal notice required by the Oklahoma Open Meeting Act, including the posting of notice and agenda, required by the terms thereof, the Public Employees Relations Board met at the Agriculture Building, First Floor, 2800 N Lincoln Boulevard, Oklahoma City, 73105.

Call to Order

Chairman Barlow called the meeting to order at 9:03 a.m.; he took notice of the Administrative Procedures Act and announced that the meeting was in compliance with the Open Meeting Act.

Members present were Chairman Barlow, Members Larry Gooch and Max Speegle. Also present were Debbie Tiehen, PERB Administrator, Bryan Neal, Assistant Attorney General and Jordan Haygood, Law Clerk. Others in attendance were Union Attorney Sue Wycoff, City Attorney Larry Simmons and Court Reporter Terri White.

Board Members and staff introduced themselves and Chairman Barlow stated the agenda for the day's meeting.

Mr. Gooch moved to approve the Minutes of the June 9, 2011 Board Meeting, Mr. Speegle seconded the motion, the motion passed and the vote was:

Mr. Gooch – aye Mr. Speegle – aye Chairman Barlow – aye

The Board took up Case No. 2011-ULPC-504, Fraternal Order of Police (FOP), Lodge 102 v. City of Stillwater concerning FOP's Motion to Compel a witness to answer a question during a deposition.

The Board called for appearances; Sue Wycoff for the FOP, and Larry Simmons for the City of Stillwater.

After oral argument and questions from the board, Chairman Barlow moved to enter into executive session, Mr. Gooch seconded the motion, the motion passed and the vote was:

Mr. Gooch – aye Mr. Speegle – aye Chairman Barlow – aye

(Executive Session)

Back in open session by unanimous vote, Mr. Gooch moved that the Union's Motion to Compel be DENIED and explained that there were enough material facts not in dispute to determine this case and that it should be set for legal arguments. Mr. Speegle seconded the motion, the motion passed and the vote was:

Mr. Gooch – aye Mr. Speegle – aye Chairman Barlow – aye

The Board informed the parties that this case will be set for hearing concerning summary judgment at the next scheduled board meeting, August 11, 2011.

Next, the Board discussed the compensatory payment, set by statute, for the board members.

Chairman Barlow asked legal counsel if they (the members) had the right to refuse the \$50.00 compensatory payment.

Mr. Neal informed the board that they "did" have the right to refuse payment or even take less and that it was the board's choice.

After a short discussion, the members agreed to continue with the provision of the statute.

Ms. Tiehen gave a report of recent case activity; included was one new unfair labor practice filing (PERB Case No. 2011-ULPC-506, the International Association of Firefighters, Local 2284 v. the City of McAlester) and one response to the Fraternal Order of Police, Lodge 208's Petition for Certification in the Town of Dibble (PERB Case No. 2011-RC-12432PD).

Chairman Barlow announced the next board meeting would be August 11, 2011 and the cases to heard were PERB Cases No. 2011-ULPC-506, Case No. 2011-ULPC-504, and Case No. 2011-RC-12432PD.

Chairman Barlow moved to adjourn the meeting, Mr. Gooch seconded the motion, the motion passed and the vote was:

Mr. Gooch – aye Mr. Speegle – aye Chairman Barlow – aye

The meeting adjourned at 9:48 a.m.