

ELECTRONIC FILING IN THE OFFICE OF COUNSEL

The Chair of the Public Employment Relations Board (PERB), in consultation with the Board, has authorized the electronic filing of documents for all filings related to Applications for Injunctive Relief, Requests for Enforcement, and Requests for Opinion of Counsel to be submitted to the Office of Counsel, **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 officeofcounsel@perb.ny.gov (email will be provided on March 16, 2026). **No Originals need to be mailed.**

WHAT TO FILE INITIALLY

Applications for Injunctive Relief, Requests for Enforcement, and Requests for Opinions of Counsel 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.

SERVICE

Office of Counsel will not grant *ex parte* Applications for Injunctive Relief or Requests for Enforcement.

Electronic filings must contain proof of service and/or proof of delivery, as required by the Rules, or will be rejected.

For applications for injunctive relief, please consult Part 204.7 (c) (4) of PERB's Rules for the requirements for proof of delivery of the application on the chief legal officer for each respondent named in the application and proof of service of the application on all other parties to the improper practice charge.

For requests for enforcement, please consult Part 213.11 of PERB's Rules for the requirements for proof of service on all other parties before the Board.

Where written consent has been obtained from respondent(s) for electronic service, inclusion of the party or representative being served as a recipient on the email addressed to officeofcounsel@perb.ny.gov (email will be provided on March 16, 2026) (i.e. cc'ing on the email) with attachment of the written consent will be deemed proof of service, 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. See Rule 200.12 (d).

There are no service requirements or formal filing requirements to request an Opinion of Counsel, which may be sent to officeofcounsel@perb.ny.gov.

WHEN TO FILE INITIALLY

All filings must conform to the time requirements in Parts 204.7 and 213.11 of PERB's Rules. **Submissions received by Office of Counsel after 5:00 p.m. on the day of filing, or during a weekend, or on a Federal and/or State designated holiday, shall be deemed filed on the next business day.**

CONSENT TO RECEIPT OF ELECTRONIC FILINGS

By electronically filing an Application for Injunctive Relief or Request for Enforcement, you consent to receive all responses and correspondence from the other parties electronically, at the email address(es) from which the Application or Request was made. **Please note that consent to electronic service of responsive pleadings may still be required.**

ELECTRONIC DELIVERY OF DECISION

If you file electronically, you will receive PERB's correspondence and decision(s) electronically, sent to the email address you provided. 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. See 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. See Rule 200.12 (b). Written filings must comply with all applicable Rules of Procedure. Unrepresented parties who wish to file in paper form should file their Application for Injunctive Relief, Request for Enforcement, or Request for an Opinion of Counsel with:

Public Employment Relations Board
Office of Counsel
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.