



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

PO Box 429  
TRENTON, NEW JERSEY 08625-0429

ADMINISTRATION/LEGAL  
(609) 292-9830  
CONCILIATION/ARBITRATION  
(609) 292-9898  
UNFAIR PRACTICE/REPRESENTATION  
(609) 292-6780

*For Courier Delivery*  
495 WEST STATE STREET  
TRENTON, NEW JERSEY 08618

FAX: (609) 777-0089

**February 22, 2001**

**M E M O R A N D U M**

TO: Commissioners

FROM: Bob Anderson

RE: Supplemental Report on Developments in the Counsel's Office Since  
November 30, 2000

**Commission Cases**

On February 16, Judge Linda Feinberg of the Mercer County Superior Court enforced a Commission designee's order in City of East Orange and CWA, I.R. No. 2001-3, 26 NJPER 399 (¶31157 2000). That order required the City to pay increments during successor contract negotiations. The City must pay the increments by February 23 or be in contempt of court.

**Other Cases**

In Riding v. Towne Mills Craft Center, Inc., \_\_\_ N.J. \_\_\_ (2001), a plaintiff prevailed against her employer in a LAD claim litigated through New Jersey's non-binding voluntary arbitration pilot program. That program provides that a party wishing to reject an award must request a trial de novo within 30 days of the award; the employer did not do so. The plaintiff then moved to confirm the award and for the first time sought attorneys' fees. The Court held that the plaintiff had not waived that claim by not presenting it earlier; a fee-shifting claim must be resolved by a trial court unless the parties expressly agree to arbitrate it.