

## **PELRB Statement on Bargaining During a Public Health Crisis**

The PELRB recognizes that the duty to meet in good faith under § 17(A) of the PEBA may be violated when a party unreasonably and without justification insists upon bargaining by mail or email despite the other party's request for personal meetings. The "traditional" method of bargaining with teams of negotiators from employers and exclusive representatives meeting and conferring face-to-face may not be practical during a public health crisis where the parties are subject to public health directives that do not allow for large gatherings. When traditional methods of negotiation are not feasible, parties may agree to alternatives that can facilitate negotiations while maintaining compliance with public health directives and the confidentiality of the process. The PELRB encourages parties to negotiations to keep any operative public health directives in mind when drafting ground rules, and to utilize alternative methods of negotiation when necessary to comply with public health directives. Whether any specific conduct by a party regarding its method of bargaining constitutes a breach of the duty to bargain in good faith will be considered on a case-by-case basis.