

MINUTES OF MEETING
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION
May 30, 2024
10:00 a.m.
495 West State Street
Trenton, New Jersey

The meeting was called to order by Chair Mary Beth Hennessy-Shotter.

Present were:

Commissioners:

Adrienne Eaton
Craig Ford
William Higgins
Barry Kushnir
Pasquale Papero

Also present were:

Christine Lucarelli-Carneiro, General Counsel
Frank Kanther, Deputy General Counsel
John Boppert, Deputy General Counsel
Ramiro Perez, Deputy General Counsel
William J. Campbell, IV, Deputy General Counsel
Grace Xanthacos, who acted as Stenographer

At the commencement of the meeting, Chair Hennessy-Shotter, 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 15, 2023 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 22, 2024, 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, 2024 meeting. Commissioner Eaton moved the minutes and Commissioner Papero seconded the motion. The motion to adopt the minutes was unanimously approved (Chair Hennessy-Shotter, Commissioners Eaton, Ford, Higgins, Kushnir and Papero).

The Chair advised the Commission that the Judge has granted the Attorney General's Motion to Intervene in the Superior Court case filed by Rutgers, the State University of New Jersey contesting the constitutionality of the subcontracting amendments to the Act as applied to Rutgers. The motion will now be heard on June 28, 2024.

The Chair also advised the Commission of the passing of former PERC Director of Conciliation and Arbitration Richard Gwin.

The Deputy General Counsels spoke about the following three recently issued Appellate Court decisions all of which affirmed Commission decisions - In re Borough of Carteret, 2024 N.J. Super. Unpub. LEXIS 710 (Dkt. No. A-1319-22); In re County of Essex, 2024 N.J. Super. Unpub. LEXIS 811 (Dkt. No. A-3809-22); and In re PBA Loc. 29, 2024 N.J. Super. Unpub. LEXIS 869 (Dkt. No. A-0743-23).

The first case for consideration was City of Jersey City and Jersey City PSOA, Docket No. SN-2024-029. Commissioner Kushnir moved the draft decision and Commissioner Eaton seconded the motion. The motion to adopt the draft decision was unanimously

approved (Chair Hennessy-Shotter, Commissioners Eaton, Ford, Higgins, Kushnir and Papero).

The next case for consideration was Township of Edison and IAFF Local 2883, Docket No. SN-2024-028. Commissioner Higgins moved the draft decision and Commissioner Papero seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Hennessy-Shotter, Commissioners Eaton, Ford, Higgins, Kushnir and Papero).

The next case for consideration was County of Essex and JNESO District Council 1 IUOE, Docket No. SN-2024-030. Commissioner Eaton moved the draft decision and Commissioner Papero seconded the motion. A discussion ensued. The motion to adopt the draft decision was unanimously approved (Chair Hennessy-Shotter, Commissioners Eaton, Ford, Higgins and Papero).

The next case for consideration was State of New Jersey (Office of Employee Relations) and Communications Workers of America, AFL-CIO, Docket No. CO-2023-119. Commissioner Papero moved the draft decision and Commissioner Higgins seconded the motion. Commissioner Eaton is recused from voting on matters involving the law firm of Weissman & Mintz. Commissioner Kushnir is recused from voting on matters involving the law firm of Weissman & Mintz. The motion to adopt the draft decision was unanimously approved (Chair Hennessy-Shotter, Commissioners Ford, Higgins, and Papero).

The next case for consideration was City of Newark and Local 617. Workers United, SEIU, Docket No. CO-2021-138. Commissioner Papero moved the draft decision and Commissioner Eaton seconded the motion. Commissioner Ford is recused from voting on matters involving the law firm of Oxfeld Cohen. The motion to adopt the draft decision was unanimously approved (Chair Hennessy-Shotter, Commissioners Eaton, Higgins, Kushnir and Papero).

The next case for consideration was Atlantic City Board of Education and Atlantic City Education Association, Docket No. CO-2023-086. Commissioner Kushnir moved the draft decision and Commissioner Eaton seconded the motion. The motion to adopt the draft decision was unanimously approved (Chair Hennessy-Shotter, Commissioners Eaton, Ford, Higgins, Kushnir and Papero).

The Chair asked for a motion to adjourn the meeting. Commissioner Kushnir made a motion to adjourn the meeting and Commissioner Higgins seconded the motion. The motion was unanimously approved (Chair Hennessy-Shotter, Commissioners Eaton, Ford, Higgins, Kushnir and Papero). The meeting was then adjourned.

The next regular meeting is scheduled to be held on Thursday, June 27, 2024.