

P.E.R.C. NO. 2003-16

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY (DIVISION  
OF STATE POLICE),

Petitioner,

-and-

Docket No. SN-2002-68

STATE TROOPERS NON-COMMISSIONED  
OFFICERS ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the State of New Jersey (Division of State Police) for a restraint of binding arbitration of a grievance filed by the State Troopers Non-Commissioned Officers Association. The grievance contests the selection of an employee to serve as acting criminal investigation officer. The substantive assessment of relative qualifications is preeminently a policy determination not subject to binding arbitration.

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. 2003-17

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY (DIVISION  
OF STATE POLICE),

Petitioner,

-and-

Docket No. SN-2002-69

STATE TROOPERS NON-COMMISSIONED  
OFFICERS ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission partially grants the request of the State of New Jersey (Division of State Police) for a restraint of binding arbitration of grievances filed by the State Troopers Non-Commissioned Officers Association. The Commission grants the request for a restraint of binding arbitration over the decision not to promote several unit members pending internal investigations. The Commission grants the request for a restraint of arbitration over the denial of a promotion except to the extent it alleges violations of negotiable promotion procedures. The employer may refile its petition should an arbitrator issue an award that the employer believes would substantially limit government's policymaking powers.

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P.E.R.C. NO. 2003-18

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

STATE OF NEW JERSEY (DIVISION  
OF STATE POLICE),

Petitioner,

-and-

Docket No. SN-2002-70

STATE TROOPERS NON-COMMISSIONED  
OFFICERS ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the State of New Jersey (Division of State Police) for a restraint of binding arbitration of a grievance filed by the State Troopers Non-Commissioned Officers Association. The Commission grants the restraint to the extent, if any, the grievance seeks to challenge the effective date of a state trooper's promotion to sergeant. The Commission concludes that the employer's interest in knowing the results of internal investigations before permanently promoting employees outweighs the employees' interest in being promoted. The Commission also restrains arbitration over any claim that the retroactive date of the promotion constituted a new disciplinary procedure or sanction. Such issues are neither negotiable nor legally arbitrable for state police.

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P.E.R.C. NO. 2003-19

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CRANFORD BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2002-62

CRANFORD EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Cranford Board of Education for a restraint of binding arbitration of a grievance filed by the Cranford Education Association. The grievance asserts that a teacher was improperly placed on the salary guide. The Commission concludes that initial salary guide placement is a mandatorily negotiable issue and the Board's arguments about the timeliness of the grievance address contractual arbitrability issues rather than negotiability concerns.

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P.E.R.C. NO. 2003-20

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

ROSELLE BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2002-51

ROSELLE EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Roselle Board of Education for a restraint of binding arbitration of a grievance filed by the Roselle Education Association. The grievance seeks holiday compensation for certain employees who worked on the Monday after Veterans Day. The Commission concludes that an agreement providing for the payment of additional compensation to employees who work overtime, on holidays, or at times when other workers do not ordinarily work is mandatorily negotiable.

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. 2003-21

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

CITY OF MILLVILLE,

Petitioner,

-and-

Docket No. SN-2002-46

MILLVILLE P.B.A. LOCAL #213,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants, in part, the request of the City of Millville for a restraint of binding arbitration of a grievance filed by Millville P.B.A. Local #213. The grievance contests the City's decision to return police officers from 12-hour shifts to 8-hour shifts. The Commission restrains arbitration to the extent the grievance challenges the City's right to assign police officers to 8-hour shifts to meet its staffing, fatigue and supervision concerns. The request is otherwise denied.

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. 2003-22

STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY OF MORRIS,

Respondent,

-and-

Docket No. CO-H-2000-74

MORRIS COUNCIL NO. 6, NJCSA,  
IFPTE, AFL-CIO,

Charging Party.

SYNOPSIS

The Public Employment Relations Commission finds that the County of Morris violated the New Jersey Employer-Employee Relations Act when it refused to provide Morris Council No. 6, NJCSA, IFPTE, AFL-CIO with a list of names and home addresses of all employees in the negotiations unit represented by Council 6. The Commission concludes that the union has a right under the New Jersey Employer-Employee Relations Act to request and receive a list of home addresses and that no executive order or other statute prohibits such disclosure.

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STATE OF NEW JERSEY  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

PRINCETON REGIONAL BOARD  
OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2002-71

PRINCETON REGIONAL EDUCATION  
ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission decides the negotiability of several clauses in an expired collective negotiations agreement between the Princeton Regional Board of Education and the Princeton Regional Education Association. The Commission concludes that provisions addressing the structure of the school day for the high school and middle school, including the amounts of time for classes, homeroom and passing between classes, is an educational policy determination and is not mandatorily negotiable. The Commission concludes that the teaching load for elementary school teachers is mandatorily negotiable. The Commission concludes that an article on non-teaching duties is not mandatorily negotiable as it prohibits the assignment of teachers to duty assignments and interferes with the Board's ability to ensure student safety and supervision. However, the Commission finds the issues of compensation and rotation of such duties to be mandatorily negotiable. The Commission concludes that an article restricting inter-school travel unduly restricts teacher assignments and is not mandatorily negotiable, but travel requirements may raise mandatorily negotiable issues of compensation and workload. The Commission concludes that an article concerning teachers' final evaluations upon termination is mandatorily negotiable to the extent the provision requires that items placed in a file also be sent by the Board to the teacher. The Commission concludes that an article concerning personal and academic freedom centers on educational policy and is not mandatorily negotiable. The Commission concludes that an article requiring that teachers receive copies of all texts used in courses does not significantly interfere with the Board's right to determine curriculum and is mandatorily negotiable.

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