

P.E.R.C. NO. 2013-8

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

PBA LOCAL 134,

Respondent,

-and-

Docket No. CE-2011-015

COUNTY OF BERGEN,

Charging Party,

-and-

BERGEN COUNTY SHERIFF'S OFFICE,

Intervenor.

SYNOPSIS

The Public Employment Relations Commission grants the request of the County of Bergen and the Bergen County Sheriff for reconsideration of I.R. 2012-4. In that decision, a Commission designee denied the County's request for interim relief filed in conjunction with an unfair practice charge filed against PBA Local 134. The charge alleges that PBA Local 134 violated the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-5.4b(3) and (5), when it refused to negotiate economic terms of a successor agreement with the County Executive. The Commission grants reconsideration holding that the County has a likelihood of success on the merits of its unfair practice charge as the County and the Sheriff's Office are joint employers.

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.

P.E.R.C. NO. 2013-9

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

PALISADES INTERSTATE PARK  
COMMISSION,

Respondent,

-and-

Docket No. CO-2011-374

PBA STATE LAW ENFORCEMENT UNIT,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission sustains the decision of the Director of Unfair Practices refusing to issue a Complaint based on an unfair practice charge filed by the PBA State Law Enforcement Unit against the Palisades interstate Park Commission. The charge alleges that the Park Commission violated 5.4a(1), (2), (3), (4) and (5) of the New Jersey Employer-Employee Relations Act when the police chief issued a memorandum regarding sick leave procedures which allegedly violated the sick leave provision of the parties' collective negotiations agreement. The Commission holds that the parties' dispute centers around the parties interpretation of the Chief's memorandum and whether such interpretation is consistent with the parties' interpretation of the sick leave provision in the Agreement and defers the matter to grievance arbitration.

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P.E.R.C. NO. 2013-10

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY,

Respondent,

-and-

Docket No. IA-2012-004

NEW JERSEY LAW ENFORCEMENT  
COMMANDERS OFFICERS ASSOCIATION,

Petitioner.

SYNOPSIS

The Public Employment Relations Commission grants the State of New Jersey's motion to dismiss an interest arbitration petition filed by the New Jersey Law Enforcement Commanders Officers Association. The Commission holds that as of October 6, 2011, the unit description listed on the interest arbitration petition included titles that no longer exist as well as omitted titles it now represents. This change was the result of a change in Civil Service titles. A new unit was certified by the Director of Representation in December 2011 after the re-organization. The Association may re-file its interest arbitration petition reflecting the titles in the unit as described in the Certification of Unit issued in December 2011.

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P.E.R.C. NO. 2013-11

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWN OF MORRISTOWN,

Petitioner,

-and-

Docket No. SN-2011-017

PBA LOCAL 43,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants, in part, the request of the Town of Morristown for a restraint of binding arbitration of a grievance filed by PBA Local 43. The grievance challenges the Town's deduction off 1.5% of base salary towards the cost of dental insurance for a police officer who waived basic health benefits. The Commission restrains arbitration except to the extent the grievance alleges that the deductions exceeded the cost of the dental premium.

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P.E.R.C. NO. 2013-12

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

RUTGERS, THE STATE UNIVERSITY  
OF NEW JERSEY,

Petitioner,

-and-

Docket No. SN-2012-003

FRATERNAL ORDER OF POLICE,  
SUPERIOR OFFICERS ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of Rutgers, The State University of New Jersey for a restraint of binding arbitration of a grievance filed by fraternal Order of Police, Superior Officers Association. The grievance contests the demotion of a Rutgers University police officer. The Commission holds that police officers may not contest major disciplinary sanctions through binding arbitration.

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P.E.R.C. NO. 2013-13

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CITY OF RAHWAY,

Petitioner,

-and-

Docket No. SN-2012-004

FMBA LOCAL 33,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the City of Rahway for a restraint of binding arbitration of a grievance filed by FMBA Local 33. The grievance alleges the City violated the parties' collective negotiations agreement when it issued a policy limiting designation of fire fighters as acting captains only on shifts where a response to a fire alarm occurs. The Commission restrains arbitration finding that the relief sought by the FMBA would encroach upon the City's ability to determine staffing levels on a given shift, including whether to temporarily have a fire fighter perform the duties of a higher rank.

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P.E.R.C. NO. 2013-14

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

NORTH HUDSON REGIONAL  
FIRE & RESCUE,

Petitioner,

-and-

Docket No. SN-2012-007

NORTH HUDSON FIRE FIGHTERS  
ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the North Hudson Regional Fire and Rescue for a restraint of binding arbitration of a grievance filed by the North Hudson Fire Fighters Association. The grievance involves a dispute over the amount of sick time that should be credited to a fire fighter who served in a municipal fire department that became part of the Regional. The Commission holds that the grievance is arbitrable as credit for service with a prior public employer is mandatorily negotiable.

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