

P.E.R.C. NO. 2011-43

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE-OPERATED SCHOOL DISTRICT
OF THE CITY OF PATERSON,

Petitioner,

-and-

Docket No. CO-2009-048

PATERSON EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission dismisses a Complaint based on an unfair practice charge filed by the Paterson Education Association against the State-Operated School District of the City of Paterson. The charge alleges that the District violated the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq., when it unilaterally diminished health insurance coverage. The Commission grants summary judgment for the District, finding that the parties' contract provides for benefits at the level set by the State Health Benefits Program (SHBP) and that the District did not repudiate the contract when it enrolled in the School Employees Health Benefits Program, which had the same level of benefits as the SHBP.

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. 2011-44

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CITY OF HOBOKEN,

Petitioner,

-and-

Docket No. SN-2010-067

HOBOKEN MUNICIPAL
SUPERVISORS ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the City of Hoboken for a restraint of binding arbitration of a grievance filed by the Hoboken Municipal Supervisors Association. The grievance alleges that the City inappropriately denied an employee, who participated in a donated leave program, payment for his unused vacation time at retirement. The Commission holds that Civil Service regulations preempt the grievant's claim.

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P.E.R.C. NO. 2011-45

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF EGG HARBOR
BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2010-069

TOWNSHIP OF EGG HARBOR
EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Township of Egg Harbor Board of Education for a restraint of binding arbitration of a grievance filed by the Township of Egg Harbor Education Association. The grievance asserts that the Board imposed additional duties on teachers by requiring them to participate in a Professional Learning Community program during previously unassigned time. The Commission holds that because the grievance does not contest the implementation of the program and is limited to compensation for lost unassigned time, it involves a mandatorily negotiable subject and is legally arbitrable.

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P.E.R.C. NO. 2011-46

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BOROUGH OF KEYPORT,

Petitioner-Respondent,

-and-

Docket No. SN-2010-072

CO-2010-065

INTERNATIONAL UNION OF
OPERATING ENGINEERS, LOCAL 68,

Respondent-Charging Party.

SYNOPSIS

The Public Employment Relations Commission denies a request of the Borough of Keyport for a stay pending appeal of the order in P.E.R.C. No. 2011-20, 36 NJPER 343 (¶133 2010), that restored full-time work hours to three employees represented by the International Union of Operating Engineers, Local 68. The Commission grants a stay of the obligation to make those employees whole for any losses, so long as the Borough restores their work hours and places the agreed-upon back pay in escrow pending appeal. The Commission retains jurisdiction over any issues arising over the procedures for administering the escrow account.

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P.E.R.C. NO. 2011-47

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF SOUTH ORANGE VILLAGE,

Petitioner,

-and-

Docket No. SN-2011-004

POLICEMEN'S BENEVOLENT ASSOCIATION,
LOCAL NO. 12,

Respondent.

TOWNSHIP OF SOUTH ORANGE VILLAGE,

Petitioner,

-and-

Docket No. SN-2011-005

POLICEMEN'S BENEVOLENT ASSOCIATION,
LOCAL NO. 12A SUPERIOR OFFICERS
ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the requests of the Township of South Orange Village for restraints of binding arbitration of grievances filed by the Policemen's Benevolent Association No. 12 and the Policemen's Benevolent Association, Local No. 12A, Superior Officers Association. The grievances challenge the application of P.L. 2010, c. 2 and the Township's deduction of an amount equal to 1.5% of base salary towards the cost of medical insurance benefits. The Township argued that the grievance is preempted by the statute. The unions argued that the contracts are not expired and therefore the statute does not apply. The Commission holds that the dispute concerns a matter of contract interpretation outside its scope of negotiations jurisdiction. If the arbitrator finds that the contract is expired, the new statute will apply.

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P.E.R.C. NO. 2011-48

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF FRANKLIN,

Petitioner,

-and-

Docket No. SN-2011-011

FRANKLIN TOWNSHIP PBA LOCAL NO. 154,

Respondent.

SYNOPSIS

The Public Employment Relations Commission determines that the work schedules of police officers represented by Franklin Township PBA Local No. 154 may be submitted to interest arbitration. The Commission holds that it cannot conclude from the recommendation of the Township of Franklin's consultants that either the current work schedule or negotiations over a different work schedule would significantly interfere with the Township's ability to meet its governmental policy need to provide effective law enforcement services. The parties may present their respective evidence in support of their work schedule proposals to the interest arbitrator who must scrutinize the wisdom of both proposals from both operational and financial viewpoints.

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P.E.R.C. NO. 2011-49

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF EDISON,

Petitioner,

-and-

Docket No. SN-2011-014

INTERNATIONAL ASSOCIATION OF
FIRE FIGHTERS LOCAL NO. 1197,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Township of Edison for a restraint of binding arbitration of a grievance filed by the International Association of Fire Fighters Local No. 1197. The grievance challenges the application of P.L. 2010, c. 2 and the Township's deduction of an amount equal to 1.5% of base salary towards the cost of medical insurance benefits. The Township argued that the grievance is preempted by the statute. The IAFF argued that the contract is not expired and therefore the statute does not apply. The Commission holds that the dispute concerns a matter of contract interpretation outside its scope of negotiations jurisdiction. If the arbitrator finds that the contract is expired, the new statute will apply.

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