

MINUTES OF MEETING
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION
May 27, 2021
10:00 a.m. by Phone
495 West State Street
Trenton, New Jersey

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

Present were:

Commissioners:

Craig Ford
David Jones
Pasquale Papero
Paula Voos

Also present were:

Christine Lucarelli-Carneiro, General Counsel
John Boppert, Deputy General Counsel
Frank Kanther, Deputy General Counsel
Ramiro Perez, Deputy General Counsel
Grace Xanthacos, 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 10, 2020 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 21, 2021, 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 29, 2021 meeting. Commissioner Papero moved the minutes and Commissioner Ford seconded the motion. The motion to adopt the minutes was unanimously approved (Chair Weisblatt, Commissioners Ford, Jones, Papero and Voos).

The Chair reported that the Agency continues to provide dispute resolution services related to COVID-19 and the return to classrooms for educational employees in a number of large school districts. Initially we were called upon to provide mediation efforts (side by side with some court proceedings) to address issues relating to the safety of facilities and in-person learning programs. Most recently, in one of the state's largest districts, the issue of inspections and building safety were raised in an interim relief filing and the Commission Designee provided the parties a decision constructing a framework for resolution by the Commission Designee.

The Chair also reported that the Agency continues to be nearly inundated with interim relief filings; they seem to come in bunches. Many of those disputes were brought in this forum because the impact of the pandemic has presented the perception of potential irreparable harm and emergent circumstances. We have been very responsible to the immediacy of the demands of such filings. However, we do continue to receive interim relief pleadings in cases that do not truly meet the standards for

expedited processing.

Lastly, the Chair noted efforts to educate the parties that the limited resources for handling interim relief claims place stress on resolving those disputes that warrant expedited treatment by diverting resources to addressing the cases not within the standard of interim relief. We shall continue to adjust to meet the demand for these services, maintaining our commitment to the Agency's mission.

General Counsel Lucarelli-Carneiro commented on the affirmance of the Commission decision in the Borough of Carteret.

The first case for consideration was Newton Board of Education and Newton Education Association, Docket No. CO-2021-085. Commissioner Voos moved the draft decision and Chair Weisblatt seconded the motion. Commissioner Ford was recused from voting on this matter because Oxfeld Cohen represents the union. The motion to adopt the draft decision was unanimously approved (Chair Weisblatt, Commissioners Ford, Jones, Papero and Voos).

The next case for consideration was Newark Board of Education and City Association of Supervisors and Administrators (CASA), Docket No. SN-2021-026. Commissioner Voos moved the draft decision and Commissioner Ford seconded the motion. The motion to adopt the draft decision was approved by a vote of four in favor (Chair Weisblatt, Commissioners Ford, Papero and Voos)

and one opposed (Commissioner Jones).

The next case for consideration was Sussex County Sheriff's Office and PBA Local 378 and Paul C. Liobe, Docket No. CI-2021-001. Commissioner Voos moved the draft decision and Chair Weisblatt seconded the motion. The motion to adopt the draft decision was approved by a vote of four in favor (Chair Weisblatt, Commissioners Ford, Papero and Voos) and one opposed (Commissioner Jones).

The next case for consideration was East Orange and East Orange SOA, FOP Lodge 188 a/w FOP NJ Labor Council, Docket No. CO-2019-270. Commissioner Jones moved the draft decision and Commissioner Ford seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Weisblatt, Commissioners Ford, Jones, Papero and Voos).

The next item for consideration was the resolution recognizing Susan Wood Osborn. Commissioner Jones moved to adopt the motion and Commissioner Voos seconded the motion. The motion was unanimously approved (Chair Weisblatt, Commissioners Ford, Jones, Papero and Voos).

The next item for consideration was the resolution recognizing Don Horowitz. Commissioner Jones moved to adopt the motion and Commissioner Voos seconded the motion. The motion was unanimously approved (Chair Weisblatt, Commissioners Ford, Jones, Papero and Voos).

The next case for consideration was the readoption, with amendments, of PERC's Chapter 12 Rules. Commissioner Paper moved the motion and Commissioner Voos seconded the motion. The motion was unanimously approved (Chair Weisblatt, Commissioners Ford, Jones, Papero and Voos).

The next item for consideration was the proposal to readopt PERC's Chapter 15 Rules governing subpoenas. Commissioner Jones moved the motion and Commissioner Papero seconded the motion. The motion was unanimously approved (Chair Weisblatt, Commissioners Ford, Jones, Papero and Voos).

The Chair asked for a motion to adjourn the meeting. Commissioner Jones made a motion to adjourn the meeting and Commissioner Ford seconded the motion. The motion was unanimously approved (Chair Weisblatt, Commissioners Ford, Jones, Papero and Voos). The meeting was then adjourned.

The next meeting is scheduled to be held on Thursday, June 24, 2021.