



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

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July 27, 2001

M E M O R A N D U M

TO: Commissioners

FROM: Bob Anderson
General Counsel

RE: Supplemental Report on Developments in the Counsel's Office Since May 31, 2001

In Troy v. Rutgers, the State Univ., ___ N.J. ___ (2001), the New Jersey Supreme Court held that faculty members may seek to enforce alleged individual employment contracts entitling them to have calendar year appointments rather than academic year appointments. The Court held that the reduction in work year, together with the concomitant reduction in pay, was mandatorily negotiable and that the alleged individual agreements were not inconsistent with the collective negotiations agreement. Finally, the faculty members could litigate their claims in court rather than have to submit them to advisory arbitration.

The Merit System Board has upheld the termination of George Glover, a Department of Treasury employee and CWA shop steward. In an earlier phase of the consolidated PERC/MSB proceedings, the Commission held that Glover had engaged in unprotected activity in the manner in which he tried to represent an employee. State of New Jersey (Dept. of Treasury) and CWA, PERC No. 2000-51, 27 NJPER 167 (¶32056 2001).