

P.E.R.C. NO. 2018-17

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

MOONACHIE BOARD OF EDUCATION,

Petitioner,

-and-

Docket Nos. SN-2017-048

SN-2017-049

MOONACHIE EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants in part, and denies in part, the Board's request for a restraint of binding arbitration of two grievances. One grievance contests the withholding of a teacher's salary increment; the other alleges that the Board violated the parties' negotiated agreement by issuing a letter of reprimand to the teacher without just cause; both grievances contest the imposition of a corrective action plan. Finding that the reasons for the withholding and corrective action plan predominately involve an evaluation of teaching performance, the Commission restrains arbitration regarding these aspects of the grievances. Finding that the letter presents aspects that are both evaluative and disciplinary in nature, the Commission declines to restrain arbitration regarding a specified portion of the letter but grants a restraint as to the balance.

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. 2018-18

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY,
KEAN UNIVERSITY,

Respondent,

-and-

Docket No. CO-2014-193

COUNCIL OF NEW JERSEY STATE
COLLEGE LOCALS, AFT, AFL-CIO,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission adopts the Hearing Examiner's recommended decision concluding that the University violated the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq., specifically subsection 5.4a(5), and derivatively 5.4a(1), by failing to negotiate with the Council upon demand over additional compensation and the impact of mandatory training during winter break for 2014 and 2015.

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P.E.R.C. NO. 2018-19

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

PATERSON STATE OPERATED SCHOOL DISTRICT,

Respondent,

-and-

Docket No. TO-2017-001

PATERSON EDUCATION ASSOCIATION,

Petitioner.

SYNOPSIS

The Public Employment Relations Commission dismisses a contested transfer petition filed by the Association against the District that alleges a unit member was transferred between work sites for predominately disciplinary reasons in violation of N.J.S.A. 34:13A-25. The Commission finds that the record supports the District's assertion that the teacher was transferred due to continued tension between herself and another staff member that affected the classroom and staff. The Commission also finds that the Association did not meet its burden of showing that the transfer was disciplinary.

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