

ELECTRONIC FILING IN THE OFFICE OF PUBLIC EMPLOYMENT PRACTICES AND REPRESENTATION

The Chair of the Public Employment Relations Board (PERB), in consultation with the Board, has authorized the electronic filing of documents for all cases submitted to the Office of Public Employment Practices and Representation, **beginning March 16, 2026**.

PERB is in the process of implementing a portal filing system but the following email filing system will be effective until the portal system is instituted.

WHERE TO FILE INITIALLY

Filings must be emailed to XXXXXXXX@perb.ny.gov (email address will be provided once e-filing becomes effective). **No Originals need to be mailed (except proof of the showing of interest in Representation matters).**

WHAT TO FILE INITIALLY

Improper practice charges, Answers, Representation petitions (including Certifications/Decertification petitions), and Responses must be electronically filed, except as otherwise authorized below.

HOW TO FILE INITIALLY

All documents shall be in a format that can be read using software that is readily available and is in widespread use by government, businesses, and individuals and electronically searchable, such as a searchable Adobe Acrobat pdf, unless you certify in a written attachment to the document served and/or in any required proof of service that you do not have the capacity to produce a searchable file. Rule 200.12 (c) of PERB's Rules of Procedure ("Rules"), available at <https://perb.ny.gov/laws-and-rules>.

Electronically filed documents cannot be larger than 20 megabytes (MB). Documents larger than 20 MB must be divided into two or more documents, each under the 20 MB limit.

INITIAL SERVICE

PERB will continue to serve IP Charges and Representation petitions on the other side.

Answers and Responses must be served **simultaneously** on the other parties, and the electronic filing must contain proof of service.

You may electronically serve the other parties to the proceeding at the email address from which the IP charge or Representation petition came. Electronic service is deemed complete upon sending unless an error message or other notification that the served document has not been successfully dispatched or received is returned, in which case the service is null and void. Rule 200.12 (d).

Inclusion of the party or representative being served service as a recipient on the email addressed to XXXXXXXX@perb.ny.gov (email address will be provided once e-filing becomes effective) (i.e. cc'ing on the email) will be deemed proof of service, subject to failure of service as described above.

WHEN TO FILE INITIALLY

IP Charges must conform to the timeliness requirements in Part 204.1 (a) of PERB's Rules.

Petitions in Representation matters must conform to the timeliness requirements in Part 201 of PERB's Rules.

Answers to IP charges must conform to the timeliness requirements in Part 204.3 of PERB's Rules. Answers should be emailed by 11:59 p.m. on the day such filings are due.

Responses in Representation matters must conform to the timeliness requirements set forth in the Notice of Petition Filed. Responses should be emailed by 11:59 p.m. on the day such filings are due.

SUBSEQUENT FILINGS

After the initial filings, subsequent filings (motions, correspondence, etc.) should be emailed to the email address provided by the assigned Administrative Law Judge, Assistant Director or Director.

CONSENT TO RECEIPT OF ELECTRONIC FILINGS

By electronically filing an IP Charge or Petition, you consent to receive answers and responses from the other parties electronically, at the email address(es) from which the Charge or Petition was filed.

ELECTRONIC DELIVERY OF DECISION

If you file electronically, you will receive any Administrative Law Judge or Director decision electronically to the email address you provided. You will also receive all Board decisions, if relevant, electronically. The electronic decision(s) will be the only copy of the decision(s) that you will receive, and receipt of the decision(s) via email will be deemed service of the decision by PERB. As with filing of documents by parties, electronic service is deemed complete upon sending unless an error message or other notification that the served document has not been successfully dispatched or received is returned, in which case the service is null and void. Rule 200.12 (d).

OPTING OUT OF ELECTRONIC FILING

Unrepresented individuals may choose to file and receive all pleadings, memoranda, correspondence and any case-related information in paper form. Rule 200.12 (b). Unrepresented parties who wish to file in paper form should file their Improper practice charge or Representation petition with:

Director of Public Employment Practices and Representation
P.O. Box 2074
Empire State Plaza, Agency Building 2
Albany, NY 12220-0074

Other parties wishing to file in paper form should file their documents along with the Opt-Out Form below. PERB retains the discretion to determine whether to grant the application of a party to file and serve in paper form due to hardship, inability to comply with the procedure, or other good cause shown. Rule 200.12 (b). PERB will accept the paper form filing for timeliness purposes and will notify the party if their application is denied and an electronic version must be submitted.

OPT OUT OF ELECTRONIC FILING REQUEST

Case Number(s)(if available): _____

Charging Party/Petitioner: _____

Respondent(s)/Employer and/or Union: _____

I, (enter your name) _____, am (check one):

- the representative of a party in the above-captioned action or
 a self-represented party in this matter.

I am applying to file and serve in paper form. I request to file and receive all case-related documents, including PERB decisions, in paper form only.

For representatives only

Reason for opting out:

- Hardship
 Inability to comply
 Other good cause

Provide details on reason for opting out (self-represented parties do not need to provide a reason for opting out):

Signature: _____ Date: _____

Print name: _____

Party Represented: _____

Provide this completed form with your filing if you wish to apply to opt out of electronic filing.