

OTHER AGENCIES

PUBLIC EMPLOYMENT RELATIONS COMMISSION

Notice of Receipt of Petition for Rulemaking

Unfair Practice Proceedings

N.J.A.C. 19:14

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

Take notice that on December 11, 2024, the Public Employment Relations Commission (Commission) received a petition for rulemaking from Charles Wowkanech, President, New Jersey State AFL-CIO (AFL-CIO). The AFL-CIO's petition seeks several amendments to N.J.A.C. 19:14, Unfair Practice Proceedings. The AFL-CIO proposes 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. The amendment would add a subsection N.J.A.C. 19:14-2.1(a)(4) providing that the issuance of a complaint shall not preclude continuing efforts from Commission staff to settle the matter. The AFL-CIO's petition also proposes that N.J.A.C. 19:14-2.3(a) be amended to require that the written notice of a refusal, or partial refusal, to issue a complaint be issued within 10 days of the complaint issuance determination. The AFL-CIO's petition alleges that in a recent case, the AAUP-AFT was denied Commission review of the Director's decision not to issue a complaint on a charge that was filed nearly four years earlier because the Director stated that a related clarification of unit representation should be resolved first. The AFL-CIO asserts in its petition that its proposed amendments would require the Director to make complaint issuance determinations in a more timely manner.

In accordance with the provisions of N.J.A.C. 1:30-4.2, the Chair of the Commission will mail to the petitioner and file with the Office of Administrative Law a notice of action on the petition.