

P.E.R.C. NO. 2014-23

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY OF WARREN,

Respondent,

-and-

Docket No. IA-2014-001

WARREN COUNTY CORRECTIONS  
FOP LODGE 171,

Appellant.

SYNOPSIS

The Public Employment Relations Commission affirms an interest arbitration award establishing the terms of a successor agreement between the County of Warren and Warren County Corrections FOP Lodge 171. The FOP appealed the award, asserting that the arbitrator erred by not awarding salary step movement at the expiration of the contract, and not adequately addressing all of the N.J.S.A. 34:13A-16g statutory factors. The FOP also argued that the arbitrator committed an ethical violation when she clarified the award for the County. The Commission finds that the arbitrator adequately explained her rationale for freezing step movement at the expiration of the contract; did not exceed her authority; and adequately addressed the statutory factors. The Commission also finds that the arbitrator's alleged ethical error was harmless and did not result in prejudice against the FOP.

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. 2014-24

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CHERRY HILL FIRE DISTRICT NO. 13,

Petitioner,

-and-

Docket No. SN-2013-015

IAFF LOCAL 2663,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Cherry Hill Fire District No. 13 for a restraint of binding arbitration of a grievance filed by the IAFF Local 2663. The grievance asserts that the District disciplined a firefighter without just cause when it counseled him and placed a counseling notice in his personnel file. The Commission holds that the language of the counseling notice is, on balance, disciplinary, and therefore the question of whether the District had just cause to issue the letter is arbitrable.

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P.E.R.C. NO. 2014-25

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BURLINGTON COUNTY INSTITUTE  
OF TECHNOLOGY,

Petitioner,

-and-

Docket No. SN-2013-022

BURLINGTON COUNTY INSTITUTE  
OF TECHNOLOGY EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the Burlington County Institute of Technology for a restraint of binding arbitration of a grievance filed by the Burlington County Institute of Technology Education Association. The grievance contests the withholding of a shop teacher's salary increment. Finding that inadequate monitoring of students in shop class predominately relates to teaching performance, the Commission restrains arbitration of the increment withholding.

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P.E.R.C. NO. 2014-26

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

MERCER COUNTY SHERIFF'S OFFICE,

Petitioner,

-and-

PBA LOCAL 187,

Respondent.

Docket Nos. SN-2013-026

SN-2013-027

SN-2013-028

SYNOPSIS

The Public Employment Relations Commission grants the request of the Mercer County Sheriff's Office for a restraint of binding arbitration of grievances filed by PBA Local 187. The grievances assert that the County violated the parties' collective negotiations agreement by terminating Sheriff's Investigators without just cause. The Commission finds that N.J.S.A. 40A:9-117a preempts negotiations or arbitration over termination of Sheriff's Investigators.

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P.E.R.C. NO. 2014-27

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

NEW JERSEY TURNPIKE AUTHORITY,

Petitioner,

-and-

Docket No. SN-2013-033

INTERNATIONAL FEDERATION OF  
PROFESSIONAL AND TECHNICAL  
ENGINEERS, LOCAL 200/200A,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the New Jersey Turnpike Authority for a restraint of binding arbitration of a grievance filed by the International Federation of Professional and Technical Engineers, Local 200/200A. The grievance asserts that the Authority violated the parties' collective negotiations agreement when it applied its anti-nepotism policy by transferring an employee and changing her title so that she would no longer work in the division headed by her husband. The Commission finds that even though the employee's husband did not directly supervise her, the Authority's managerial prerogative to determine and apply its anti-nepotism policy to avoid the appearance of impropriety outweighs the employee's interest in not being transferred.

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P.E.R.C. NO. 2014-28

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF GALLOWAY,

Petitioner,

-and-

Docket No. SN-2013-049

PBA LOCAL 77,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the Township of Galloway for a restraint of binding arbitration of a grievance filed by PBA Local 77. The grievance asserts that the Township violated the parties' past practice when it discontinued payment of employees' shares of pension contributions for employees out on workers' compensation leave. The Commission finds that the pension statutes preempt negotiations over employer payment of employee pension contributions for employees receiving compensation in excess of their Worker's Compensation benefits.

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