



**STATE OF NEW JERSEY
PUBLIC EMPLOYMENT RELATIONS COMMISSION**

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DATE: December 11, 2025

TO: Commissioners

FROM: Counsel Staff

RE: Developments in Counsel's Office since November 17, 2025

Commission Cases

Appeals from Commission Decisions

No new appeals from Commission decisions were filed since November 17.

Commission Court Decisions

No new Commission court decisions have been issued since November 17.

Non-Commission Court Decisions
Related to the Commission's Jurisdiction

Appellate Division confirms arbitration award denying grievance alleging teacher prep period was no longer of equal length to instructional period after implementation of new block schedule

Robbinsville Edu. Assn. v. Robbinsville Bd. of Ed., 2025 N.J. Super. Unpub. LEXIS 2486 (App. Div. 2025) (App. Div. Dkt. No. A-889-24)

The Appellate Division of the Superior Court, in an unpublished decision, affirms a Chancery Division order confirming an arbitration award in a contract dispute between the Robbinsville Education Association and Robbinsville Board of Education. The CNA between the parties required that teachers receive a daily preparatory period equal in length to one instructional period. Prior to the 2022-2023 school year, each instructional period was 42 minutes, as was the prep period. If the teacher was assigned duties during that period, they would receive additional compensation. Starting in 2022, the Board implemented block scheduling for instructional periods, which became 84 minutes in length, but did not increase the length of the prep period. The Association filed a grievance contending the length of the prep period should have increased along with the instructional period. The arbitrator determined that the prep period could not be stretched and redefined to include the equivalent of two periods of instruction under the previous years simply because the Board implemented block scheduling. Both the Appellate Division and Chancery court concluded that the award must be confirmed because it met the "reasonably debatable" standard, even if the court would have come to a different conclusion.

Appellate Division affirms as modified Law Division order voiding appointment of member of Board of Education because appointment process violated Open Public Meetings Act.

Arminio v. Monroe Tp. Bd. of Ed., 2025 N.J. Super. LEXIS 72 (App. Div. 2025) (App. Div. Dkt. No. A-207-24)

The Appellate Division of the Superior Court, in a published opinion, affirms a Law Division order voiding the appointment of Michael Gorham as a Board of Education member because the appointment procedure violated the Open Public Meetings Act. Due to a vacancy on the Board, the Board requested that interested candidates apply for the vacant seat, including Plaintiff Michele Arminio and Gorham. Later, the Board held a public meeting where it entered a closed executive session to discuss the candidates for the vacant seat. The minutes of that session reflect that the Board reached a consensus to appoint Gorham without interviewing the candidates. The Board then returned to public session, and appointed Gorham without discussion. The trial

judge determined that while the Board provided proper notice of the appointment vote, its decision to enter executive session to discuss the appointment violated the Open Public Meetings Act. The trial court also determined that under the circumstances it would not void votes taken by Gorhan as a Board member prior to the order voiding his appointment. The Appellate Division agreed with the result but determined that discussions regarding the appointment of a fellow Board member could occur in private session, so long as it explains any decisions taken during the closed session and allows public discussion on the matter prior to nominating an individual for the position.