

## INTRODUCTION

Title 24 of the Virgin Islands Code, section 365(f), requires the Public Employees Relations Board (hereinafter "PERB") to report on its actions and findings, not less than once per year, to the Governor and the Legislature. This report covers the activities of the PERB during Fiscal Year 2016(October 1, 2015 through September 30, 2016).

## HISTORY AND PURPOSES

Act 4440 of the Thirteenth Legislature of the Virgin Islands created the PERB and defined its jurisdiction and responsibilities. By its terms, Act 4440 (hereinafter the "Act") took effect on August 31, 1980.

The Act sets forth a comprehensive scheme for the administration of labor relations between the Executive Branch of the Government and its employees. Prior to the Act, labor relations in the public sector were governed by Executive Order No. 140-1970. The Act broadened the collective bargaining agreement laws and vested that responsibility in the PERB, a separate and independent board of the Government.

The prominent responsibility of the PERB is to effectuate the purpose of the Act, as stated by the Legislature in Section 361 of the Act:

*It is the purpose of this Chapter to provide for an orderly and constructive relationship between public employers and their employees. The Legislature finds and declares that the Government of the Virgin Islands shall fully accept the principle and procedure of collective bargaining and shall bargain in good faith with valid public employee organizations, subject, however, to the paramount right of the citizens of the Territory to keep inviolate the guarantees for their health, safety and welfare.*

The PERB constantly endeavors to improve public sector relations through other avenues, particularly in training or consulting efforts, in coordination with public sector management and union representatives, plus screening of and training arbitrators and mediators.

## **PERB STATUTORY FUNCTIONS**

The following are several statutory duties that the PERB performs pursuant to the Public Employees Labor Relations Act, 24 V.I.C. § 361 et seq. (the "Act"):

1. investigates petitions for elections (initial representation elections, challenged elections by rival unions, or decertification elections), including examination of showing of interest; investigations conducted by counsel;
2. certifies employee organizations as the exclusive bargaining representative for an appropriate bargaining unit;
3. decertifies employee organizations as the exclusive bargaining representative for an appropriate bargaining unit;
4. determines appropriate bargaining units among public employees and classifies such units; determination made after investigation by counsel or board and if necessary full hearing by Board; determines if employees are confidential, managerial or supervisory;
5. conducts on-site secret ballot elections for employees in appropriate unit;
6. investigates alleged unfair labor practices;
7. issuance and prosecution by Board of unfair labor practice complaints based upon investigation of the charge;
8. adjudicates unfair labor practices based upon full evidentiary hearing, formal evidence and legal arguments presented by parties; such cases are heard by the full Board or a hearing officer;
9. sees to enforcement of unfair labor practice remedial orders;
10. reviews employee challenges to payment in-lieu of dues;
11. selects qualified individuals to serve as mediators and arbitrators and maintains a list of such individuals;
12. compiles and submits to parties lists from which arbitrators are chosen;
13. to determine and apportion the cost of arbitration equally to the parties involved;
14. when collective bargaining agreement negotiations reach impasse, acts as mediator, refers unresolved issues to mediator, and refers remaining issues to an arbitrator;

15. fairly and impartially administers provisions of the Act;
16. presents training programs for arbitrators and lectures for representatives of employee organizations and management;
17. disseminates information regarding the Act to interested organizations, public employees, employers and scholars.

Effective January 1, 1995, the PERB was given jurisdiction over certain types of Government Service Appeals, in accordance with Act 6010, Bill No. 20-0325.

Specifically, under 3 V.I.C. §530, the PERB hears appeals of any “regular” (career service) Government employee who has been suspended, demoted or terminated.

Under 3 V.I.C., § 531 the PERB hears appeals of discrimination in personnel actions allegedly based upon race, age, sex, politics, national origin or any other non-merit factors.

Under 3 V.I.C. § 496, the PERB has jurisdiction to hear appeals of any employee affected by the classification or allocation of a position.

## COMPOSITION OF THE PERB BOARD

The PERB is composed of five (5) members appointed by the Governor with the advice and consent of the Legislature. Two (2) of the members shall have experience, involving labor relations; on behalf of labor, and two (2) other members shall have experience, involving labor relations; on behalf of management. The fifth (5<sup>th</sup>) serves as Chairman of the PERB. The Act also requires that at least two (2) members represent the District of St. Croix and, at least two (2), be representatives from the District of St. Thomas and St. John. The Act also requires that the PERB shall have an Executive Director.

Effective January 1, 1995, PERB Members serve terms of five (5) years. In order to stagger the terms, however, one member was appointed for three (3) years and another for four (4) years. In accordance with Title 24 V.I.C., Chapter 14 § 364 (b).

The composition of the PERB is as follows:

NAME	TERM
Pierina Jacobs-Feldman Incoming Chairman (STT)	09/22/2015 – 09/22/2020
Aubrey A. Lee Representative of Management (STT)	07/29/1999 – 07/28/2004
Omar B.U. Henry Representative of Labor (STX)	09/26/2000 – 09/25/2005
Rodney E. Moorehead Representative of Management (STX)	12/17/2003 – 12/16/2008
Frederick Joseph Representative of Labor (STX)	07/31/2015 – 07/31/2020

***"Members of the PERB shall serve terms of five years... as designated by the Governor at the time of appointment... Each member shall hold office until his successor is appointed and confirmed," and upon receipt the letter of appointment from the Governor.***

## **BOARD MEMBERS BIOGRAPHIES:**

**Pierina Jacobs-Feldman:** On September 22, 2015, Mrs. Jacobs-Feldman was appointed by the Honorable Kenneth E. Mapp, Governor of the U.S. Virgin Islands, to serve as the Chairman of the Virgin Islands Public Employees Board (PERB).

Mrs. Jacobs-Feldman retired in 2011. Prior to her retirement with the Government of the Virgin Islands her professional career included: Information Officer/Press Secretary for Former Governors Juan F. Luis; Alexander A. Farrelly and Charles W. Turnbull; Director of Communication for the V.I. Legislature Post Audit Division; and Chief of Staff for Former Senator Alvin L. Williams, Jr.

Mrs. Jacobs Feldman actively participates in various community organizations to include: The Sound Tapestry Singers; St. John Singers; Former Inner Wheel Club of Charlotte Amalie and former member of St. Thomas/St. John Chamber of Commerce. She served in various capacities to include Vice President of Partners for Health; President of Rotary Club of St. Thomas, President of Caribbean Chorale, Inc. Chairman of the St. John Carnival Queen Committee 1981, and Former Treasurer of the Parent/Teacher and Student Association (PTSA) of All Saints Cathedral School.

In an effort to enhance her skills in Labor Relations, she attended the PERB sponsored training seminar entitled, "Administrative Hearing and Introduction to Grievance Mediation". She also attended various training programs to include the Labor Law & Labor Arbitration Conference; National Association of Hearing Officials (NAHO) 2015 Annual Conference and the National Public Employer Labor Relations Association (NPELRA) 2016 Annual Conference.

**Aubrey A. Lee:** On July 29, 1999, Mr. Lee was appointed by the Honorable Charles W. Turnbull, Former Governor of the U.S. Virgin Islands, to serve as Chairman of the Virgin Islands Public Employees Relations Board (PERB). Mr. Lee currently serves as a representative for management for the District of St. Thomas.

Mr. Lee received training in Administrative Law at the National Judicial College; Labor Law at the Cornell University in New York; and in 1970 trained in Industrial Relations at the Michigan State University. Currently, he is a member of National Association of Hearing Officials (NAHO) and is a Certified Hearing Official (CHO). In addition to his position as Chairman to the PERB, he performs as an Administrative Hearing Officer for the PERB.

Over the last thirty-five (35) years, Mr. Lee has held several positions of increasing responsibility within the labor relations career field, including: Director of Labor Relations; Assistant Commissioner for Labor Relations; Executive Director of the Virgin Islands Labor-Management Committee; and Chairman of the PERB. He occasionally speaks at various seminars and conferences, including Shop Steward Trainings; meetings with the Governor's Executive Cabinet and other interested parties, on topics including; grievance mediation, contract administration, arbitration and the role of the PERB. He has also instructed students at the University of the Virgin Islands, in various subject matters, including; Basic Labor Law, Grievance Mediation, Interest Mediation, and Contract Negotiations.

Mr. Lee has performed services as an Arbitrator since 1987, handling both public and private sector cases. He received training from the American Arbitration Association ("AAA") in Arbitration and Collective Bargaining Negotiation process. As a Mediator he has mediated many high profile public sector cases. He has also arranged for mediation training through the Federal Mediation Conciliation Services sponsored by the PERB to conduct mediations on behalf of the PERB.

Mr. Lee earned his Bachelor of Arts Degree in Economics and Business Administration in 1962 from the Inter-American University in Puerto Rico and his Master of Arts Degree in Public Administration from the University of the Virgin Islands in St. Thomas.

**Rodney E. Moorehead:** On January 12, 2004, Mr. Moorehead was appointed by the Honorable Charles W. Turnbull, Former Governor of the United States Virgin Islands to the Virgin Islands Public Employees Relations Board (PERB), to serve as a representative for management for the District of St. Croix.

In an effort to enhance his skills in the administrative law process, he attended various programs including; Administrative Law Fair Hearing and Mediation Certification courses at the National Judicial College (NJC), Labor Law/ Labor Arbitration and the Association of Labor Relations Agencies Conference (ALRA). He also attended various training seminars and programs sponsored by the PERB, to include: the Administrative Hearing Process; Arbitration & Advocacy Process; and Grievance Mediation. He also attended a professional development conference at the National Association of Hearing Officials (NAHO), and is currently a member and a Certified Hearing Officer. Mr. Moorehead's professional career includes numerous years as an educator, including; Elementary School Teacher, Assistant Principal and Principal.

Mr. Moorehead earned a Bachelor of Arts degree in Liberal Arts from the California State University in San Bernardino and a Master of Arts Degree in Education from the University of the Virgin Islands.

**Omar B.U. Henry:** On September 26, 2000, Mr. Henry was appointed by the Honorable Charles W. Turnbull, Former Governor of the U. S. Virgin Islands to the Virgin Islands Public Employees Relations Board (PERB), to serve as a representative for labor for the District of St. Croix.

Over the past thirty-five (35) years, Mr. Henry's professional career included: Instructor at St. Croix Career & Technical Center (CTE), Chief Advisor and Chief of Staff to Former Senator at Large, Craig W. Barshinger, and Vocational Teacher at the Positive Connections School of Alternative Education of the V.I. Mr. Henry has actively participated as a member of the American Federation of Teachers (AFT) and the Association for Career Technical Education (ACTE) on St. Croix.

Through his association with the PERB, Mr. Henry is currently a member of the National Association of Hearing Officials (NAHO) and attends the annual professional development conference. Mr. Henry has also successfully completed the Administrative Law: Fair Hearing course at the National Judicial College (NJC) and has attended various seminars, including Labor Law /Labor Arbitration and the Association of Labor Relations Agencies Conference (ALRA).

Mr. Henry actively participates in various community organizations to include: the Democratic Territorial Committee St. Croix District; Democratic Territorial at Large Committee; Coordinator/Disaster Assessment for the American Red Cross, Virgin Islands Chapter; St. Croix Toastmasters as member and Sergeant at Arms; Court Yard Players as Interim President; and Treasurer of the Crucian Christmas Festival Committee.

Mr. Henry received a Bachelor of Arts in Vocational Education at the University of the Virgin Islands and currently has credits towards a Master of Arts degree at the Cambridge College School of Administration in Education program.



**Frederick Joseph:** On December 29, 2015, Mr. Joseph was appointed by the Honorable Kenneth E. Mapp, Governor of the U.S. Virgin Islands to the Virgin Islands Public Employees Relations Board (PERB), to serve as a representative for labor for the district of St. Croix.

Mr. Joseph has over twenty-five (25) years of experience as a union representative. He held positions of increasing responsibilities within the United Steel Workers (USW) Union. In 1985-1987 he served as a Staff Representative for USW Union. In 1987, he was promoted to the Sub District Director position, and held the position for twenty-three (23) years. In this position, he had oversight over the operations for the United States Virgin Islands, Puerto Rico and, at one point, St. Maarten. As a Union representative, he received several certificates to include: Labor Mediation, Arbitration and Negotiation, at the United Steelworker's Training Center in Pittsburgh, Pennsylvania in 1988. After attending these training programs, and a Train-the-Trainer course, he taught other union representatives about Labor Arbitration and Negotiation over a five (5) year period.

Additionally, Mr. Joseph served as the Chairman of the Virgin Islands Central Labor Council's Political Action Committee, and as Chairman of the Virgin Islands Wage Board. Mr. Joseph is a member of the St. Patrick's Church, Men's Fellowship, and he was also one of the founders of the Knights of Columbus for the Catholic Churches.

**Zandra E. Petersen:** Over thirty (30) years of experience in management and labor related positions of increasing responsibilities throughout the Government of the Virgin Islands, including; Assistant Personnel Director, Division of Personnel and Director of Administrative Services, Office of the Adjutant General/Virgin Islands National Guard. In 2000, Ms. Petersen was appointed to the PERB, as a member, with management experience. In 2002, she accepted the position of Executive Director to the PERB.

Ms. Petersen completed studies from various institutions and organizations; such as, the National Judicial College Administrative Law: Fair Hearing Course; Arbitration training at the Federal Mediation & Conciliation Services. Further, she is a Certified Hearing Officer, Mediator, Certified Trainer, Certified EEOC Investigator and was also appointed as a Mediator with the Superior Court of the Virgin Islands.

Ms. Petersen is a member of National Association of Hearing Officials, National Public Employer Labor Relations Association and the Association of Conflict Resolution. Ms. Petersen earned a Bachelor of Arts Degree in Accounting from the University of the Virgin Islands, and a Master of Science Degree in Human Resource Development from the Florida International University, and she has also earned credits toward a Masters in Judicial Studies at the National Judicial College.

In addition, Ms. Petersen is a Volunteer Ombudsman Director with the Employer Support of the Guard and Reserve or ESGR.

## **PERB STAFF**

The PERB has a staff of eleven(11) full-time and one (1) part-time custodian for a total of twelve (12) employees; nine (9) employees in the St. Croix district and three (3) in the St. Thomas/St. John district:

<b><u>NAME</u></b>	<b><u>POSITION TITLE</u></b>	<b><u>DATE OF HIRE</u></b>	<b><u>ISLAND</u></b>
Zandra E. Petersen	Executive Director / Certified Hearing Officer	March 4, 2002	STX
Larry Raymond-Roy	Legal Counsel / Hearing Officer	August 19, 2009	STX
Kyaa R. Barry	Court Reporter/ Administrative Assistant	June 6, 2011	STT
Myka Callender-Smith	Senior Court Reporter	January 5, 1998	STT
Sonia S. Henry	Legal Assistant	July 20, 2015	STX
Jessica D. Philgence	Fiscal/Information Technology Officer	November 22, 2010	STX
Linda Ravariere	Legal Administrative Coordinator	July 28, 2008	STX
Wilma Rodney	Facilities Caretaker	October 1, 1990	STX
Collister M. Fahie	Legal Administrative Coordinator	July 5, 2016	STT
Esther Felix Donelly	Fiscal Manager/HR Rep.	March 9, 2015	STX
Azalea Macedon	Clerical Assistant/ Intake Officer	December 1, 2014	STX
Joel A. Dorsett	Scanning Technician / Security	February 22, 2016	STX

### **Personnel Changes (As of October 1, 2015):**

Susanne Williams                      Resigned – January 20, 2016

# **PUBLIC EMPLOYEES RELATIONS BOARD 2016 ORGANIZATIONAL CHART**

**TO BE INSERTED**

## OFFICES

### **St. Thomas – Administrative Office / Hearing Room**

**Physical address:** Suite 219 Nisky Center  
**Name of Landlord:** B&W Realty  
**Amount of Square feet:** 1000 sq. ft. @ \$ 33.07 per sq. ft  
**Current Annual Rent:** \$ 33,070.92  
**Terms of Lease:** July 1, 2016 – June 30, 2021  
(Subject to an annual 4% increase beginning 2018)

### **St. Thomas Witness Waiting & Office Space**

**Physical address:** Suite 217 Nisky Center  
**Name of Landlord:** B&W Realty  
**Amount of Square feet:** 752 sq. ft. @ \$ 26.00 per sq. ft  
**Current Annual Rent:** \$ 19,552.00  
**Terms of Lease:** July 1, 2016 – June 30, 2021  
(Subject to an annual 4% increase beginning 2018)

### **St. Croix Administrative Office / Hearing Room**

**Physical address:** #5001 Chandler's Wharf, Suite #9 Gallows Bay  
**Name of Landlord:** Christiansted Port Terminal Corporation  
**Amount of Square feet:** 2,500 sq. ft. @ \$12.00 per square foot  
**Current Annual Rent:** \$ 30,000.00  
**Terms of Lease:** January 1, 2014 – January 1, 2019

### **St. Croix - Training Center / File Room**

**Physical Address:** #5001 Chandler's Wharf, Suite #14 Gallows Bay  
**Name of Landlord:** Christiansted Port Terminal Corporation  
**Amount of Square feet:** 1,600 @ \$12.00 per square foot  
**Projected Annual Rent:** \$ 19,200.00  
**Terms of Lease:** January 1, 2014 – January 1, 2019

### **St. Croix – Fiscal Office**

**Physical Address:** #5001 Chandler's Wharf, Gallows Bay  
**Name of Landlord:** Christiansted Port Terminal Corporation  
**Amount of Square feet:** 640 @ \$12.00 per square foot  
**Projected Annual Rent:** \$ \$7,680.00  
**Terms of Lease:** June 1, 2015 – January 1, 2019

## PERB TEN-YEAR WORKLOAD OUTPUT SUMMARY

### 1. BOARD AND EXECUTIVE MEETINGS

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Held	13	15	9	10	11	8	7	10	10	8

### 2. UNFAIR LABOR PRACTICE CHARGES (ULPC's)

*An unfair labor practice charge is a charge that is a violation of the PERB Labor Relations Act which grants rights to the Government, public employees and their union.*

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Filed	44	107	71	31	46	38	31	33	37	37
Closed	70	122	83	65	39	42	23	22	37	34
Pending	117	75	66	32	40	40	48	61	61	65

### 3. REPRESENTATION PETITIONS (RC's)

*Representation Petition is a petition for an election to certify a labor organization as their exclusive bargaining representative of a group of employees*

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Filed	1	0	9	1	2	3	2	0	0	0
Processed to Election (include prior years)	0	0	2	1	2	0	4	0	0	0
Dismissed/ Withdrawn	0	0	7	0	0	1	5	1	0	0
Pending	1	1	7	1	2	4	1	0	0	0

#### 4. DECERTIFICATION PETITIONS (DC's)

*Decertification Petition is a petition for an election to decertify a labor organization as their exclusive bargaining representative of a group of employees*

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Filed	2	5	7	1	2	0	0	0	0	0
Processed to Election (including prior years)	0	0	1	1	4	0	0	0	0	0
Dismissed/ Withdrawn	1	1	4	0	1	0	1	0	0	0
Pending	1	5	8	1	1	0	0	0	0	0

#### 5. UNIT CLARIFICATIONS (UC's)

*A petition filed to determine whether a position belongs in a bargaining unit.*

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Filed	7	10	8	6	2	5	0	3	3	1
Closed	4	4	1	9	2	5	3	4	5	4
Withdrawn	0	0	9	3	1	2	0	0	0	0
Pending	16	22	19	16	14	15	12	11	9	6

## GOVERNMENT SERVICE APPEALS (GSA's)

### 1. SECTION 530 CASES: Title 3, V.I.C. § 530 *appeal is filed when a dismissal, suspension or demotion occurs.*

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Filed	13	9	10	18	19	29	14	13	37	19
Resolved Orders Issued	13	9	10	11	25	25	16	12	36	21
Pending (including prior years)	0	0	0	6	1	3	2	4	4	2

### 2. SECTION 531 CASES ; Title 3, V.I.C. § 531 *appeal is filed when a claim is based on discrimination that is based on non-merit factors, such as race, religion, sex, political affiliation, etc.*

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Filed	16	15	19	21	10	24	13	12	36	22
Resolved Orders Issued	13	12	30	23	15	28	16	11	24	23
Pending (including prior years)	44	47	34	29	24	20	18	19	32	32

### 3. HEARINGS FOR GSA CASES

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Held	36	28	26	27	39	33	13	28	61	37

### 4. HEARINGS FOR ALL CASES

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Held	47	77	68	52	82	37	17	40	70	54



#### 4. APPEALS

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Superior Court	2	2	6	6	5	4	2	24	4	4
Upheld	0	1	1	5	0	0	2	1	1	1
Reversed	1	0	1	2	1	0	0	0	0	0
Remanded	1	1	1	2	1	0	2	0	0	0
Pending (including prior years)	17	17	18	23	24	19	17	23	27	30

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Supreme Court						2	1	0	0	0
Upheld						11	0	0	0	0
Reversed						0	0	0	0	0
Remanded						0	1	0	0	0
Pending (including prior years)						2	0	0	0	0

## **COMPARISON STATISTICAL DISCUSSION**

In Fiscal Year 2016, a total of 37 unfair labor practice charges ("ULPC's") were filed; similar to Fiscal Year 2015. More importantly, during Fiscal Year 2016, the PERB resolved 34 ULPC's.

PERB's Regulations, 24 V.I.R.&R. 376.3 (1983), provide that when contract negotiations result in impasse, the parties may request the services of the Federal Mediation and Conciliation Service (FMCS).

### **GSA CASES**

Section 530 appeals require a hearing to begin within thirty (30) days and to be completed within sixty (60) days. An order shall be issued within fourteen days (14) after the end of the hearing. Thus, these cases are given priority status at the expense of labor cases filed under the Act.

YEAR	§530 CASES FILED	§530 CASES RESOLVED	PENDING §530 CASES		§531 CASES FILED	§531 CASES RESOLVED	PENDING §531 CASES
2007	13	13	0		16	13	44
2008	9	9	0		15	12	47
2009	10	10	0		19	30	34
2010	18	11	6		21	23	29
2011	19	25	1		10	15	24
2012	29	25	3		24	28	20
2013	14	16	2		13	16	18
2014	13	12	4		12	11	19
2015	37	36	4		36	24	32
2016	19	21	2		22	23	32

In FY 2016, Title 3 V.I.C. § 530 19 cases were filed and 21 were resolved. Title 3 V.I.C. § 531, 22 cases were filed and 23 were resolved, to include cases from prior years.

## FISCAL YEAR 2016 RULINGS OF PERB

### FY 2016 – PERB CLOSED CASES

#### UNIT CLARIFICATIONS

CASE NO.	DATE FILED	PARTIES
UC-08-02	11/05/07	OCB & VILPNA & DOJ & BOC & AFT 1825 & 1826
UC-14-02	11/08/13	P&TEU & VIWAPA
UC-15-02	02/02/15	USW, Local 9488 & SRMC
UC-15-03	04/22/15	P&TEU & WAPA

#### UNFAIR LABOR PRACTICE CHARGES

CASE NO.	DATE FILED	PARTIES
ULPC-11-28T	04/07/11	AFT, Local 1825 v. DOE
ULPC-13-11X	05/03/13	OVILU v. DPW
ULPC-13-21X	07/08/13	UIW-SIU v. JFLHMC
ULPC-13-25T	08/07/13	UIW-SIU v. GVI, OCB & DOH
ULPC-13-28T	08/23/13	UIW-SIU v. OCB & DPNR
ULPC-13-29X	09/10/13	Jackson v. UIW-SIU & DHS
ULPC-14-01X	10/10/13	UIW-SIU v. GVI, OCB & JFLHMC
ULPC-14-02X	10/15/13	LESU, Local 119/ W. Jack v. VIPD
ULPC-14-05T	11/22/13	PBA, Local 816/P. Charles v. VIPD
ULPC-14-08T	01/10/14	VIPBU v. VIPA
ULPC-14-12T	02/18/14	USW, Local 8249 v. EDA
ULPC-14-14T	03/25/14	P&TEU v. VIWAPA
ULPC-14-19X	06/24/14	IAMAW v. VIPA
ULPC-14-22X	07/17/14	Sgt. Lynch v Sgt. Hector/ LESU, Local 119
ULPC-14-23X	07/21/14	IAMAW v. VIWMA
ULPC-14-27T	08/11/14	Lockhart, Jr. v. DOH
ULPC-14-33T	08/07/14	IAFF, Locals 2125 & 2832 v. VIFS
ULPC-14-34X	09/23/14	UIW-SIU v. DPNR
ULPC-14-35X	09/25/14	V. Burton v. UIW-SIU & BOC
ULPC-15-01T	10/07/14	PBA, Local 816 obo D. Callwood v. GVI, VIPD
ULPC-15-05T	10/08/14	VIPBU v. VIPA
ULPC-15-11T	11/24/14	Dupont v. VIWAPA & UWUA, Local 602
ULPC-15-12X	01/12/15	AFF STX, Local 2125 & 2832 obo T. Lezama v. VIFS
ULPC-15-14X	01/21/15	UIW-SIU obo S. Brooks & H. Bell v. BOC
ULPC-15-16X	02/27/15	Henry v. PBA, Local 1910
ULPC-15-22X	03/25/15	Esannason v. VIWAPA & UWUA, Local 602
ULPC-15-23X	04/07/15	UIW-SIU obo M. Carrillo v. GVI, DOH
ULPC-15-28X	05/27/15	AFF, Local 2832 obo j. soto v. VIFS
ULPC-15-30X	06/03/15	Sgt. Hector v. VIPD & OCB
ULPC-15-31X	06/30/15	R. Matthews v. LESU, Local 119 & VIPD

ULPC-15-35X	08/25/15	UIW-SIU obo Frontal & Wadsworth v. VING
ULPC-16-02X	11/23/15	IAMAW v. VIPA
ULPC-16-03X	12/01/15	IAMAW v. VIPA
ULPC-16-07T	12/18/15	UIW-SIU/ Carrisquillo Fulgence v. GVI, DOH & OCB

#### **NO REPRESENTATION CASES**

#### **NO DECERTIFICATION CASES**

#### **IMPASSE CASES**

<b>CASE NO.</b>	<b>DATE FILED</b>	<b>PARTIES</b>
IMP-16-01	12/14/15	VIWU & VIWAPA

#### **GOVERNMENT SERVICE APPEALS**

<b>CASE NO.</b>	<b>DATE FILED</b>	<b>PARTIES</b>
GSA-12-36T	05/23/12	Donovan v. VIHA
GSA-13-26X	09/17/13	E. Bedminster v. DOH
GSA-13-27T	09/17/13	R. Casimir v. VIWAPA
GSA-14-07T	02/10/14	T. Hasting v. VIHA
GSA-14-18X	07/21/14	D. Appleyard v. JFLHMC
GSA-14-21X	09/08/14	D. Samuel v. BOC
GSA-14-23X	09/17/14	D. Liburd v. BOC
GSA-14-27T	09/22/14	R. Rabsatt v. DOJ/CRC
GSA-15-02X	10/03/14	T. Rodgers v. BIR
GSA-15-12X	11/12/14	L. Joseph v. VIWAPA
GSA-15-23T	01/29/15	L. Morales v. DOA
GSA-15-24T	01/29/15	R. Rabsatt v. DOJ-CRC
GSA-15-25T	01/30/15	E. Phillips v. DP&P
GSA-15-28X	02/04/15	Y. Bryan v. DOT
GSA-15-42X	03/06/15	D. Browne v. JFLHMC
GSA-15-44X	03/27/15	P. Titre v. DOH
GSA-15-46X	04/09/15	T. Joseph v. DOJ, DPCS
GSA-15-49X	05/04/15	S. Emmanuel v. VIHA
GSA-15-50X	05/08/15	L. Massey v. BOC
GSA-15-54X	06/03/15	M. George v. DOE
GSA-15-59X	07/09/15	S. Rojas v. GVI, DHS
GSA-15-69T	08/24/15	E. Brathwaite v. DOJ
GSA-15-70X	09/02/15	S. Bass v. DOL
GSA-15-71X	09/04/15	J. Navarro v. GVI, VIPD
GSA-15-72X	09/04/15	J. Navarro v. GVI, VIPD
GSA-16-01T	10/07/15	H. Martin v. GVI, DOE

GSA-16-02X	10/08/15	UIW-SIU/C. Wadsworth v. VING
GSA-16-03T	11/12/15	N. Roberts v. GVI, DP&P
GSA-16-05T	11/30/15	M. Webb v. GVI, DOJ
GSA-16-07T	12/18/15	AG Phillip v. SRMC
GSA-16-09X	12/29/15	G. Willocks-Gonzales v. GVI, DOJ
GSA-16-12X	02/12/16	P. Schrader-Cooke, Esq., v. VIBOE
GSA-16-13X	02/16/16	B. Williams-Brown v. VIBOE
GSA-16-14T	02/23/16	S. Morton v. VIFS
GSA-16-15T	03/15/16	S. Roberts v. VIHA
GSA-16-18T	04/25/16	G. Cochrane v. GVI, DOE
GSA-16-19T	05/11/16	M. Hendricks v. GVI, DOJ
GSA-16-24T	06/08/16	B. Williams-Brown v. VIBE
GSA-16-26T	06/10/16	S. Roberts v. VIHA
GSA-16-27T	06/15/16	W. Greene v. GVI, DOP
GSA-16-29X	06/21/16	S. Bass v. VICTEB
GSA-16-30X	06/21/16	S. Bass v. VICTEB
GSA-16-32T	07/07/16	S. Charlemagne v. GVI, DOH
GSA-16-33T	07/07/16	S. Charlemagne v. GVI, DOH

In order to provide a more thorough understanding of Board actions, we suggest a visit to one of our PERB offices to review case files, including PERB Decisions and Orders.

## MEDIATIONS

### A. ULPC/GSA

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Ordered to	8	6	5	3	1	3	2	7	15	8
Partial/Completely Resolved	0	0	2	3	0	2	0	1	11	9
No Resolution	3	2	2	2	1	0	1	6	4	2
Pending	5	2	3	0	1	1	1	7	6	11

**B. Grievance Mediation (GM's)** - *Grievance mediation takes place when parties to a collective bargaining agreement ("CBA") cannot resolve a grievance on their own and voluntarily, jointly, request the PERB to appoint a mediator to assist with resolution.*

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Requested / Voluntary	13	12	6	6	10	1	8	5	8	4
Partial/Completely Resolved	3	10	2	1	2	0	2	1	4	2
No Resolution	2	1	2	4	7	0	2	0	2	2
Pending	17	19	11	10	1	1	7	14	2	2

**C. IMPASSES (IMP's)** - *An impasse case occurs when parties are involved in negotiation of a collective bargaining agreement and are unable to reach an agreement on their own. The matter is referred to mediation and, if not resolved, to arbitration.*

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Filed	1	2	2	1	1	6	2	0	0	3
Sent to Mediation (including prior years)	1	2	2	3	0	3	0	0	0	0
Interest Arbitration (including prior years)	1	1	2	0	1	2	0	3	0	0
Pending	0	0	2	2	0	1	0	0	0	0

## **PERB APPROVED MEDIATORS**

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Lubic, Robert Bennett	DC	
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Blumerosen, Alfred	NJ	
Dunham, Frances S.	NJ	
Goldstein, Jay D., Esq.	PA	Added in 1999
Pereles, Edward A.	PA	
Patch, Terry	TX	Added in 2003
Vonhof, Jeanne	IL	

<b>LOCAL MEDIATORS APPROVED BY PERB</b>		
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King, Robert L., Esq.	STT	Added in 2003
Kirwan, Malcolm	STT	Added in 2000
LaBorde, Fern	STT	
Lee, Aubrey A.	STT	
Niles, Lynelle	STT	
Plaskett, Christian	STT	
Sargeant, Sylvia	STT	
Smock, Henry, Esq.	STT	Added in 2001
Turnbull, Michille	STT	Added in 2016
White, Denise	STT	Added in 2000
White, Ida, Ph.D	STT	Added in 2000
Abramson, Jr., John	STX	Added in 2003
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Bailey, Bernadin	STX	
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Encarnacion, Eleuteria	STX	Added in 2000
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Jackson, Ophelia	STX	
John, Willard	STX	Added in 2016

Johnson, Robert W., Esq.	STX	Added in 2010
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Martinez, Ray A.	STX	
McGregor, Malcolm	STX	
Moorehead, Rodney	STX	PERB Member
Moorhead, Mary	STX	
Petersen, Zandra E.	STX	Executive Director, PERB
Russell, Ronald	STX	Added in 2016
Santana, Aymee	STX	
Troutman, Carnelle	STX	
Williams-Smith, Athenia	STX	
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in accordance with

## PERB Rules and Regulations 376.3(B)

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<b>Danny Mabe</b> Mediator Des Moines, Iowa	(W) (515) 280-6947 (F) (515) 247-0109	<a href="mailto:dmabe@fmcs.gov">dmabe@fmcs.gov</a>
<b>Donald Maki</b> Mediator Green Bay, Wisconsin	(W) (920) 662-1904 (F) (920) 662-1905	<a href="mailto:makid@fmcs.gov">makid@fmcs.gov</a>
<b>Joseph Mansolillo</b> Mediator San Diego, California	(W) (619) 557-5480 (F) (619) 557-6260	<a href="mailto:jmansolillo@fmcs.gov">jmansolillo@fmcs.gov</a>
<b>Mark A. Martin</b> Mediator Memphis, Tennessee	(W) (901) 747-4614 (F) (901) 747-4726	<a href="mailto:mmartin@fmcs.gov">mmartin@fmcs.gov</a>
<b>David Martinez</b> Mediator Albuquerque, New Mexico	(W) (505) 899-6201 (F) (505) 899-6201	<a href="mailto:dmartinez@fmcs.gov">dmartinez@fmcs.gov</a>



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<b>Denise McKenney</b> Mediator National Office	(W) (202) 606-5448 (F) (202) 606-5103	<a href="mailto:dmckenney@fmcs.gov">dmckenney@fmcs.gov</a>
<b>Peggy McNelve</b> Mediator Kansas City, Missouri	(W) (816) 426-2030 (F) (816) 426-2033	<a href="mailto:pmcnelve@fmcs.gov">pmcnelve@fmcs.gov</a>
<b>Gerald Meehan</b> Mediator Peoria, Illinois	(W) (309) 671-7063 (F) (309) 671-7062	<a href="mailto:jmeehan@fmcs.gov">jmeehan@fmcs.gov</a>
<b>Jeff Middleton</b> Mediator Milwaukee, Wisconsin	(W) (414) 771-7125 (F) (414) 771-7143	<a href="mailto:jmiddleton@fmcs.gov">jmiddleton@fmcs.gov</a>
<b>Fulton Miklos</b> Mediator Pittsburgh, Pennsylvania	(W) (412) 235-7437 (F) (412) 235-7451	<a href="mailto:fmiklos@fmcs.gov">fmiklos@fmcs.gov</a>
<b>Stephen Millen</b> Mediator Minneapolis, Minnesota	(W) (612) 331-6675 (F) (612) 331-5272	<a href="mailto:smillen@fmcs.gov">smillen@fmcs.gov</a>
<b>Scott Montani</b> Mediator Syracuse, New York	(W) (315) 448-7630 (F) (315) 451-4614	<a href="mailto:smontani@fmcs.gov">smontani@fmcs.gov</a>
<b>Ronald Morrison</b> Mediator Omaha, Nebraska	(W) (402) 221-3555 (F) (402) 221-3556	<a href="mailto:rmorrison@fmcs.gov">rmorrison@fmcs.gov</a>
<b>Kevin J. Moyer</b> Mediator Toledo, Ohio	(W) (419) 931-4320 (F) (419) 931-4325	<a href="mailto:kmoyer@fmcs.gov">kmoyer@fmcs.gov</a>
<b>John Muir</b> Mediator Woodbridge, New Jersey	(W) (516) 338-5964 (F) 516-334-4964	<a href="mailto:jmuir@fmcs.gov">jmuir@fmcs.gov</a>
<b>Richard Murphy</b> Mediator Chicago, Illinois	(W) (630) 887-4757 (F) (630) 887-7183	<a href="mailto:rmurphy@fmcs.gov">rmurphy@fmcs.gov</a>
<b>Kathleen Murray-Cannon</b> Mediator Woodbridge, New Jersey	(W) (845) 778-0156 (F) (732) 726-2188	<a href="mailto:kmurraycannon@fmcs.gov">kmurraycannon@fmcs.gov</a>
<b>Keith Norton</b> Mediator Minneapolis, Minnesota	(W) (612) 331-6196 (F) (612) 331-5272	<a href="mailto:knorton@fmcs.gov">knorton@fmcs.gov</a>
<b>Michael Nowakowski</b> Mediator Detroit, Michigan	(W) (248) 250-9834 (F) (248) 250-9841	<a href="mailto:mnowakowski@fmcs.gov">mnowakowski@fmcs.gov</a>

<b>Rick Oglesby</b> Mediator Seattle, Washington	(W) (206) 553-4559 (F) (206) 553-6653	<a href="mailto:roglesby@fmcs.gov">roglesby@fmcs.gov</a>
<b>Thomas Olson</b> Mediator Chicago, Illinois	(W) (630) 887-4756 (F) (612) 331-5272	<a href="mailto:tolson@fmcs.gov">tolson@fmcs.gov</a>
<b>Larry Passwaters</b> Mediator Baltimore, Maryland	(W) (410) 712-4032 (F)	<a href="mailto:lpasswaters@fmcs.gov">lpasswaters@fmcs.gov</a>
<b>Teresa B. Phillips</b> Mediator Peoria, Illinois	(W) (309) 671-7064 (F) (309) 671-7072	<a href="mailto:tphillips@fmcs.gov">tphillips@fmcs.gov</a>
<b>Shelley Pinckney</b> Mediator Seattle, Washington	(W) (206) 553-4556 (F) (206) 553-6653	<a href="mailto:spinckney@fmcs.gov">spinckney@fmcs.gov</a>
<b>Tammy Poole</b> Mediator Louisville, Kentucky	(W) 502-625-7667 (F)	<a href="mailto:tpoole@fmcs.gov">tpoole@fmcs.gov</a>
<b>Laura Poppendeck</b> Mediator Minneapolis, Minnesota	(W) (612) 331-6667 (F) (612) 331-5272	<a href="mailto:lpoppendeck@fmcs.gov">lpoppendeck@fmcs.gov</a>
<b>Susette Putman</b> Mediator Orlando, Florida	(W) (407) 382-8844 (F) (407) 384-1275	<a href="mailto:sputman@fmcs.gov">sputman@fmcs.gov</a>
<b>Ralph Quattrocchi</b> Mediator Woodbridge, New Jersey	(W) (631) 960-0141 (F) (732) 726-2188	<a href="mailto:rquattrocchi@fmcs.gov">rquattrocchi@fmcs.gov</a>
<b>Richard A. Queer</b> Mediator Pittsburgh, Pennsylvania	(W) (412) 235-7434 (F) (412) 235-7451	<a href="mailto:rqueer@fmcs.gov">rqueer@fmcs.gov</a>
<b>Javier Ramirez</b> Mediator Chicago, Illinois	(W) (630) 887-4762 (F) (630) 887-7183	<a href="mailto:jramirez@fmcs.gov">jramirez@fmcs.gov</a>
<b>Glen Reed, Jr.</b> Mediator St. Louis, Missouri	(W) (314) 205-2003 (F) (314) 576-2738	<a href="mailto:greed@fmcs.gov">greed@fmcs.gov</a>
<b>Nadene Reid</b> Mediator Woodbridge, New Jersey	(W) (732) 726-2186 (F)	<a href="mailto:nreid@fmcs.gov">nreid@fmcs.gov</a>
<b>David Renfro</b> Mediator Dallas, Texas	(W) (972) 929-7178 (F) (972) 929-2261	<a href="mailto:drenfro@fmcs.gov">drenfro@fmcs.gov</a>

<b>Wayne Rentzel</b> Mediator Harrisburg, Pennsylvania	(W) (717) 697-8700 (F)	<a href="mailto:wrentzel@fmcs.gov">wrentzel@fmcs.gov</a>
<b>Lavonne Ritter</b> Mediator Las Vegas, Nevada	(W) (702) 363-5857 (F) (702) 363-6019	<a href="mailto:lritter@fmcs.gov">lritter@fmcs.gov</a>
<b>Jo Romer</b> Mediator Minneapolis, Minnesota	(W) (612) 331-6195 (F) (612) 331-5272	<a href="mailto:jromer@fmcs.gov">jromer@fmcs.gov</a>
<b>Jim Rucks</b> Mediator Bakersfield, California	(W) (661) 588-7010 (F) (661) 588-0731	<a href="mailto:jrucks@fmcs.gov">jrucks@fmcs.gov</a>
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<b>Kevin M. Savidge</b> Mediator Philadelphia, Pennsylvania	(W) (215) 717-7502 (F) (215) 717-7508	<a href="mailto:ksavidge@fmcs.gov">ksavidge@fmcs.gov</a>
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Mediator (F)  
Pittsburgh,  
Pennsylvania

## **NEW MEDIATORS APPROVED**

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Approved	1	16	2	0	2	0	15	4	2	4

## **PERB APPROVED HEARING OFFICERS**

NAME	ISLAND
Abramson, John	STX
Biersmith, Stephen M.	Canada
Cochran, Diane Z.	MA
Cochran, John D.	MA
Kleeger, Lorin M., Esq.	STX
Lee, Aubrey A.	STT/PERB
Moorehead, Rodney E.	STX/PERB
Petersen, Zandra E.	STX/PERB
Smock, Henry, ESQ.	STT

## ARBITRATIONS

The PERB maintains a list of approved arbitrators both within and outside of the Territory. Upon the request of the Government (i.e., collective bargaining representative, management via OCB, and the Unions) the PERB provides a panel of approved arbitrators from which parties may select.

During FY 2016, 61 panels of arbitration were issued; a decrease from the previous Fiscal Year .

Fiscal Year	Number of Panels Issued
2007	60
2008	58
2009	68
2010	68
2011	66
2012	139
2013	88
2014	131
2015	93
2016	61

The PERB believes it is cost effective to maintain a panel of local arbitrators to reduce the arbitration cost to both labor and management. Therefore, in order to attract more local arbitrators, the PERB provides bi-annual arbitration training seminars. Also, individuals new to the process interested in becoming arbitrators must complete a mentor program.

**LOCAL ARBITRATORS APPROVED BY PERB<sup>1</sup>**  
***( In Good Standing)***

NAME	ISLAND	COMMENTS / REMARKS
Abramson, John	STX	
Bryant, Britain	STX	
Hill, Valdemar A., Jr.	STX	
Hinds, Claudette	STX	
Johnson, Antoinette	STT	
Kleeger, Lorin M., Esq.	STX	
Marshack, Bruce Z. Esq.	STX	
Otto, H.A. Curt, Esq.	STX	
Smock, Henry, Esq.	STT	

**OFF-ISLAND ARBITRATORS APPROVED BY PERB**  
***( In Good Standing)***

NAME	STATE		NAME	STATE
Alpern, Stephen E.	MD		Korch, Shelley Simons	MD
Ambrogi, Robert, Esq.	MA		Lipowski, Joseph W.	AZ
Biersmith, Stephen M	CA		Litton, James	MA
Brewer, Lewis G., Esq.	WV		Lubic, Roberts	DC
Caffera, Paul J.	NY		McDowell, Michael	PA
Cochran, Diane Zaar, Esq.	MA		Michelstetter, Stanley J. II, Esq.	WI
Cochran, John B., Esq.	MA		Miller, Richard	MN
Cooper, James, Esq.	MA		Pereles, Edward A.	PA
Denaco, Parker	NH		Rosario, Haydee, Esq.	NY
Drucker, Jacqueline F.	NY		Shea, George R., Jr.	MA
Dunham, Frances	NJ		Sherman, Mark	TX
Greenberg, Keith D	MD		Simmer, Jared	PA
Gordon, Melinda	NY		Torosian, Herman	WI
Gutman, Edward J., Esq.	MD		Travis, JD Mark	TN
Halter, Patrick	TX		Vonhof, Jeanne M.	IL
Hoffmeyer, Steven G.	MN		Weatherspoon Floyd, Esq.	OH
Irvings, Mark L., Esq.	MA			
Jacobs, Jeffrey	MN			
Kessler, Frederick P.	WI			

<sup>1</sup> Although some Arbitrators are listed they are not placed on panels until all background checks are completed.



**FY 2016 PERB CASE MANAGEMENT WORKLOAD STATISTICS**

<b>DESCRIPTION OF WORK COMPLETED</b>	<b>10/15</b>	<b>Nov-15</b>	<b>Dec-15</b>	<b>Jan-16</b>	<b>Feb-16</b>	<b>Mar-16</b>	<b>Apr-16</b>	<b>May-16</b>	<b>Jun-16</b>	<b>Jul-16</b>	<b>Aug-16</b>	<b>Sep-16</b>	<b>TOTAL</b>
<b>Number of Cases Filed:</b>													
- ULPC	0	2	5	4	5	0	6	1	6	0	3	5	37
- RC	0	0	0	0	0	0	0	0	0	0	0	0	0
- DC	0	0	0	0	0	0	0	0	0	0	0	0	0
- UC	0	0	0	0	0	0	0	0	0	1	0	0	1
- IMP	0	0	1	0	0	0	0	0	0	2	0	0	3
- § 530	2	2	2	0	3	2	1	1	4	1	0	1	19
- § 531	0	2	2	1	0	1	0	4	3	2	5	2	22
<b>Number of Decision and Orders completed</b>													45
<b>Number of Appeals to the Superior Court</b>													4
- Closed													1
- Pending													30
<b>Number of PERB ordered Mediations</b>	1	0	2	0	1	0	0	4	0	0	0	0	8
<b>Number of Grievance Mediations Req.</b>	1	0	1	0	0	0	1	0	1	0	0	0	4
<b>Number of Mediations resolved</b>	3	1	0	1	0	2	0	1	1	2	0	0	11
<b>Number of Arb. Panels Requested/Sent</b>	8	7	4	5	0	5	3	7	2	10	0	10	61
<b>Trainings Conducted</b>	1	0	0	0	0	1	3	0	0	0	0	3	8

DESCRIPTION OF WORK COMPLETED	10/15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	TOTAL
Number of Hearings held													
- ULPC	1	1	5	2	0	0	1	1	1	0	1	0	13
- DC	0	0	0	0	0	0	0	0	0	0	0	0	0
- UC	0	0	1	0	0	2	1	0	0	0	0	0	4
- IMP	0	0	0	0	0	0	0	0	0	0	0	0	0
- § 530	3	4	5	2	1	3	2	1	2	3	0	1	27
- § 531	0	1	2	0	2	3	2	0	0	0	0	0	10
- OTHER	0	0	0	0	0	0	0	0	0	0	0	0	0
Number of Informal Conferences held	3	2	4	0	3	6	0	5	2	2	2	4	33
Number of Transcripts completed	7	5	3	4	2	10	7	5	5	7	1	1	57
Incoming Mail Pieces	123	110	114	113	119	98	116	104	116	131	108	108	1360
Outgoing Mail Pieces	129	56	119	45	79	39	90	54	90	59	91	59	910
Incoming Faxes	18	8	10	21	28	11	6	13	7	8	12	26	168
Invoices Processed	2	0	0	0	0	23	3	0	1	0	12	28	69
Travel Claims Processed	4	6	5	7	0	2	8	7	7	8	3	4	61
Travel Vouchers Processed	0	0	0	0	0	0	0	0	0	0	1	0	1
Seaborne Tickets Issued (Round-Trip)	8	8	11	11	4	13	14	3	10	6	6	4	98

## **TRAINING PROGRAMS ATTENDED BY BOARD MEMBERS:**

### **➤ *Pierina Jacobs Feldman – Chairman***

- **National Association of Hearing Officials 2015 Annual Professional Development Conference:** October 23-28, 2015; held in Scottsdale, AZ.
- **Labor Law & Labor Arbitration Conference:** February 5-10, 2016; held in Miami, FL.
- **Administrative Hearing & Intro to Mediation Training:** April 11-13, 2016; held in St. Croix, VI.
- **National Public Employer Relations Association (NPELRA) 2016 Annual Training Conference:** April 15-22, 2016; held in Memphis, Tennessee.

### **➤ *Aubrey A. Lee – Board Member***

- **National Association of Hearing Officials 2015 Annual Professional Development Conference:** October 23-28, 2015; held in Scottsdale, AZ.
- **Labor Law & Labor Arbitration Conference:** February 5-10, 2016; held in Miami, FL.
- **Administrative Hearing and Grievance Mediation Training:** April 10-11, 2016, held in St. Croix, VI.

### **➤ *Rodney E. Moorehead - Board Member***

- **National Association of Hearing Officials 2015 Annual Professional Development Conference:** October 23-28, 2015; held in Scottsdale, AZ.
- **Labor Law & Labor Arbitration Conference:** February 5-10, 2016; held in Miami, FL.
- **Administrative Hearing and Grievance Mediation Training:** April 10-11, 2016, held in St. Croix, VI.
- **National Public Employer Relations Association (NPELRA) 2016 Annual Training Conference:** April 15-22, 2016; held in Memphis, Tennessee.
- **Association of Labor Relations 2016 Conference:** July 14-20, 2016, held in Halifax, Nova Scotia

### **➤ *Omar B.U Henry - Board Member***

- **Labor Law & Labor Arbitration Conference:** February 5-10, 2016; held in Miami, FL.
- **Association of Labor Relations 2016 Conference:** July 14-20, 2016; held in Halifax, Nova Scotia

## **TRAINING PROGRAMS ATTENDED BY EXECUTIVE DIRECTOR**

### **➤ *Zandra E. Petersen - Executive Director/ Hearing Officer***

- **National Association of Hearing Officials 2015 Annual Professional Development Conference:** October 23-28, 2015; held in Scottsdale, AZ.
- **Labor Law & Labor Arbitration Conference:** February 5-10, 2016; held in Miami, FL.
- **National Public Employer Relations Association (NPELRA) 2016 Annual Training Conference:** April 15-22, 2016; held in Memphis, Tennessee.
- **National Judicial College, Financial Statement in the Courtroom Course:** June 1-5, 2016, held in Savannah, Georgia.
- **Association of Labor Relations 2016 Conference:** July 14-20, 2016, held in Halifax, Nova Scotia
- **National Association of Hearing Officials 2016 Annual Professional Development Conference:** September 9-16, 2016; held in Portland, Oregon.

## **TRAINING PROGRAMS ATTENDED BY STAFF:**

### **➤ *Larry Raymond Roy, Esq. – Legal Counsel/ Hearing Officer***

- **Labor Law & Labor Arbitration Conference:** February 5-10, 2016; held in Miami, FL.
- **National Judicial College – Financial Statement in the Courtroom Course:** June 1-5, 2016, held in Savannah, Georgia.
- **Association of Labor Relations 2016 Conference:** July 14-20, 2016, held in Halifax, Nova Scotia

### **➤ *Myka Callender Smith – Senior Court Reporter***

- **Fred Pryor Seminars: What Message are you Sending:** October 16, 2015, held in St. Thomas, VI

### **➤ *Linda Ravariere - Administrative Specialist Supervisor***

- **OSHA 30 hour Compliance Course:** October 26-31, 2015, held in Atlanta, GA

➤ ***Sonia Henry – Legal Secretary***

- **Administrative Hearing and Grievance Mediation Training:** April 10-11, 2016, held in St. Croix, VI
- **National Association of Legal Assistants Conference:** July 11-16, 2016, held in Las Vegas, NV

➤ ***Esther Felix Donelly – Fiscal Manager/ HR Rep***

- **OSHA 30 hour Compliance Course:** October 26-31, 2015, held in Atlanta, GA
- **Administrative Hearing and Grievance Mediation Training:** April 10-11, 2016, held in St. Croix, VI
- **National Public Employer Relations Association (NPELRA) 2016 Annual Training Conference:** April 15-22, 2016; held in Memphis, Tennessee.
- **Fred Pryor Seminars: OSHA Compliance :** August 8, 2016, held in St. Thomas, VI

➤ ***Collister Fahie – Legal Administrative Coordinator***

- **Sexual Harassment Training:** October 3, 2016, held in St. Thomas, VI.
- **Fred Pryor Seminars - OSHA Compliance :** August 8, 2016, held in St. Thomas, VI
- **Administrative Hearing and Grievance Mediation Training:** September 21-23, 2016, held in St. Thomas, VI

➤ ***Azalea Macedon – Clerical Intake Officer***

- **43<sup>rd</sup> Annual Administrative Professional Course:** April 14-22, 2016, held in Orlando, FL.

➤ **PERB Programs - Employees attended:**

- **PERB Public Safety Awareness:** August 2016; held in St. Croix, VI
- **Fire Extinguisher Training:** January 2016; held in St. Croix, VI

## **PERB TRAINING INITIATIVES:**

In accordance with law, one of PERB's responsibilities include providing training to help build a base of knowledge for management and union representatives, to assist them in dealing more effectively and efficiently in resolving cases. The following training programs were sponsored during fiscal year 2016:

### **➤ Grievance Mediation**

The practice of mediation is a profession with ethical responsibilities and duties. Those who engage in the practice of mediation must be dedicated to the principles of free and responsible collective bargaining. This Grievance Mediation training course is designed to acquaint participants with the fundamental skills of mediation. The course provides a broad-based approach to mediating disputes. The training begins with what mediation is and how it is used in resolving conflicts. It then introduces basic mediation skills and provides opportunities to learn and apply these skills.

### **➤ Administrative Hearing Process:**

The main purpose of this training is to train individuals who conduct administrative hearings including: administrative law judges, hearing officers, agency commissioners and board members, who want a comprehensive seminar on the administrative hearing process to improve their skills as adjudicators and decision-makers. This training will also help to develop administrative hearing skills and will provide valuable information effective hearings and ruling on evidentiary issues; decision making; decision writing; and avoiding ethical problems.

### **➤ Sexual Harassment:**

This training helps participants enhance their ability to recognize actions that are considered to be a violation of the law and take steps to change behaviors that could be viewed as sexual harassment. This workshop provides a number of different aspects to help participants, their organization and others in the workplace. The goal of this workshop is to help participants create and maintain a professional environment that is comfortable for all employees and free from sexual harassment. This training program is done in accordance with V.I. Legislature Act No. 6829, which *"...requires every employer in the territory to adopt a policy against Sexual Harassment and provide a written copy to each employee."* It also states that *"...employers with five or more employees are required to conduct education and training programs designed to prevent Sexual Harassment."*

➤ **Workplace Violence**

Violence of **ANY** sort has many roots! 99% of the time, there are warning signs of Workplace Violence. This program takes a comprehensive look at workplace violence: how to prevent it on an individual and an organizational level, and how to respond to it if it does occur. Benefits of this program include, but are not limited to: Understand what Workplace Violence Is, Identifying the Warning Signs, Understanding the Cycle of Anger, Understanding the Albert Bandura's Behavior Wheel, and Developing a Seven-Step Process for Managing Your Anger.

➤ **Labor Management**

This workshop supports the PERB's vision to "improve public sector labor relations through...training." This workshop also provides a hands-on approach for subject matters including: the Grievance Procedure, What is a Grievance, Guiding Principles for Stewards and Supervisors, Danger Areas in Grievance Handling, Preventing Grievances, Purpose of Discipline, Misconduct v. Poor Performance, Discipline Tips for Supervisors, Seven Tests of Just Cause, Standards of Discipline, and the Weingarten Rights.

➤ **Sensitivity**

The "Celebrating the Possibilities" course provides an interactive, hands-on approach for helping participants to be sensitive to the most challenging issues or crisis situations faced. The goal of this course is to identify various differences and provide opportunities to address these differences in productive ways.

## PUBLIC EMPLOYEES RELATIONS BOARD 2016 TRAINING INITIATIVES OVERVIEW

The Public Employees Relations Board ("PERB") constantly endeavors to improve public sector labor relations through training and consulting efforts. To this end, the PERB has co-sponsored various training initiatives in an effort to bring enlightenment and awareness of the labor process to all interested persons. Below is a breakdown as to the trainings held during Fiscal Year 2016:

PROGRAM TITLE	DATES OF PROGRAM	NO. OF ATTENDEES	AGENCY	LOCATION
Workplace Violence	10/23/2015	42	EAA	STX
Sexual Harassment	03/09/2016	93	CHS	STX
Woman-Up Presentation: Sexual Harassment	04/07/2016	300	CHS	STX
Administrative Hearing & Grievance Mediation	04/11-12/2016	49	VARIOUS	STX
Administrative Hearing	09/21-22/2016	44	VARIOUS	STT
Grievance Mediation	09/23/2016	47	VARIOUS	STT
Effective Management; Leadership; Emotional Intelligence, Sensitivity & Workplace Etiquette	09/30/2016	6	DOE	STX

The PERB provides these training opportunities in an attempt to resolve labor disputes as an administrative body, by enforcing the rights and duties contained in the Public Employees Labor Relations Act and Title 3, of the Virgin Islands Code. Through these training activities, the PERB endeavors to improve public sector labor relations, as well as provide ongoing education and improving the skills of supervisors and representatives of labor and management.

Additionally, training provided in grievance mediation and arbitration affords an opportunity for Virgin Islanders who are interested in learning about the mediation and arbitration process, and, in turn, reduces the cost of these services to the Government and Unions.



### **BARGAINING UNITS CERTIFIED BY PERB**

<b><u>UNION CERTIFIED</u></b>	<b><u>CERTIFIED DEPARTMENT</u></b>	<b><u>UNIT POSITIONS INCLUDED</u></b>
AAUP / UVI	University of the Virgin Islands	See Attached Certification
AFT, Locals 1825 and 1826	Department of Education	Professional, service, clerical (support staff) and Financial Specialist
AFT, Locals 1825 and 1826	Department of Education	Teachers, all excluding administrators and supervisors
AHEP	Department of Health	Staff Physicians I, II, III and IV
EAA	Department of Education	Coordinators; Subject area Supervisors; Principals; Assistant Principals (Directors and assistant Directors by cba)
IAFF, Local 2125 and 2832	V.I. Fire Service	Firefighters, Corporals and Sergeants
IAFF, Local 3117	V.I. Fire Service	Sergeants, Lieutenants and Captains
IAFF, Locals 2125 and 2832	V.I. Fire Service	Chief of Communications and Records, Administrative Officer I, Administrative Secretary II, Property and Procurement Clerk I, Administrative Officer I, Supervisor of Maintenance and Equipment, Custodial Worker I
IAFF, Locals 2125 and 2832 (support staff)	V.I. Fire Service	Firefighters and Corporals
IAMAW	Schneider Regional Medical Center & Gov. Juan F. Luis Hospital & Medical Center	Security Guards
IAMAW	V.I. Port Authority	Non-Supervisory Marine Division Employees
IAMAW	V.I. Waste Management Authority	Non-Supervisory Environmental Enforcement Officers
IAMAW	V.I. Waste Management Authority	Non-Supervisory Employees
LESU	Bureau of Corrections	All Correction Supervisors except Director, Warden, Assistant Warden and Chief Correction Officers
LESU	Bureau of Corrections	Correction Sergeants
LESU	Department of Human Services, YRC	Correction Sergeants
LESU	V.I. Police Department	Sergeants, Lieutenants and Captains

<b><u>UNION CERTIFIED</u></b>	<b><u>CERTIFIED DEPARTMENT</u></b>	<b><u>UNION POSITIONS INCLUDED</u></b>
Our Virgin Islands Labor Union (OVILU)	Department of Agriculture	All non-supervisory employees
Our Virgin Islands Labor Union (OVILU)	Department of Public Works	All non-supervisory employees
Our Virgin Islands Labor Union (OVILU)	Department of Justice	Non-supervisory support staff
P&TE Union	V.I. Water and Power Authority	All professional and technical employees
PBA, Local 816 and 1910	V.I. Police Department	Officers and Corporals
RNLU	Schneider Regional Medical Center & Gov. Juan F. Luis Hospital & Medical Center, DOH	Clinical Care Coordinators, Administrative Care Coordinators, Head Nurses and Assistant Head Nurses
UIW-SIU	Bureau of Corrections	Corrections support staff
UIW-SIU	V.I. Economic Development Agency	All maintenance and service employees including laborers, laborer foremen, Engineers, General Maintenance, Vet. Technician, Butcher, Heavy Equipment Operators, Helpers Clerks
UIW-SIU	Department of Education	Maintenance; Carpenters; Carpenter Foreman; Electricians; Maintenance Engineers; Mechanics; Plumbers; Air Conditioning; Trade helpers Laborers and Truck Drivers
UIW-SIU	Department of Health	Food service workers, cooks, kitchen attendants, dishwasher operators and dietary aides
UIW-SIU	Department of Health	aedes aegypti; spray employees, spray project foreman, sanitation inspectors
UIW-SIU	Department of Health	All non-supervisors
UIW-SIU	Department of Health	Emergency room and public health physicians
UIW-SIU	Department of Health	Dentists I, II, III and Associate Dentist
UIW-SIU	Department of Housing, Parks and Recreation	Non-supervisory employees, housing and community renewal
UIW-SIU	Department of Human Services	Non-professional (social welfare)
UIW-SIU	Department of Human Services, YRC	Juvenile corrections officers; Senior Correction Officers

<b><u>UNION CERTIFIED</u></b>	<b><u>CERTIFIED DEPARTMENT</u></b>	<b><u>UNIT POSITIONS INCLUDED</u></b>
UIW-SIU	Department of Justice	Assistant Attorney's General
UIW-SIU	Department of Labor	Non-supervisory
UIW-SIU	Department of Property and Procurement	Printing office employees
UIW-SIU	Department of Planning and Natural Resources	Employees of parks and open space management unit (DCCA)
UIW-SIU	Department of Planning and Natural Resources	All non-supervisory employees
UIW-SIU	Office of the Adjutant General	Security Guards
UIW-SIU	University of the Virgin Islands	All Custodial and Maintenance Employees (St. Croix Branch)
UIW-SIU	V.I. Port Authority	Non-supervisory employees
USW, Locals 8248 & 8249	Bureau of Motor Vehicles	Non-Supervisory employees
USW, Locals 8248 & 8249	V.I. Police Department	School Crossing Guards
USW, Locals 8248 & 8249	Virgin Islands Territorial Emergency Management Agency	Non-Supervisory Emergency Call Center Operators
USWA	Department of Commerce (ED&A)	Senior Information Officer, Information Officer, Custodial Worker II, Admin. Secretary III, Chauffeur, Admin. Officer II, Bookkeeper III, Loan Officer I, Admin. Secretary, Admin. Officer III, Bookkeeper II, Admin. Secretary I, Clerk Typist III, Field Investigator, Accountant II, Storekeeper II, Admin. Secretary II, Chauffeur-Executive Officer, Admin. Officer
USWA	Department of Education	Supervisors, excluding teachers and supervisors
USWA	Department of Education	School Monitors
USWA	Department of Finance	Employees of treasury, payroll, accounting pre-auditing, control, government insurance and Commissioner's office

<b><u>UNION CERTIFIED</u></b>	<b><u>CERTIFIED DEPARTMENT</u></b>	<b><u>UNIT POSITIONS INCLUDED</u></b>
USWA	Department of Finance	Professional, clerical non-supervisory
USWA	Department of Finance	Custodial workers
USWA	Department of Finance	Supervisors
USWA	Department of Finance	Data processing
USWA	Department of Health	Non-supervisory Health Enforcement Officers I and Health Enforcement Officer II
USWA	Department of Human Services	Non-supervisory employees (consumer services administrator)
USWA	Department of Justice	All supervisory support staff employees except managerial, confidential and non-supervisory employees
USWA	Department of Labor	Veteran's Affairs, Workmen's compensation, wages and hours, compliance officers, OSHA
USWA	Department of Property and Procurement	Administrators and Supervisors
USWA	Department of Property and Procurement	All non-supervisors
USWA	Division of Personnel	Administrators and supervisors
USWA	Division of Personnel	Non-supervisors
USWA	Department of Licensing and Consumer Affairs	Administrators and supervisors
USWA	Department of Licensing and Consumer Affairs	All non-supervisors
USWA	Department of Planning and Natural Resources	Enforcement Officers
USWA	Law Enforcement Planning Commission	Non-supervisory, non-managerial and non-guards
USWA	Lieutenant Governor's Office	All employees in tax assessor's office
USWA	Lieutenant Governor's Office	All non-supervisory in St. John Administrative office
USWA	Lieutenant Governor's Office	All employees in Elderly Riders in action program
USWA	Office of Veteran's Affairs	Vet. Rep., Admin. Secretary II

<b><u>UNION CERTIFIED</u></b>	<b><u>CERTIFIED DEPARTMENT</u></b>	<b><u>UNIT POSITIONS INCLUDED</u></b>
USWA	University of the Virgin Islands	All non-supervisory security guards
USWA	V.I. Energy Office	Support staff; All non-supervisory employees; Administrative Officer III (St. Croix); Development Engineer; Administrative Officer I; File Clerk; Weatherization Program Specialist; Custodial Worker II; Writer/Public Relations Officer; Public Information Officer
USWA	V.I. Lottery	Data entry supervisors; Accountant III; Supervisors, Ticket & Balls Distribution; Assistant Supervisor Tickets and Balls Distribution; Supervisor, Ticket Sales and Prize Payments; Assistant Supervisor, Ticket Sales and Prize Payments; Administrative Officer III
USWA	V.I. Police Department	All non-police personnel
USWA	WTJX	Non-supervisory employees
USWA	Youth Service Administrators	Administrative, service and clerical substitutes
USWA, Local 8249	Bureau of Internal Revenue	All employees except managerial and supervisory personnel and guards
USWA, Local 8677	V.I. Lottery	All non-supervisory employees
USWA, Locals 9488 & 9489	Bureau of Corrections	Supervisors
USWA, Locals 9488 & 9489	Bureau of Internal Revenue	Supervisor, Tax Accountants and Record Control; Systems Monitor; Group Supervisor; Supervisor of Tax Enforcement; Supervisor of Tax Examiners; Assistant Chief, DAR; Assistant Chief, Processing Branch; Supervisor of Processing Branch and Supervisor, Tax Records Management
USWA, Locals 9488 & 9489	Bureau of Internal Revenue	Supervisors
USWA, Locals 9488 & 9489	Department of Education	Supervisors
USWA, Locals 9488 & 9489	Department of Finance	Supervisors
USWA, Locals 9488 & 9489	Department of Health	Supervisors

<b><u>UNION CERTIFIED</u></b>	<b><u>CERTIFIED DEPARTMENT</u></b>	<b><u>UNIT POSITIONS INCLUDED</u></b>
USWA, Locals 9488 & 9489	Department of Health	Supervisors
USWA, Locals 9488 & 9489	Department of Housing, Parks and Recreation	Supervisors
USWA, Locals 9488 & 9489	Department of Housing, Parks and Recreation	Supervisors
USWA, Locals 9488 & 9489	Department of Human Service	Supervisors
USWA, Locals 9488 & 9489	Department of Human Services	Supervisors
USWA, Locals 9488 & 9489	Department of Labor	Supervisors
USWA, Locals 9488 & 9489	Department of Labor	Supervisors
USWA, Locals 9488 & 9489	Department of Licensing and Consumer Affairs	Supervisors
USWA, Locals 9488 & 9489	Department of Planning and Natural Resources	Supervisors
USWA, Locals 9488 & 9489	Department of Property and Procurement	Supervisors
USWA, Locals 9488 & 9489	Department of Public Works	Supervisors
USWA, Locals 9488 & 9489	Department of Public Works	Supervisors
USWA, Locals 9488 & 9489	Department of Tourism	Supervisors
USWA, Locals 9488 & 9489	Division of Personnel	Supervisors
USWA, Locals 9488 & 9489	Department of Planning and Natural Resources	Supervisors (Consumer and Cultural Affairs)
USWA, Locals 9488 & 9489	Juan F. Luis Hospital and Medical Center	Dietary, Admitting Officer, Medical Records, Transportation Coordinator, Office Manager, Nursing, and Pharmacy
USWA, Locals 9488 & 9489	Juan F. Luis Hospital and Medical Center	Supervisors

<b><u>UNION CERTIFIED</u></b>	<b><u>CERTIFIED DEPARTMENT</u></b>	<b><u>UNIT POSITIONS INCLUDED</u></b>
USWA, Locals 9488 & 9489	Roy L. Schneider Hospital	Supervisors
USWA, Locals 9488 & 9489	V.I. Lottery Commission	Supervisors
USWA, Locals 9488 & 9489	V.I. Police Department	Supervisors
USWA, Locals 9488 & 9489	V.I. Waste Management Authority	Supervisors
USWA, Locals 9488 & 9489	V.I. Housing Authority	Inventory Control Technician
USWA, Locals 9488 & 9489	V.I. Police Department	Non-police supervisors
V.I. LPNA	Department of Health	Licensed practical nurses
VI Pilots Bargaining Unit	V.I. Port Authority	Harbor Pilots
VISNA	Department of Health	Staff Nurses
VIWU, Local 611	Department of Human Services	Head Start, non-supervisory
VIWU, Local 611	Department of Human Services	Pre-school teachers, pre-school teachers assistant; pre-school center substitutes
VIWU, Local 611	Department of Public Works	Bus Drivers, Mechanics, Dispatchers
VIWU, Local 611	Magens Bay Authority	All lifeguards, custodians, gatekeepers, maintenance workers and administrative assistant
VIWU, Local 611	VI Water and Power Authority	Supervisors
WEA	VI Water and Power Authority	All non-supervisory employees

GOVERNMENT OF THE  
VIRGIN ISLANDS OF THE UNITED STATES  
**PUBLIC EMPLOYEES RELATIONS BOARD**

P. O. BOX 25435, GALLOWES BAY, ST. CROIX, USVI 00824-1435  
340-773-5580 (STX) 340-773-4780 (STX FAX) 340-775-4190 (STT) 340-714-7044 (STT FAX)

**PERB CHECKING ACCOUNT  
(FIRST BANK VI)**

**RE: SUMMARY OF FISCAL YEAR 2016 ACTIVITIES:  
10/01/2015 - 09/30/2016**

**BEGINNING BALANCE AS OF OCTOBER 1, 2015.....\$4,413.12**

<b><u>DESCRIPTION</u></b>	<b><u>TOTALS</u></b>	<b><u>FOOTNOTE</u></b>
REVENUE / DEPOSITS	\$43,496.58	(1)
LESS: EXPENDITURES	\$30,226.58	(2)
ENDING BALANCE	\$17,683.12	(3)

**Discussion:**

The above information presents a summary of the deposits and expenditures of the PERB checking account maintained at First Bank, Virgin Islands for the period **October 1, 2015 - September 30, 2016**. This account is actively used to support: Board related expenses; administrative overhead costs; training initiative programs; and to replenish petty cash.

**Footnotes:**

- (1) **Revenues** include: Sale of PERB Transcripts, Rules & Regulations, other case materials (i.e., T. 3, section 530 & 531), copying services, and PERB training initiative registration fees.
- (2) **Expenses** include: PERB training initiative costs, petty cash (both islands), PERB meetings and conferences administrative related costs, vehicle maintenance & repair expenses, and bank service charges.
- (3) **The balance** shown depicts the amount available as of **September 30, 2016**. This sum may include amounts in-transit pending reimbursement to the VI Government Union Arbitration Fund—the fund that supports the PERB budget. These in-transits amounts include registration fees collected from PERB training initiative programs to offset expenditures paid via the ERP system (i.e., conference fees, meals, travel costs, etc.). Payments made via the ERP system represent start-up costs for the programs, pending receipt of registration fees