



Oklahoma Public Employees Relations Board  
Minutes of January 17, 2013  
REGULAR MEETING

**9:00 a.m.**

Oklahoma Department of Agriculture Food & Forestry Lab Building  
2800 North Lincoln Blvd. - First Floor Board Room  
Oklahoma City, Oklahoma, 73105

Approved 2-14-2013

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 Oklahoma Department of Agriculture Food & Forestry Lab Building, Second Floor Board Room, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

**Call to Order**

Chair Robert McCampbell called the meeting to order at 9:00 a.m., took notice of the Administrative Procedures Act and announced that the meeting was in compliance with the Open Meeting Act.

Members present were Chair Robert McCampbell, Greg Buckley and Sue Wycoff. Also in attendance were PERB Administrator Debbie Tiehen and Assistant Attorney General Bryan Neal.

Chair McCampbell introduced himself and asked Members Greg Buckley and Sue Wycoff to introduce themselves; he then stated the agenda for the day's meeting.

The Board took up agenda item IV, PERB Case No. 2012-DC-RC-12441PD, the decertification election results of the Fraternal Order of Police (FOP), Lodge 132 (in favor by unanimous vote) and certification election results of the Fraternal Order of Police, Lodge 165 (in favor by unanimous vote) in the City of Harrah.

Mr. Buckley moved to approve both election results, Ms. Wycoff seconded the motion, the motion passed and the vote was:

Mr. Buckley - aye      Ms. Wycoff – aye      Chair McCampbell – aye

Chair McCampbell signed the written Orders to decertify FOP, Lodge 132 and to certify FOP, Lodge 165.

The Board moved to agenda item V., PERB Case No. 2012 UC-12442FF, City of Stillwater v. International Association of Fire Fighters (IAFF), Local 2095 concerning City's Objection to Respondent's Motion for Extension of Time to conduct discovery for gathering information.

James Moore appeared for the IAFF and Larry Simmons appeared for the City of Stillwater.

Following oral argument between the two parties and questions from the Board, Ms. Wycoff moved to enter into executive session, Mr. Buckley seconded the motion, the motion passed and the vote was:

Mr. Buckley - aye      Ms. Wycoff – aye      Chair McCampbell – aye

*(Executive Session)*

Mr. Buckley moved to return to open session, Ms. Wycoff seconded the motion, the motion passed and the vote was:

Mr. Buckley - aye      Ms. Wycoff – aye      Chair McCampbell – aye

Back in open session, Ms. Wycoff moved to GRANT an extension of time to give Respondent time to respond to the Motion for Summary Judgment by March 15, 2013 and thereafter GRANTING the City ten (10) days to reply to that response (March 29, 2013). Chair McCampbell seconded the motion, the motion passed and the vote was:

Mr. Buckley - nay      Ms. Wycoff – aye      Chair McCampbell – aye

The Board took up agenda item VI., PERB Case No. 2012-ULPC-524, Fraternal Order of Police (FOP), Lodge 146 v. City of Jenks concerning City's Motion to Quash Subpoena Duces Tecum.

Jarrold Leaman and James Moore appeared for the FOP, Steve Oakley appeared for the City of Jenks.

Mr. Oakley submitted a document to Ms. Tiehen to file entitled Objection To Jurisdiction Of Oklahoma Public Employees Relations Board.

Mr. Neal, AAG, explained to Mr. Oakley that his "objection motion" could not be heard today as it was a new filing and had not been placed on the agenda for discussion or action adding, therefore, that it was not properly put before the Board.

Mr. Leaman stated that he was willing to push this matter to the next docket as he had just received this filing and was not prepared to respond.

Chair McCampbell stated for the record that the Board had received a document called Objection To Jurisdiction Of Oklahoma Public Employees Relations Board and declared the Board would take a minute to read this document then decide if the Board could deal with the issues presented in this document.

After reading the newly submitted document, Chair McCampbell stated that the document contained substantive matter that questioned the PERB's existence and moved to postpone this case until the February Docket, Ms. Wycoff seconded the motion, the motion passed and the vote was:

Mr. Buckley - aye      Ms. Wycoff – aye      Chair McCampbell – aye

Ms. Wycoff requested that when parties brief this issue, to address the subject on how this matter could be dealt with.

Chair McCampbell moved that the Complainant be given fifteen (15) days to file a response brief (February 1), Mr. Buckley seconded the motion, the motion passes and the vote was:

Mr. Buckley - aye      Ms. Wycoff – aye      Chair McCampbell – aye

Skipping to Agenda Item VIII. concerning the preliminary agenda of the next Board Meeting to be held February 14 , Chair McCampbell voiced his concern about potentially being unavailable to attend PERB's next Board Meeting on February 14 as he may be called away on business. He added that he would notify the Board as soon as he could in regard to this matter.

Chair McCampbell requested that Mr. Neal write an Order concerning Case 2012-ULPC-521, International Association of Fire Fighters (IAFF), Local 2298, directing Mr. Hickman to respond to the issues raised in the City of Ada's Motion To Dismiss filed on October 31, 2012 alleging that the Charge was invalid and the Board could not adjudicate the case because the Board did not exist after November 1, 2012. In addition, he asked Mr. Neal to write a brief in advance of next month's meeting regarding the issue of PERB's existence and the harmonization of the two conflicting House Bills; the brief is to be due by February 11.

Ms. Tiehen gave the Administrator's Report of recent case activity and informed the Board she had not heard any information regarding the remaining two Board Appointments.

Mr. Buckley moved that meetings begin at 9:30 a.m. instead of 9:00 a.m. as he makes the long drive from Muskogee, Ms. Wycoff seconded the motion, the motion passed and the vote was:

Mr. Buckley - aye      Ms. Wycoff – aye      Chair McCampbell – aye

The meeting adjourned at 11:35.