

P.E.R.C. NO. 2019-10

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

WEST ORANGE BOARD OF EDUCATION,

Respondent,

-and-

Docket No. CO-2014-223

INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL 68-68A-68B, AFL-CIO,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission adopts a Hearing Examiner's report and recommended decision concluding that the Board violated the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq., specifically subsections 5.4a(1) and (5), by transferring the unit work of head custodians to non-unit custodial supervisors.

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. 2019-11

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

JEFFERSON TOWNSHIP BOARD OF
EDUCATION,

Public Employer,

-and-

Docket No. CU-2017-028

JEFFERSON TOWNSHIP EDUCATION
ASSOCIATION,

Petitioner.

SYNOPSIS

The Public Employment Relations Commission grants the Association's request for review of the Director of Representation's decision in a clarification of unit petition seeking to include a newly created "craft" employee job title into a unit of non-craft employees. The Commission grants review because a substantial question of law was raised concerning the interpretation of recent amendments to the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq., enacted by the Workplace Democracy Enhancement Act. The Commission affirms the Director decision dismissing the petition, and holds that the Act's new unit work provisions, N.J.S.A. 34:13A-5.11(a) and (b), did not eliminate the professional or craft options contained in N.J.S.A. 34:13A-6(d).

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P.E.R.C. NO. 2019-12

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CITY OF JERSEY CITY,

Public Employer,

-and-

Docket No. RO-2018-042

JERSEY CITY PUBLIC EMPLOYEES, INC.,
LOCAL 245,

Petitioner.

SYNOPSIS

The Public Employment Relations Commission denies the Jersey City Public Employees, Inc., Local 246's request for review of a Director of Representation decision certifying Local 245 as the exclusive representative of non-supervisory school traffic guards (STGs) employed by the City. Finding no compelling reason warranting review of the Director's determination, the Commission notes that the STG's did not accrete into Local 246 based on its recognition clause because STGs had been represented in a stand-alone unit since 1974, and Local 246's request to intervene failed because it did not submit the requisite showing of interest.

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P.E.R.C. NO. 2019-13

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

MAHWAH BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2017-032

MAHWAH EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the Board's request for a restraint of binding arbitration of the Association's grievance contesting the Board's decision not to restore the grievant's increment by placing her on the salary guide step she would have been on had her increment not been withheld in the previous year. The Commission holds that N.J.S.A. 18A:29-14, as interpreted by the courts, the Commission, and the Commissioner of Education, allows a school board discretion to restore increments, but does not compel a board to restore previously withheld increments.

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P.E.R.C. NO. 2019-14

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

SECAUCUS BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2018-042

SECAUCUS 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 a grievance over a memorandum issued to a teacher. Finding that the majority of the memorandum is predominantly evaluative because it concerns the teacher's alleged failure to comply with a specialized health plan concerning a student's allergies and details the teacher's responsibilities regarding such student health and safety issues, the Commission restrains arbitration of those portions of the memorandum. Finding that a portion of the fifth paragraph of the memorandum is predominantly a disciplinary reprimand, the Commission declines to restrain arbitration of that portion.

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