

P.E.R.C. NO. 2010-79

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF PARSIPPANY-TROY HILLS,

Respondent,

-and-

Docket No. CO-2008-096

PBA LOCAL 131A, SUPERIOR OFFICERS  
ASSOCIATION,

Charging Party,

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TOWNSHIP OF PARSIPPANY-TROY HILLS,

Respondent,

-and-

Docket No. CO-2008-100

PBA LOCAL 131,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission adopts a Hearing Examiner's recommendation that the Township of Parsippany-Troy Hills violated the New Jersey Employer-Employee Relations Act, specifically N.J.S.A. 34:13A-5.4a(1) and (5), when it unilaterally changed terms and conditions of employment for certain police officers and police superior officers who engaged in off-duty employment (road jobs). The unfair practice charge was filed by PBA Local 131 and PBA Local 131A, Superior Officers Association. The Commission holds that the Township violated its obligation to negotiate before eliminating "extra benefits" that were paid to police officers on road jobs that were in addition to those provided for in the Township's ordinance.

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. 2010-80

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CITY OF HOBOKEN,

Respondent,

-and-

Docket No. RO-2010-039

RWDSU LOCAL 108, UFCW,

Petitioner.

SYNOPSIS

The Public Employment Relations Commission denies the City of Hoboken's request for review of D.R. No. 2010-10 filed by the City of Hoboken. In that decision, the Director ordered that RWDSU Local 108, UFCW be certified as the exclusive representative of all regularly employed non-supervisory crossing guards employed by the City. The City argues that it never stipulated to the unit and that the unit is too narrow. Local 108 opposes review. The Commission holds that because the City did not raise any objection or file any letter contesting the unit before the Director despite being requested to do so, the request for review is denied.

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P.E.R.C. NO. 2010-81

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF EDISON,

Petitioner,

-and-

Docket No. SN-2009-042

PBA LOCAL 75 (SUPERIORS),

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the Township of Edison's motion for reconsideration of P.E.R.C. No. 2010-39. In that decision, the Commission granted, in part, the Township's request for a restraint of binding arbitration of a grievance filed by PBA Local 75 (Superiors). The grievance contends that the Township violated the parties' collective negotiations agreement when it issued a policy permitting the senior sergeant on duty to serve as the Watch Commander rather than call in a lieutenant on an overtime basis to fill the post and that by unilaterally changing the replacement procedure for the post, the Township wrongfully eliminated overtime opportunities for lieutenants and acting lieutenant's pay for sergeants serving as Watch Commander. The Commission reiterates that the Township has a managerial prerogative to determine the rank qualification for the Watch Commander positions and restrains arbitration of that aspect of the grievance. The Commission denies to restrain arbitration over the alleged agreement that the Township should first offer vacant Watch Commander positions to lieutenants on overtime and that sergeants performing that task are entitled to lieutenant's pay is permissively negotiable.

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P.E.R.C. NO. 2010-82

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY OF UNION,

Petitioner,

-and-

Docket No. SN-2009-057

FRATERNAL ORDER OF POLICE  
SHERIFF'S SUPERIOR OFFICERS  
OF UNION COUNTY LODGE NO. 103,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants, in part, the County of Union's request for a restraint of binding arbitration of a grievance filed by Fraternal Order of Police Sheriff's Superior Officers of Union County Lodge No. 103. The grievance contests the County's refusal to negotiate the impact of its decision to enter into a contract with Essex County for inmate transport to and security at East Orange General Hospital. The Commission holds that arbitration is restrained to the extent the grievance challenges Union County's decision to enter into the agreement with Essex County. The Commission declines to restrain arbitration regarding the County's alleged refusal to negotiate the impact of the agreement.

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P.E.R.C. NO. 2010-83

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

PATERSON STATE-OPERATED SCHOOL DISTRICT,

Petitioner,

-and-

Docket No. SN-2010-032

PATERSON EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the Paterson State-Operated School District for a restraint of binding arbitration of a grievance filed by the Paterson Education Association. The grievance challenges the increment withholding of a teaching staff member. Because the reasons cited by the District for the withholding relate predominately to an evaluation of teaching performance, the Commission grants the request for a restraint.

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P.E.R.C. NO. 2010-84

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CITY OF NEWARK,

Petitioner,

-and-

Docket No. SN-2010-035

NEWARK SUPERIOR OFFICERS' ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants, in part, the City of Newark's request for a restraint of binding arbitration of a grievance filed by the Newark Superior Officers Association. The grievance asserts that the City violated the parties' collective negotiations agreement when it gave a police lieutenant a six-day suspension for an infraction that warranted minor discipline. The Commission grants the request and restrains arbitration to the extent the grievance challenges the decision to bring major discipline. The Commission denies the request over the Association's allegations concerning the convening and composition of the Trial Board.

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P.E.R.C. NO. 2010-85

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

MIDDLESEX COUNTY COLLEGE,

Petitioner,

-and-

Docket No. SN-2010-042

TEAMSTERS LOCAL UNION NO. 11,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of Middlesex County College for a restraint of binding arbitration of a grievance filed by Teamsters Local Union No. 11. The grievance challenges the subcontracting of custodial work. The Commission restrains arbitration because the College has a managerial prerogative to subcontract.

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