

P.E.R.C. NO. 2009-1

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

NEW JERSEY STATE JUDICIARY  
(CAMDEN VICINAGE),

Petitioner,

-and-

Docket No. SN-2008-036

PROBATION ASSOCIATION OF NEW  
JERSEY (PROFESSIONAL CASE-RELATED UNIT),

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the New Jersey State Judiciary (Camden Vicinage) for a restraint of binding arbitration of a grievance filed by the Probation Association of New Jersey (Professional Case-Related Unit). The grievance asserts that the Judiciary violated the parties' collective negotiations agreement when its Human Resources Division Manager sent an e-mail to unit employees that was allegedly critical of an e-mail sent by PANJ's First-Vice President. The e-mails concerned an alleged five-minute grace period in reporting to work. Noting that the grievance does not challenge the employer's ability to determine that employees who arrive after their reporting time are late, the Commission declines to restrain binding arbitration over the alleged contractual violations arising from the e-mail exchange.

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. 2009-2

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CITY OF NEWARK,

Petitioner,

-and-

Docket No. SN-2008-064

SEIU Local 617,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the City of Newark for a restraint of binding arbitration of a grievance filed by SEIU Local 617. The grievance asserted that the City violated the parties' collective negotiations agreement when it failed to issue disciplinary determinations within 30 days of the hearing. The Commission finds this procedural issue to be legally arbitrable and not preempted by the forfeiture statute.

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P.E.R.C. NO. 2009-3

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

ROBBINSVILLE BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2008-069

WASHINGTON TOWNSHIP EDUCATION  
ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the Robbinsville Board of Education for a restraint of binding arbitration of a grievance filed by the Washington Township Education Association. The grievance contests the withholding of a teaching staff member's increment for the 2008-2009 school year. The reason for the withholding was based on allegedly inappropriate remarks to students in a classroom setting. Because the withholding is based predominately on an evaluation of teaching performance, the Commission restrains binding arbitration.

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P.E.R.C. NO. 2009-4

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY,

Petitioner,

-and-

Docket No. SN-2008-073

NEW JERSEY INVESTIGATORS  
ASSOCIATION, FRATERNAL ORDER  
OF POLICE LODGE 174,

Respondent.

SYNOPSIS

The Public Employment Relations Commission determines the negotiability of a proposal made by the New Jersey Investigators Association, Fraternal Order of Police Lodge 174 during collective negotiations for a successor agreement with the State of New Jersey. The FOP proposes to have compensatory time or cash for overtime at the employee's option. The Commission holds that the proposal is mandatorily negotiable, subject to Department of Personnel approval, and may be submitted to interest arbitrator for inclusion in a successor agreement.

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P.E.R.C. NO. 2009-5

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF LITTLE FALLS,

Petitioner,

-and-

Docket No. SN-2008-075

LITTLE FALLS P.B.A. LOCAL 346,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Township of Little Falls for a restraint of binding arbitration of a grievance filed by Little Falls P.B.A. Local 346. The grievance asserts that the denial of a light duty assignment to a police officer violates the parties' collective negotiations agreement. The Commission holds that where the employer permits light duty, the assignment of available light duty work to qualified police officers concerns a subject that is at least permissively negotiable and that the grievance is therefore legally arbitrable.

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