

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**  
300 Lakeside Drive, P.O. Box 12688, Oakland, CA 94604-2688

Board of Directors  
Minutes of the 1,692nd Meeting  
November 15, 2013

A special meeting of the Board of Directors was held November 15, 2013, convening at 3:37 p.m., in the Board Room, 344 20<sup>th</sup> Street, Oakland, California. President Radulovich presided; Kenneth A. Duron, District Secretary.

Directors present: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, and Radulovich.

Absent: Director Saltzman.

President Radulovich called for Public Comment on Item 3 only.

The following individuals addressed the Board.

Mr. George Figueroa  
Ms. Yuri Hollie  
Mr. Jason Bezis  
Ms. Kerianne Steele  
Hon. Steve Glazer  
Ms. Antonette Bryant  
Mr. John Arantes  
Mr. Chris Finn

President Radulovich announced that the Board would enter into closed session in the adjacent conference room under Item 3-A (Conference with Labor Negotiators) of the special meeting agenda, and that the Board would reconvene in open session at the end of that closed session.

The Board Meeting recessed at 4:05 p.m.

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The Board reconvened in closed session at 4:09 p.m.

Directors present: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, and Radulovich.

Absent: Director Saltzman.

The Board Meeting recessed at 6:08 p.m.

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The Board reconvened in closed session at 6:40 p.m.

Directors present: Directors Blalock, Fang, Keller, Mallett, McPartland, Murray, Raburn, and Radulovich.

Absent: Director Saltzman.

The Board Meeting recessed at 7:01 p.m.

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The Board reconvened in open session at 7:04 p.m.

Directors present: Directors McPartland, Raburn, and Radulovich.

Absent: Directors Blalock, Fang, Keller, Mallett, Murray, and Saltzman.

President Radulovich announced that the Board had concluded its meeting in closed session, and that the Board had voted seven to one to release the following statement:

We've reviewed the chronology of events concerning section 4.8 and are convinced that it was never the District's intention to include the disputed Family Medical Leave Act proposal in the contract. We've also reviewed the preliminary costing of the proposed benefit.

We are not comfortable with the potential liability that could result from the adoption of this contract provision.

We have directed the General Manager to go back to the bargaining table and continue a discussion with union officials in an attempt to resolve the matter.

Former chief negotiator Tom Hock is no longer associated with the District. A new chief negotiator will be named shortly.

The Board is disappointed that this error occurred and was not caught earlier. All aspects of the matter will be fully investigated and any appropriate disciplinary action will be taken. Furthermore, all of our bargaining procedures will be reviewed and improved for transparency and accuracy.

We are releasing to the public two documents that were reviewed by the Board tonight: a chronology of events concerning section 4.8 and the preliminary costing of the potential financial impact of this proposal over the four years of the contract. We will release further information about the matter as it becomes available and post it on [www.bart.gov](http://www.bart.gov)."

The Board Meeting was adjourned at 7:05 p.m.

Kenneth A. Duron  
District Secretary