

P.E.R.C. NO. 2012-68

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF WAYNE,

Respondent,

-and-

Docket No. CI-2011-052

JOSEPH SHENEKJI,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission sustains the decision of the Director of Unfair Practices dismissing as untimely an unfair practice charge filed by Joseph Shenekji against the Township of Wayne. The Commission holds that Shenekji was not prevented from filing a timely charge.

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. 2012-69

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY,
KEAN UNIVERSITY,

Respondent,

-and-

Docket No. CO-2011-072

COUNCIL OF NEW JERSEY STATE
COLLEGE LOCALS, AFT, AFL-CIO,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission sustains the decision of the Deputy Director of Unfair Practices refusing to issue a complaint based on an unfair practice charge filed by the Council of New Jersey State College Locals, AFT, AFL-CIO against Kean University, D.U.P. No. 2012-1. The Commission holds that the facts alleged by the AFT did not amount to an unfair practice as they established there was an ongoing dialogue between the parties, but no final agreement reached.

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P.E.R.C. NO. 2012-70

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

ROBERT RUFFIN,

Appellant,

-and-

OAL Docket No. CSV 13378-10
Agency Docket No. 2011-1702

DEPARTMENT OF HUMAN SERVICES,
ANCORA PSYCHIATRIC HOSPITAL,

Respondent.

AFSCME COUNCIL 71, LOCAL 2218,

Charging Party,

Docket No. CO-2011-221

-and-

STATE OF NEW JERSEY
ANCORA PSYCHIATRIC HOSPITAL,

Respondent.

SYNOPSIS

The Public Employment Relations Commission affirms a decision of an Administrative Law Judge returning an unfair practice case to PERC for hearing. In a prior Joint Order issued by PERC and the Civil Service Commission, the charge and major disciplinary appeals of Robert Ruffin were consolidated for hearing before the Office of Administrative Law. The Civil Service appeals were dismissed and the CSC affirmed because the suspensions were reduced to minor discipline. PERC directs the Director of Unfair Practices to assign the charge for hearing.

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P.E.R.C. NO. 2012-71

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

NEW JERSEY STATE
(DIVISION OF STATE POLICE),

Public Employer,

-and-

Docket No. RO-2006-087

NEW JERSEY STATE TROOPER
CAPTAINS ASSOCIATION,

Petitioner.

SYNOPSIS

The Public Employment Relations Commission adopts a Hearing Officer's report and recommended decision in a representation petition filed by the New Jersey State Trooper Captains Association seeking to represent a collective negotiations unit of State Police captains employed by the State of New Jersey (Division of State Police). The case was remanded to the Commission by the Appellate Division when the statutory definition of managerial executive and confidential employee changed. The Commission affirms the Hearing Officer's recommendation that a majority of the State Police Captains are eligible for inclusion in the unit.

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P.E.R.C. NO. 2012-72

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF MAPLE SHADE,

Petitioner,

-and-

Docket Nos. SN-2011-052

SN-2011-061

PBA LOCAL 267,

Respondent.

SYNOPSIS

The Public Employment Relations Commission determines the negotiability of proposals that PBA Local 267 seeks to submit to interest arbitration for a successor agreement with the Township of Maple Shade. The Commission holds that the proposals regarding layoff by seniority; work hours; shift bidding; and pay periods are mandatorily negotiable.

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P.E.R.C. NO. 2012-73

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

TOWNSHIP OF WEST CALDWELL,

Petitioner,

-and-

Docket No. SN-2012-052

WEST ESSEX PBA, LOCAL 81
(WEST CALDWELL UNIT),

Respondent.

SYNOPSIS

The Public Employment Relations Commission determines post-interest arbitration the negotiability of a contractual provision the West Essex PBA, Local 81 submitted to interest arbitration for a successor agreement with the Township of West Caldwell. The provision awarded by the interest arbitrator addresses eligibility for out-of-title pay. The Commission holds the provision is not mandatorily negotiable to the extent it significantly interferes with the Township's managerial prerogative to set staffing levels and determine the number and types of officers assigned on duty. The provision is mandatorily negotiable to the extent it provides officers contractual protection against assuming duties outside of their regular job titles.

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