

P.E.R.C. NO. 2015-31

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY
(JUVENILE JUSTICE COMMISSION),

Respondent,

-and-

Docket No. CO-2014-129

COMMUNICATIONS WORKERS OF AMERICA,
LOCAL 1040,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission affirms the refusal of the Director of Unfair Practices to issue a Complaint based on an unfair practice charge filed by the Communications Workers of America, Local 1040, against the State of New Jersey (Juvenile Justice Commission). The Director found that the CWA did not plead with specificity any facts to support its allegation of anti-union animus other than the individual was a shop steward. Applying the Bridgewater standard, the Commission finds that none of the allegations, if true, would violate the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq.

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. 2015-32

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CITY OF VINELAND,

Petitioner,

-and-

Docket No. SN-2014-026

IBEW LOCAL 210,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants in part and denies in part the request of the City of Vineland for a restraint of binding arbitration of grievances filed by IBEW Local 210. The grievances assert that the City violated the parties' collective negotiations agreement when it assigned non-unit personnel to perform bargaining unit work. Finding that the allocation of overtime is generally mandatorily negotiable, the Commission declines to restrain arbitration over assignments to non-unit employees on five of the six grieved dates. Finding that an employer may temporarily deviate from normal assignments and overtime allocation when emergent conditions exist, the Commission restrains arbitration over assignments to non-unit employees for the grieved date on which emergency weather conditions existed.

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P.E.R.C. NO. 2015-33

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BOROUGH OF MILLTOWN,

Petitioner,

-and-

Docket No. SN-2014-059

OFFICE AND PROFESSIONAL EMPLOYEES
INTERNATIONAL UNION, LOCAL 32,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denied, without prejudice, the request of the Borough of Milltown for a restraint of binding arbitration of a grievance filed by the Office and Professional Employees International Union, Local 32. The grievance challenges the assignment of unit work of weekend "standby" duties to non-unit employees. The Commission holds that the arbitrator must first decide the dispute of fact as to whether there were weekend standby duties to be performed other than those in the confined space areas where unit workers had refused to work for some time due to safety deficiencies.

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P.E.R.C. NO. 2015-34

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

SOMERSET HILLS BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2014-065

SOMERSET HILLS EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Somerset Hills Board of Education for a restraint of binding arbitration of a grievance filed by the Somerset Hills Education Association. The grievance asserts that the Board's new lesson plan and evaluation initiatives violated the collective negotiations agreement by increasing teacher workload without additional compensation. The Commission finds that compensation for alleged workload increases is a mandatorily negotiable subject.

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P.E.R.C. NO. 2015-35

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

ELIZABETH BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2014-073

ELIZABETH EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the Elizabeth Board of Education for a restraint of binding arbitration of a grievance filed by the Elizabeth Education Association. The grievance contests the withholding of a teacher's salary increment. Finding that the reasons for the withholding predominately relate to evaluation of teaching performance (classroom management, lesson structure and planning, engaging students, and use of questioning, assessment, and discussion), the Commission restrains arbitration.

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