

**NOTICE OF RESULTS
PHOENIX EMPLOYMENT RELATIONS BOARD**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the members of the **PHOENIX EMPLOYMENT RELATIONS BOARD** and to the general public, that the **PHOENIX EMPLOYMENT RELATIONS BOARD** will hold a meeting open to the public on **Tuesday, August 15, 2023 at 9:30 a.m. in the 304 W. Adams Street Conference Room, Phoenix, AZ 85003 and also via WebEx. Invitation to be sent in separate email.** Members of the Phoenix Employment Relations Board will attend by telephone, video, or internet conferencing.

The Results for the meeting is as follows:

	1.	Call to Order	Chairman
Quorum	2.	Roll Call	PERB Staff
Approved 3-0	3.	Approval of the June 20, 2023, Regular Meeting Minutes	Board
		Pursuant to A.R.S. Section 38-431.03(A)(3), the Board may vote to go into executive session to consult with its attorney regarding the following matters:	
		Item No. 4 PERB Case CA-374	
ORDERED Adopting the Findings and Conclusions of Law of the Hearing Officer with the following exceptions	4.	<u>PHOENIX LAW ENFORCEMENT ASSOCIATION (PLEA); LANE WHITE; and CHRISTOPHER TURIANO vs. CITY OF PHOENIX and PHOENIX POLICE DEPARTMENT</u> PERB Case CA-374 Consideration, decision and action regarding the Hearing Officer Report and recommendations issued by Hearing Officer Steven M. Guttell. The Board shall adopt, reject, or modify the Report and Recommendations or take any action it deems appropriate. The Board shall further consider and rule upon PLEA's findings of fact and conclusions of law. The City's response thereto as it relates to the retaliation charge. Rule 5.6 provides options regarding consideration of the entire matter, decision and action regarding the Hearing Officer's Report and Recommendations. Rule 5.7 describes what constitutes the record to be considered by the Board.	Board

**FINDING OF
FACT
NUMBER 59
IS AMENDED
AS**

FOLLOWS:

On July 27,
2021, PSB
issued NOI's to
Turiano and
White, despite
their status as
witnesses in
the
investigation,
after they
invoked their
rights in good
faith. EX. 21,
emails dated
April 1, 2021-
April 30, 2021,
Ex. 23, Tr.184.

4.

Board

**CONCLUSION
OF LAW
NUMBER 12
IS AMENDED
AS**

FOLLOWS:

The Charged
Parties did
retaliate
against Turiano
and White for
invoking, in
good faith, their
rights under the
Ordinance in
violation of
Section 2-
220(4).

ORDERED

That the
Charged
Parties did not
refuse to meet
and confer in
good faith in
violation of
Section 2-
220(5) of the
Ordinance and
that the Charge
as it relates to
the failure to
meet and
confer in good
faith is hereby
DISMISSED.

**IT IS
FURTHER
ORDERED**

That the
Charge
alleging a
violation of
Section 2-
220(A)(1) is
DISMISSED.

4.

Board

**IT IS
FURTHER
ORDERED**

That the Charging Parties did Meet their burden demonstrating the Charged Parties retaliated against the Charging Parties for invoking, in good faith, their rights under the Ordinance in violation of Section 2-220(A)(4), and that the Charged Parties are hereby ordered to cease and desist from any further retaliation against Charging Parties Turiano and White.

4.

Board

**IT FURTHER
ORDERED**

that Charged Parties shall conspicuously post a copy of this Decision and Order throughout the City for a duration of not less than six months after the date of this order.

Discussed	5.	Report on pending cases.	PERB Staff
September 19, 2023	6.	Announcement of future meeting dates and other matters of interest to the public	PERB Staff
NA	7.	Citizen or party comment, if any, on any matter pertaining to the Board or the Meet and Confer Ordinance. Those wishing to address the Board need not request permission in advance. Action taken as a result of public comment will be limited to directing staff to study the matter or rescheduling the matter at a later date.	PERB Staff
Adjourned 3-0	8.	Adjournment	PERB Staff
For further information or to request a reasonable accommodation, please contact Kathy Schmidt at the Phoenix Employment Relations Board at 602-262-4081 or TTY: 7-1-1.			
August 16, 2023			