

P.E.R.C. NO. 2015-69

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

ELIZABETH BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2015-010

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, the Commission restrains arbitration.

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. 2015-70

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

JERSEY CITY HOUSING AUTHORITY,

Respondent,

-and-

Docket No. CI-2012-002

INDEPENDENT SERVICE WORKERS
OF AMERICA,

Respondent,

-and-

MATTHEW P. CRAWFORD,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission adopts a Hearing Examiner's recommended decision in an unfair practice case filed by Matthew P. Crawford against the Jersey City Housing Authority and the Independent Service Workers of America. That decision recommended that the Commission dismiss charges alleging that JCHA and ISWA violated the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq., by colluding in Crawford's loss of seniority and layoff, and by the ISWA failing its duty of fair representation regarding a disciplinary grievance. The Commission rejects Crawford's exceptions, finding that many do not comply with N.J.A.C. 14-7.3(b), that several exceptions relate to internal union matters, and that the Hearing Examiner did not err: in interpreting a settlement agreement between JCHA and ISWA; by referencing Crawford's disciplinary history; or by finding that ISWA did not violate, and the JCHA did not collude with ISWA to violate, its duty of fair representation.

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P.E.R.C. NO. 2015-71

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

HAMILTON TOWNSHIP BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2014-089

MERCER COUNTY & VICINITY BUILDING
TRADES COUNCIL,

Respondent.

SYNOPSIS

The Public Employment Relations Commission determines the negotiability of several clauses in an expired collective negotiations agreement between the Hamilton Township Board of Education and the Mercer County & Vicinity Building Trades Council. The Commission holds that the disputed clauses, concerning subcontracting limitations and requiring the employer to hire from a union hiring hall, are not mandatorily negotiable.

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P.E.R.C. NO. 2015-72

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BELLEVILLE TOWNSHIP BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2015-012

BELLEVILLE EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants in part, and denies in part, the Belleville Township Board of Education's request for a restraint of binding arbitration of a grievance filed by the Belleville Education Association. The grievance contests the non-renewal of an assistant baseball coach position. Applying N.J.S.A. 34:13A-23, the Commission finds that the Board's non-renewal decision is arbitrable, but the Commission restrains arbitration to the extent the grievance challenges the Board's decision to eliminate a baseball coach position.

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P.E.R.C. NO. 2015-73

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

MONTGOMERY TOWNSHIP BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2015-016

MONTGOMERY TOWNSHIP EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the Montgomery Township Board of Education for a restraint of binding arbitration of a grievance filed by the Montgomery Township Education Association. The grievance contests the withholding of a speech/language specialist's salary increment. Finding that the reasons for the withholding predominately relate to evaluation of teaching performance, the Commission restrains arbitration.

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P.E.R.C. NO. 2015-74

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

EDISON TOWNSHIP BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2015-022

EDISON TOWNSHIP CUSTODIAL MAINTENANCE
ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the Edison Township Board of Education's request for a restraint of binding arbitration of a grievance filed by the Edison Township Custodial Maintenance Association. The grievance contests the Board's decision to not assign the most senior employee to a temporary Facility Manager position. The Commission holds that, although seniority clauses may grant preference to the most senior candidate among equally qualified candidates, the Board retains the right to determine if any employees are equally qualified, and to appoint the employee it determines is most qualified.

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