

P.E.R.C. NO. 2019-29

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

OCEAN COUNTY VOCATIONAL  
TECHNICAL SCHOOL,

Petitioner,

-and-

Docket No. SN-2019-007

OCEAN COUNTY VOCATIONAL  
TECHNICAL EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Ocean County Vocational Technical School for a restraint of binding arbitration of a grievance filed by the Ocean County Vocational Technical Education Association. The grievance seeks compensation for a secretary's duties associated with a breakfast program implemented by the school. The Commission holds that the issue of additional compensation for the secretary's breakfast program duties 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. 2019-30

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY (STATE POLICE),

Petitioner,

-and-

Docket No. SN-2019-009

STATE TROOPERS FRATERNAL ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the State of New Jersey (State Police) for a restraint of binding arbitration of a grievance filed by the State Troopers Fraternal Order of Police. The grievance challenged the State's decision to deny the grievant's request to substitute paid sick leave for unpaid leave under the Family Leave Act and Family Medical Leave Act for childbirth/bonding purposes with his newborn and/or to care for his fiancée following childbirth. The Commission holds that the grievance is not mandatorily negotiable because the grievant's request is preempted by N.J.A.C. 4A:6-1(j) and 4A:6-1.3(g).

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P.E.R.C. NO. 2019-31

STATE OF NEW JERSEY  
PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF FAIRFIELD,

Petitioner,

-and-

Docket No. SN-2019-011

WEST ESSEX PBA LOCAL 81,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Township of Fairfield for a restraint of binding arbitration of a grievance filed by the West Essex PBA Local 81. The grievance alleged that the Township violated the parties' CNA by making excessive deductions for health benefits contributions. The Commission holds that having reached full implementation of the fourth tier premium share pursuant to P.L. 2011, ch. 78. in the parties' 2015-2017 CNA, the amount of employee health benefit premium contributions for the parties' 2018-2020 CNA was fully negotiable and not preempted, provided that the minimum share was at least 1.5% in accordance with N.J.S.A. 40A:10-21(b).

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P.E.R.C. NO. 2019-32

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

HOUSING AUTHORITY OF THE CITY OF  
ELIZABETH,

Petitioner,

-and-

Docket No. SN-2019-018

IBT LOCAL 966,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the Housing Authority of the City of Elizabeth for a restraint of binding arbitration sought by the International Brotherhood of Teamsters, Local 966. Local 966 seeks to arbitrate a laborer's termination. The Housing Authority is a civil service jurisdiction. The Commission restrains arbitration because appeals of major disciplinary actions including terminations in local civil service jurisdictions must be made to the Civil Service Commission.

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P.E.R.C. NO. 2019-33

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BOROUGH OF RIVER EDGE,

Petitioner,

-and-

Docket No. SN-2018-050

PBA and SOA LOCAL 201,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Borough of River Edge for a restraint of binding arbitration of a grievance filed by the PBA and SOA Local 201. The grievance challenges the Borough's removal of captain from the police department's table of organization. The Commission holds the Borough has a non-negotiable, managerial prerogative to set a table of organization, to determine staffing levels, including whether and when to fill vacancies, and to assign additional duties that are directly related to an employee's normal responsibilities.

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P.E.R.C. NO. 2019-34

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

PLEASANTVILLE BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2019-021

PLEASANTVILLE ADMINISTRATORS  
ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Pleasantville Board of Education for a restraint of binding arbitration of grievances filed by the Pleasantville Administrators Association. The grievance alleges that letters issued to two administrators and made a part of their personnel files were reprimands issued without just cause. The Commission concludes that the letters were predominately disciplinary, rather than evaluative, because they contain statements that were not neutral in tone, did not contain a corrective action plan, and they were issued outside the regular evaluation process.

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