

P.E.R.C. NO. 2012-10

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

FRANKLIN TOWNSHIP,

Respondent,

-and-

Docket No. CO-2011-065

FRANKLIN TOWNSHIP PBA LOCAL #154,

Charging Party.

FRANKLIN TOWNSHIP,

Respondent,

-and-

Docket No. CO-2011-066

FRANKLIN TOWNSHIP SOA,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission denies a motion for reconsideration of I.R. No. 2011-30, 37 NJPER 36 (¶12 2011). filed by Franklin Township. In that decision, a Commission designee granted the Franklin Township PBA Local 154 and the Franklin Township Superior Officers Association's requests for interim relief that accompanied unfair practice charges filed against the Township. The Commission affirms the designee's decision finding that the Township did not meet the exceptional importance test warranting reconsideration by the full Commission.

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. 2012-11

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

SALEM COMMUNITY COLLEGE,

Petitioner,

-and-

Docket No. SN-2011-010

SALEM COMMUNITY COLLEGE
FACULTY ASSOCIATION/NJEA,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of Salem Community College for a restraint of binding arbitration of a grievance filed by the Salem Community College Faculty Association/NJEA. The grievance asserts that the College violated the parties' collective negotiations agreement when it required an employee to take leave pursuant to the Federal Family Medical Leave Act, 29 U.S.C. ¶2601 at the onset of his sick leave. The Commission holds that the College does not have a preemptive right to force the grievant to take FMLA leave.

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P.E.R.C. NO. 2012-12

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

MORRIS HILLS REGIONAL
BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2011-012

MORRIS HILLS REGIONAL
EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment relations Commission determines the negotiability of three contract article that the Morris Hills Regional Education Association seeks to include in a successor agreement with the Morris Hills Regional Board of Education. The Commission holds that the proposals regarding the teacher work year and class schedules are not mandatorily negotiable. The proposal regarding teacher work hours is mandatorily negotiable.

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P.E.R.C. NO. 2012-13

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF VOORHEES,

Petitioner,

-and-

Docket No. SN-2011-016

VOORHEES POLICE OFFICERS ASSOCIATION,
VOORHEES SERGEANTS ASSOCIATION AND
VOORHEES SENIOR OFFICERS ASSOCIATION OF
FOP LODGE 56 AND THE FRATERNAL ORDER OF
POLICE - NEW JERSEY LABOR COUNCIL,

Respondents.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Township of Voorhees for a restraint of binding arbitration of a joint grievance filed by the Voorhees Police Officers Association, the Voorhees Sergeants Association, the Voorhees Senior Officers Association of FOP Lodge 56 and the Fraternal Order of Police - New Jersey Labor Council. The grievance asserts that the Township violated the present and past collective negotiations agreements between the parties, the Township Employee Manual and past practice when it unilaterally ceased reimbursing current retirees for increased prescription co-pays in the State Health Benefits program. The Commission holds that a majority representative may seek to enforce a contract on behalf of retired employees in arbitration because it has a cognizable interest in ensuring that retired employees receive whatever retirement benefits were contracted for in the last agreement before retirement.

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P.E.R.C. NO. 2012-14

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

RUTGERS, THE STATE UNIVERSITY,

Petitioner,

-and-

Docket No. SN-2011-029

UNION OF RUTGERS ADMINISTRATORS-
AMERICAN FEDERATION OF TEACHERS,
LOCAL 1766, AFL-CIO,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of Rutgers, The State University for a restraint of binding arbitration of a grievance filed by the Union of Rutgers Administrators - American Federation of Teachers, Local 1766, AFL-CIO. The grievance asserts that the University violated the parties' agreement when it transferred the grievant to a new work location. The Commission finds that the facts presented by Local 1766 are not sufficient to categorize the reassignment as discipline and the University has a prerogative to evaluate the grievant's performance and reassign her based upon her qualifications.

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