



**Oklahoma Public Employees Relations Board
Minutes of May 9, 2013
REGULAR MEETING
9:30 a.m.**

**Oklahoma Department of Agriculture Food & Forestry Building
2800 North Lincoln – First Floor Board Room
Oklahoma City, Oklahoma 73105**

Approved 6/13/2013

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 (PERB) met at the Oklahoma Department of Agriculture Food & Forestry Building, First Floor Board Room, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

Agenda Item I - Call to Order

Chair Robert McCampbell called the meeting to order at 9:40 a.m., and requested that the board members introduce themselves.

Members present were Chair Robert McCampbell, Greg Buckley, Ms. Wycoff and Ms. Perry. Also in attendance were Bryan Neal, AAG and Counsel to the Board, PERB Administrator Debbie Tiehen, James Moore, Attorney for the Union and Larry Simmons, Attorney for the City of Stillwater.

Agenda Item II – Announcement of Open Meetings Act and Authority

Chair McCampbell confirmed that the Open Meetings Act was followed and the meeting would continue.

Agenda Item III – Approval of Minutes

Mr. Buckley made a motion to approve the minutes of the PERB Meeting held 3-14-2013. Ms. Perry seconded the motion and a vote was taken.

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

Motion passed.

Agenda Item IV - Public Employees Relations Board Case No. 2012-UC-12442FF, City of Stillwater v. International Association of Fire Fighters (IAFF), Local 2095 concerning positions included in bargaining unit.

Larry Simmons appeared for the City of Stillwater and James Moore appeared for IAFF, Local 2095.

After oral argument between the two parties and questions from the Board, Ms. Wycoff moved to enter executive session, Mr. Buckley seconded the motion and a vote was taken.

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

(Executive Session)

Back in **Open Session** by unanimous vote, Mr. Buckley moved to GRANT the City's Motion for Summary Judgment. There was no second to the motion and the motion died.

Ms. Wycoff moved to GRANT the IAFF's Cross-Motion for Summary Judgment, Ms. Perry seconded the motion and a vote was taken.

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

Motion passed.

Chair McCampbell then asked Mr. Neal to prepare the Order. Ms. Wycoff asked if the Order would address City's Findings of Fact and Conclusions of Law. Mr. Neal affirmed that it would.

Chair McCampbell stated that the Board could reserve the right to make changes to the Order upon review if needed.

The Board took a five minute break.

V. Discussion and Possible action concerning permanent rulemaking, review and drafting of PERB Rules and the filing of Notice of Rulemaking Intent (NRI) with the Secretary of State Office of Administrative Rules.

After a short discussion on changing the PERB Rule on accepting filings electronically, the Board agreed to keep the rule on accepting filings the same.

The Board collectively agreed to make the rule revisions necessary to carry out the provisions of the new law that went into effect November 1, 2012.

Ms. Perry moved to begin the rulemaking process by filing the Notice of Rulemaking Intent, Mr. Buckley seconded the motion and a vote was taken.

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

Motion passed.

VI. Discussion and Possible Action concerning the Appeal filed April 30, 2013 in the Oklahoma County District Court, Case No. CV-2013-928, IAFF, Local 176 v. PERB and City of Tulsa.*

Mr. Buckley moved to enter into executive session, Ms. Wycoff seconded the motion and a vote was taken.

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

(Executive Session)

Back in ***Open Session*** by unanimous vote, no action was taken.

VII. Administrator's Report of recent case activity

Ms. Tiehen reported on PERB's recent case activity and that a law student from the OCU Law School had been selected to assist the PERB as a law clerk over the summer.

VIII. Announcement of next Board Meeting

Chair McCampbell announced the next board meeting will be held June 13, 2013.

IX. Adjournment

Ms. Perry moved to adjourn the meeting, Ms. Wycoff seconded the motion and a vote was taken.

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

The meeting adjourned at 11:26 a.m.

** The style on the Appeal CV-2013-928 was incorrectly placed on the agenda as the IAFF, Local 176 v. PERB and City of Tulsa. The correct style of the Appeal was the IAFF, Local 176, Terry D. Casey, Frank Etter, and David Croslin v. PERB and City of Tulsa.*