

MINUTES OF MEETING
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION
June 30, 2005
10:24 a.m.
495 West State Street
Trenton, New Jersey

The meeting was called to order by Chairman Lawrence Henderson.

Present were:

Chairman: Lawrence Henderson

Commissioners:

Donald J. Buchanan
Peter J. DiNardo
Cheryl G. Fuller
Carla A. Katz
Matthew U. Watkins

Also present were:

Robert E. Anderson, General Counsel
Susan Galante, Special Counsel to the Chairman
Don Horowitz, Deputy General Counsel
Ira Mintz, Special Assistant to the Chairman
Kellie Hullfish, who acted as Stenographer
Joanne Maynard, Senior Clerk Transcriber

At the commencement of the meeting, the Chairman, 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, 2004 a copy of such notice was:

(a) prominently posted in a public place at the offices of the Public Employment Relations Commission;

(b) mailed to the business offices of the Trenton Times, the Bergen Record, and the Camden Courier Post, as well as to the State House press room addresses of 25 media outlets; and

(c) mailed to the Secretary of State for filing.

Furthermore on June 23, 2005, copies of an additional written "Notice of Meeting" were posted and mailed as aforesaid. Chairman Henderson called the meeting to order. The first

item for consideration was the minutes of the May 26, 2005 meeting. A motion to adopt the minutes was made by Commissioner Buchanan and seconded by Commissioner Katz. Commissioner Fuller abstained. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo and Katz).

The General Counsel distributed his monthly and supplemental reports. He noted the affirmance in the City of Newark and Newark Firefighters Union case in which the Commission restrained arbitration of grievances seeking to contest the transfer of firefighters between fire companies. He further stated that the Legislature has passed a bill that will supplement the Employer-Employee Relations Act to limit the number of negotiations units of State employees to ten and to provide a unit clarification procedure for adding either new titles or already existing titles to those units. Another bill that is pending in the Legislature would provide for the certification of majority representatives through card checks, rather than through elections.

The Commission next considered whether to readopt N.J.A.C. 19:14 with amendments. These regulations govern unfair practice cases. Commissioner Fuller moved that N.J.A.C. 19:14 be readopted with amendments and Commissioner DiNardo seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller and Katz).

The Commission next considered whether to readopt N.J.A.C. 19:11 with amendments. These regulations govern representation cases. Commissioner Katz moved that N.J.A.C. 19:11 be readopted with amendments and Commissioner DiNardo seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller and Katz).

The first case for consideration was James Cipriano and PBA Local 187 , Docket No. CI-2002-064. Commissioner Katz moved the draft decision and Commissioner Buchanan seconded the motion. The motion to adopt the draft decision was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller and Katz).

The next case for consideration was Township of Piscataway and PBA Local No. 93, Docket No. CO-2003-329. Commissioner Katz moved the draft decision and Commissioner Fuller seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller and Katz).

Commissioner Watkins joined the meeting at this time.

The next case for consideration was Middlesex Board of Education and Middlesex Education Association, Docket No. SN-2005-064. Commissioner DiNardo moved the draft decision and Commissioner Katz seconded the motion. Commissioner Watkins abstained from consideration. The motion to adopt the decision was approved by a vote of five in favor (Chairman Henderson, Commissioners DiNardo, Fuller, Katz and Watkins), and one opposed

(Commissioner Buchanan).

The next case for consideration was New Jersey Transit Bus Operations, Inc. and Amalgamated Transit Union, New Jersey State Council, Docket No. SN-2005-030. Commissioner Watkins moved the draft decision and Commissioner Buchanan seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Katz and Watkins).

The next case for consideration was City of Newark and FOP Lodge 12, Docket No. SN-2005-034. Commissioner Fuller moved the draft decision and Commissioner Watkins seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Katz and Watkins).

The next case for consideration was City of Newark and FOP Lodge 12, Docket No. SN-2005-035. Commissioner Fuller moved the draft decision and Commissioner Watkins seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Katz and Watkins).

The next case for consideration was Township of Harding and PBA Local 340, Docket No. SN-2005-061. Commissioner Katz moved the draft decision and Commissioner Fuller seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Katz and Watkins).

The last case for consideration was City of Union City and PBA Local 8, Docket No. CO-2004-231. Commissioner Watkins moved the draft decision and Commissioner DiNardo seconded the motion. The motion was unanimously approved (Chairman Henderson, Commissioners Buchanan, DiNardo, Fuller, Katz and Watkins).

Commissioner Katz made a motion to adjourn the meeting and Commissioner Fuller seconded the motion. The motion was unanimously approved. The meeting was then adjourned.

The next meeting is scheduled to be held on Thursday, July 28, 2005 at 10:00 a.m.