

MINUTES OF MEETING
NEW JERSEY PUBLIC EMPLOYMENT RELATIONS COMMISSION
May 29, 2025
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
John Boppert, Deputy General Counsel
William Campbell, IV, 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 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 12, 2024 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, 2025, 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 24, 2025 meeting. Commissioner Higgins moved the minutes and Commissioner Ford 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 Commissioners that the Court has set a new case management conference date in June for the Superior Court case where Rutgers is challenging the subcontracting amendments to the Act.

The Chair also advised that all Commissioners have completed their Financial Disclosure Statements.

The General Counsel provided status updates on developments in court Commission decisions. The Cedar Grove Board of Education withdrew its appeal from the Commission's decision, P.E.R.C. No. 2025-15, 50 NJPER 288 (¶68 2023), which found the Board violated the Act when it unilaterally required employees to use sick leave and FMLA leave concurrently, without negotiating with the Association. Rutgers, the State University of New Jersey, filed an appeal from the Commission's decision, P.E.R.C. No. 2025-29, 51 NJPER 287 (¶65 2025), which denied Rutgers' request for a restraint of binding arbitration of Teamsters Local 97's grievance contesting the termination of a unit employee after she allegedly failed to comply with Rutgers' seasonal flu vaccination requirement. The State of New Jersey filed an appeal

from the Commission's decision, P.E.R.C. No. 2025-25, 51 NJPER 235 (¶56 2025), which reviewed and modified the Director of Representation's decision addressing consolidated clarification of unit petitions concerning over 1,000 employees of state colleges and universities and whether they should be included in one of the CWA or AFT's statewide units. Briefs on whether the Commission decision was final are currently pending with the court. The Appellate Division denied the County of Gloucester's motion for leave to appeal an interim relief decision, I.R. No. 2025-6, in the matter of County of Gloucester and Communication Workers of America (Local 1085), Docket No. CO-2025-130.

The first case for consideration was City of Atlantic City and International Association of Firefighters, Local 198, Docket No. CO-2022-200. Commissioner Kushnir moved the draft decision and Commissioner Higgins 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 item for consideration was Township of Bloomfield and Bloomfield Police Department SOA, Docket No. SN-2025-017. Commissioner Eaton moved the draft decision and Commissioner Kushnir seconded the motion. Commissioner Papero is recused from voting on matters involving the New Jersey State Policemen's Benevolent Association. The motion to adopt the draft was

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

The next item for consideration was New Jersey State PBA Local 379 Sheriff's Officers and Ocean County, Docket No. CO-2024-088. Commissioner Higgins moved the draft decision and Commissioner Eaton seconded the motion. Commissioner Papero is recused from voting on matters involving the New Jersey State Policemen's Benevolent Association. The motion to adopt the draft was unanimously approved (Chair Hennessy-Shotter, Commissioners Eaton, Ford, Higgins and Kushnir).

The next item for consideration was the Consideration of Notice of Action on Chapter 14 Rulemaking Petition and AFL-CIO Response. Commissioners Ford and Kushnir were recused. Chair Hennessy-Shotter asked for a motion to enter into discussion. Commissioner Eaton made the motion to enter into discussion and Commissioner Higgins seconded the motion. The motion was unanimously approved (Chair Hennessy-Shotter, Commissioners Eaton, Higgins and Papero). A discussion ensued. Chair Hennessy-Shotter asked for a motion for complaint issuance time frame of up to 180 days, and also allowing the parties' to mutually request an extension. The motion will be subject to a 60-day public comment period. Commissioner Eaton made the motion and Commissioner Higgins seconded the motion. The motion was unanimously approved (Chair Hennessy-Shotter, Commissioners

Eaton, Higgins and Papero).

The next item for consideration was the Consideration of Chapter 13 (Scope of Negotiations Proceedings) Rules Readoption. Commissioner Kushnir made a motion to approve the Chapter 13 Rules Readoption and Commissioner Eaton seconded the motion. The motion for Consideration of Chapter 13 (Scope of Negotiations Proceedings) Rules Readoption was unanimously approved (Chair Hennessy-Shotter, Commissioners Eaton, Ford, Higgins, Kushnir and Papero).

The next item for consideration was Consideration of Chapter 11 (Readoption with substantial changes). Chair Hennessy-Shotter asked for a motion for discussion. Commissioner Ford made the motion and Commissioner Higgins seconded the motion. A discussion ensued. Chair Hennessy-Shotter asked for a motion regarding the following: 1- The Language in the New Jersey Employer-Employee Relations Act (EERA) at 13A-5.15 regarding employer disclosures; 2 - The language in the EERA at 13A-60.1 that provides those 5.15 disclosures do not apply to certain entities; 3 - Revised proposal to add language from 60.1 to avoid confusion for the parties. Commissioner Eaton made the motion and Commissioner Kushnir seconded the motion. The motion was unanimously approved (Chair Hennessy-Shotter, Commissioners Eaton, Ford, Higgins, Kushnir and Papero). Chair Hennessy-Shotter asked for a motion to approve the remaining Chapter 11

(Readoption with substantial changes). Commissioner Kushnir made the motion and Commissioner Eaton seconded the motion. The motion to approve the remaining Chapter 11 (Readoption with substantial changes) 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 Eaton 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 26, 2025.