

MINUTES OF MEETING
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION
June 28, 2018
10:00 a.m.
495 West State Street
Trenton, New Jersey

The meeting was called to order by Chair Joel M. Weisblatt.

Present were:

Commissioners:

John Bonanni (by phone)
Paul Boudreau
David Jones
Paula Voos

Also present were:

Christine Lucarelli-Carneiro, Acting General Counsel
Don Horowitz, Senior Deputy General Counsel
Joseph P. Blaney, Deputy General Counsel
Kellie Hullfish, who acted as Stenographer

At the commencement of the meeting, Chair Weisblatt, pursuant to Section 5 of the Open Public Meetings Act, entered this announcement into the minutes of the meeting:

Adequate notice has been provided by the dissemination of a written "Annual Notice of Meeting." On December 21, 2017 a copy of such notice was:

- (a) prominently posted in a public place at the offices of the Public Employment Relations Commission;
- (b) e-mailed to the business offices of the Trenton Times and the Courier Post;
- (c) e-mailed to the Secretary of State for filing; and
- (d) posted on the agency's web site.

Furthermore on June 22, 2018, copies of an additional written "Notice of Meeting" were posted and sent in a similar manner.

Chair Weisblatt opened the meeting introducing Javon Graham who is helping the PERC office as a student assistant. Javon has come to us from a local school.

The Chair reported that the U.S. Supreme Court issued its decision in the Janus v. American Federation of State, County, and Municipal Employees, Council 31, et al. yesterday, which addressed agency fee payments. The Chair advised that staff is still analyzing the details of its impact, and that the agency will comply with the Supreme Court's decision and act in accordance with its holding.

The Chair further advised that staff is working on rules for our statute's recent additions and modifications. Draft rules will be prepared for the next Commission meeting.

Moreover, the Chair further advised that the Commissioners, in their official capacity, were named as co-defendants in a law suit filed in the U.S. District Court of New Jersey, Ann Smith v. New Jersey Education Association (NJEA). Staff is studying the suit and PERC's response will be prepared by Counsel staff.

The Chair thanked Commissioners Bonanni and Voos for their availability to call into the meeting due to quorum issues. For the future, as a matter of practice, we will do everything to avoid telephone participation except in an emergency where we risk lacking a quorum.

The Chair conveyed that once PERC's new website is in place, it will have a connection providing public access to the audio digital recordings of our Commission meetings.

The first item for consideration was the minutes of the February 22, 2018 meeting. Commissioner Jones moved the minutes and Commissioner Boudreau seconded the motion. The motion to adopt the minutes were unanimously approved (Chair Weisblatt, Commissioners Bonanni, Boudreau and Voos).

The next item for consideration was the minutes of the May 31, 2018 meeting. Commissioner Boudreau moved the minutes and Commissioner Bonanni seconded the motion. The motion to adopt the minutes were approved by a vote of three in favor (Chair Weisblatt, Commissioners Bonanni and Voos) and one abstention (Commissioner Jones).

The next item for consideration was the Executive Session minutes of May 31, 2018. Commissioner Boudreau moved the minutes and Commissioner Bonanni seconded the motion. The motion to adopt the Executive Session minutes were approved by a vote of three in favor (Chair Weisblatt, Commissioners, Bonanni and Voos) and one abstention (Commissioner Jones).

The Chair then turned the meeting over to Acting General Counsel Christine Lucarelli-Carneiro and she asked for a motion to go into Executive Session to discuss the pending litigation in Ann Smith v. NJEA. Commissioner Jones made a motion to move into

Executive Session and Commissioner Voos seconded the motion. The motion was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Boudreau, Jones and Voos).

At approximately 10:30 a.m. the Commission returned to the regular Commission meeting from Executive Session.

The first case for consideration was Warren County Community College and Warren County College Faculty Association, Docket No. CO-2016-006. Commissioner Voos moved the draft decision and Commissioner Jones seconded the motion. Commissioner Bonanni was recused from voting on this matter because the law firm of Cleary, Giacobbe, Alfieri & Jacobs is one of the labor counsels for Morris County. The motion to adopt the draft decision was unanimously approved (Chair Weisblatt, Commissioners Boudreau, Jones and Voos).

The next case for consideration was City of Hackensack and United Public Service Employees Union, Docket No. CO-2017-106. Commissioner Jones moved the draft decision and Commissioner Boudreau seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Boudreau, Jones and Voos).

The next case for consideration was State of New Jersey (Human Services) and CWA Local 1040, Docket No. CO-2017-218. Commissioner Voos moved the draft decision and Commissioner Boudreau seconded the motion. The motion to adopt the draft

decision was approved by a vote of four in favor (Chair Weisblatt, Commissioners Bonanni, Boudreau and Voos) and one opposed (Commissioner Jones).

The next case for consideration was State of New Jersey (Division of Law & Public Safety) and International Brotherhood of Electrical Workers, Local 33, Docket No. SN-2018-029.

Commissioner Jones moved the draft decision and Commissioner Voos seconded the motion. Commissioner Bonanni was recused from voting on this matter because the Archer Greiner law firm was used in a Morris County matter. The motion to adopt the draft decision was approved by a vote of three in favor (Chair Weisblatt, Commissioners Boudreau and Voos) and one opposed (Commissioner Jones).

The final case for consideration was Township of Southampton and International Brotherhood of Teamsters, Local 701, Docket No. SN-2018-031. Commissioner Boudreau moved the draft decision and Commissioner Voos seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Boudreau, Jones and Voos).

Commissioner Boudreau asked to move into a 2nd Executive Session to further discuss the pending litigation in the Ann Smith v. NJEA law suit.

Commissioner Voos made a motion to move into Executive Session again and Commissioner Jones seconded the motion.

At approximately 10:50 a.m. the Commission returned to the regular Commission meeting from Executive Session.

Commissioner Jones made a motion to adjourn the meeting and Commissioner Boudreau seconded the motion. The motion was unanimously approved. The meeting was then adjourned.

The next meeting is scheduled to be held on Thursday, August 16, 2018.