

P.E.R.C. NO. 2018-47

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

UNION COUNTY SHERIFF'S OFFICE,

Petitioner,

-and-

Docket No. SN-2018-015

PBA LOCAL 108A,
SHERIFF SUPERIOR OFFICERS,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the Union County Sheriff's Office's request for a restraint of binding arbitration of a grievance filed by PBA Local 108A, Sheriff Superior Officers contesting the transfer of weekend work of a Courtroom Security Division (CSD) Sergeant on an overtime basis to a Transportation Unit (TU) Sergeant on a straight time basis. Finding that there was no issue of qualifications and that the only issue was the economic question of whether the work would be performed on an overtime basis, the Commission holds that the dispute predominately involves the CSD Sergeants' interests in negotiating hours of work and rates of pay and is mandatorily negotiable.

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. 2018-48

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

MONROE TOWNSHIP BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2018-020

MONROE TOWNSHIP EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the Monroe Township Board of Education's request for a restraint of binding arbitration of a grievance filed by the Monroe Township Education Association contesting the withholding of a teacher's salary increment. Finding that the alleged intentional alteration of a student's grade implicates misconduct that does not require educational expertise to review, the Commission holds that the reason for the withholding is predominantly disciplinary rather than an evaluation of teaching performance.

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P.E.R.C. NO. 2018-49

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

MONMOUTH COUNTY VOCATIONAL
BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2018-023

MONMOUTH COUNTY VOCATIONAL
EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the Monmouth County Vocational Board of Education's request for a restraint of binding arbitration of a grievance filed by the Monmouth County Vocational Education Association contesting the placement of a teacher on the salary guide after completing graduate level courses. The Commission finds that N.J.S.A. 18A:6-8.5 is not preemptive and that there is no significant interference with governmental policy by allowing the factual determination of whether the additional academic credits relate to the employee's current or future job responsibilities to be considered by an arbitrator.

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P.E.R.C. NO. 2018-50

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY
(DEPARTMENT OF CORRECTIONS),

Petitioner,

-and-

Docket No. SN-2018-032

NEW JERSEY LAW ENFORCEMENT
SUPERVISORS ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the State of New Jersey, Department of Corrections' request for a restraint of binding arbitration of a grievance filed by the New Jersey Law Enforcement Supervisors Association contesting the State's alleged failure to provide notice of the promotional criterion of "whether an officer is the subject of an open investigation." Finding that the grievance concerns the mandatorily negotiable issue of promotional procedures, the Commission holds that an arbitrator may decide the factual dispute over whether the State had a practice of using "whether an officer is the subject of an open investigation" as a promotional criterion.

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P.E.R.C. NO. 2018-51

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY
(KEAN UNIVERSITY),

Petitioner,

-and-

Docket No. SN-2018-034

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

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants in part, and denies in part, the State of New Jersey, Kean University's request for a restraint of binding arbitration of a grievance filed by the Council of New Jersey State College Locals, AFT/AFL-CIO contesting the removal of professors from the classroom and assigning them to non-teaching duties. The Commission restrains arbitration to the extent the grievances challenge the University's managerial prerogative to assign non-teaching duties. The Commission declines to restrain arbitration over the severable, mandatorily negotiable impacts of non-teaching duties and whether the non-teaching duties fall outside of the grievants' primary duties. The Commission also finds that the arbitrator may determine if an educational policy rationale was the basis for the assignment of non-teaching duties to the grievants specifically, and if not, then the arbitrator may assess the negotiable issues of the frequency/rotation/allocation of the duties among employees.

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P.E.R.C. NO. 2018-52

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TRENTON EDUCATION ASSOCIATION,

Petitioner,

-and-

Docket No. TO-2018-001

TRENTON BOARD OF EDUCATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission dismisses a petition for contested transfer filed by the Trenton Education Association challenging the Trenton Board of Education's transfer of a teacher between work sites for disciplinary reasons in violation of N.J.S.A. 34:13A-25. Finding that the teacher was temporarily transferred to an administrative building in order to protect the safety and welfare of its students while the District investigated allegations that the teacher directed a highly offensive derogatory term at a student, the Commission holds that the Board's reasons for the transfer centered on its educational/policy concerns.

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