

PUBLIC NOTICE

OTHER AGENCIES

PUBLIC EMPLOYMENT RELATIONS COMMISSION

Notice of Action on Petition for Rulemaking

Mary E. Hennessy-Shotter

Unfair Practice Proceedings

N.J.A.C. 19:14

Petitioner: Charles Wowkanech, President, New Jersey State AFL-CIO.

Take notice that the Public Employment Relations Commission (Commission) has determined to grant the petition for rulemaking as modified and described below.

On December 11, 2024, the Commission received a petition for rulemaking requesting that N.J.A.C. 19:14-2.1(a) be amended to require that the Commission's Director of Unfair Practices (Director) make a complaint issuance determination within 60 days of the filing of an unfair practice charge. A notice acknowledging receipt of the petition and summarizing its contents was published in the January 21, 2025 New Jersey Register at 57 N.J.R. 212(c). A notice indicating that the petition was considered by the Commission at its regular public meeting on January 30, 2025 and referred for further deliberations not to exceed 90 days pursuant to N.J.A.C. 1:30-4.2(a)3 was published in the March 17, 2025 New Jersey Register at 57 N.J.R. 620(a). At its April 24, 2025 regular public meeting, the Commission engaged in further deliberations, including reviewing the petition along with comments submitted by the League of Municipalities, the Association of Counties, the New Jersey State Bar Association, the Genova Burns law firm, and the petitioner. Following discussion, the Commission voted to seek the petitioner's consent to extend further deliberations. N.J.A.C. 1:30-4.2(b).

Following the April 24, 2025 Commission meeting, the Commission sought the petitioner's consent to extend further deliberations for 120 days so that the Commission could collaborate with its Unfair Practices staff to identify whether there is any timeline for complaint issuance that will support the agency's settlement efforts while also navigating operational challenges relating to staffing levels and budget constraints. On May 7, 2025, the petitioner consented to extend deliberations until June 30 and modified its rulemaking proposal to provide for a 180-day deadline for a complaint issuance determination following the filing of an unfair practice charge. Pursuant to N.J.A.C. 1:30-4.2(b), the Commission and AFL-CIO agreed to extend further deliberations until June 30, 2025. A copy of the notice of action to extend the period for further deliberations was posted to the Commission's website, mailed to the petitioner, and sent to the OAL for publication. N.J.A.C. 1:30-4.2(b), (d), and (e).

At its May 29, 2025 regular public meeting, the Commission engaged in further deliberations over the rulemaking petition, including the petitioner's modified proposal for a 180-day complaint issuance determination deadline. Following discussion, the Commission determined that the modified proposal was administratively feasible and voted to grant the AFL-CIO's rulemaking petition. The Commission voted to initiate rulemaking providing that the Director must make a complaint issuance determination within 180 days of the filing of an unfair practice charge, such deadline being subject to extension by mutual consent of the parties. Pursuant to N.J.A.C. 1:30-4.2(a), the Commission must initiate this rulemaking within 90 days of granting the petition. A copy of this notice of action to grant the rulemaking petition, as modified, was posted to the Commission's website, mailed to the petitioner, and sent to the OAL for publication. N.J.A.C. 1:30-4.2(b), (d), and (e).