



Panels Q&A (Quick Guide)

What is a panel?

A panel means any three members of the Board present at a meeting who are authorized to exercise the power and authority of the Board, excepting for certain decisions which may only be exercised by the full Board.

Who establishes the panels and decides how many panels to create?

The Commissioner may establish one or more panels as the Commissioner deems necessary.

Who assigns the Board members to the various panels?

The Commissioner shall assign each member of the Board to a panel or panels. However, each member of the Board must be assigned to the same number of panels as every other Board member.

As of October 2025, the following members make up the Board:

BRENT C. ECKERSLEY, ESQ., Chair
MICHAEL A. URBAN, ESQ., Vice-Chair
MICHAEL J. SMITH, Board Member
BRUCE K. SNYDER, ESQ., Board Member
JERRY KEATING, Board Member

How many panels will be established?

Five. Therefore each Board member will serve on three of the five panels.

How many members of the panel must attend a panel meeting in order for the panel to legally meet?

According to the Legislative Counsel Bureau, all three members of the panel must be in attendance or else the panel will need to postpone its meeting.

May a panel substitute another Board member for an absent member so that the panel will continue to have three members and thus be allowed to meet?

Yes. If the absence of one or more members of a panel would otherwise require the postponement of a hearing, the Commissioner may, with the written consent of all the parties to the hearing, randomly assign another member or members of the Board to the panel for the purposes of the hearing and disposition of the matter.



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Which of the three panel members is to preside over a panel meeting?

1. If the Chair is a member of a panel, then he or she shall serve as the presiding officer.
2. If the Chair is not a member of a panel, then the Vice Chair, if he or she is on that panel, shall serve as the presiding officer.
3. If neither the Chair nor the Vice Chair is a member of a panel, then the Board member with the most seniority shall serve as the presiding officer.

Can someone substitute as the Presiding Officer for a given panel meeting?

The Commissioner may designate any member of a panel as the Acting Presiding Officer for a meeting of the panel with the consent of the Presiding Officer and the person to be designated as the Acting Presiding Officer.

Based on all the above, which members make up each panel and who will be the presiding officer?

<u>Panel</u>	<u>Presiding Officer</u>	<u>Member</u>	<u>Member</u>
Panel A	Eckersley	Urban	Keating
Panel B	Urban	Smith	Snyder
Panel C	Eckersley	Snyder	Keating
Panel D	Urban	Smith	Keating
Panel E	Eckersley	Smith	Snyder

(As of October 2025)

Who determines when a given panel shall meet?

The Commissioner shall schedule the meetings of each panel in consultation with the members of the panel.

How often will a given panel meet?

Each panel is expected to meet quarterly for up to three consecutive days. However, when warranted by the panel's business, it may occasionally be necessary to hold a brief virtual Board meeting between in-person sessions.

If the Board decides that a hearing should be held in a case, what happens next?

The case will be randomly assigned to a panel by the Commissioner during an open meeting.



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What jurisdiction does the hearing panel have for a case?

The hearing panel conducts the hearing and decides the issues in the case, all of which would result in the issuance of an order.

What happens if a case settles and a stipulation to dismiss is filed?

If a stipulation to dismiss all or any part of a complaint or petition is filed, the Board shall deliberate on the stipulation, except if a case has already been assigned to a hearing panel, then that panel will deliberate on the stipulation.

Can all five members of the Board initially hear a case?

Yes. If the Commissioner determines that a case involves an issue of statewide significance, the Commissioner may so designate the case and assign it to the full Board instead of a panel for all further proceedings. If such a designation is made, the Commissioner shall prepare and file written notice of the designation, stating the reasons for the designation, and serve a copy of the notice upon each party to the case.

Are there items that only the entire Board may deliberate and decide upon?

Yes. SB 460 provides that the following may only be decided by a majority vote of the entire membership of the Board:

- ✓ Election of a Chair and Vice Chair;
- ✓ Appointment or termination of employment of the Commissioner;
- ✓ Appointment or termination of employment of the Board Secretary;
- ✓ Annual setting of the fee charged to local government employers;
- ✓ Imposition of a civil penalty for failure to pay the annual fee;
- ✓ Making or adopting of any rule or regulation;
- ✓ Granting permission to a local government employer to withdraw recognition from an employee organization;
- ✓ Ordering an election to determine the representative, if any, of a bargaining unit.