



**STATE OF NEW JERSEY
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January 24, 2008

MEMORANDUM

TO: Commissioners

FROM: Robert E. Anderson
General Counsel

SUBJECT: Supplemental Report on Developments in the Counsel's Office Since December 20, 2007

Commission Cases

An Appellate Division panel will hear oral argument on March 5 in Toms River Tp. v. Teamsters Local 97, P.E.R.C. No. 2007-56, 33 NJPER 108 (¶37 2007), App. Div. Dkt. No. A-4969-06T5. The Commission held that an arbitration award in the union's favor was within the scope of negotiations. The arbitrator ruled that the employer violated the parties' contract when it allocated weekend work hours removing trees to a subcontractor's employees rather than its own employees who removed trees during their regular work hours.

REA:aat