

P.E.R.C NO. 2002-58

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

MORRIS COUNTY VOCATIONAL SCHOOLS  
BOARD OF EDUCATION,

Public Employer,

-and-

Docket No. CU-2001-30

MORRIS COUNTY VOCATIONAL TECHNICAL  
EDUCATION ASSOCIATION,

Employee Organization.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Morris County Vocational Schools Board of Education for review of D.R. No. 2002-8. In that decision, the Acting Director of Representation granted the request of the Morris County Vocational Technical Education Association to clarify its unit of professional and support staff employees to include the position of public relations specialist (PRS). The Board argues that the PRS does not share a community of interest with unit employees because the duties are highly defined and entirely different from other unit members. The Commission concludes that the Acting Director conducted an investigation and issued a comprehensive decision considering the Board's arguments and explaining why the PRS nevertheless has a community of interest with other members of the broad-based unit of certificated and support staff. The Commission finds that there are no compelling reasons to grant review.

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. 2002-59

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BOROUGH OF CHESTER,

Respondent,

-and-

Docket No. CO-2002-180

CHESTER BOROUGH POLICE  
OFFICERS ASSOCIATION,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission denies the Borough of Chester's motion for reconsideration of I.R. No. 2002-8. In that decision, a Commission designee restrained the employer from implementing a planned work schedule change. She found that the Chester Borough Police Officers Association had demonstrated a substantial likelihood of success on the merits of its claim that the Borough planned to change from a 12-hour to an 8-hour schedule in retaliation for a police officer's grievance about special duty assignments. The designee also found that the Association had demonstrated irreparable harm if the schedule was changed and that the Borough had not asserted any harm to it or the public in maintaining the current work schedule. The Commission concludes that no extraordinary circumstances warrant reconsideration of the designee's determinations.

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P.E.R.C. NO. 2002-60

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

SOMERSET COUNTY SHERIFF,

Petitioner,

-and-

Docket No. SN-2002-41

FRATERNAL ORDER OF POLICE  
LODGE #39,

Respondent.

SYNOPSIS

The Public Employment Relations Commission determines that a proposal which Fraternal Order of Police Lodge #39 seeks to include in a collective negotiations agreement with the Somerset County Sheriff is mandatorily negotiable. The proposal concerns the hourly rate of pay for road work performed by sheriff's officers for outside contractors. The Commission finds that the proposal does not appear to restrict the employer's power to ban road jobs if required by law or public safety considerations, but merely sets an hourly rate of pay covering compensation and benefit costs for any road jobs actually done.

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P.E.R.C. NO. 2002-61

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

MARLBORO TOWNSHIP BOARD  
OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2002-20

MARLBORO TOWNSHIP EDUCATION  
ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Marlboro Township Board of Education for a restraint of binding arbitration of a grievance filed by the Marlboro Township Education Association. The grievance contests the salary guide placement of a newly-hired teacher. The Commission concludes that initial placement on a salary guide is a mandatorily negotiable issue. However, the Commission recognizes that there is a critical statewide shortage of world language teachers and arbitration may not be used to block the Board's ability to hire qualified staff in this area. The Commission retains jurisdiction so that if the arbitrator finds a contractual violation, the Board may reactivate its petition within 30 days after the award is received if it believes that the award significantly interferes with its educational obligation to provide necessary staff.

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P.E.R.C. NO. 2002-62

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BOROUGH OF PEAPACK AND GLADSTONE,

Petitioner,

-and-

Docket No. SN-2002-23

MORRIS-SOMERSET P.B.A.  
LOCAL NO. 139,

Respondent.

SYNOPSIS

The Public Employment Relations Commission determines that a proposal made by the Morris-Somerset P.B.A. Local 139 to include a work schedule provision in a successor collective negotiations agreement with the Borough of Peapack and Gladstone is mandatorily negotiable. The Commission concludes that an interest arbitrator may consider the parties' factual presentations and arguments in light of the statutory criteria and prior Commission decisions and, if necessary, the Commission can review any work schedule award to ensure that the criteria have been considered and its guidelines have been followed.

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