

P.E.R.C. NO. 2015-43

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

BOROUGH OF COLLINGSWOOD,

Petitioner,

-and-

Docket No. SN-2014-050

FOP LODGE 76,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the Borough of Collingswood for a restraint of binding arbitration of a grievance filed by FOP Lodge 76. The grievance asserts that the Board violated the parties' past practice when it denied police officers retention of their service weapons upon retirement. The Commission finds that N.J.S.A. 2C:39-5 provides that a retired officer's fitness to retain a handgun will be considered by the Superintendent of State Police on an individual basis after evaluation of many factors, thus a negotiated agreement could not provide uniform treatment of all retiring officers. The Commission also finds that the law does not require the weapon sought to be retained be the one the officer used while on active duty, thus Rochelle Park, P.E.R.C. No. 96-68, 22 NJPER 137 (¶27068 1996) is applicable in restraining 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. 2015-44

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

RUTGERS, THE STATE UNIVERSITY
OF NEW JERSEY,

Petitioner,

-and-

Docket No. SN-2012-010

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

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of Rutgers, The State University of New Jersey 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 challenges the termination of a unit member. The Commission, in P.E.R.C. No. 2013-22, 39 NJPER 187 (¶59 2012), initially denied restraint of arbitration without prejudice in this case for the arbitrator to make the threshold determination of whether the unit member's separation was a disciplinary action or a layoff for economic reasons. Finding that the arbitrator determined that the separation was a disciplinary discharge, the Commission holds that the grievance is mandatorily negotiable and arbitrable.

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P.E.R.C. NO. 2015-45

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

PASCACK VALLEY REGIONAL
BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2014-067

PASCACK VALLEY REGIONAL
EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants in part, and restrains in part, the request of Pascack Valley Regional Board of Education for a restraint of binding arbitration of a grievance filed by the Pascack Valley Regional Education Association. The grievance contests the withholding of a school social worker's employment, adjustment, longevity, and education-based salary increments. Finding that the reasons for the withholding predominately relate to evaluation of performance, the Commission restrains arbitration of the grievant's employment, adjustment, and longevity increments. The Commission finds that the withholding of the grievant's education-based guide movement is arbitrable because it is not an authorized increment withholding under N.J.S.A. 18A:29-14.

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P.E.R.C. NO. 2015-46

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

COUNTY OF MERCER,

Petitioner,

-and-

Docket No. SN-2014-068

PBA LOCAL 167 and
PBA LOCAL 167, SOA,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the County of Mercer for a restraint of binding arbitration of grievances filed by PBA Local 167 and PBA Local 167, SOA. The grievance asserts that the County violated the collective negotiations agreements when it withheld paid leave from unit members who were injured or became ill on the job. The Commission finds that paid injury leave in addition to worker's compensation is mandatorily negotiable where not specifically preempted by statute, and that N.J.S.A. 40A:14-113 allows counties to grant police paid sick/injury leave for up to one year whether or not the injury or illness is work-related.

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P.E.R.C. NO. 2015-47

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

ELIZABETH BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2014-100

ELIZABETH EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the Elizabeth Board of Education for a restraint of binding arbitration of a grievance filed by the Elizabeth Education Association. The grievance contests the withholding of a teacher's salary increment. Finding that the reasons for the withholding predominately relate to evaluation of teaching performance, the Commission restrains arbitration.

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P.E.R.C. NO. 2015-48

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

ELIZABETH BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2014-102

ELIZABETH EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission grants the request of the Elizabeth Board of Education for a restraint of binding arbitration of a grievance filed by the Elizabeth Education Association. The grievance contests the withholding of a teacher's salary increment. Finding that the reasons for the withholding predominately relate to evaluation of teaching performance, the Commission restrains arbitration.

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P.E.R.C. NO. 2015-49

STATE OF NEW JERSEY
BEFORE THE PUBLIC EMPLOYMENT RELATIONS COMMISSION

In the Matter of

ELIZABETH BOARD OF EDUCATION,

Petitioner,

-and-

Docket No. SN-2014-104

ELIZABETH EDUCATION ASSOCIATION,

Respondent.

SYNOPSIS

The Public Employment Relations Commission denies the request of the Elizabeth Board of Education for a restraint of binding arbitration of a grievance filed by the Elizabeth Education Association. The grievance contests the withholding of a teacher's salary increment. Finding that the reasons for the withholding do not predominately relate to evaluation of teaching performance, the Commission declines to restrain arbitration.

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