



**STATE OF NEW JERSEY  
PUBLIC EMPLOYMENT RELATIONS COMMISSION**

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March 31, 2016

**TO:** Commissioners

**FROM:** Counsel Staff

**RE:** Supplemental Report on Developments in the Counsel's Office  
Since March 23, 2016

**Commission Cases**

**Elizabeth and Elizabeth Superior Officers Association**

In the attached decision, the Appellate Division of the Superior Court affirms the Commission's decision (P.E.R.C. No. 2014-94) restraining arbitration of a grievance filed by the Elizabeth Police Superior Officers Association. The grievance challenged the City's policy barring Captains from assignment to extra duty pay jobs. An investigation showed that two captains and other superior officers had taken the compensation for those assignments but had not reported to perform the work. The Court reviews and accepts the City's concerns that officers of equivalent or lower rank assigned as patrol supervisors while such work was being performed would not chastise Captains who did not report for such extra duty pay jobs even if they accepted the compensation for them.