

P.E.R.C. NO. 2005-53

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

NORTH HUDSON REGIONAL
FIRE AND RESCUE,

Petitioner,

-and-

Docket No. SN-2005-038

NORTH HUDSON FIREFIGHTERS'
ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the North Hudson Regional Fire and Rescue for a restraint of binding arbitration of a grievance filed by the North Hudson Firefighters' Association. The grievance contests a change in the overtime ratio that the Regional negotiated with the North Hudson Fire Officers Association allegedly without including the Firefighters' Association. The Commission concludes that an employer has a prerogative to set the staffing ratios of fire officers to firefighters.

This synopsis is not part of the Commission decision. It has been prepared for the convenience of the reader. It has been neither reviewed nor approved by the Commission.

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

HILLSBOROUGH BOARD OF EDUCATION,

Respondent,

-and-

Docket No. CO-2003-141

HILLSBOROUGH EDUCATION ASSOCIATION,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission finds that the Hillsborough Board of Education violated the New Jersey Employer Employee Relations Act by dealing directly with part-time clerical assistants represented by the Hillsborough Education Association regarding waivers of health insurance benefits. The Commission concludes that the Board violated its obligation to negotiate with the Association in good faith. By way of remedy, the Commission voids the individual waiver agreements. The Commission finds that part-time clericals working less than 35 hours per week had never received health benefits and therefore the Board did not unilaterally change a past practice of providing health benefits to part-time clerical assistants. Having voided the individual waiver agreements, the Commission grants the Association 15 days to file a contractual grievance alleging that the Board violated an obligation under the parties' contract to provide health benefits. The Commission also finds that the Board was not seeking to punish or retaliate against employees when it reduced their hours after the filing of the unfair practice charge, but was simply acting to protect itself from a financial obligation it never wanted to incur.

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P.E.R.C. NO. 2005-55

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF PISCATAWAY,

Respondent-Charging Party,

-and-

Docket Nos. CO-2003-206
CO-2003-329
CE-2004-001

PISCATAWAY PBA LOCAL NO. 93,

Charging Party-Respondent.

SYNOPSIS

_____The Public Employment Relations Commission grants the request of Piscataway PBA Local No. 93 for partial summary judgment on one of the charges in a consolidated unfair practice Complaint (CO-2003-329). That charge alleges that the Township of Piscataway refused to negotiate in good faith in violation of the New Jersey Employer-Employee Relations Act when it unilaterally implemented certain promotional procedures. The Commission orders the employer to rescind and negotiate over the two disputed aspects of the promotional policy. The Commission rejects the PBA's request that all promotions made pursuant to the unilaterally adopted policy be rescinded. Nothing in the parties' submissions suggests that the results of the promotional process would have been any different had the PBA's positions on these two issues been adopted by the Township and incorporated in the policy. The Commission severs CO-2003-329 from the consolidated Complaint and this decision constitutes a final administrative decision.

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P.E.R.C. NO. 2005-56

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY OF ESSEX and
ESSEX COUNTY SHERIFF,

Appellants,

-and-

Docket No. IA-2003-037

ESSEX COUNTY SHERIFF'S
OFFICERS, PBA LOCAL 183,

Respondent.

SYNOPSIS

_____The Public Employment Relations Commission denies a motion for a stay pending appeal of P.E.R.C. No. 2005-52 filed by Essex County and the Essex County Sheriff. The Commission concludes that the County has not shown that it has a substantial likelihood of prevailing in its appeal or that it will be irreparably harmed by implementing the award now. The Commission further concludes that a balancing of the equities favors immediate implementation of the award.

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