

MINUTES OF MEETING
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION
September 26, 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
David Jones
Pasquale Papero

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 September 20, 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 August 15, 2019 meeting. Commissioner Bonanni moved the minutes and Commissioner Jones seconded the motion. The motion to adopt the minutes was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Jones and Papero).

Chair Weisblatt started his report stating that the Commission is in the midst of a very active period during which a wide variety of disputes are being presented for resolution. The agency has been engaged with an extensive number of interim relief requests. There have also been a number of requests for mediation or conciliation that present unique circumstances. The agency has been nimble in its ability to provide dispute resolution assistance.

There are quite a few active court matters that affect us either indirectly or directly that the counsel staff is monitoring and managing well. We are handling two interim relief requests that are a direct result of an Appellate Division decision in a case involving union leave where we were not a party. The interest arbitration caseload has been active but within the range of our resources and capacity. The parties in police and fire negotiations disputes are proceeding, generally with rational efforts at negotiating, rather than arbitrating contract resolution. It remains our goal to improve the agency's ability to provide professional and impartial service to parties

that present disputes. We are focused on achieving that goal with greater responsiveness and timely processing.

The Counsel's Office distributed a monthly report.

The Chair stated that Sarah Freeman is attending this meeting for Agenda Item #3.

The first case for consideration was State of New Jersey (Treasury) and CWA Local 1033 and Sarah Freeman, Docket No. CI-2019-020. Commissioner Jones moved the draft decision and Commissioner Bonanni seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Jones and Papero).

The next case for consideration was East Orange Board of Education and East Orange Education Association, Docket No. TO-2019-007. 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, Jones and Papero).

The next case for consideration was South Orange-Maplewood Board of Education and South Orange-Maplewood Education Association, Docket No. SN-2019-046. Commissioner Jones moved the draft decision and Commissioner Bonanni seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Jones and Papero).

The next case for consideration was Harrison Board of Education and Harrison Township Education Association, Docket No. SN-2019-072. Commissioner Bonanni moved the draft decision and Commissioner Jones seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Weisblatt, Commissioners Bonanni, Jones and Papero).

The last item for consideration was Borough of Carteret and FMBA Local 67, Docket No. SN-2019-043. Chair Weisblatt stated that Commissioner Bonanni is no longer recused from this case, and he has had an opportunity to read the record and draft decision. The draft was previously sent as Agenda Item #9 for the August 15, 2019 Commission meeting. Commissioner Bonanni moved the draft decision and Commissioner Weisblatt seconded the motion. A discussion ensued. The motion to adopt the draft decision resulted in a tie vote of two in favor (Chair Weisblatt and Commissioner Bonanni) and two opposed (Commissioners Jones and Papero). In accordance with the Commission's policy, which is published on its website, a scope of negotiations case on which a tie vote occurs, where a Commissioner who would be eligible to vote is absent, will be held over until the next meeting so that a majority vote might be reached.

Chair Weisblatt stated that the senate judiciary met on September 10, 2019 and there remains to be no new status with respect to the pending nominations for the Commission. As a

final note from the Chair, he reminded the Commission that the November Commission meeting is scheduled for November 26, 2019.

The Chair asked for a motion to adjourn the meeting. Commissioner Bonanni 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, October 31, 2019.