

MINUTES OF MEETING
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION
May 30, 2019
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
Paul Boudreau
David Jones
Pasquale Papero
Paula Voos

Also present were:

Christine Lucarelli-Carneiro, General Counsel
Don Horowitz, Senior Deputy General Counsel
Frank Kanther, Deputy General Counsel
John Boppert, 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 20, 2018 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) posted on the agency's web site.

Furthermore on May 23, 2019, copies of an additional written "Notice of Meeting" were posted and sent in a similar manner.

The first item for consideration was the minutes of the April 25, 2019 meeting. Commissioner Voos moved the minutes and Commissioner Bonanni seconded the motion. The motion to adopt the minutes was approved by a vote of five in favor (Chair Weisblatt, Commissioners Bonanni, Boudreau, Papero and Voos) and one abstention (Commissioner Jones).

Chair Weisblatt started his report stating the annual Public Sector Labor Law Conference, for which PERC was a primary sponsor, along with the Labor Law Section of the State Bar Association, was held on April 26, 2019. It was a huge success and marked the fiftieth anniversary of PERC. Over 550 people were in attendance, with a great cross-section of management, labor and neutral members of the labor relations community. The substantive presentations were outstanding and addressed some of the most pressing issues challenging our field. He was particularly impressed with those aspects of the program that dealt with health care, focusing on both quality of coverage and the rising costs of premiums. There was an unusual level of interest in cooperative approaches to dealing with the healthcare dilemma. The program included varied views on issues that often contrasted greatly but the presentations were remarkably positive and balanced. The conference left him believing that public sector collective negotiations in New Jersey is alive and well as a two-way street.

Chair Weisblatt announced that the Agency has hired two new candidates to join the PERC staff. The State approval process has also been completed. One will start in 10 days as a new mediator and the other will join us as a staff member of the Unfair Practices and Representation Section in July. They are both impressive candidates and there are high expectations for their contributions to our mission. They will be introduced to you in person as they actually join the staff.

Chair Weisblatt commended the Agency's staff mediators on a wonderful job they have been doing. There are many trying impasses out there and the number of disputes resolved in mediation has been substantial. Of particular note, Mediator Anthony Bagliore resolved two very volatile board of education/teacher association disputes in a single day. He worked one case in the afternoon, scheduled in a tight time frame due to the pressing nature of the dispute, then he worked all night to gain a settlement at another nearby school board. We are quite proud of the service the mediation staff provides to the parties.

The Counsel's Office distributed a monthly report.

The first case for consideration was Jessica Perez and Superior Court of New Jersey (Essex Vicinage), OAL Docket No. CSV 04266-18 & Agency Docket No. 2018-2626 and Probation Association of New Jersey (Professional Case Related Unit), OAL Docket No. PRC 12437-18 & PERC Docket No. CO-2018-073. Commissioner Bonanni

moved the draft decision and Commissioner Papero seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Boudreau, Jones, Papero and Voos).

The next case for consideration was Trenton Board of Education and Trenton Education Association, Docket No. SN-2019-023. Commissioner Jones 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, Papero and Voos).

The next case for consideration was Middlesex Borough Board of Education and Middlesex Education Association, Docket No. SN-2019-026. Commissioner Jones moved the draft decision and Commissioner Papero seconded the motion. The motion to adopt the draft was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Boudreau, Jones, Papero and Voos).

The next case for consideration was City of Clifton and International Brotherhood of Electrical Workers, Local 1158, Docket No. SN-2019-032. Commissioner Voos moved the draft decision and Commissioner Boudreau seconded the motion. Commissioner Bonanni recused himself because the law firm DeCotiis, Fitzpatrick & Cole who represents the Petitioner, City of Clifton, also represents Morris County in negotiations with the State over a land deal. The motion to adopt the draft

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

The next case for consideration was Ocean County College and Ocean County College Faculty Association, Docket No. SN-2019-034. Commissioner Jones moved the draft decision and Commissioner Papero seconded the motion. Commissioner Bonanni recused himself because the law firm Cleary Giacobbe Alfieri & Jacobs, who represents the petitioner, Ocean County College, also serves as counsel to Morris County. The motion to adopt the draft decision was approved by a vote of five in favor (Chair Weisblatt, Commissioners Boudreau, Jones, Papero and Voos) and one recusal (Commissioner Bonanni).

The next case for consideration was Asbury Park Board of Education and Asbury Park Education Association, Docket No. SN-2019-039. 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, Papero and Voos).

The next case for consideration was Phillipsburg Board of Education and Phillipsburg Education Association, Docket No. TO-2019-006. Commissioner Bonanni 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, Papero and Voos).

The last item for consideration is the Revised Proposed Rules to Implement Workplace Democracy Enhancement Act, N.J.S.A. 3413A-5.11 through 5:15. Commissioner Bonanni moved the revised proposal and Commissioner Jones seconded the motion. The motion to revise the proposed rules was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Boudreau, Jones, Papero and Voos).

Chair Weisblatt asked for a motion to adjourn the meeting. Commissioner Boudreau made a motion to adjourn the meeting and Commissioner Papero seconded the motion. The motion was unanimously approved. The meeting was then adjourned.

The next meeting is scheduled to be held on Thursday, June 27, 2019.